

AGENDA – Iowa County Planning & Zoning Committee

Wednesday, June 28, 2023 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

<https://us02web.zoom.us/j/8405382607>

Health and Human Services Center – Community Room

303 West Chapel St., Dodgeville, WI 53533

For information regarding access for the disabled, please call 608-935-0399.

1. Call to order.
2. Roll Call.
3. Approve of this agenda.
4. Approve the minutes of the May 25, 2023 meeting.
5. Motion to enter into public hearings associated with zoning and/or conditional use permit petitions and ordinance revisions.
6. Petition by Donald & Sharon Christensen for a Conditional Use Permit to divide an existing AR-1 Ag Res lot into two lots of 19.334 acres and 0.657 acre in the E ½ - SE of S35-T6N-R3E in the Town of Dodgeville.
7. Petition by the Iowa County Highway Department, Paula Schuette, Sara Erickson and Brenda Kite to zone 5.91 acres from A-1 Ag to AR-1 Ag Res in the NE/SE of S14-T4N-R5E in the Town of Moscow.
8. Petition by the Iowa County Highway Department and Geoff & Jamie Briggs for a Conditional Use Permit to divide an existing AR-1 lot into two lots of 10.42 acres and 0.13 acre in the SW/SE of S14-T4N-R5E in the Town of Moscow.
9. Motion to end the public hearings and resume the regular meeting.
10. Request for a Temporary Use Permit by Bard Materials to operate a temporary redi mix plant at the “Cobb Quarry” at 3725 State Road 80 in the Town of Eden.
11. Consideration of extending the Conditional Use Permit initially granted per ZH 2974 that allows nonmetallic mining the Ivey Construction Inc. mine site at 6600 State Road 191 in the Town of Ridgeway. This consideration is required per Section 4.5 (4) of the Iowa County Zoning Ordinance.
12. Discussion of the current provisions of the Iowa County Zoning Ordinance and potential revisions.
13. Report from the committee members and an opportunity for members of the audience to address the Committee. No action will be taken.
14. Director’s report
15. Next meeting date and time
16. Motion to adjourn

Scott A. Godfrey, Director

Posted 06/06/2023

You may attend via videoconference by downloading the free Zoom program to your computer at <https://zoom.us/download>. At the date and time of the meeting, you log on through the Zoom program and enter the Meeting ID from the above agenda. You may also attend via conference call by dialing the phone number listed on the agenda above.

Iowa County Planning & Zoning Committee – unapproved minutes

Thursday, May 25, 2023 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

<https://us02web.zoom.us/j/8405382607>

Health and Human Services Center – Community Room

303 West Chapel St., Dodgeville, WI 53533

For information regarding access for the disabled, please call 608-935-0399.

1. Call to order. Chair Peterson called the meeting to order at 6:00pm

2. Roll Call.

Committee Present: Curt Peterson, Mel Masters, Don Lex

Committee Absent: Tim Lease was excused; David Gollon

Staff Present: Scott Godfrey

Other Supervisors Present: Kevin Butteris acting on behalf of Tim Lease

3. Approve of this agenda.

Motion by Supervisor Leix

Second by Supervisor Butteris

Motion carries unanimously.

4. Approve the minutes of the April 27, 2023 meeting.

Motion by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously.

5. Motion to enter into public hearings associated with zoning and/or conditional use permit petitions and ordinance revisions.

Motion by Supervisor Butteris

Second by Supervisor Masters

Motion carries unanimously.

6. Petition by Bill Lorenz and Lorenz LLC to zone 6.0 acres from A-1 Ag to B-2 Hwy Bus in the NE/NW & NW/NE of S12-T6N-R5E in the Town of Brigham.

Applicant present: Mr. & Mrs. Lorenz

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the conditions that the associated conditional use permit is approved and that the certified survey map is recorded within 6 months of County Board approval by Supervisor Butteris
Second by Supervisor Masters

Director Godfrey asked for clarification if this includes the Town recommended AC-1 overlay. Chair Peterson said it does not as that was not part of the application and notice.

Motion carries unanimously.

7. Petition by Bill Lorenz and Lorenz LLC for a Conditional Use Permit for commercial sales with associated residence on a 6-acre B-2 Hwy Bus lot in the NE/NW & NW/NE of S12-T6N-R5E in the Town of Brigham.

Applicant present: Mr. & Mrs. Lorenz

Town present: none

Director Godfrey gave the staff report.

Mr. Lorenz said the business will involve growing micro-greens by hydroponics that are wholesaled to distributors. He said the operation building will include living quarters.

Director Godfrey explained that the living quarters, or residential use, is considered secondary to the primary use of the B-2 lot which is the business use. He added that the residential use cannot continue if the business use ceases unless the lot is subsequently zoned residential, which would include the need to meet any residential density in place.

Public Comment: none

Motion to approve with the condition that the sales are wholesale only by Supervisor Leix

Second by Supervisor Masters

Motion carries unanimously.

8. Petition by James Clifton, Jane Lewis and Joseph Clifton et al. To zone 2.0 acres from A-1 Ag to AR-1 Ag Res in the NE/SE of S30-T6N-R1E in the Town of Eden.

Applicant present: none

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the condition that the associated certified survey map is recorded within 6 months of County Board approval by Supervisor Butteris

Second by Supervisor Masters

Motion carries with all ayes and Supervisor Leix abstaining

9. Petition by Kenneth & Rhonda Iverson to zone 17.11 acres from A-1 Ag to AR-1 Ag Res and 23.0 acres with the AC-1 Ag Conservancy overlay in the NE/NW of S8 and W1/2-NW of S9 all in T6N-R2E in the Town of Eden.

Applicant present: Mr. & Mrs. Iverson

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the condition that the required easement is obtained and that the associated certified survey map is recorded within 6 months of County Board approval by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously.

10. Petition by Ann Wolfe for a Conditional Use Permit for a single-site cemetery in the A-1 Ag district in the NW/NE of S21-T7N-R4E in the Town of Ridgeway.

Applicant present: none

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the condition that an affidavit be recorded acknowledging the burial site by Supervisor Leix

Second by Supervisor Butteris

Motion carries unanimously.

11. Petition by Eric O'Keefe, Graves-O'Keefe Trust and Grouse Valley Trust to zone 11.484 acres, 16.647 acres, 20.375 acres and 16.152 acres from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res in the NE ¼ and E ½ - NW of S25-T8N-R3E in the Town of Wyoming.

Applicant present: Architect Julie Kardatzke via Zoom

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the condition that the associated certified survey map is recorded within 6 months of County Board approval by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously

12. Motion to end the public hearings and resume the regular meeting.

Motion by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously.

13. Request for a Temporary Use Permit by Rob Corbit and Rustic Gold LLC for a car show event to be held at 3940 State Road 23 in the Town of Dodgeville.

Applicant present: Rob Corbit

Director Godfrey gave the staff report.

Mr. Corbit overviewed the details of the planned event.

Motion to approve by Supervisor Leix with the following conditions:

- 1) The show hours be set for the single day of July 29th.
- 2) A portable toilet service shall be contracted with to provide adequate facilities for the anticipated number of participants.
- 3) All parking shall be on the property and prohibited within the right-of-way of State Road 23.

Second by Supervisor Butteris

Motion carries unanimously.

