

Amendatory Ordinance 1-722

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Paul Ramsden and Lois Denure;

For land being in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Town 5N, Range 5E in the Town of Brigham affecting tax parcels 004-1248 and 004-1126;

And, this petition is made to rezone 7.548 acres from A-1 Agricultural to AR-1 Agricultural Residential with 12.5 acres zoned to 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 **3273** was last held on **June 23, 2022** 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.

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 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 **July 19, 2022**. The effective date of this ordinance shall be **July 19, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 7-19-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on June 23, 2022

Zoning Hearing 3273

Recommendation: **Approval**

Applicant(s): Paul Ramsden and Lois Denure

Town of Brigham

Site Description: NW/NE of S10-T5N-R5E also affecting tax parcels 004-1248; 1126

Petition Summary: This is a request to rezone 7.548 acres from A-1 Ag to AR-1 Ag Res with 12.5 acres zoned with the AC-1 Ag Conservancy overlay

Comments/Recommendations

1. The A-1 district has a minimum lot size of 40 acres, so the proposed lot requires rezoning in order to be legally created. The AC-1 is required to comply with the town's 1:20 residential density.
2. If approved, the AR-1 lot would allow one single-family residence, accessory structures and limited ag uses, including up to 3 livestock type animal units. The AC-1 district allows open space ag uses, but no development that requires a zoning permit.
3. The associated certified survey map has been submitted for formal review.
4. 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 with the Register of Deeds within 6 months of the County Board approval.

