

Amendatory Ordinance 2-0823

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Jerry Zander;

For land being in the W ½ of the NE ¼ and NE ¼ of the NW ¼ of Section 22, Town 6N, Range 5E in the Town of Brigham affecting tax parcels 004-0680, 004-0681, 004-0792, 004-0786 and 004-0788,

And, this petition is made to zone 4.374 acres, 4.402 acres, 4.422 acres and 4.388 acres from A-1 Agricultural to AR-1 Agricultural Residential including 67.95 acres with the AC-1 Agricultural Conservancy Overlay district.

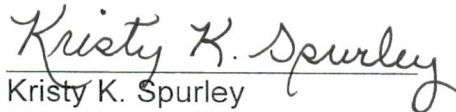
Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Brigham,**

Whereas a public hearing, designated as zoning hearing number **3356** was last held on **July 27, 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 the 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 15, 2023**. The effective date of this ordinance shall be **August 15, 2023**.


Kristy K. Spurley
Iowa County Clerk

Date: 8-15-2023



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

Planning & Zoning Committee Recommendation Summary

Public Hearing held on July 27, 2023

Zoning Hearing 3356

Recommendation: **Approval**

Applicant(s): Jerry Zander

Town of Brigham

Site Description: W1/2-NE of S22-T6N-R5E also affecting tax parcels 004-0680; 0681; 0792; 0786; 0788

Petition Summary: This is a request to create 4 lots of 4.374 acres, 4.402 acres, 4.422 acres, & 4.388k acres by zoning from A-1 Ag to AR-1 Ag Res. It includes zoning approx. 67.95 acres with the AC-1 Ag Conservancy overlay.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size so rezoning is required in order to legally create the 4 proposed lots. The AC-1 district is required to comply with the Town of Brigham residential density standard.
2. If approved, each lot would allow one single family residence, accessory structures and limited ag uses, but no animal units as defined in the Iowa County Zoning Ordinance.
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 with the AC-1 overlay zoning.

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

