

## Amendatory Ordinance 1-0623

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Bill Lorenz and Lorenz LLC;**

For land being in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 12, Town 6N, Range 5E in the Town of Brigham affecting tax parcel 004-0603,

**And, this petition is made to zone 6.0 acres from A-1 Agricultural to B-2 Highway Business.**

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

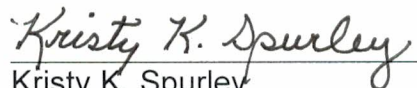
Whereas a public hearing, designated as zoning hearing number **3344** was last held on **May 25, 2023** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** with the condition that the associated certified survey 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 **June 20, 2023**. The effective date of this ordinance shall be **June 20, 2023**.

  
Kristy K. Spurley  
Iowa County Clerk

Date: 6-20-2023



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Iowa Street, Suite 1223

Dodgeville, WI 53533

608-935-0333/608-553-7575/fax 608-935-0326

[Scott.Godfrey@iowacounty.org](mailto:Scott.Godfrey@iowacounty.org)

---

### Planning & Zoning Committee Recommendation Summary

Public Hearing held on May 25, 2023

Zoning Hearing 3344

Recommendation: **Approval**

**Applicant(s):** Bill Lorenz/Lorenz LLC

**Town of Brigham**

**Site Description:** NE/NW & NW/NE of S12-T6N-R5E also affecting tax parcel 004-0603

**Petition Summary:** This is a request to zone 6.0 acres from A-1 Ag to B-2 Hwy Bus.

#### Comments/Recommendations

1. The proposed lot is intended to be used for commercial sales with a related residence. Since the sales use is not permitted in the A-1 district, the B-2 district is being requested. The specific uses will be considered by Conditional Use Permit.
2. If approved, the lot would allow agricultural cropping only and any use approved by Conditional Use Permit.
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).



5. If the CUP is approved as proposed, the requested residence would only be allowed if occupied by the owner or operator of the commercial sales business use. If the business use ceases, the lot would require rezoning to a residential district if the house is to remain occupied.

**Town Recommendation - zoning change:** The Town of Brigham has reviewed and is recommending approval with the condition at least 14 acres of the parent lot be zoned with the AC-1 Ag Conservancy overlay to meet its residential density standard.

**Staff Recommendation - zoning change:** Staff recommends approval of the B-2 change as the lot is partially in the town's commercial overlay district, but questions the need for the AC-1 overlay due to the residence being a secondary use to the primary business use of the lot (B-2) and that the intent of the residential density is for residential lots proposed in the Ag & Rural Density Based Residential mapped area. Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

