

Amendatory Ordinance 2-922

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by James Brodzeller;

For land being in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, Town 8N, Range 4E in the Town of Arena affecting tax parcels 002-1247.02 and 002-1248.04;

And, this petition is made to rezone 9.01 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 **3286** 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** said petition with the conditions that the associated certified survey map is duly recorded and the remainder of the parent lot be sold to an adjacent landowner and consolidated by deed with said landowner's land 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 **September 20, 2022**. The effective date of this ordinance shall be **September 20, 2022**.


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 3286

Recommendation: **Approval**

Applicant(s): James Brodzeller

Town of Arena

Site Description: S34-T8N-R4E also affecting tax parcels 002-1247.02; 1248.04

Petition Summary: This is a request to zone 9.01 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The minimum lot size for the A-1 district is 40 acres, so the proposed 9.01-acre lot requires zoning approval in order to be legally created.
2. The applicant proposes to keep the 9.01 acres and sell the balance of the parent property (about 31 acres) to an adjoining landowner.
3. If approved, the AR-1 lot will be eligible for one single family residence, accessory structures and limited ag uses, including up to 3 livestock type animal units.
4. The associated certified survey map has not yet 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 Arena is recommending approval

Staff Recommendation: Staff recommends approval with the following conditions:

- 1) The associated certified survey map is duly recorded within 6 months of County Board approval
- 2) The remainder of the parent lot be sold to an adjacent landowner and consolidated by deed with said landowner's land within 6 months of County Board approval