14. Request for a Temporary Use Permit by R and M Enterprises and Farm & Fleet Inc. for a fireworks stand at 4894 County Road YZ in the Town of Dodgeville.

Applicant present: none

Director Godfrey gave the staff report.

Motion to approve by Supervisor Leix with the following conditions:

- 1) The permit shall be in effect during the dates of the lease.
- 2) The provided insurance must remain in effect during the duration of the permit.

Second by Supervisor Masters

Motion carries unanimously.

15. Request by James P. Steffes for a zoning permit fee waiver related to the rebuilding of an agricultural building due to storm damage at 629 N. Oak Park Rd in the Town of Mineral Point.

Director Godfrey gave the staff report.

Motion to approve by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously.

16. Consideration of resolution relating to solar and wind energy systems.

Supervisor Leix overviewed a revised draft resolution which he handed out at the meeting and explained his reasoning to be in favor.

A member of the public spoke in favor of renewable energy.

A representative of Pattern Energy spoke of his company's approach to wind energy development.

Motion by Supervisor Leix to forward the resolution to the County Board

Second by Supervisor Masters.

After more discussion on the matter, Supervisor Masters made a motion to postpone until next month to provide the opportunity for the two absent committee members to participate. Chair Peterson called for a vote on the original motion made by Supervisor Leix.

The motion fails with supervisors Peterson, Butteris and Masters voting against and Supervisor Leix voting in favor.

17. Discussion of the current provisions of the Iowa County Zoning Ordinance and potential revisions.

Director Godfrey overviewed the considerations provided in the committee packet. The following was decided by consensus:

- a) Strike Section 4.5(4) in its entirety relating to the requirement to renew a nonmetallic mining conditional use permit.

Consensus was to move forward with this proposed revision.

- b) Add the following to Section 2.3 1(a): "4) The structure has at least one side that is open and not enclosed by a wall or door.

Consensus was to move forward with this proposed revision.

- c) Add the following standards to the definition of "Recreational Residential Rental" in the definitions section:
 - The maximum occupancy shall not exceed the design capacity of the private onsite wastewater treatment system based on two persons per bedroom used in sizing.
 - All required must be obtained and maintained in order for the permit to remain valid.
 - The affected town must approve the proposed or existing driveway as meeting its standards for accessibility by fire and emergency services.
 - The residence at issue must be occupied at least 6 months of the year as the occupant's permanent residence, whether as the owner or by lease.

Consensus was to move forward with this proposed revision.

- d) Add the following standards to the definition of "Tourist Cottage" in the definitions section:
 - The maximum occupancy shall not exceed the design capacity of the private onsite wastewater treatment system based on two persons per bedroom used in sizing.
 - All required State or local licensing requirements must be obtained and maintained in order for the permit to remain valid.
 - The affected town must approve the proposed or existing driveway as meeting its standards for accessibility by fire and emergency services.
 - When no longer used for short-term rental as a Tourist Cottage, any change in use of the structure or structures, even if to be residential, shall require compliance with the current zoning requirements

Consensus was to move forward with this proposed revision.

- e) Revise the definition of “cemetery” in the definitions section to read: “Two or more burial sites or lots used or intended to be used for the disposal of human remains.”

Consensus was to move forward with this proposed revision.

- f) In all zoning districts that provide for a “cemetery” (A-1, H-1, AR-1, RB-1, AB-1, B-2, and RH-1), revise the Conditional Use Permit allowance as follows:

Cemeteries, including mausoleums and crematories, may be requested provided:

- a) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
- ~~b) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.~~
- ~~c) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.~~
- ~~d) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.~~

Consensus was to move forward with this proposed revision.

- g) Add the following under Permitted Principal Uses in the A-1, H-1, AR-1, RB-1, AB-1, B-2, and RH-1 districts:

A single site burial is permitted provided a permit is issued by the Office of Planning & Development that assure the following standards are met:

- a) The site is intended for the landowner or their family member or loved one versus being offered to the general public.
- b) An affidavit or similar document is recorded with the Iowa County Register of Deeds to identify the site.
- c) There must be some form of permanent marker at the site.
- d) There is no other known burial site on the same property as described by deed description.

Consensus was to move forward with this proposed revision with clarification that it does not pertain to the spreading of cremains.

- h) Provide for a “church or similar place of worship” as a Conditional Use Permit option in the B-2 district.

Consensus was to move forward with this proposed revision.

18. Report from the committee members and an opportunity for members of the audience to address the Committee. No action will be taken.

none

19. Director's report

Director Godfrey overviewed the report included in the committee packet.

20. Next meeting date and time: Wednesday, June 28th at 6pm

21. Motion to adjourn

Motion to adjourn by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously. Adjourned at 7:48 pm

Scott A. Godfrey, Director



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

Zoning Hearing: 3351
Donald & Sharon Christensen
5090 Brennan Rd
Dodgeville, WI 53533

Hearing Date: June 28, 2023
Town of Dodgeville
E $\frac{1}{2}$ - SE S35-T6N-R3E
PIN: 008-1442.A

1. Request: This is a request for a Conditional Use Permit to divide an existing AR-1 Ag Res lot.



2. Comments

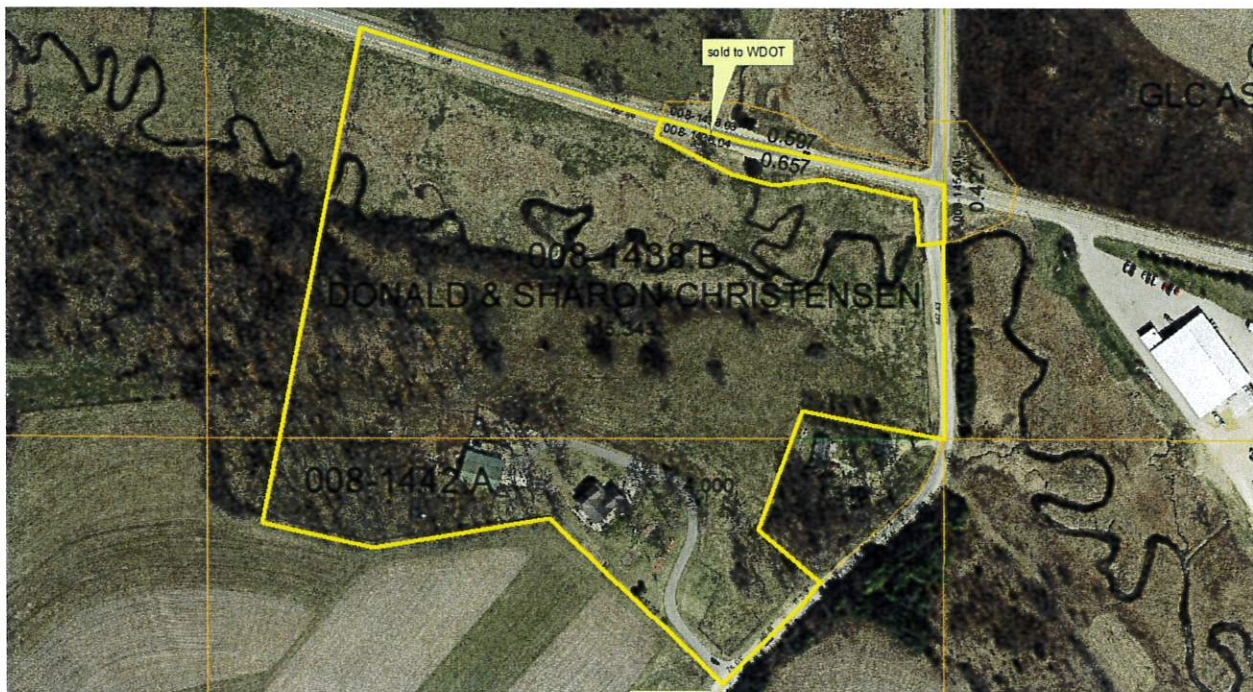
1. The applicants sold some of their AR-1 lot to the WDOT in 2018 to be used for right-of-way of State Road 191. Section 3.4 of the Iowa County Zoning Ordinance requires a Conditional Use Permit to divide an existing AR-1 lot to ensure the proposed lots resulting from the division meet minimum standards, such as area, frontage, lot width, etc.
2. If approved, the Applicant's lot would retain its current uses and that sold to the WDOT will remain ROW.
3. The associated certified survey map has been submitted for formal review.

