

Amendatory Ordinance 1-0821

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Kevin Bollinger;

For land being in the E ½ of the NE ¼ of Section 7, Town 6N, Range 5E in the Town of Brigham affecting tax parcels 004-0487 and 004-0491;

And, this petition is made to rezone 3.0 acres and 3.04 acres from A-1 Agricultural to AR-1 Agricultural Residential with 40.0 acres zoned 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 Brigham,**

Whereas a public hearing, designated as zoning hearing number **3186** was last held on **July 29, 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 be duly recorded within 6 months.

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 **August 17, 2021**. The effective date of this ordinance shall be **August 17, 2021**.


Kristy K. Spurley
Iowa County Clerk

Date: 08-18-2021



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on July 29, 20201

Zoning Hearing 3186

Recommendation: **Approval**

Applicant(s): Kevin Bollinger

Town of Brigham

Site Description: E1/2-NE of S7-T6N-R5E also affecting tax parcels 004-0487; 0491

Petition Summary: This is a request to create two lots of 3.0 & 3.04 acres by rezoning from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The proposed lots do not meet the minimum 40-acre lot size for the A-1 district so are being requested to be zoned AR-1 Ag Res.
2. If approved, each lot will be eligible for one single family residence, accessory structures and limited ag uses but no livestock-type animals.
3. The AC-1 Ag Conservancy overlay is being applied to meet the town's residential density. No development requiring a zoning permit will be allowed in the AC-1 district.
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: The Town of Brigham is recommending approval with condition that a multi-user driveway agreement be submitted to the Town prior the County hearing.

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

