

**Amendatory Ordinance No. 3-0415**

To the Honorable Iowa County Board of Supervisors:

**Whereas a petition for a land use change has been made by Albert Springer and Todd Gullickson;**

For land in part of the SW/NE of Section 21-T5N-R2E in the Town of Linden; affecting tax parcel 014-0806;

**And, this petition is made to zone 10.0 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 Linden** 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 **2756** was last held on **March 24, 2015** 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 condition that the associated nonmetallic mining reclamation plan and financial assurance is approved by the Committee within 6 months of the County Board approval of the zoning change,

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 21, 2015**. The effective date of this ordinance shall be **April 21, 2015**.

  
Greg Klusendorf  
Iowa County Clerk

Date: 4/22/15



# IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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## **Planning & Zoning Committee Recommendation Summary** Public Hearing Held on March 24, 2015                      Zoning Hearing 2756 Recommendation: **Approval**

**Applicant(s):** Albert Springer & Todd Gullickson                      **Town of Linden**  
**Site Description:** part of the SW/NE of S21-T5N-R2E; also affecting tax parcel 014-0806

**Petition Summary:** This is a request to rezone 10 acres to AB-1 Ag Bus with a conditional use permit to allow nonmetallic mining (quarry). The request involves enlarging an existing AB-1 lot and reopening a dormant mining operation.

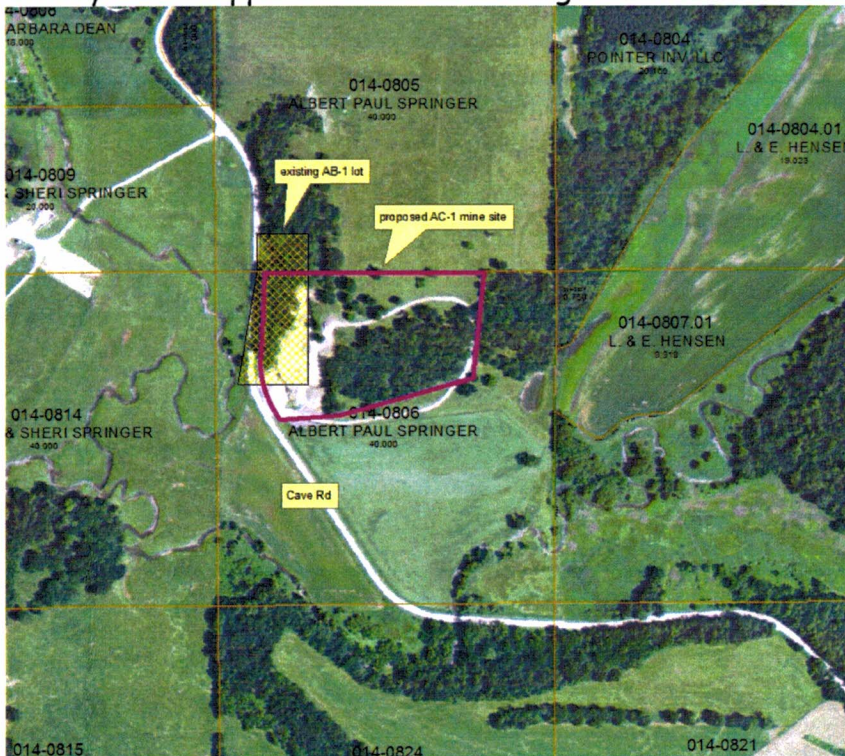
### Comments/Recommendations

1. The original AB-1 lot was created in 1994 and a CUP was granted to allow nonmetallic mining. When NR135 was enacted, Mr. Springer decided not to seek the automatic nonmetallic mining reclamation permit as the site was inactive. Since that time, the site has become active and has exceeded both the AB-1 lot and the 1-acre NR135 threshold for requiring a reclamation permit. The balance of the original AB-1 lot would be reverted back to A-1 Ag.
2. There is no proposed land division, so a certified survey map is not required. A plat of survey has been provided for the proposed 10-acre AB-1 lot.
3. This petition is to determine if the proposed nonmetallic mining land use will be permitted. Although the post-mining land use can be part of the consideration, separate action is required by the committee on the proposed reclamation plan. The post-mining land use is proposed to be pasture ground with rock outcroppings.

4. The site is within the jurisdiction of the Iowa County Airport Zoning Ordinance to which the Airport Commission has reviewed and is not objecting to the petition.
5. The site is adjacent to mapped floodplain to the west and south.
6. The county's shoreland zoning jurisdiction extends into the proposed AB-1 lot but only to where mining activity has already ceased.

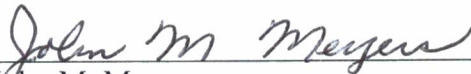
**Town Recommendation:** The Town of Linden recommends approval as it is consistent with the town and county comprehensive plans as it expands the existing nonmetallic use into land that is not highly productive agricultural land.

**Staff Recommendation:** Staff recommends approval with the condition that the associated reclamation permit and plan are approved within 6 months of County Board approval of the rezoning.




**Amendatory Ordinance No. 3-0415**

Adopted this 21st day of April, 2015.


  
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John M. Meyers  
Iowa County Chairman

ATTEST:

  
\_\_\_\_\_  
Greg Klusendorf  
Iowa County Clerk

**CERTIFICATION OF ADOPTION**

This is to certify that the attached ordinance was duly adopted by the Iowa County Board of Supervisors on the 21st day of April, 2015.

  
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Greg Klusendorf  
Iowa County Clerk