

*Vote to refer back to committee Failed
No Action Was Taken*

Amendatory Ordinance No. 6-0120

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Robert Jensen and Dyersville Ready Mix, Inc. dba. Bard Materials;

For land in the N ½ of Section 11-T6N-R5E in the Town of Brigham affecting tax parcels 004-0576, 004-0584, 004-0580 and 004-0573.

And, this petition is made to rezone 100.45 acres from A-1 Agricultural to 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 Brigham** and the Town is recommending denial for inconsistency with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3085** was last held on **January 2, 2020** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **deny** based on being inconsistent with the goals and policies with the Town of Brigham Comprehensive Plan as incorporated into the Iowa County Comprehensive Plan.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that action was taken by the Iowa County Board of Supervisors on **January 21, 2020** on the above Amendatory Ordinance to _____ deny as recommended _____ or _____ refer to the Iowa County Planning & Zoning Committee with direction to draft an ordinance to effectuate the petition and report the ordinance back to the Board.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Jan. 2, 2020 Zoning Hearing 3083
Recommendation: **Approval**

Applicant(s): Dyersville Ready Mix/Robert Jensen **Town of Brigham**
Site Description: part of the N1/2 of S11-T6N-R5E also affecting tax parcels 004-0576, 004-0584, 004-0580 and 004-0573.

Petition Summary: This is a request to rezone approximately 100.45 acres from A-1 Agricultural to AB-1 Agricultural Business in order to be eligible for consideration of a Conditional Use Permit for nonmetallic mining.

Comments:

1. The current A-1 zoning classification of the property at issue does not provide for nonmetallic mining, either as a permitted or conditional use. Therefore, the request is to rezone to AB-1 Ag Bus which does provide for this use as a conditional use.
2. The Town of Brigham recommendation to the Planning & Zoning Committee was to deny the rezoning based on the following:

6. Per Statute, the County Board has the following options when the recommendation is to deny a zoning change:
- a) The Board can accept the denial, in which case the zoning request is denied, or
 - b) The Board can refer back to the committee with direction to take action to recommend approving the zoning change. This then provides the Board at a subsequent meeting the options of approving or denying the zoning change.
7. The affected property is about $\frac{1}{2}$ mile east of the Village of Barneveld between County Road ID and US Highway 18/151 as shown below.

