

Amendatory Ordinance 1-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by V&V Supremo Foods, Inc. and John & Mary Pitman;

For land being in Section 31, Town 8N, Range 5E in the Town of Arena affecting tax parcels 002-0503 and 002-0503.A,

And, this petition is zone 1.97 acres from A-1 Agricultural and AB-1 Agricultural Business to all 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 Arena,**

Whereas a public hearing, designated as zoning hearing number **3407** was last held on **March 28, 2024** 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 _____ 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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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 March 28, 2024

Zoning Hearing 3407

Recommendation: **Approval**

Applicant(s): V&V Supremo Foods, Inc. and John & Mary Pitman

Town of Arena

Site Description: NW/SW S31-T8N-R4E also affecting tax parcels 002-0503; 0503.A

Petition Summary: This is a re-request to zone 1.97 acres from A-1 Ag & AB-1 Ag Bus to all AB-1 Ag Bus. It includes a Conditional Use Permit request to operate a cheese factory on the 1.97-acre lot. The initial 2023 request was approved but the condition imposed to record the associated certified survey map within 6 months of the County Board decision was not satisfied, making the decision null and void.

Comments/Recommendations

1. The existing 1.5-acre AB-1 lot is being proposed to be enlarged to 1.97 acres by adding 0.47 acre currently zoned A-1 Ag. There is an existing cheese factory operating on the 1.5-acre lot.
2. If approved, the enlarged lot will allow for a proposed expansion of the cheese factory. A variance has been granted to allow for the expansion due to the existing factory being a nonconforming structure (within minimum setbacks).
3. The associated certified survey map has 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.

Amendatory Ordinance 2-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Tim Burke, Jeffrey Hepp and Jon & Rebekah Novak;

For land being Lots 1 & 2 of CSM 2043 in Section 23, Town 6N, Range 2E in the Town of Linden affecting tax parcels 014-0083.A and 014-0087,

And, this petition is made to zone 5.32 acres from C-1 Conservancy & AR-1 Agricultural Residential to AR-1 Agricultural Residential leaving 37.96 acres zoned C-1 Conservancy.

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

Whereas a public hearing, designated as zoning hearing number **3408** was last held on **March 28, 2024** 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 _____ 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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 28, 2024

Zoning Hearing 3408

Recommendation: **Approval**

Applicant(s): Tim Burke, Jeffrey Hepp, Jon & Rebekah Novak

Town of Linden

Site Description: L1 & L2 CSM 2043 in S23-T6N-R2E also affecting tax parcels 014-0083.A; 0087

Petition Summary: This is a request to zone 5.32 acres from C-1 Conservancy & AR-1 Ag Res to AR-1 Ag Res. It includes recognizing the remainder of the C-1 lot to be 37.96 acres.

Comments/Recommendations

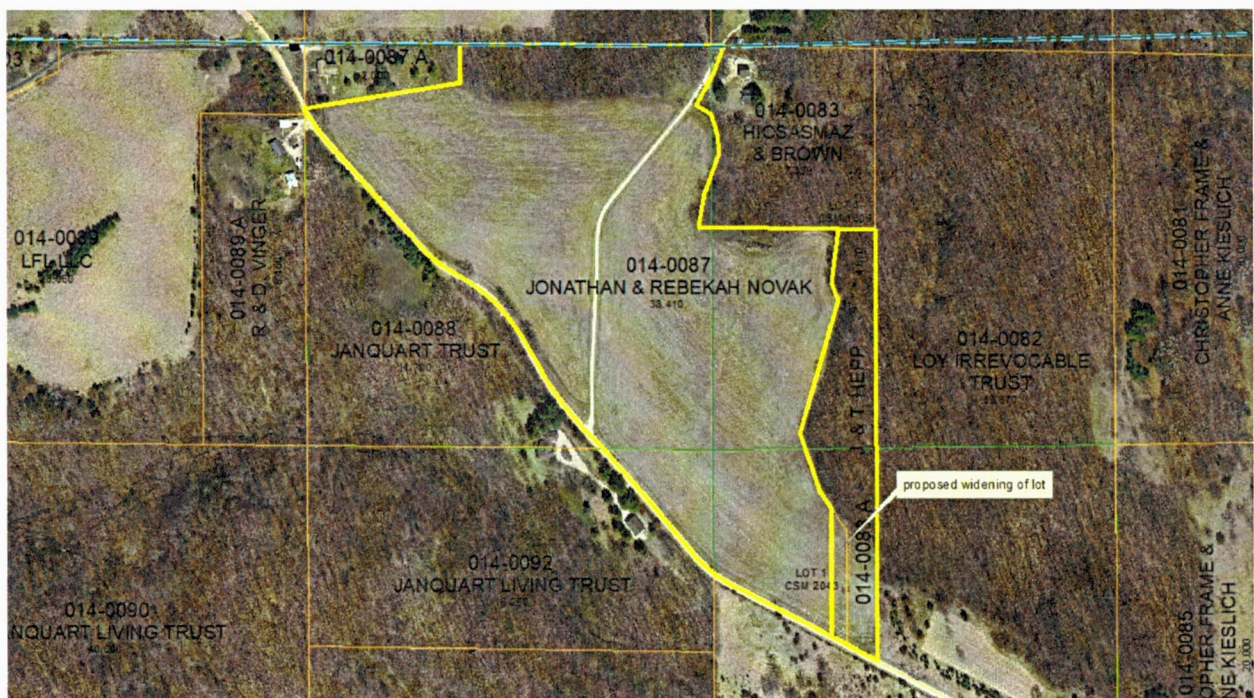
1. The existing C-1 and AR-1 lots were approved in 2023 (ZH3367). The proposed building site on the AR-1 lot is too narrow, so the proposal is to increase its width by adding approximately 57 feet of the C-1 lot to the AR-1 lot.
2. If approved, the AR-1 lot would be eligible for one single family residence, accessory structures and limited ag uses, including up to 3 animal units as defined in the Iowa County Zoning Ordinance. The C-1 lot would be eligible for open-space uses, but no buildings or structures.
3. The associated certified survey map has not yet been submitted for 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 those services.
- 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 Linden is recommending approval.

