

AGENDA – Iowa County Planning & Zoning Committee *revised

Thursday, May 23, 2024 at 6:30 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

<https://us02web.zoom.us/j/8405382607?omn=89323766362>

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 8, 2024 meeting.
5. Motion to enter into public hearings associated with zoning and/or conditional use permit petitions and ordinance revisions.
6. Petition by the Town of Brigham and the Bethel Cemetery Association to zone 1.15 acres from A-1 Ag to H-1 Historical in the SE/NW of S34-T7N-R5E in the Town of Brigham.
7. Petition by Town of Brigham and the Bethel Cemetery Association for a Conditional Use Permit to allow a cemetery on a 1.15-acre H-1 Historical lot in the SE/NW of S34-T7N-R5E in the Town of Brigham.
8. Petition by Mike Pink to zone 2.002 acres from A-1 Ag to AR-1 Ag Res in the NE/SW of S33-T7N-R1E in the Town of Highland.
9. Petition by Jennifer Wolf to zone 0.58 acre from A-1 Ag to AR-1 Ag Res in the NW/SW of S13-T8N-R1E in the Town of Pulaski.
10. Petition by Jennifer Wolf for a Conditional Use Permit to allow a Residential Kennel on a 0.58-acre AR-1 Ag Res lot in the NW/SW of S13-T8N-R1E in the Town of Pulaski.
11. Motion to end the public hearings and resume the regular meeting.
12. * Consideration of a Temporary Use Permit for a fireworks stand by R and M Enterprises at 4894 County Road YZ in the Town of Dodgeville.
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 05/14/2024

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

Wednesday, May 8, 2024 at 6:30 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

<https://us02web.zoom.us/j/8405382607?omn=88373077263>

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. Director Godfrey called the meeting to order at 6pm

2. Roll Call.

Committee Present: David Gollon, Tim Lease, Curt Peterson, Ingmar Nelson

Committee Absent: Don Leix

Staff Present: Scott Godfrey

Other Supervisors Present: Mel Masters

3. Election of Chair and Vice Chair.

Director Godfrey called for a nomination for Chair. Supervisor Gollon nominated Supervisor Peterson. Supervisor Lease seconded. There were no other nominations. Supervisor Peterson was voted as Chair unanimously and resumed control of the meeting.

Chair Peterson asked for nominations for Vice Chair. Supervisor Lease nominated Supervisor Gollon. Supervisor Nelson seconded. There were no other nominations. Supervisor Gollon was voted as Vice Chair unanimously.

4. Approve of this agenda.

Motion by Supervisor Gollon

Second by Supervisor Lease

Motion carries unanimously

5. Approve the minutes of the March 28, 2024 meeting.

Motion by Supervisor Gollon
Second by Supervisor Ingmar
Motion carries unanimously

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

Motion by Supervisor Lease
Second by Supervisor Nelson
Motion carries unanimously

7. Petition by Judy Handley to zone 2.35 acres from A-1 Ag to all AR-1 Ag Res in the NE/SE of S36-T8N-R5E in the Town of Arena.

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 duly recorded within 6 months of County Board approval by
Supervisor Lease
Second by Supervisor Nelson
Motion carried unanimously

8. Petition by Reid & Stephanie Formo to zone 11.03 acres from AR-1 Ag Res to AB-1 Ag Bus in the SW/SE of S12-T6N-R5E in the Town of Brigham.

Applicant present: Reid & Stephanie Formo
Town present: none

Director Godfrey gave the staff report.

Public comment: none

Motion to approve by Supervisor Gollon

Second by Supervisor Lease

Motion carried unanimously

9. Petition by Reid & Stephanie Formo for a Conditional Use Permit to operate a commercial livestock operation on a 11.03-acre AB-1 Ag Bus lot in the SW/SE of S12-T6N-R5E in the Town of Brigham.

Applicant present: Reid & Stephanie Formo

Town present: none

Director Godfrey gave the staff report.

