

Amendatory Ordinance 10-1122

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Wisconsin Power & Light Company;

For land being in the SE ¼ of the NE ¼ of Section 10, Town 6N, Range 5E in the Town of Brigham affecting tax parcel 004-0558.02;

And, this petition is made to zone 7.58 acres from A-1 Agricultural to AB-1 Agricultural Business.

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 **3295** was last held on **September 22, 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 Conditional Use Permit is approved, which was accomplished at the October 27, 2022 meeting of the Iowa County Planning & Zoning Committee.

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 **November 15, 2022**. The effective date of this ordinance shall be **November 15, 2022**.


Kristy K. Spurley
Iowa County Clerk

Date: 11-15-2022



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on September 22, 2022

Zoning Hearing 3295

Recommendation: **Approval**

Applicant(s): WP&L Company

Town of Brigham

Site Description: SE/NE of S10-T6N-R5E also affecting tax parcel 004-0558.02

Petition Summary: This is a request to zone 7.58 acres from A-1 Ag to AB-1 Ag Bus to make eligible for an electrical distribution substation.

Comments/Recommendations

1. The minimum lot size for the A-1 district has been 40 acres since 1978. This lot was created by land division in 1981, so became nonconforming due to not meeting the minimum lot size.
2. If approved, the AB-1 lot will allow agricultural cropping as a permitted use. Any other use will require a Conditional Use Permit, which the applicant has made for an electrical distribution substation (electrical transmission utility under the county ordinance)
3. The lot was created prior to the requirement of a certified survey map.
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 of both the zoning change and CUP

Staff Recommendation: Staff recommends approval of the zoning change with the condition that the associated CUP request is approved.

