

## Amendatory Ordinance 3-822

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Richard Amble;**

For land being in the E ½ of the SW ¼ of Section 32, Town 6N, Range 5E in the Town of Brigham affecting tax parcels 004-0993, 004-0993.01, and 004-0996;

**And, this petition is made to rezone 6.477 acres from A-1 Agricultural and AR-1 Agricultural Residential to AR-1 Agricultural Residential with the balance of the original 5.55 acre AR-1 Agricultural Residential lot not included in the new 6.477 acre description be zoned A-1 Agricultural.**

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 **3284** was last held on **July 28, 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.

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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 16, 2022**. The effective date of this ordinance shall be **August 16, 2022**.

  
Kristy K. Spurley  
Iowa County Clerk

Date:   8-16-2022



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on July 28, 2022

Zoning Hearing 3284

Recommendation: **Approval**

**Applicant(s):** Richard Amble

**Town of Brigham**

**Site Description:** E ½ - SW of S32-T6N-R5E also affecting tax parcels 004-0993; 0993.01; 0996

**Petition Summary:** This is a request to reconfigure an AR-1 Ag lot to be 6.477 acres that includes land current zoned A-1 Ag.

#### Comments/Recommendations

1. The intent of this request is to change the existing AR-1 lot to include more of the orchard to the east, the septic system to the west and a shed across County Road H to the south. The balance of the original AR-1 lot not included in the new description is to revert back to A-1 as part of the applicant's adjacent farm.
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 applicant is also seeking a CUP to double the animal units.
3. The associated certified survey map has not yet 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.

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

