

## Amendatory Ordinance 8-622

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Daniel and Randy Toay;**

For land being in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 11, Town 5N, Range 4E in the Town of Ridgeway affecting tax parcels 024-0784.01, 024-0785.01, 024-0778, and 024-0778.A;

**And, this petition is made to rezone 2.85 acres from A-1 Agricultural and AR-1 Agricultural Residential to all AR-1 Agricultural Residential; and 13.63 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 Ridgeway,**

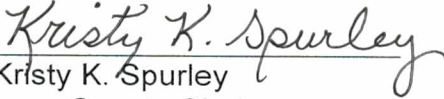
Whereas a public hearing, designated as zoning hearing number **3269** was last held on **May 26, 2022** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map is duly recorded with the Register of Deeds 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.

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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 **June 21, 2022**. The effective date of this ordinance shall be **June 21, 2022**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   6-21-2022



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on May 26, 2022

Zoning Hearing 3269

Recommendation: **Approval**

**Applicant(s):** Daniel & Randy Toay

**Town of Ridgeway**

**Site Description:** SE/SE & W1/2 SW S11-T5N-R4E also affecting tax parcels 024-0784.01, 0785.01, 0778, 0778.A

**Petition Summary:** This is a request to enlarge an existing 1.85-acre AR-1 Ag Res lot to 2.85 acres by rezoning from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res; and to create a 13.63-acre lot by rezoning from A-1 Ag to AR-1 Ag Res.

#### Comments/Recommendations

1. The current A-1 zoning requires a minimum lot size of 40 acres, so the proposed lots require zoning approval to be created.
2. If approved, the use of the proposed 2.85-acre lot will remain unchanged. If approved, the AR-1 district would allow one single family residence, accessory structures and limited ag uses, including up to 5 livestock type animal units on the 13.63-acre lot.
3. 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 Ridgeway is recommending approval.

**Staff Recommendation:** Staff recommends approval with the condition that the associated certified survey map is duly recorded with the Register of Deeds within 6 months of County Board approval.