Supervisor Gollon suggested requiring the owner to notify the Office if the allowance to spread manure on adjacent land stops.

Public comment: Mr. Formo commented that the existing lot is adequate for the anticipated sheep manure but the neighbor's land is an extra assurance.

Motion to approve by Supervisor Gollon with the following conditions:

1. The maximum number of animal units by breed is as proposed in the application.
2. The maximum number of animal units will reduce to that allowed in the AR-1 Ag Res district if the allowance to spread manure on adjacent property is no longer allowed. The landowner is responsible to notify the Office of Planning & Development if this allowance ends or is changed.

Second by Supervisor Nelson

Motion carried unanimously

10. Petition by McWilliams Properties LLC for a Conditional Use Permit to divide an existing AR-1 lot into two lots of 5 & 32 acres being Lot 1, CSM1698 in S28,29,32,33-T7N-R5E in the Town of Brigham.

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 duly recorded within 6 months by Supervisor Lease

Second by Supervisor Nelson

Motion carried unanimously

11. Petition by New Horizons for a Conditional Use Permit to add refined fuel storage and distribution (gas and diesel) use on a 0.78-acre B-3 Hvy Bus lot in S22-T6N-R3E in the Town of Dodgeville.

Applicant present: Jason Cullen

Town present: none

Director Godfrey gave the staff report.

Public comment: none

Motion to approve by Supervisor Nelson

Second by Supervisor Gollon

Motion carried with Supervisor Lease abstaining

12. Petition by Esch Road Properties to zone 12.9 acres from A-1 Ag to AR-1 Ag Res in the NW/SW of S6-T6N-R3E in the Town of Dodgeville.

Applicant present: Anthony Esch

Town present: none

Director Godfrey gave the staff report.

Public comment: none

Motion to approve by Supervisor Gollon
Second by Supervisor Lease
Motion carried unanimously

13. Petition by Esch Road Properties for a Conditional Use Permit to allow Recreational Residential Rental (short-term rental) of a residence on a 12.9-acre AR-1 Ag Res lot in the NW/SW of S6-T6N-R3E in the Town of Dodgeville.

Applicant present: Anthony Esch
Town present: none

Director Godfrey gave the staff report.

Public comment: none

Motion to approve by Supervisor Nelson with the following conditions:

- 1) Access is limited based on the septic sizing (2 persons per bedroom sizing – current system is sized for 3 bedrooms = up to 6 guests)
- 2) All State licenses/approvals must be obtained and maintained (tourist rooming house license from DATCP)
- 3) The conditional use permit expires if the property is sold

Second by Supervisor GOLLON
Motion carried unanimously

14. Petition by Paul Leigh to zone 5.256 acres from A-1 Ag to AR-1 Ag Res and 40 acres with the AC-1 Ag Conservancy overlay in the W1/2-NE of S34-T5N-R1E in the Town of Mifflin.

Applicant present: Paul Leigh 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 duly recorded within 6 months of County Board approval by Supervisor Gollon

Second by Supervisor Lease

Motion carried unanimously

15. Petition by Alan & Paula Schoenberg to zone 2.24 acre from A-1 Ag to AR-1 Ag Res in the SW/SE and 40 acres with the AC-1 Ag Conservancy overlay in the NE/SE all of S4-T4N-R1E in the Town of Mifflin.

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 duly recorded within 6 months of County Board approval by Supervisor Gollon

Second by Supervisor Lease

Motion carried unanimously

16. Petition by Sam Palzkill and Luke Fitzsimmons to zone 0.096 acre from AR-1 Ag Res to C-1 Conservancy with 9.459 acres to remain AR-1 Ag Res in the NE/SE of S34-T5N-R3E in the Town of Mineral Point.

Applicant present: Sam Palzkill

Town present: none

Director Godfrey gave the staff report.