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



Amendatory Ordinance 3-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Adam Crist and Ruth Spurley;

For land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Town 5N, Range 1E in the Town of Linden affecting tax parcels 014-1202, 014-1203, 014-1204 and 014-1205,

And, this petition is made to zone 35.242 acres and 7.92 acres from A-1 Agricultural to AR-1 Agricultural Residential, and 1.0 acre from A-1 Agricultural to C-1 Conservancy.

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

Whereas a public hearing, designated as zoning hearing number **3409** was last held on **March 28, 2024** 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 _____ 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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 28, 2024

Zoning Hearing 3409

Recommendation: **Approval**

Applicant(s): Adam Crist and Ruth Spurley

Town of Linden

Site Description: SW/SW of S1-T5N-R1E also affecting tax parcels 014-1202 to 1205

Petition Summary: This is a request to zone 35.242 acres and 7.92 acres from A-1 Ag to AR-1 Ag Res as well as 1.0 acre from A-1 Ag to C-1 Conservancy.

Comments/Recommendations

1. The A-1 district has a minimum 40-acre lot size, so rezoning is required to legally create the proposed lots.
2. If approved, each of the AR-1 lots would be eligible for one single-family residence, accessory structures, and ag uses including up to 3 animal units, as defined in the Iowa County Zoning Ordinance, on the 7.92 acres and 11 animal units on the 35.242 acres. The C-1 lot would be prohibited from development. It is intended to be the site of a memorial.
5. 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 those services.
 - 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 Linden is recommending approval.

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



Amendatory Ordinance 4-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Bradley & Anita Berget and the Meylor Revocable Trust;

For land in the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 15 and SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S10, all in Town 4N, Range 3E in the Town of Mineral Point affecting tax parcels 018-0873 and 018-0874,

And, this petition is made to zone 2.69 acres from A-1 Agricultural to AR-1 Agricultural Residential with 40 acres having 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 Mineral Point**,

Whereas a public hearing, designated as zoning hearing number **3410** was last held on **March 28, 2024** 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 _____ 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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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608-935-0333/608-553-7575/fax 608-935-0326
Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 28, 2024

Zoning Hearing 3410

Recommendation: **Approval**

Applicant(s): Bradley & Anita Berget and Meylor Rev Trust

Town of Mineral Point

Site Description: N1/2-NW S15 & SE/SW S10, all T4N-R3E also affecting tax parcels 018-0873; 0874

Petition Summary: This is a request to zone 2.69 acres from A-1 Ag to AR-1 Ag Res and 40 acres zoned with the AC-1 Ag Conservancy overlay district.

