

Amendatory Ordinance 2-1222

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Catherine Adametz Jenkins, Jarred Searls and Laura Daniels;

For land being in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Town 6N, Range 1E and NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16, Town 6N, Range 1 E in the Town of Eden affecting tax parcels 010-0132.A and 010-0020;

And, this petition is made to zone 10.0 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 Eden,**

Whereas a public hearing, designated as zoning hearing number **3313** was last held on **December 1, 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** said petition with the conditions that the associated certified survey map is duly recorded and land transfers take place 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.

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


Kristy K. Spurley
Iowa County Clerk

Date: 12-20-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on December 1, 2022

Zoning Hearing 3313

Recommendation: **Approval**

Applicant(s): Catherine Adametz Jenkins, Jarred Searls & Laura Daniels

Town of Eden

Site Description: NE/NW S7-T7N-R5E also affecting tax parcels 002-0725.01; 0727

Petition Summary: This is a request to zone 10 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The intent is for the Adametz Estate lot to include historical area of occupation. Current deed descriptions do not match the area that the Adametz Estate has been using.



2. If approved, the AR-1 lot will retain its existing uses.
3. The associated certified survey map has been submitted for formal review.

4. If approved, there will need to be deeds between the applicants for land currently on the Adametz deed to go to Searls/Daniels and land currently on the Searls/Daniels deed to go to Adametz.
5. 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 Eden is recommending approval.

- 1) **Staff Recommendation:** Staff recommends approval with the conditions that the associated certified survey map is duly recorded and the land transfers take place with 6 months of County Board approval.