Supervisor Nelson asked why the additional land isn't just added to Mr. Palzkill's lot. Director Godfrey replied that this would necessitate surveying all of his property and he may plan to do so in the future for estate

purposes but, for now, he just wants to acquire the land where his septic system is.

Public comment: none

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

Second by Supervisor Nelson

Motion carried unanimously

17. Petition by Gerry Anderson to zone 4.34 acres from A-1 Ag to AR-1 Ag Res with 39 acres zoned with the AC-1 Ag Conservancy overlay in the W1/2-NW of S25-T5N-R3E in the Town of Mineral Point.

Applicant present: Gerry Anderson

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 duly recorded within 6 months of County Board approval by Supervisor Gollon

Second by Supervisor Nelson

Motion carried unanimously

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

Motion by Supervisor Nelson

Second by Supervisor Lease

Motion carries unanimously

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

none

20. Director's report

Director Godfrey overviewed the report included in the packet.

Consensus was to ask Invenergy Wind to make a presentation to the County Board on its project.

21. Next meeting date and time: May 23, 2024 at 6:30 following the 6pm joint public hearing with the Town of Brigham Plan Commission

22. Motion to adjourn

Motion by Supervisor Gollon

Second by Supervisor Nelson

Motion carries unanimously. Adjourned at 7:20pm

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: 3422

Town of Brigham

407 Business ID

Barneveld, WI 53507

Hearing Date: May 23, 2024

Town of Brigham

SE/NW S34-T7N-R5E

PIN: 004-0289.03; 0291.02; 0289.02; 0292

Bethel Cemetery Association

c/o Carol Peterson

1720 Sandy Rock Rd

Hollandale, WI 53544

1. Request: This is a request to enlarge a legal nonconforming cemetery by zoning 1.15 acres from A-1 Ag to H-1 Historical.



2. Comments

1. This is a legal nonconforming lot (due to lot size) and use (existing cemetery). The intent is to enlarge the cemetery outside the current lot boundaries which requires bringing it into conformity through a zoning change and CUP approval.

2. Platting of the cemetery isn't necessary due to a statutory exemption for cemeteries under the responsibility of a religious institution. There is a lot layout with the application.
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).
5. 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 Arena is recommending approval as is party to the application.

Staff Recommendation: Staff recommends approval of both the zoning change and CUP with the condition that the associated certified survey map is duly recorded within 6 months after County Board approval.

BETHEL CEMETERY ASSOC.
% CAROLYN PETERSON
1720 SANDY PUDX RD
53544



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

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: TOWN OF BRIGHAM Address: 407 BUSINESS ID
City/Zip Code: BARNEVELD, WI 53507

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

Applicant Phone: (608) 924-1013 Landowner Phone: () _____

Email: megan@tn.brigham.wi.gov Please contact by: ☒ email ☐ postal mail

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

in the Town of BRIGHAM Acreage of proposed lot(s) 1.15

Section 34 Town 7 N Range 5 E SE 1/4 of the NN 1/4 PIN 0289.03, 0291.02, 0289.02, 0292

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: H-1 for the proposed use(s) of: Cemetery

Requested Conditional uses (s):

Cemetery

I. Please list any improvements currently on the land: n/a

II. Please explain the reason for the request and proposed plans: The Association is looking to turn over care of the cemetery to the town

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?
land is already being used as a cemetery; this proposal is to make it a legal conforming lot.
- 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?
land use is not changing

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?
CUP better suits the existing land use
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)?
minimal impact - no different than what currently exists.
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?

n/a

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?

No.

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

State Statutes

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

request meet requirements

****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: Jan Cude Date: 12/28/2023

Landowner(s) Signature: _____ Date: _____

For Office Use Only: Rcv'd by SB Date 12/29/23 Fee _____ Check # _____ Cash
_____ present zoning _____ floodplain _____ shoreland/wetland

CERTIFIED SURVEY MAP No. _____

Located in the Northeast 1/4 of the Southwest 1/4 and in the Southeast 1/4 of the Northwest 1/4 of
Section 34, T7N, R5E, Town of Brigham, Iowa County, Wisconsin.

