Amendatory Ordinance No. 8-0620

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by the Richard J. Taylor Trust;

For land being part of the SW ¼ of the SW ¼ of Section 4-T4N-R5E in the Town of Moscow; affecting tax parcel 020-0506.

And, this petition is made to rezone 19.03 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 Moscow,

Whereas a public hearing, designated as zoning hearing number 3104 was last held on May 28, 2020 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 said petition 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 16, 2020. The effective date of this ordinance shall be June 16, 2020.

Greg Klusendorf
Iowa County Clerk
Date: 6/17/20
Planning & Zoning Committee Recommendation Summary
Public Hearing Held on May 28, 2020 Zoning Hearing 3104
Recommendation: Approval

Applicant(s): Richard Taylor and R. Taylor Trust
Town of Moscow
Site Description: SE/SW S4-T4N-R5E also affecting tax parcel 020-0506

Petition Summary: This is a request to resolve the nonconformity of an existing 19.03-acre lot by rezoning from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations
1. This lot was created in 2019 when this was the land kept after selling the rest of the parent property causing it to become nonconforming. Since it does not meet the minimum 40-acre lot size for the A-1 district, it is nonconforming.
2. If approved, the lot will be eligible for one single family residence (existing), accessory structures, and limited ag uses including up to 8 livestock type animal units.
3. The associated certified survey map has been submitted for 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 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 Moscow is recommending approval.

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