

Amendatory Ordinance 1-0924

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Pat, Joe and Tom Reichling;

For land being in the NE ½ of the NW ¼ of Section 13, Town 4N, Range 3E in the Town of Mineral Point affecting tax parcels 018-0836 and 018-0837;

And, this petition is zone 9.62 acres from A-1 Agricultural to AR-1 Agricultural and approximately 39 acres with the AC-1 Agricultural Conservancy overlay district.

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

Whereas a public hearing, designated as zoning hearing number **3438** was last held on **August 22, 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 conditions that the remaining remnant in the northwest of tax parcel 018-0837 be combined by deed with adjacent A-1 Agricultural land and 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 _____ 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 **September 17, 2024**. The effective date of this ordinance shall be **September 17, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Planning & Zoning Committee Recommendation Summary

Public Hearing held on August 22, 2024

Zoning Hearing 3438

Recommendation: **Approval**

Applicant(s): Pat, Joe & Tom Reichling

Town of Mineral Point

Site Description: N ½ - NW of S13-T4N-R3E also affecting tax parcels 018-0836; 0837

Petition Summary: This is a request to zone 9.62 acres from A-1 Ag to AR-1 Ag Res and approximately 39 acres with the AC-1 Ag Conservancy overlay.

Comments/Recommendations

1. The existing A-1 district has a minimum 40-acre lot size, so rezoning is required to legally create the proposed lot. The AC-1 overlay is proposed to comply with the town's residential density standard.
2. If approved, the AR-1 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. The AC-1 district would allow open space uses but prohibit any development.
3. As described, the new lot would isolate a remnant of the parent property that would need to be consolidated by deed with land to the west or the map changed to provide a minimum contiguity of 50 feet to land to the south.
4. The associated certified survey map has not yet been submitted for formal review.
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 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 - zoning change: The Town of Mineral Point is recommending approval.

Staff Recommendation - zoning change: Staff recommends approval with the conditions that the referenced remnant of the parent property is consolidated with adjacent land to the west or south and the associated certified survey map is duly recorded within 6 months.