Bearings are referenced to the West line of the NE 1/4 of Section 34, T7N, R5E, Town of Brigham, Iowa
County, WI assumed as Bearing S 00°11'00" W.

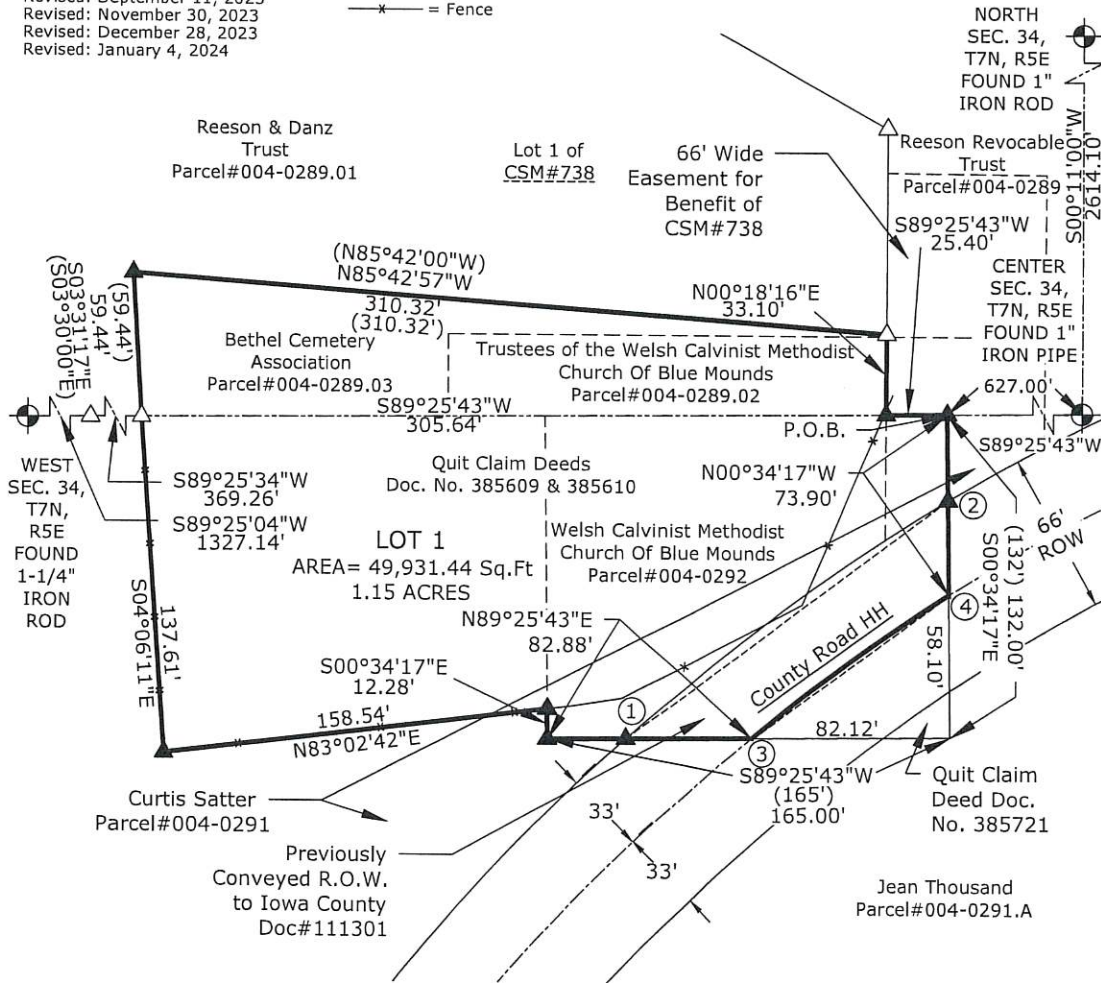
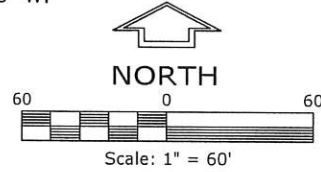
SURVEYED FOR:

