

Amendatory Ordinance 1-0323

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Erik Ekedahl;

For land being in the NE ¼ of the SE ¼ of Section 22, Town 7N, Range 1E and NW ¼ of the SW ¼ of Section 23, Town 7N, Range 1E in the Town of Highland affecting tax parcels 012-0819 and 012-0835.

And, this petition is made to zone 17.8 acres from A-1 Agricultural to AR-1 Agricultural Residential.

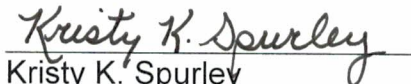
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Highland,**

Whereas a public hearing, designated as zoning hearing number **3322** was last held on **February 23, 2023** 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.**

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 **March 21, 2023.** The effective date of this ordinance shall be **March 21, 2023.**


Kristy K. Spurley
Iowa County Clerk

Date: 3-21-2023



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on February 23, 2023

Zoning Hearing 3322

Recommendation: **Approval**

Applicant(s): Erik Ekedahl

Town of Highland

Site Description: NE/SE & NE/SW of S22-T7N-R1E & NW/SW of S23-T7N-R1E also affecting tax parcels 012-0819; 0835

Petition Summary: This is a request to zone 17.8 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The existing 17.8-acre A-1 lot was created prior to the minimum 40-acre lot size taking effect for that zoning district. However, as a nonconforming lot, only those uses that existed at that time are allowed to continue and any new use requires compliance with the current ordinance. The applicant's intent to build a residence requires either rezoning or enlarging to 40 or more acres.
2. If approved, the lot would allow one single family residence, accessory buildings and limited ag uses, including up to 8 animal units as defined by the Iowa County Zoning Ordinance.
3. There is no associated certified survey map as this lot was created prior to that requirement.
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 Highland has reviewed and is recommending approval.

Staff Recommendation: Staff recommends approval.

