

**Amendatory Ordinance No. 2-0820**

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Melanie & Scott Norton and Dave & Shelly Lee;**

For land being part of the SE ¼ of Section 21-T6N-R5E in the Town of Brigham;  
affecting tax parcels 004-0782, 004-0783, and 004-0780.

**And, this petition is made to rezone 2.0 acres from A-1 Agricultural to AR-1 Agricultural Residential and 18.0 acres with the AC-1 Agricultural Conservancy overlay;**

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

Whereas a public hearing, designated as zoning hearing number **3121** was last held on **July 23, 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.

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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 **August 18, 2020**. The effective date of this ordinance shall be **August 18, 2020**.

  
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Greg Klusendorf  
Iowa County Clerk

Date:   8/19/20



## **IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT**

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### **Planning & Zoning Committee Recommendation Summary**

Public Hearing Held on July 23, 2020

Zoning Hearing 3121

Recommendation: **Approval**

**Applicant(s):** Melanie & Scott Norton and Dave & Shelly Lee

**Town of Brigham**

**Site Description:** SE1/4 S21-T6N-R5E also affecting tax parcels 004-0782; 0783; 0780

**Petition Summary:** This is a request to create a 2-acre AR-1 lot by rezoning from A-1 Ag. It includes zoning 18 acres with the AC-1 Ag Conservancy overlay to meet the Town density standard.

#### **Comments/Recommendations**

1. If approved, the AR-1 lot will be eligible for one single family residence, accessory structures and limited ag uses, but no livestock type animal units. The AC-1 area is allowed open space uses but no development that requires a zoning permit.
2. The associated certified survey map has not been submitted for formal review.
3. 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 Brigham is recommending approval with the AC-1 overlay.

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