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 - zoning change: The Town of Dodgeville is recommending approval including to allow up to 8 animal units on the 19.34-acre lot.

Staff Recommendation - zoning change: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months.





IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Dodgeville Street, Suite 1223

Dodgeville, WI 53533

608-935-0333/608-553-7575/fax 608-935-0326

Scott.Godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: \$750 payable to Office of Planning & Development
(non-refundable upon publication)
Filing Deadline: 1st Friday of each month for the next hearings – **must be complete**

Applicant: Donald & Sharon Christensen Address: 5090 Brennan Road
City/Zip Code: Dodgeville, WI 53533

Landowner: _____ Address: _____
(if other than applicant) City/Zip Code: _____

Applicant Phone: (608) 212-9636 Landowner Phone: ()

Email: sgc5090@hughes.net Please contact by: ☒ email ☐ postal mail

This application is for: ☐ Land use change/Rezone only
☒ Conditional Use only
☐ Both

in the Town of Dodgeville Acreage of proposed lot(s) 19.334

Section 35 Town 6 N Range 3 E SE 1/4 of the SE 1/4 PIN 008-1442.A
35 Town 6N Range 3E Pt NE 1/4 of SE 1/4 of State HWY 191 W Side PIN 008-1438.B

Have you contacted your Town Board about this proposal? ☒ Yes ☐ No

Does this request involve any proposed land division? ☐ Yes ☒ No

All land use change/rezoning requests must include an exact metes and bounds or survey plat legal description of the proposed lot or lots. This description must be identical to any proposed parcel to be created by sale or transfer.

**Present zoning district: AR-1 Requested zoning district: 4A for the proposed use(s) of: _____

Requested Conditional uses (s):

we would like to have up to 16 animal units on the property and become at AR-1 Ag Res
conforming property

I. Please list any improvements currently on the land: home, horse barn, well, septic

II. Please explain the reason for the request and proposed plans: We sold land to the WI DOT in 2018 which made our land nonconforming AR1-Ag Residential which no longer allowed for animal units

III. If this is a petition to zone land from A-1 Agricultural, please explain how each of the following are satisfied (attach additional sheets if necessary):

1) How is this land better suited for a non-agricultural use?

2) How will rezoning not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use?

IV. For all Conditional Use Permit Requests please describe how the following are either currently being complied with or can be complied with. Feel free to attach additional documentation. (Incomplete applications will not be scheduled for a hearing until complete.)

1. How do you feel the proposed use complies with all applicable provisions of this Ordinance?

We are completing a CSM of the property and applying for a CUP so our property will again be a conforming property for animal units.

2. How do you feel 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)?

We would like to make this a conforming parcel again so we can put up to 16 animal units on the property. When we sold the land to the WIS DOT we were not informed that this made it a non-conforming parcel.

3. Do you feel there will be significant anticipated measurable adverse impacts to the surrounding legal uses and environment resulting from the proposed conditional use and why?

No

4. How can any adverse impacts resulting from the use will be mitigated or offset to the maximum practical extent?

We do not anticipate any adverse impacts to the property

5. Are 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?

yes, we are not changing any of the property.

6. What assurances can be provided for potential continuing maintenance associated with the use?

Everything will stay the same and we would like to become a conforming parcel for animal units.

7. How do you feel the proposed use is consistent with the Iowa County Comprehensive Plan? (available at www.iowacounty.org)

It was approved prior to us selling required land to the WIS DOT for the HWY 191 project in 2018

****NOTE** The signature of the land owner and applicant below gives consent for Office of Planning & Development personnel to enter his/her property for purposes of on-site investigative report in relation to this application. Denial of consent must be submitted in writing as part of this application.**

Applicant(s) Signature: Donald Christensen Date: 6.2.23

Landowner(s) Signature: Wharen Christensen Date: 6-2-23

For Office Use Only: Rcv'd by 6-2-23 Date 6-2-23 Fee 750 Check # 4028 Cash
AF-1 1/2 present zoning 1/2 floodplain 1/2 shoreland/wetland

Certified Survey Map No. _____

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER
(NE $\frac{1}{4}$ -SE $\frac{1}{4}$) AND PART OF THE SOUTHEAST QUARTER OF THE
SOUTHEAST QUARTER (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) OF SECTION 35, TOWNSHIP 6 NORTH,
RANGE 3 EAST, TOWN OF DODGEVILLE, IOWA COUNTY, WISCONSIN.

