

## Amendatory Ordinance 6-1122

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Jordan and Megan Tibbits;**

For land being in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 24, Town 5N, Range 2E in the Town of Mineral Point affecting tax parcel 018-0957.09;

**And, this petition is made to zone 3.22 acres from AR-1 Agricultural Residential to AB-1 Agricultural Business.**

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

Whereas a public hearing, designated as zoning hearing number **3306** was last held on **October 27, 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.

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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 **November 15, 2022**. The effective date of this ordinance shall be **November 15, 2022**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   11-15-2022



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on October 27, 2022

Zoning Hearing 3306

Recommendation: **Approval**

**Applicant(s):** Jordan & Megan Tibbits

**Town of Mineral Point**

**Site Description:** NW/SW of S24-T5N-R2E also affecting tax parcel 018-0957.09

**Petition Summary:** This is a request to zone 3.22 acres from AR-1 Ag Res to AB-1 Ag Bus.

#### Comments/Recommendations

1. This lot was zoned AR-1 in 2019 without any allowance for livestock-type animal units as defined in the zoning ordinance. The applicants obtained a permit to build a shed/shop in 2021. Upon inspection, it and the existing barn was found to be housing pigs. Being under 5 acres, there is no allowance for animal units unless enlarged or rezoned.
2. If approved, the AB-1 district would only allow cropping. A Conditional Use Permit is required for the Commercial Livestock Operation and associated residence.
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).

**4. Town Recommendation:** The Town of Mineral Point is recommending approval.

**Staff Recommendation:** Staff recommends approval of the rezoning with the condition that the associated Conditional Use Permit is approved.

