

Amendatory Ordinance 1-0523

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Tom Frischmann;

For land being in the SW ¼ of the SE ¼ of Section 35, Town 8N, Range 4E in the Town of Arena affecting tax parcel 002-1271.

And, this petition is made to zone 30.0 acres from A-1 Agricultural to AR-1 Agricultural Residential.

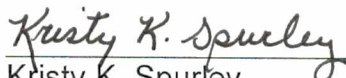
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Arena,**

Whereas a public hearing, designated as zoning hearing number **3335** was last held on **April 27, 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 **May 16, 2023**. The effective date of this ordinance shall be **May 16, 2023**.



Kristy K. Spurley
Iowa County Clerk

Date: 5-16-2023



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Iowa Street, Suite 1223

Dodgeville, WI 53533

608-935-0333/608-553-7575/fax 608-935-0326

Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing held on April 27, 2023

Zoning Hearing 3335

Recommendation: **Approval**

Applicant(s): Tom Frischmann

Town of Arena

Site Description: SW/SE of S35-T8N-R4E also affecting tax parcel 002-1271

Petition Summary: This is a request to zone 30.0 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The existing 30-acre lot is currently nonconforming due to not meeting the minimum 40-acre lot size for the A-1 district. The proposal is to make it conform by rezoning to the AR-1 district, which doesn't require 40 acres.
2. If approved, the lot would allow one single family residence, accessory buildings and limited ag uses, including up to 11 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 Arena has reviewed and is recommending approval.

Staff Recommendation: Staff recommends approval.

