

Amendatory Ordinance 1-922

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Karen Holloway;

For land being in the E ½ of the NW ¼ of Section 6, Town 7N, Range 5E in the Town of Arena affecting tax parcels 002-0713.A and 002-0716.B.

And, this petition is made to rezone 19 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 Arena,**

Whereas a public hearing, designated as zoning hearing number **3285** was last held on **August 25, 2022** 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.**

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.

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 **September 20, 2022.** The effective date of this ordinance shall be **September 20, 2022.**

Kristy K. Spurley
Kristy K. Spurley
Iowa County Clerk

Date: 9-20-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on August 25, 2022

Zoning Hearing 3285

Recommendation: **Approval**

Applicant(s): Karen Hollowy

Town of Arena

Site Description: E ½ - NW of S6-T7N-R5E also affecting tax parcels 0713.A; 0716.B

Petition Summary: This is a request to rezone an existing 19 acres from legal nonconforming A-1 Ag to AR-1 Ag Res

Comments/Recommendations

1. This lot existed in 1978 when the minimum lot size for the A-1 district was increased to 40 acres. This means any lawful use existing at that time can continue, but any new use requires compliance with the current zoning standards. The applicant proposes to build a residence which is a new use, thus the petition to rezone to the AR-1 Ag Res district.
2. If approved, the AR-1 district would allow one single-family residence, accessory structures and limited ag uses, including up to 8 livestock type animal units.
3. 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 Arena is recommending approval

Staff Recommendation: Staff recommends approval.