SPACE RESERVED
FOR REGISTER
OF DEEDS
RECORDING
INFORMATION

LEGEND

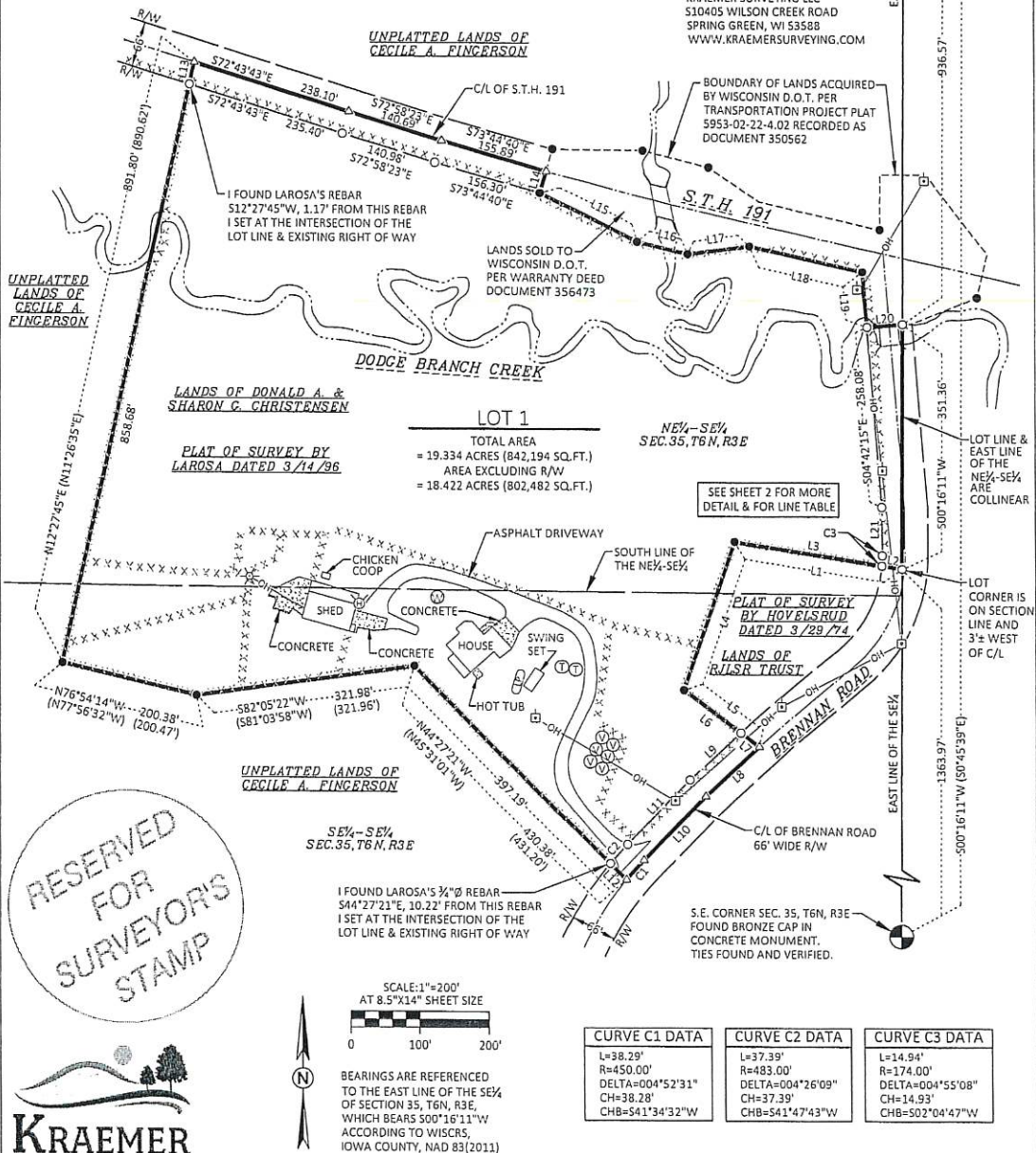
	SECTION CORNER MONUMENT FOUND OR SET AS NOTED		YARD HYDRANT
	SET 3/4" X 18" LONG IRON REBAR WEIGHING 1.502 LB./FT.		LIGHT POLE
	NON-MONUMENTED POINT ON CENTERLINE OF ROAD		SEPTIC TANK LID
	FOUND 3/4" IRON REBAR		SEPTIC VENT
	RECORDED AS		WELL
	FENCE		UTILITY POLE
			OVERHEAD UTILITY LINE
			LP TANK

FIELDWORK COMPLETED: MAY 31, 2023

SURVEYED FOR: DONALD & SHARON CHRISTENSEN
5090 BRENNAN ROAD
DODGEVILLE, WI 53533

PROJECT ID: 23-17

SURVEYED BY: WESLEY L. KRAEMER, PLS
KRAEMER SURVEYING LLC
510405 WILSON CREEK ROAD
SPRING GREEN, WI 53588
WWW.KRAEMERSURVEYING.COM



Scott Godfrey

From: twnclerk@mhtc.net
Sent: Friday, June 9, 2023 9:32 AM
To: Scott Godfrey
Subject: Planning Commission Recommendations & Town Board Recommendations
(Christensen & Accola/Ivey Construction)

Importance: Low

Scott here are the following recommendations:

Donald & Sharon Christensen – Planning Commission Recommendation

Peter Vanderloo made a motion to recommend the approval of the conditional use application of Donald & Sharon Christensen to adjust the property lines on a 19.34 acre parcel zoned AR-1 and to allow up to 8 animal units on the property in part of the NE ¼ of the SE ¼ of State Highway 191 excluding the West Side and part of the SE ¼ of the SE ¼ of Section 35, Town 6 North, Range 3 East located at 5090 Brennan Road Tom Joestgen seconded the motion. Motion carried.

Town Board Recommendation

Peter Vanderloo made a motion to recommend the approval of the conditional use application of Donald & Sharon Christensen to adjust the property lines on a 19.34 acre parcel zoned AR-1 and to allow up to 8 animal units on the property in part of the NE ¼ of the SE ¼ of State Highway 191 excluding the West Side and part of the SE ¼ of the SE ¼ of Section 35, Town 6 North, Range 3 East located at 5090 Brennan Road Pam Johnson-Loy seconded the motion. Motion carried.

Jim Accola/Ivey Construction – Planning Commission Recommendation - (Curt Peterson abstained from the discussion and voting on this application & conditional use permit at both the Town Board and Planning Commission level.)

Peter Vanderloo made a motion to recommend the approval of the rezoning application of Jim Accola & Ivey Construction to rezone approximately 48.18 acres more or less from A-1 Ag to AB-1 located in part fraction of the NW ¼ of the NW ¼ and a fraction of the SW ¼ of the NW ¼ of Section 31, Town 6 North, Range 3 East located at 3603 County Road CH and the conditional use application of Jim Accola & Ivey Construction for the purpose of non-metallic mining on 48.18 acres more or less located in part fraction of the NW ¼ of the NW ¼ and a fraction of the SW ¼ of the NW ¼ of Section 31, Town 6 North, Range 3 East at 3603 County Road CH with the following conditions:

1. The applicant shall apply for and receive all required local, state and federal permits.
2. The reclamation plan will meet the requirements of NR135.
3. Hours of Operation will be from 6:00 a.m. to 6:00 p.m. Monday through Friday, and 6:00 a.m. to 4:00 p.m. on Saturdays. No operations will take place on Sundays.
4. The operation will require all trucks and excavation equipment to have muffler systems that meet or exceed the current industry standard for noise abatement.
5. The operator shall meet or exceed DNR standards to particulate emissions as described in NR 415.075 and NR 415.076.
6. A seismograph will be installed for the first two shots to all adjoining land owners with or without a residence, and abutting land owners, if requested.



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

Zoning Hearing: 3352
Iowa Co. Hwy Department
1215 N. Bequette St.
Dodgeville, WI 53533

Hearing Date: June 28, 2023
Town of Moscow
NE/SE S14-T4N-R5E
PIN: 020-0719; 0720

Paula Schuette, etal.
63 County Road F
Hollandale, WI 53544

1. Request: This is a request to zone 5.91 acres from A-1 Ag to AR-1 Ag Res.



2. Comments

1. This petition is being made as the result of acquisition of right-of-way for the relocation of County Road F. The affected lot was legal nonconforming A-1 Ag, then became nonconforming when land was sold to the county.

2. If approved, the lot would allow one single family residence, accessory structures and limited ag uses, including up to 3 animal units as defined in the Iowa County Zoning Ordinance.
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.
 - 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 Moscow is recommending approval pending payment of their review fee.

Staff Recommendation: Staff recommends approval with the conditions that the Town verifies its payment and that the associated certified survey map is duly recorded within 6 months of County Board approval.





IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Dodgeville Street, Suite 1223

Dodgeville, WI 53533

608-935-0333/608-553-7575/fax 608-935-0326

Scott.Godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: \$750 payable to Office of Planning & Development
(non-refundable upon publication)
Filing Deadline: 1st Friday of each month for the next hearings – must be complete

Applicant: ICHO

Address: 1215 N BEQUETTE ST

City/Zip Code: DODGEVILLE WI 53533

ANNA SCHWETZ
SARA ECKHART
Landowner: BRENDA KITE

Address: 63 CTH F

City/Zip Code: BLANCHARDVILLE WI 53516

(if other than applicant)

Applicant Phone: (608) 935-3321

Landowner Phone: ()

Email: Chris.hofmeier@iowacounty.org Please contact by: ☐ email ☐ postal mail

This application is for: ☒ Land use change/Rezone only
☐ Conditional Use only
☐ Both

in the Town of Moscow Acreage of proposed lot(s) 5.91 ACS

Section 14 Town 4 N Range 5 E NE 1/4 of the SE 1/4 PIN 020-0721, 0719

Have you contacted your Town Board about this proposal? ☒ Yes ☐ No
Does this request involve any proposed land division? ☒ Yes ☒ No

All land use change/rezoning requests must include an exact metes and bounds or survey plat legal description of the proposed lot or lots. This description must be identical to any proposed parcel to be created by sale or transfer.

**Present zoning district: A-1 requested zoning district: AR-1 for the proposed use(s) of: _____

Requested Conditional uses (s):

1/2

I. Please list any improvements currently on the land: HOUSE, GARAGE,
SHED

II. Please explain the reason for the request and proposed plans: ACQUISITION
OF RIGHT OF WAY FOR CTR & 24 COUNTY.

III. If this is a petition to zone land from A-1 Agricultural, please explain how each of the following are satisfied (attach additional sheets if necessary):

1) How is this land better suited for a non-agricultural use?

2) How will rezoning not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use?

IV. For all Conditional Use Permit Requests please describe how the following are either currently being complied with or can be complied with. Feel free to attach additional documentation. (Incomplete applications will not be scheduled for a hearing until complete.)

1. How do you feel the proposed use complies with all applicable provisions of this Ordinance?

2. How do you feel 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. Do you feel there will be significant anticipated measurable adverse impacts to the surrounding legal uses and environment resulting from the proposed conditional use and why?

4. How can any adverse impacts resulting from the use will be mitigated or offset to the maximum practical extent?

5. Are 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. What assurances can be provided for potential continuing maintenance associated with the use?

7. How do you feel the proposed use is consistent with the Iowa County Comprehensive Plan? (available at www.iowacounty.org)

****NOTE**** The signature of the land owner and applicant below gives consent for Office of Planning & Development personnel to enter his/her property for purposes of on-site investigative report in relation to this application. Denial of consent must be submitted in writing as part of this application.

Applicant(s) Signature: Brenda White Date: 02-20-2022

Landowner(s) Signature: Brenda White Date: 02-20-2022

=====

For Office Use Only: Rcv'd by SE Date 3/2/23 Fee Check # Cash

A-I present zoning 2/A floodplain 2/A shoreland/wetland

NE

* EXISTING HOUSE & GARAGE w/in Hwy SUBSAFE prior to LOT CHANGES

Certified Survey Map No.

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW¼-SE¼) AND
THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼-SE¼) OF SECTION 14,
LOCATED IN TOWNSHIP 4 NORTH, RANGE 5 EAST, TOWN OF MOSCOW, IOWA COUNTY,
WISCONSIN.

FIELDWORK COMPLETED: OCTOBER 22, 2021

SURVEYED FOR: IOWA COUNTY HIGHWAY DEPARTMENT
ATTN: CRAIG HARDY, COMMISSIONER
1215 N. BEQUETTE ST.
DODGEVILLE, WI 53533

PARCEL OWNER: PAULA J. SCHUETTE, BRENDA J. KITE,
SARA J. ERICKSON
63 COUNTY ROAD F
BLANCHARDVILLE, WI 53516
TAX PARCEL 020-0721

JOB NUMBER: I20290

SURVEYED BY: GREG A. JEWELL, R.L.S., S-1898
JEWELL ASSOCIATES ENGINEERS, INC.
560 SUNRISE DRIVE
SPRING GREEN, WI 53588

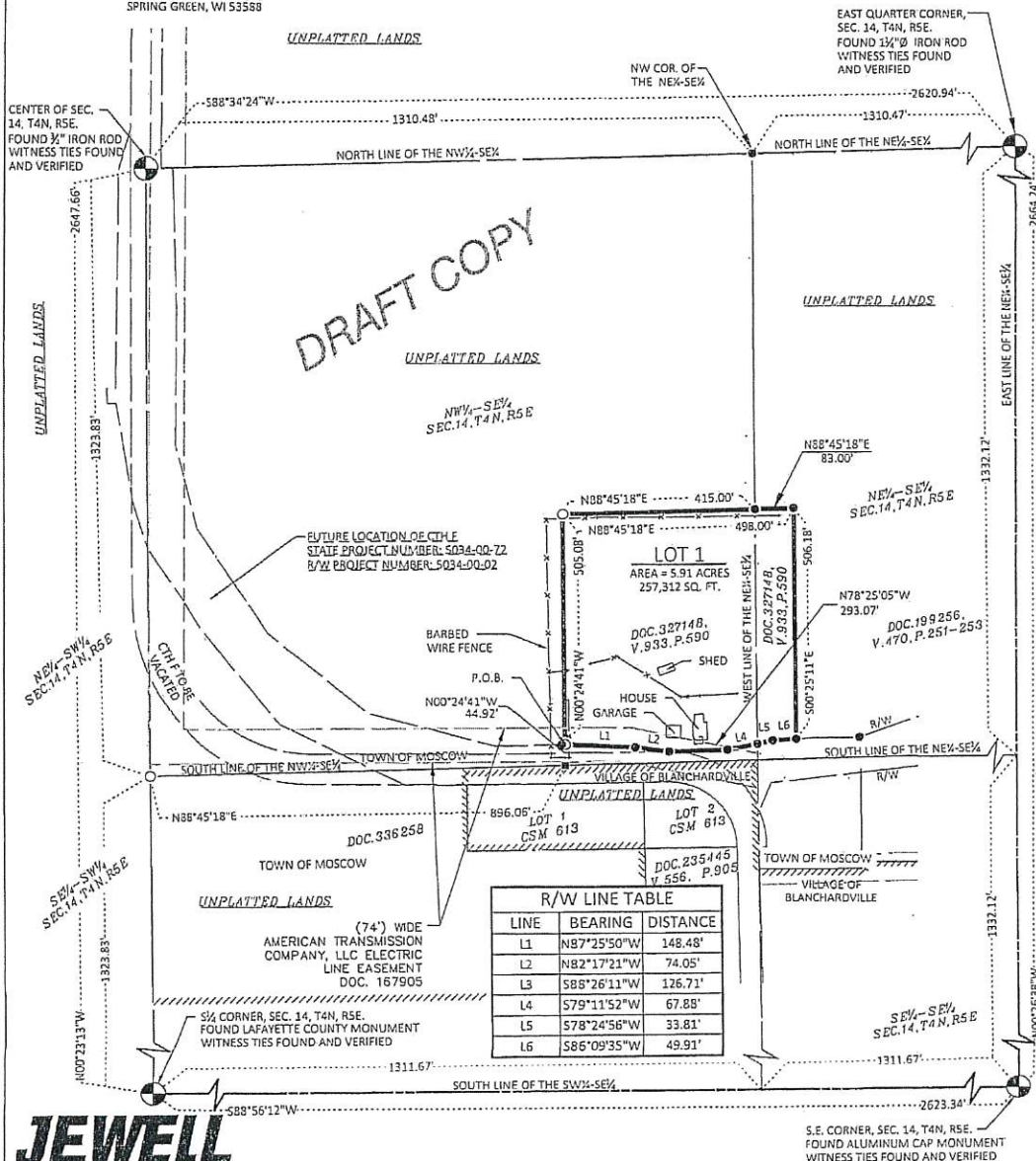
- LEGEND**
- SECTION CORNER MONUMENT FOUND AS NOTED
 - SET 3/4" Ø X 24" LONG IRON REBAR WEIGHING 1.502 LB./FT.
 - FOUND 3/4" Ø IRON ROD
 - POINT NOT MONUMENTED
 - CORPORATE LIMITS

