

Amendatory Ordinance 1-0521

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Steve and Dennis Phillips;

For land being part of the N 1/2 of the NW ¼ of Section 30-T6N-R5E in the Town of Brigham; affecting tax parcels 004-0948, 004-0948.04 and 004-0948.05;

And, this petition is made to rezone 5.04 acres from A-1 Agricultural and AR-1 Agricultural Residential to all AR-1 Agricultural Residential.;

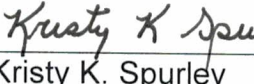
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Brigham,**

Whereas a public hearing, designated as zoning hearing number **3157** was last held on **April 22, 2021** 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 **May 15, 2021**. The effective date of this ordinance shall be **May 15, 2021**.



Kristy K. Spurley
Iowa County Clerk

Date: 5-18-2021



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on April 22, 2021

Zoning Hearing 3157

Recommendation: **Approval**

Applicant(s): Steve & Dennis Phillips

Town of Brigham

Site Description: N1/2-NW of S30-T6N-R5E also affecting tax parcels 004-0948.04; 0948.05; 0948

Petition Summary: This is a request to enlarge one AR-1 lot from 4.96 acres to 5.04 acres and reconfigure a second 5-acre AR-1 lot.

Comments/Recommendations

1. The applicants are proposing a shed on the easterly lot, had already done site preparation, then found the setback could not be met. Instead of moving the shed site, they are proposing to add to the lot to create new lot lines where the setback can be met and a permit for the shed issued.
2. The westerly lot will be reconfigured in the process, but remain the same 5 acres in area.
3. If approved, each of the allowed uses on each of the lots will remain unchanged.
4. The associated certified survey map has not 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: The Town of Brigham is recommending approval.

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

