

## Amendatory Ordinance 7-1124

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Jason Schluter, Dave Onan and Mary Patoka;**

For land being Lot 90 of The Springs Subdivision in Section 29, Town 8N, Range 4E in the Town of Wyoming affecting tax parcel 028-0864;

**And, this petition is zone 0.715 acre from R-2 Multi-Family Residential to R-1 Single-Family Residential.**

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

Whereas a public hearing, designated as zoning hearing number **3455** was last held on **October 31, 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.

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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 **November 12, 2024**. The effective date of this ordinance shall be **November 12, 2024**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   11-12-2024



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing held on October 31, 2024

Zoning Hearing 3455

Recommendation: **Approval**

**Applicant(s):** Jason Schluter, Dave Onan and Mary Patoka

**Town of Wyoming**

**Site Description:** Lot 90 The Springs S29-T8N-R4E also affecting tax parcel 028-0864

**Petition Summary:** This is a request to zone 0.715 acre from R-2 Multi-Family Res to R-1 Single-Family Res.

#### Comments/Recommendations

1. This lot is one of several that are zoned R-2 in 1993 within an area comprising 89 acres of the development. The proposal is to build a single-family residence, which is not an allowed use in the R-2 district.
2. The R-1 district allows for one single family residence and accessory structures.
3. This development originated in the early 1970s and has undergone multiple revisions and zoning changes. At the time when originally platted, this 0.715-acre lot was lawful.
4. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding on 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 Wyoming is recommending approval.

**Staff Recommendation:** Staff recommends approval.