NORTH

BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE SEC. OF SECTION 14, T4N, R5E, WHICH BEARS N88°34'24"E ACCORDING TO WISCONSIN IOWA COUNTY, NAD 83(2011)

SCALE: 1"=200'

0 100' 200'



JEWELL
associates engineers, inc.
Engineers - Architects - Surveyors

Scott Godfrey

From: Scott Godfrey
Sent: Friday, June 9, 2023 9:22 AM
To: 'townofmoscow@tds.net'
Subject: RE: June 28th agenda

Hi Mary,

Thanks for the email. I'll keep them on the agenda for the 28th as action can be taken with the condition that the town recommends approval.

Scott A. Godfrey, Director
Office of Planning & Development
222 N. Iowa Street
Dodgeville, WI 53533
608-935-0333

From: townofmoscow@tds.net <townofmoscow@tds.net>
Sent: Thursday, June 8, 2023 9:34 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: June 28th agenda

Hi Scott,

We received the agenda for June 28th today. At our board meeting the board tabled the rezone for the Briggs and Schuette/Erickson/Kite. The reason is that the county hasn't paid the rezoning fees. I will send Craig a bill and hope they pay the fee. On our Rural Siting Criteria sheet that is something that has to be complied with.

The Massey's are ready to go to the County at this time. Finally!!

Will you be amending the agenda or is this something you will have on next months meeting? Sorry for all the confusion!

Mary

2. If approved, the lot would retain its current uses and that sold to the county will remain ROW.
3. The associated certified survey map has been submitted for formal review.
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 Moscow is recommending approval pending payment of their review fee.

Staff Recommendation: Staff recommends approval with the conditions that the Town verifies its payment and that the associated certified survey map is duly recorded within 6 months of County Board approval.





IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

222 N. Dodgeville Street, Suite 1223
Dodgeville, WI 53533
608-935-0333/608-553-7575/fax 608-935-0326
Scott.Godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: \$750 payable to Office of Planning & Development
(non-refundable upon publication)
Filing Deadline: 1st Friday of each month for the next hearings – must be complete

Applicant: ICHD Address: 1215 N BEAUREGARD
City/Zip Code: DODGEVILLE WI 53533

Landowner: GEORGE & JAMIE BULLS Address: 74 CTH F
(if other than applicant) City/Zip Code: BLANCHARDVILLE WI 53216

Applicant Phone: 608 935-3381 x605 Landowner Phone: 608

Email: Craig.Hardy@iowacounty.org Please contact by: ☒ email ☐ postal mail

This application is for: ☒ Land use change/Rezone only
☒ Conditional Use only
☐ Both

in the Town of Moscow Acreage of proposed lot(s) 10.42 Ac ± 0.13
Section 14 Town 4 N Range 5 E SW 1/4 of the SE 1/4 PIN 620-0723

Have you contacted your Town Board about this proposal? ☒ Yes ☐ No
Does this request involve any proposed land division? ☐ Yes ☒ No

All land use change/rezoning requests must include an exact metes and bounds or survey plat legal description of the proposed lot or lots. This description must be identical to any proposed parcel to be created by sale or transfer.

**Present zoning district: AR-1 Requested zoning district: 2/A for the proposed use(s) of: _____

Requested Conditional uses (s):

DIVIDE AR-1 LOT

I. Please list any improvements currently on the land: HOUSE GARAGE
GREENHOUSE & SEPTIC

II. Please explain the reason for the request and proposed plans: ACQUISITION
OF RIGHT OF WAY ALONG CTH F.

III. If this is a petition to zone land from A-1 Agricultural, please explain how each of the following are satisfied (attach additional sheets if necessary):

1) How is this land better suited for a non-agricultural use?

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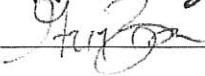
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7. How do you feel the proposed use is consistent with the Iowa County Comprehensive Plan? (available at www.iowacounty.org)

****NOTE**** The signature of the land owner and applicant below gives consent for Office of Planning & Development personnel to enter his/her property for purposes of on-site investigative report in relation to this application. Denial of consent must be submitted in writing as part of this application.

Applicant(s) Signature:  Date: 2-29-22

Landowner(s) Signature:  Date: 04 Feb 2022

=====

For Office Use Only: Rcv'd by SL Date 3-2-23 Fee Check # Cash
A-1 present zoning floodplain shoreland/wetland

Certified Survey Map No. _____

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW $\frac{1}{4}$ -SE $\frac{1}{4}$) OF
SECTION 14, TOWNSHIP 4 NORTH, RANGE 5 EAST, TOWN OF MOSCOW, IOWA
COUNTY, WISCONSIN.

