

Amendatory Ordinance 2-422

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Leah Forseth and 4Seth Farms LLC;

For land being in the NE ¼ of the SW ¼ of Section 24, Town 8N, Range 4E in the Town of Arena affecting tax parcel 002-1141 and being Lot 1 of CSM 321;

And, this petition is made to rezone 1.0 acre from AR-1 Agricultural Residential to B-2 Highway Business.

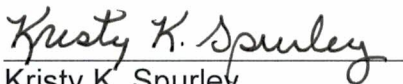
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Arena,**

Whereas a public hearing, designated as zoning hearing number **3240** was last held on **March 24, 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.

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 **April 19, 2022**. The effective date of this ordinance shall be **April 19, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 4-19-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on March 24, 2022

Zoning Hearing 3240

Recommendation: **Approval**

Applicant(s): Leah Forseth et al.

Town of Arena

Site Description: NE/SW of 24-T8N-R4E also affecting tax parcel 002-1141

Petition Summary: This is a request to rezone a lot from AR-1 Ag Res to B-2 Hwy Bus in order to be eligible for a Conditional Use Permit for an existing residence to be used for short-term rental, called a Tourist Cottage under county zoning.

Comments/Recommendations

1. The existing lot is zoned AR-1 Ag Res, which doesn't provide for the full-time short-term rental. Zoning to the B-2 Hwy Bus district provides the ability to seek a CUP for a Tourist Cottage (full-time short-term rental).
2. There is no proposed division of the property.
3. If approved, any change in use...such as converting to permanent residential use...will necessitate zoning approval to a residential district.
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 Arena is recommending approval.

Staff Recommendation: Staff recommends approval with the following conditions for the CUP:

- 1) The maximum occupation for any single rental period shall not exceed 6, unless the private septic system is enlarged. The occupation rate is 2 persons per bedroom sizing of system (currently a 3 bedroom system).
- 2) A new address is required for either the farm buildings or this rental house so there are unique addresses to facilitate emergency services.
- 3) The owner shall acquire and maintain any required State licensing.

