

## Amendatory Ordinance 5-0821

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Jonathan Novak;**

For land being in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 21, Town 6N, Range 2E in the Town of Linden affecting tax parcel 014-0046;

**And, this petition is made to rezone 3.36 acres from A-1 Agricultural to AR-1 Agricultural Residential.**

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Linden,**

Whereas a public hearing, designated as zoning hearing number **3190** was last held on **July 29, 2021** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

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I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was  X  approved as recommended   approved with amendment   denied as recommended   denied or   rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **August 17, 2021**. The effective date of this ordinance shall be **August 17, 2021**.

  
Kristy K. Spurley  
Iowa County Clerk

Date: 08-18-2021



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on July 29, 20201

Zoning Hearing 3190

Recommendation: **Approval**

**Applicant(s):** Jonathan Novak

**Town of Linden**

**Site Description:** part of the NW/NW of S21-T6N-R2E also affecting tax parcel 014-0046

**Petition Summary:** This is a request to rezone 3.36 acres from A-1 Ag to AR-1 Ag Res.

#### Comments/Recommendations

1. The proposed lot does not meet the minimum 40-acre lot size for the A-1 district so is being requested to be zoned AR-1 Ag Res.
2. If approved, the lot will be eligible for one single family residence, accessory structures and limited ag uses, but no livestock-type animals. A Conditional Use Permit is also being requested for up to 10 animal units.
3. The associated certified survey map has been submitted for formal review.
4. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding a zoning change:
  1. The petition is consistent with the Iowa County Comprehensive Plan and the comprehensive plan of any Town affected by said petition.
  2. Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available as required by the petition while maintaining adequate levels of service to existing development.
  3. Provisions of public facilities to accommodate the petition will not place an unreasonable burden on the ability of affected local units of government to provide the.
  4. The petition will not result in significant adverse impacts upon surrounding properties or the natural environment, including air, water, noise, stormwater management, soils, wildlife and vegetation.
  5. The land associated with the petition is suitable for the proposed development and said development will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas.
  6. The petition will not be used to legitimize a nonconforming use or structure.
  7. The petition is the minimum action necessary to accomplish the intent of the petition, and an administrative adjustment, variance, or Conditional Use Permit could not be used to achieve the same result.
  8. The petition will not result in illegal "spot zoning" (i.e. use is inconsistent with surrounding properties and serves only a private, rather than public interest).

**Town Recommendation:** The Town of Linden is recommending approval of the rezoning.

**Staff Recommendation:** Staff recommends approval of the rezoning with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