FIELDWORK COMPLETED: OCTOBER 22, 2021

SURVEYED FOR: IOWA COUNTY HIGHWAY DEPARTMENT
ATTN: CRAIG HARDY, COMMISSIONER
1215 N. BEQUETTE ST
DODGEVILLE, WI 53533

PARCEL OWNER: GEOFF BRIGGS AND JAMIE BRIGGS
74 COUNTY ROAD F
P.O. BOX 257
BLANCHARDVILLE, WI 53516
TAX PARCEL 020-0723

JOB NUMBER: 120290

SURVEYED BY: GREG A. JEWELL, R.L.S., S-1898
JEWELL ASSOCIATES ENGINEERS, INC.
560 SUNRISE DRIVE
SPRING GREEN, WI 53588

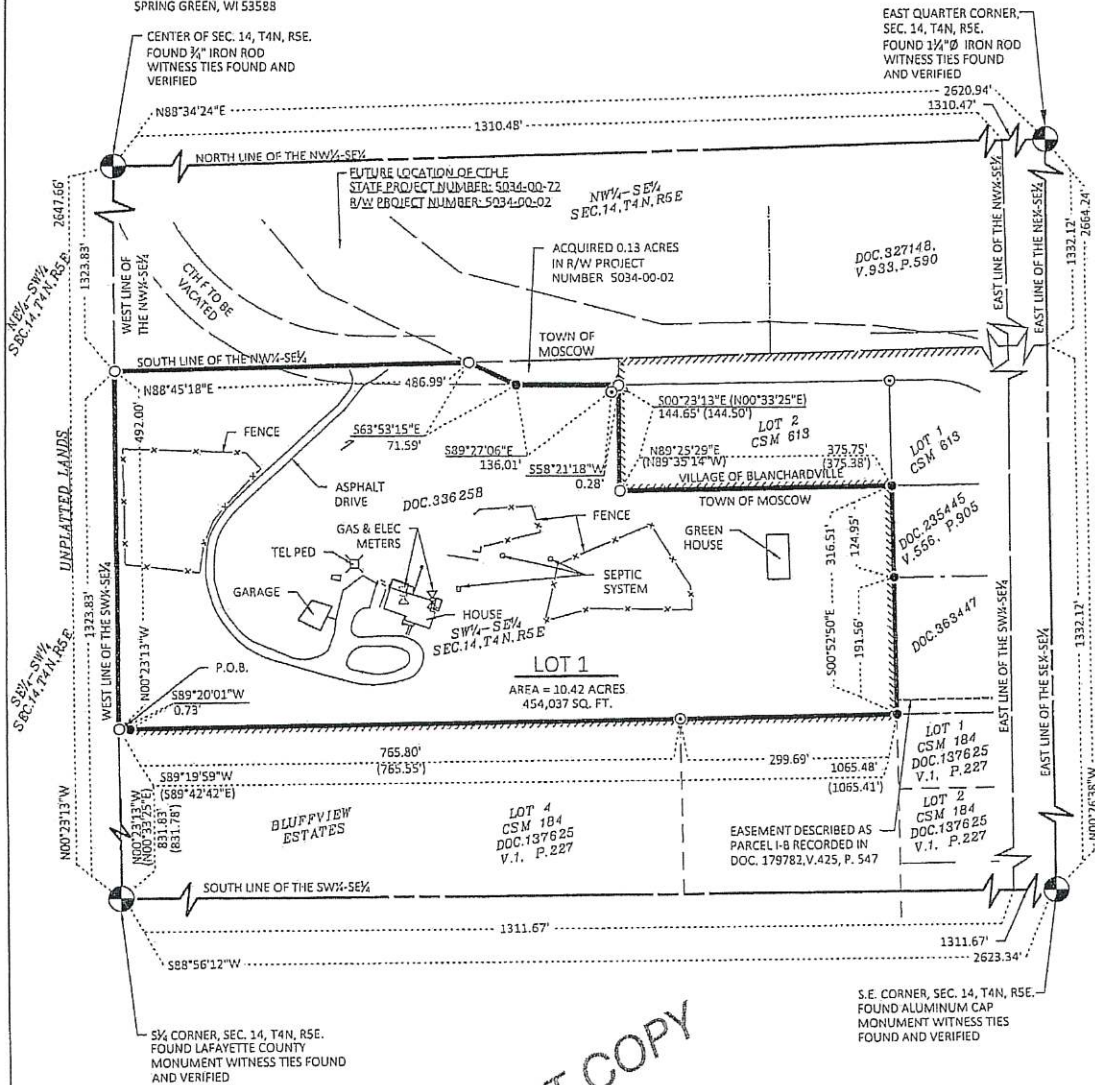
LEGEND

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SCALE: 1"=200'



DRAFT COPY

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associates engineers, inc.
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To: 'townofmoscow@tds.net'
Subject: RE: June 28th agenda

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Scott A. Godfrey, Director
Office of Planning & Development
222 N. Iowa Street
Dodgeville, WI 53533
608-935-0333

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Sent: Thursday, June 8, 2023 9:34 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: June 28th agenda

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Dodgeville, WI 53533

608-935-0333/608-553-7575/fax 608-935-0326

Scott.Godfrey@iowacounty.org

Agenda Item 10: Request for a Temporary Use Permit by Bard Materials to operate a temporary redi mix plant at the "Cobb Quarry" at 3725 State Road 80 in the Town of Eden.

Comments:

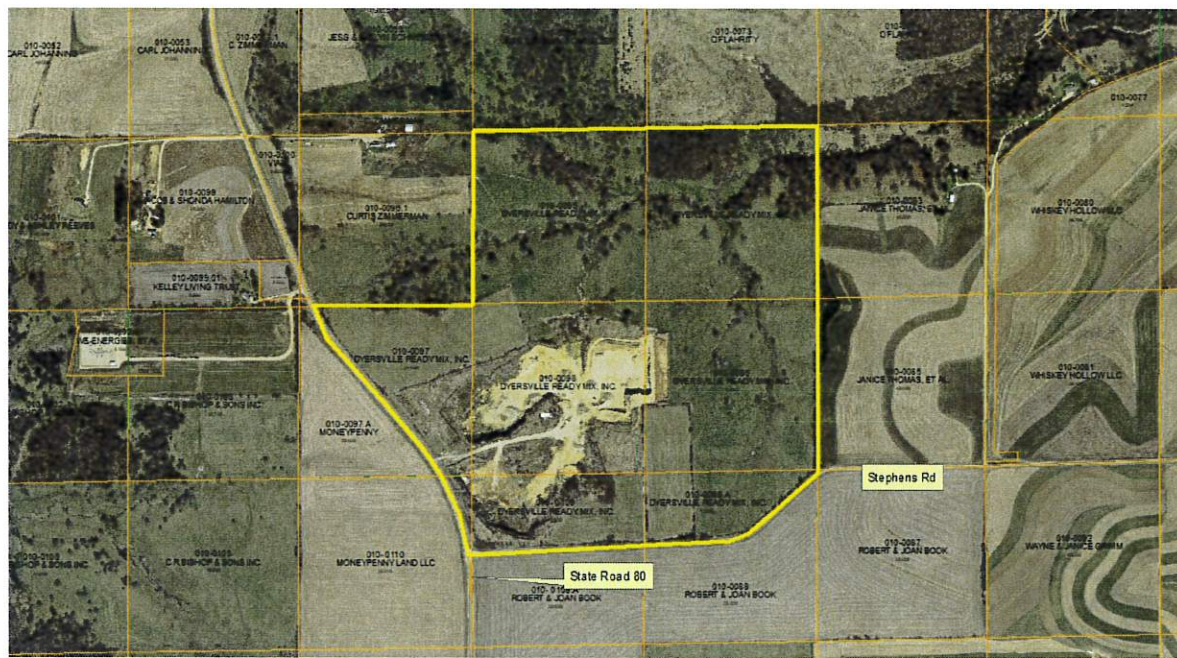
- 1) The site is zoned AB-1 Ag Bus and has a Conditional Use Permit for nonmetallic mining.
- 2) Section 2.6 of the Iowa County Zoning Ordinance provides for the following:

Temporary uses may be permitted for a specified length of time by the Committee, provided they are similar in character to the allowed uses in the surrounding area and do not conflict with existing legal uses on or around the affected lot. No Temporary Use shall be allowed for more than a period of 12 consecutive months.

- 3) A Temporary Use Permit approved for the same request expired on May 26, 2023.