Comments/Recommendations

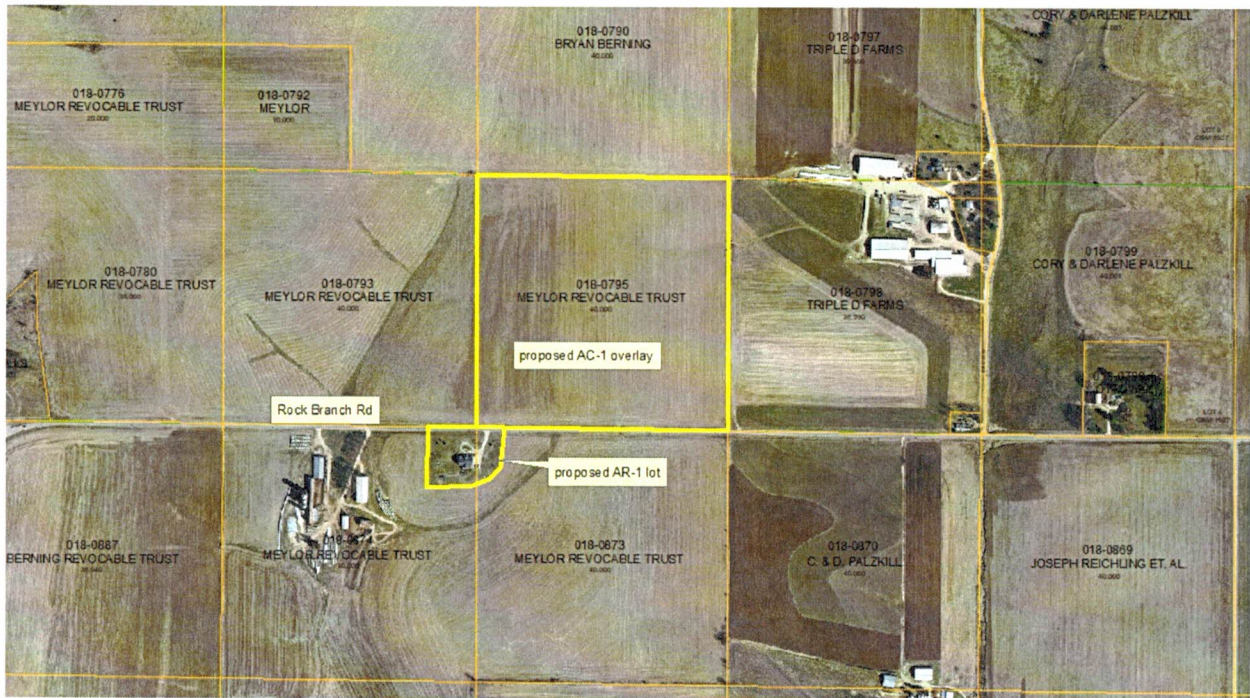
1. The A-1 district has a minimum 40-acre lot size so rezoning is required in order for the lot to be legally created. The AC-1 overlay is required to meet the town's residential density and would allow ag uses but no development.
2. If approved, the lot would be eligible for one single family residence, accessory structures and limited ag uses, but no animal units as defined in the Iowa County Zoning Ordinance without a Conditional Use Permit.
3. The associated certified survey map has not yet been submitted for 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 those services.
- 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 Mineral Point is recommending approval.

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



Amendatory Ordinance 5-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Dan Dannenberg and Dannenberg Bros.,

For land in the NE ¼ of the SW 1/4 of Section 14, Town 4N, Range 3E in the Town of Mineral Point affecting tax parcels 018-0858 and 018-0858.01,

And, this petition is made to zone 5.42 acres from A-1 Agricultural & AR-1 Agricultural Residential to all 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 Mineral Point,**

Whereas a public hearing, designated as zoning hearing number **3411** was last held on **March 28, 2024** 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 _____ 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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 28, 2024

