

Amendatory Ordinance 1-0124

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Mabel Schofield and Calvin Jensen;

For land being in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Town 8N, Range 4E in the Town of Arena affecting tax parcels 002-1124.A, 002-1124C and 002-1124.05,

And, this petition is zone 8.93 acres, 5.0 acres and 2.07 acres from A-1 Agricultural to AR-1 Agricultural Residential.

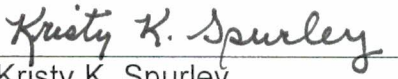
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Arena,**

Whereas a public hearing, designated as zoning hearing number **3389** was last held on **December 28, 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.

Now therefore be it resolved that the 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 **January 16, 2024**. The effective date of this ordinance shall be **January 16, 2024**.


Kristy K. Spurley
Iowa County Clerk

Date: 1-16-2024



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing held on December 28, 2023

Zoning Hearing 3389

Recommendation: **Approval**

Applicant(s): Mabel Schofield and Calvin Jensen

Town of Arena

Site Description: SE/NW of S23-T8N-R4E also affecting tax parcels 002-1124.A, 1124.C, 1124.05

Petition Summary: This is a request to zone 8.93 acres, 5.0 acres, & 2.07 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. Currently, the Schofield land is nonconforming A-1 Ag due to being less than the minimum 40-acre lot size for that district and having been created since that lot size took effect. The Jensen land is legal nonconforming A-1 as it was created before the minimum 40-acre size took effect. This proposal to alter both properties into 3 lots requires rezoning as none of the proposed lots meet the current minimum 40-acre lot size to remain A-1.
2. If approved, each lot would be eligible for one single family residence, accessory buildings and limited ag uses, including up to 3 animal units as defined in the Iowa County Zoning Ordinance, on the two larger lots but none on the smaller lot without a Conditional Use Permit.
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 those services.
 - 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 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.

