

**Amendatory Ordinance No. 1-0417**

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by George Stauffer;**

For land in part of the E1/2 of the SE1/4 of Section 14-T6N-R5E in the Town of Brigham; affecting tax parcels 004-0657 and 004-0657.A.

**And, this petition is made to rezone 5.02 acres from A-1 Agricultural to AR-1 Agricultural Residential;**

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Brigham** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **2872** was last held on **March 23, 2017** in accord with said notice, and 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 conditions that the associated certified survey map is duly recorded and the parent property made to conform through consolidation by deed or rezoning 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 No. was X approved as recommended \_\_\_\_\_ approved with amendment: \_\_\_\_\_ denied as recommended; \_\_\_\_\_ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **April 18, 2017**. The effective date of this ordinance shall be **April 18, 2017**.

  
Greg Klusendorf  
Iowa County Clerk

Date: 4/19/17



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533  
Telephone: (608) 935-0398 Fax: (608) 930-1205 Mobile: (608) 553-7575  
e-mail: [scott.godfrey@iowacounty.org](mailto:scott.godfrey@iowacounty.org)

### Planning & Zoning Committee Recommendation Summary

Public Hearing Held on March 23, 2017

Zoning Hearing 2872

Recommendation: **Approval**

**Applicant(s):** George Stauffer

**Town of Brigham**

**Site Description:** part of the E1/2-SE of S14-T6N-R5E also affecting tax parcels 004-0657 and 004-0657.A

**Petition Summary:** This is a request to enlarge an existing 1-acre nonconforming A-1 Ag lot to 5.02 acres, which necessitates rezoning to AR-1 Ag Res.

#### Comments/Recommendations

1. The proposed lot is part of an existing lot that became nonconforming when it was created by deed in 1992. It is nonconforming for being less than the minimum 40-acre lot size for the A-1 district. The remainder of the parent lot will need to be combined by deed with the applicant's adjacent A-1 land or rezoned.
2. If approved, the lot would be eligible for one single family residence and accessory structures. There is an existing residence on the lot.
3. The lot is adjacent to an AR-1 lot and within  $\frac{1}{4}$  mile of other residential lots.
4. The proposal is consistent with the adopted comprehensive plans as it is not converting land from an agricultural use or creating a use inconsistent with surrounding uses, providing the balance of the parent lot is brought into conformity.

**Town Recommendation:** The Town of Brigham recommends approval with the condition there is an approved driveway agreement for the maintenance of the shared driveway.

**Staff Recommendation:** Staff recommends approval with the following conditions:

- The Town of Brigham approves a driveway agreement
- The associated certified survey map is recorded with the Register of Deeds within 6 months of the County Board approving the zoning change
- The balance of the parent property must be made to conform either by combining by deed with adjacent A-1 land of 40 or more acres or rezoning within 6 months of the County Board approving the zoning change