Brigham Township
403/407 Business ID
Barneveld, WI 53507

August 31, 2023
Revised: September 11, 2023
Revised: November 30, 2023
Revised: December 28, 2023
Revised: January 4, 2024

LEGEND:

-  = Found 3/4" Round Iron Bar
-  = Set 3/4" Round Iron Bar Weighing 1.502 Lbs./Lin. Ft.
-  = Section Corner
-  = Fence



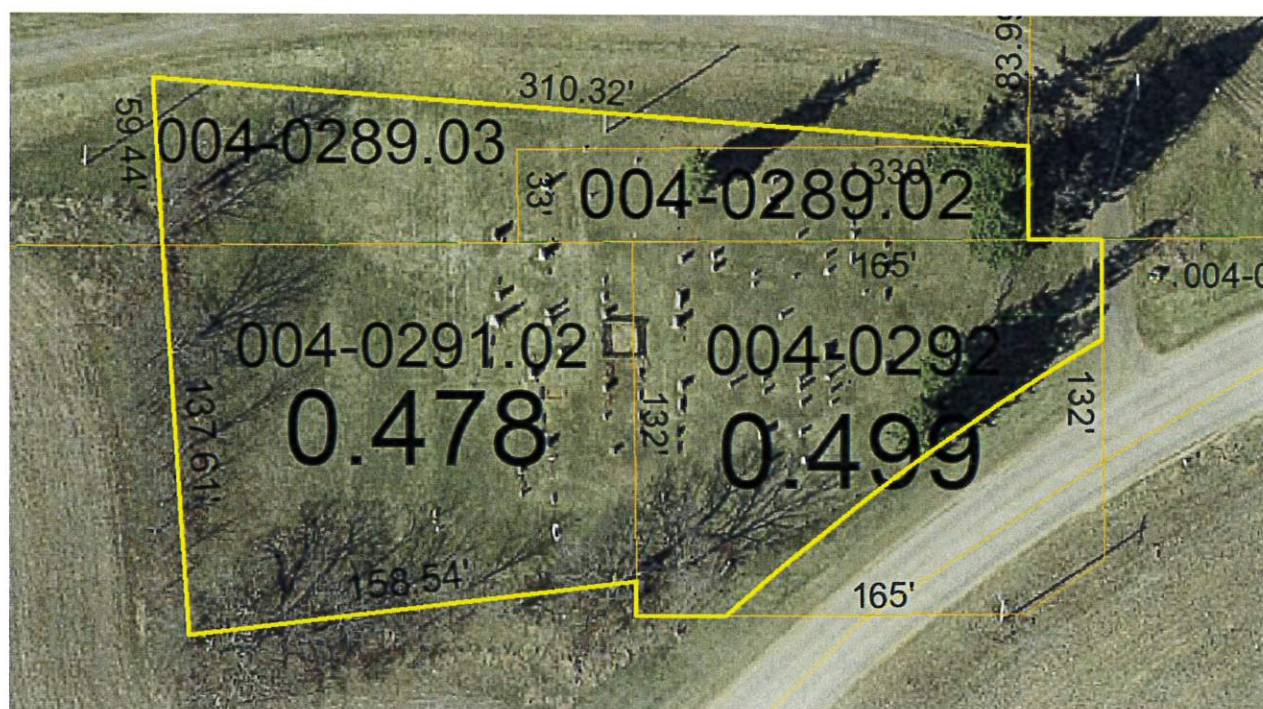
CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
1-2	851.60'	164.89'	11°05'36"	N53°29'20"E	164.64'
3-4	818.60'	100.66'	7°02'45"	N54°08'55"E	100.60'

