

Amendatory Ordinance 2-0324

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Tyler Tonkin;

For land being in the SW ¼ of the SW ¼ of Section 26 & SE ¼ of the SE ¼ of S27, all in Town 5N, Range 2E in the Town of Linden affecting tax parcels 014-0881 and 014-0908,

And, this petition is made to zone 2.004 acres from A-1 Agricultural to AR-1 Agricultural Residential.

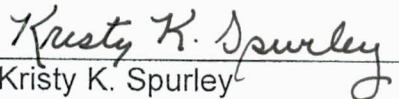
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Linden,**

Whereas a public hearing, designated as zoning hearing number **3405** was last held on **February 29, 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** 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 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 ✓ 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 19, 2024**. The effective date of this ordinance shall be **March 19, 2024**.


Kristy K. Spurley
Iowa County Clerk

Date: 3-19-2024



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing held on February 29, 2024

Zoning Hearing 3405

Recommendation: **Approval**

Applicant(s): Tyler Tonkin

Town of Linden

Site Description: SW/SW of S26 & SE/SE of S27-T5N-R2E also affecting tax parcels 014-0881; 0908

Petition Summary: This is a request to zone 2.004 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The A-1 district has a minimum lot size of 40 acres, so the proposed lot would require rezoning to be legally created.
2. If approved, the lot would be eligible for one single family residence, accessory structures and limited ag uses, but no animal units as defined in the Iowa County Zoning Ordinance, without a Conditional Use Permit.
3. The associated certified survey map has been submitted for review.
4. The proposed lot is within the jurisdiction of the Iowa County Airport Zoning Ordinance and meets the standards of Zone 3.
5. 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 Linden is recommending approval.

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