Staff Recommendation: The proposed use is similar in character to the allowed nonmetallic mining use so staff recommends approval with consideration of conditions affecting:

- 1) Hours of operation
 - 2) Duration of permit
-





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Scott.Godfrey@iowacounty.org

Request for Temporary Use Permit Iowa County Planning & Zoning Committee

Section 2.6 of the Iowa County Zoning Ordinance allows for a request for a Temporary Use Permit as follows:

Temporary uses may be permitted for a specified length of time by the Iowa County Planning & Zoning Committee, provided they are similar in character to the allowed uses in the surrounding area and do not conflict with existing legal uses on or around the affected lot. No Temporary Use shall be allowed for more than a period of 12 consecutive months. In the case where an existing residence is to be replaced with a new residence, the existing residence may be occupied during the construction of the new residence provided that it is razed or otherwise removed from the property within six months of the issuance of the Certificate of Compliance for the new residence.

This form must be completed and submitted to the Office of Planning & Development with a nonrefundable **\$100 application fee**, payable to Iowa County Planning. The Office Director will respond with the Committee Chair's decision whether and when to place the request on the Committee's agenda.

Request made by: BARD Materials Date: 5/26/2023
Contact Address: P.O. Box 246, Dyersville, IA 52040
Phone: 563-599-2186 Email: bens@bardmaterials.com
Reason for request: To place a temporary ready mix
plant in the Cobb quarry
3725 STA 80
010-0098

Please attach any documentation you deem relevant in support of this request.

Office use only 585 Twp 3272
#100- #124475
Received by SG Date 6-1-23 Chair decision: grant deny



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Scott.Godfrey@iowacounty.org

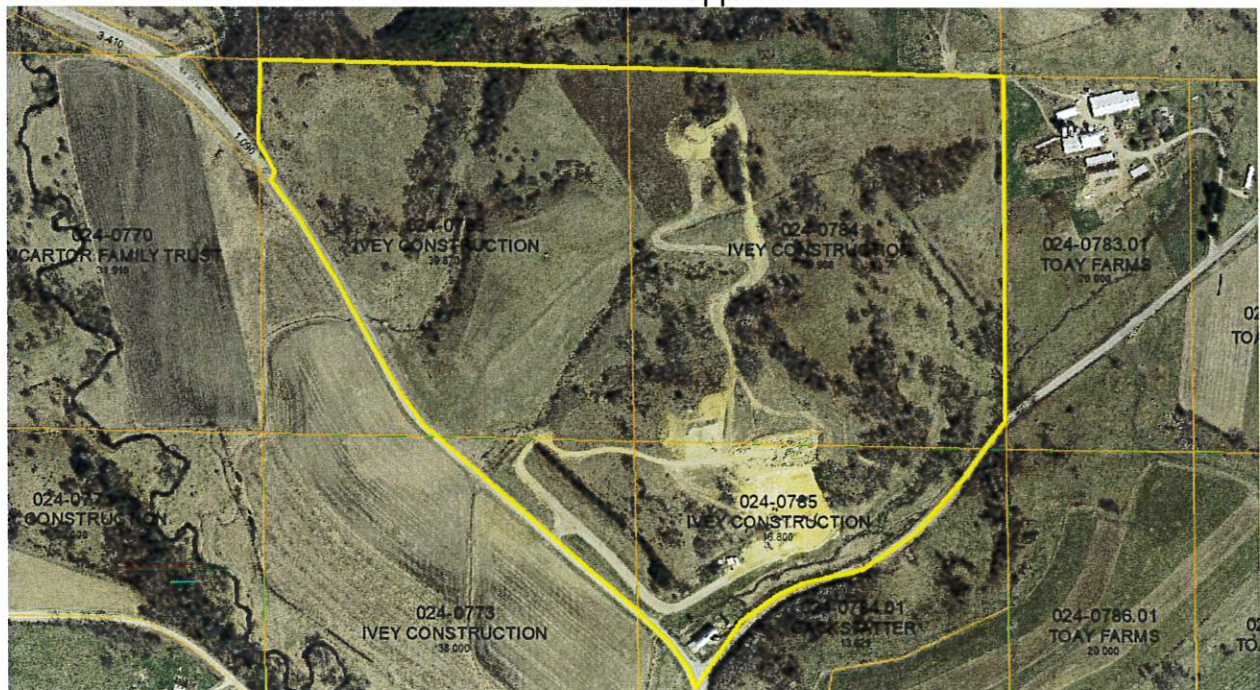
Agenda Item 11: Consideration of extending the Conditional Use Permit initially granted per ZH 2974 that allows nonmetallic mining by Ivey Construction Inc. at 6600 State Road 191 in the Town of Ordinance.

Background:

Section 4.5(4) of the Iowa County Zoning Ordinance provides for the following:

TIME OF OPERATION. Unless otherwise specified in this ordinance, the permit shall be in effect for not more than 5 years, and may be renewed by application to the County. All permitted operations may be inspected at least once every year by the Office and may be inspected at the time a request for renewal is submitted for the purpose of determining if all conditions of the operations are being complied with. Renewed permits shall be modified to be in compliance with all state, county, and local law in effect at the time of renewal. Permits may be amended on application to the Committee to allow extensions or alterations in operations under new ownerships or managements.

Staff Recommendation: Staff recommends approval.





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Scott.Godfrey@iowacounty.org

Agenda Item 12: Discussion of the current provisions of the Iowa County Zoning Ordinance and potential revisions.

I. Section 10.4: establish time period to make appeals to the Board of Adjustment

10.4 Appeals

Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureau of Iowa County affected by any decision of the Office within 30 days of said decision having been made. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board of Adjustment, by filing with the Office and the Board of Adjustment a notice of appeal specifying the ground thereof. The Office shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Office shall certify to the Board of Adjustment after notice of appeal shall have been filed that by reason of facts stated in the certification a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application on notice to the Office and on due cause shown.

The Board of Adjustment shall fix a reasonable time for the hearings of the appeal, file public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearings, any party may appear in person or by agent or by attorney.

II. Any other provisions to review?



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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608-935-0333/608-553-7575/fax 608-935-0326

Scott.Godfrey@iowacounty.org

Director's Report: May 2023

	Since last report	Year to date	same time 2022	Comments
Zoning permits	26	108	112	
Permit project value	\$4,361,500	\$15,104,058	\$12,120,495	
New residences	9	23	20	
Accessory structures	11	38	39	
Ag buildings	6	44	46	
Solar	0	6	7	
Airport zoning permits	2	3	6	
Floodplain/Shoreland pts	2	10	10	
Complaints/Violations	3	21	41	
Certified survey map review	6	21	25	
Zoning Hearings	7	31	41	
Board of Adj hearings	1	2	0	
Sanitary Permits	11	37	37	
Soil Tests Reviewed	6	24	24	
as of May 31, 2023				

Other Updates

- Town of Dodgeville is working on some Comprehensive Plan revisions – August 24th potential joint public hearing?
 - The Wind Siting Council met by Zoom May 17th: 9 articles were chosen for inclusion in the draft report; determined process to review draft report while simultaneously reviewing additional articles. Next meeting is June 21st.
 - Out of 1,632 POWTS maintenance reports sent out, approximately 445 have been returned. The first deadline is August 31st then second notice is sent out.
 - So far, four owners of pre-1980 septic systems have shown interest in the potential Groundwater Project Funding grant opportunity through the Land Conservation Department. Local plumbers were sent information on the program. Maximum grant is \$5000. Other eligible projects include: well abandonment, well replacement, sinkhole/mineshaft protection or closure. Info at: [Welcome to the Official Website of Iowa County, WI - Groundwater Project Funding](#)
-