

Amendatory Ordinance 1-0224

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by John & Lisa Hogan;

For land being in the SE ¼ of the NE ¼ of Section 4, Town 7N, Range 4E in the Town of Arena affecting tax parcel 002-1344.A,

And, this petition is zone 7.0 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 **3397** was last held on **February 1, 2024** 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 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 **February 20, 2024.** The effective date of this ordinance shall be **February 20, 2024.**

Kristy K. Spurley
Kristy K. Spurley
Iowa County Clerk

Date: **2-20-2024**



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing held on February 1, 2024

Zoning Hearing 3397

Recommendation: **Approval**

Applicant(s): John & Lisa Hogan

Town of Arena

Site Description: SE/NE of S7-T7N-R4E also affecting tax parcel 002-1344.A

Petition Summary: This is a request to zone 7.0 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size and this lot was created after the minimum lot size took effect, making it nonconforming. As such, it is ineligible for permits unless rezoned or enlarged to 40 or more acres. The applicants intend to replace the existing house with a new house.
2. If approved, the lot would be eligible for one single family residence (existing), accessory buildings and limited ag uses, including up to 3 animal units as defined in the Iowa County Zoning Ordinance.
3. The lot was created before description by certified survey map was required.
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.

