

Amendatory Ordinance 1-0723

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by the Iowa County Highway Department, Paula Schuette, Sara Erickson and Brenda Kite;

For land being in the NE ¼ of the SE ¼ of Section 14, Town 4N, Range 5E in the Town of Moscow affecting tax parcel 020-0719 and 020-0720,

And, this petition is made to zone 5.91 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 **3352** was last held on **June 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 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 _____ 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 **July 18, 2023**. The effective date of this ordinance shall be **July 18, 2023**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Planning & Zoning Committee Recommendation Summary

Public Hearing held on June 28, 2023

Zoning Hearing 3352

Recommendation: **Approval**

Applicant(s): Iowa County Highway Dept and Paula Schuette, etal.

Town of Moscow

Site Description: NE/SE of S14-T4N-R5E also affecting tax parcels 020-0719; 0720

Petition Summary: This is a request to zone 5.91 acres from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. This petition is being made as the result of acquisition of right-of-way for the relocation of County Road F. The affected lot was legal nonconforming A-1 Ag, then became nonconforming when land was sold to the county.
2. If approved, the lot would allow one single family residence, accessory structures and limited ag uses, including up to 3 animal units as defined in the Iowa County Zoning Ordinance.
3. The associated certified survey map has 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 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 pending payment of their review fee.

Staff Recommendation: Staff recommends approval with the conditions that the Town verifies its payment and that the associated certified survey map is duly recorded within 6 months of County Board approval.

