

Amendatory Ordinance 2-0623

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by James Clifton et al.;

For land being in the NE ¼ of the SE ¼ of Section 30, Town 6N, Range 1E in the Town of Eden affecting tax parcel 010-0440.

And, this petition is made to zone 2.0 acres from A-1 Agricultural to AR-1 Agricultural Residential.

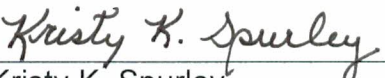
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Eden,**

Whereas a public hearing, designated as zoning hearing number **3345** was last held on **May 25, 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** with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

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 **June 20, 2023**. The effective date of this ordinance shall be **June 20, 2023**.



Kristy K. Spurley
Iowa County Clerk

Date: 6-20-2023



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing held on May 25, 2023

Zoning Hearing 3345

Recommendation: **Approval**

Applicant(s): James Clifton etal.

Town of Eden

Site Description: NE/SE of S30-T6N-R1E also affecting tax parcel 010-0440

Petition Summary: This is a request to zone 2.0 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size so the proposed 2-acre lot requires rezoning order to be legally created.
2. If approved, the lot would allow one single family residence, accessory structures and limited ag uses, but no animal units as defined in the Iowa County Zoning Ordinance due to being under 5 acres.
3. The associated certified survey map has been submitted for formal review. The shown easement is not intended to be developed into a driveway as an easement will be provided across the existing drive to the east but may not be 66 feet wide.
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 Eden is recommending approval.

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