Zoning Hearing 3411

Recommendation: **Approval**

Applicant(s): Dan Dannenberg and Dannenberg Bros

Town of Mineral Point

Site Description: NE/SW S14-T4N-R3E also affecting tax parcels 018-0858; 0858.01

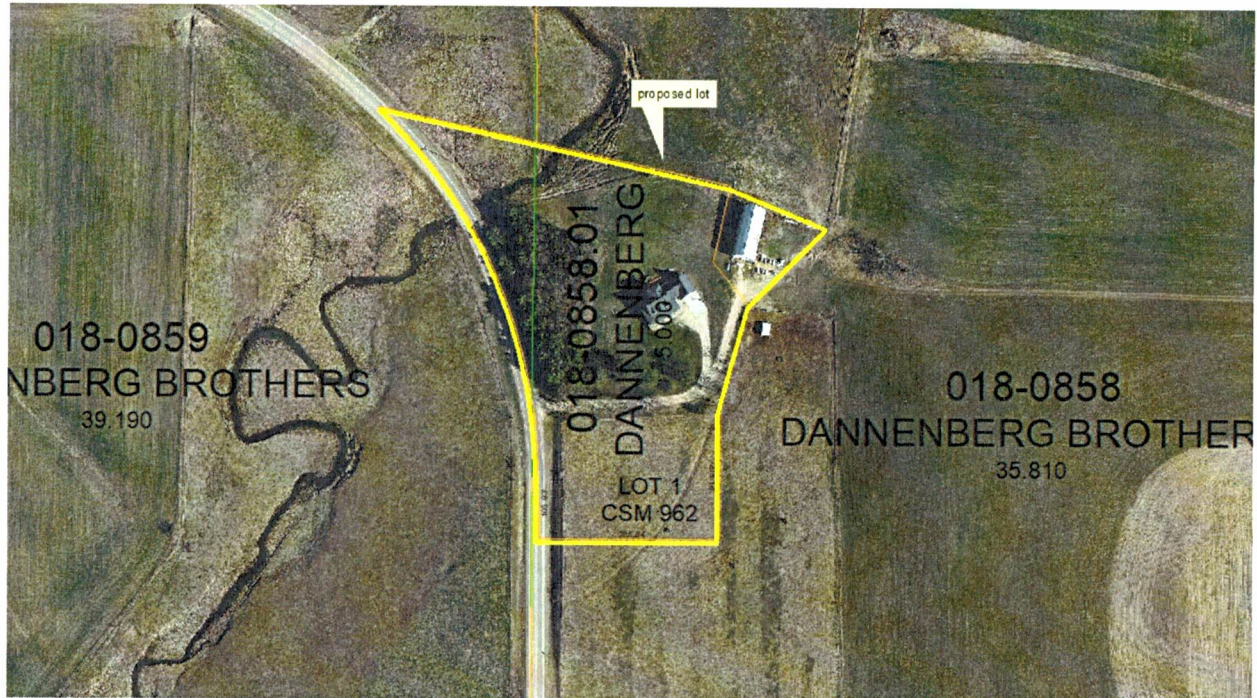
Petition Summary: This is a request to zone 5.42 acres from A-1 Ag & AR-1 Ag Res to AR-1 Ag Res.

Comments/Recommendations

1. The barn on the map has burned and is to be replaced with the intent of being included on the AR-1 lot.
2. The associated certified survey map has not yet been submitted for review.
3. 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 those services.
 - 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 Mineral Point is recommending approval.

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



Amendatory Ordinance 6-0424

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Brigham View LLC,

For land in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Town 7N, Range 1E in the Town of Brigham affecting tax parcel 004-0163.A,

And, this petition is made to zone 1.02 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,**

Whereas a public hearing, designated as zoning hearing number **3412** was last held on **March 28, 2024** 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**.

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 _____ 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 **April 16, 2024**. The effective date of this ordinance shall be **April 16, 2024**.

Kristy K. Spurley
Iowa County Clerk

Date: _____



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Scott.Godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing held on March 28, 2024

Zoning Hearing 3412

Recommendation: **Approval**

Applicant(s): Brigham View LLC

Town of Brigham

Site Description: SE/SE of S28-T7N-R1E also affecting tax parcel 004-0163.A

Petition Summary: This is a request to zone 1.02 acres from A-1 Ag to AR-1 Ag with a Conditional Use Permit to allow Recreational Residential Rental (short-term rental) of the existing house.

Comments/Recommendations

1. The existing lot is legal nonconforming, meaning it existed when the minimum 40-acre lot size for the A-1 district took effect (1978) so the existing lawful residential use can continue. The proposal for short-term rental requires the lot to meet the current zoning standards.
2. 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 those services.
 - 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).

3. The existing septic system was installed in 1996 and is sized for up to 3 bedrooms (450 gallons/day).
4. Per Section 4.0 of the Iowa County Zoning Ordinance, the following standards are to be considered for a CUP:
 - 1) The proposed use complies with all applicable provisions of this Ordinance.
 - 2) The proposed use is compatible with adjacent legal uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust and other external impacts).
 - 3) There are no significant anticipated measurable adverse impacts to the surrounding legal uses and environment resulting from the proposed conditional use.
 - 4) Any adverse impacts resulting from the use will be mitigated or offset to the maximum practical extent.
 - 5) Public safety, transportation, services and utility facilities exist or will be available to serve the subject property while maintaining sufficient levels of service for existing development.
 - 6) Adequate assurances by the applicant of continuing maintenance are provided.
 - 7) The proposed use is consistent with the Iowa County Comprehensive Plan

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, as well as the CUP with the following conditions:

- 1) The maximum number of occupants be limited to the capacity of the septic system based on 2 persons per bedroom. Currently, the system is sized for 3 bedrooms which would limit occupancy to 6 persons.
- 2) The applicant obtains and maintains any required State licensing.
- 3) The Conditional Use Permit shall terminate upon the sale of the residence.