Doc. No. _____ C.S.M. No. _____ Vol. _____ Page _____

K. D. ENGINEERING CONSULTANTS, INC.
2600 County Hwy. Y
Dodgeville, WI 53533 (608) 935 - 3310

SHEET 1 OF 2





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: 3423

Mike Pink

882 County Road I

Highland, WI 53543

Hearing Date: May 23, 2024

Town of Highland

NE/SW S33-76N-R1E

PIN: 012-1007

1. Request: This is a request to zone 2.002 acres from A-1 Ag to AR-1 Ag Res.



2. Comments

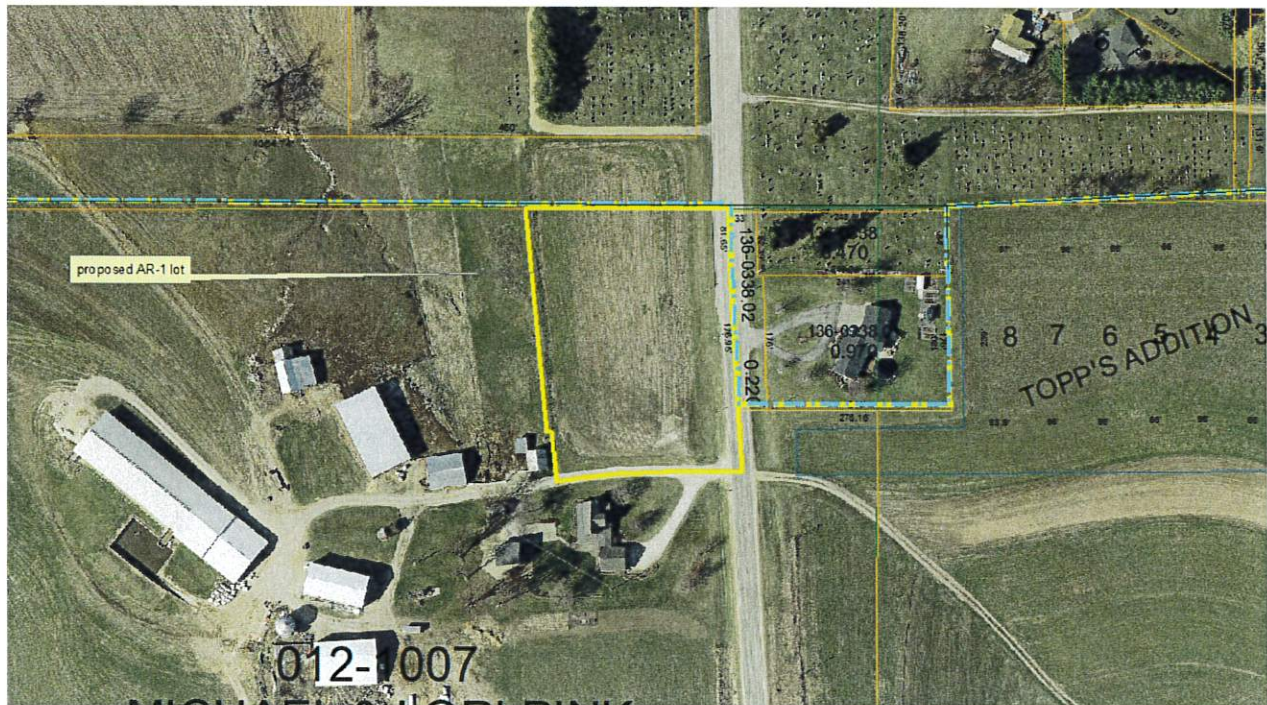
1. The existing A-1 zoning has a minimum 40-acre lot size so rezoning is required in order to legally create the proposed lot.
2. If approved, the AR-1 lot is eligible for one single-family residence, accessory uses and limited ag uses, but no animal units as defined in the Iowa County Zoning Ordinance without a Conditional Use Permit.
3. The associated certified survey map has 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 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 Highland is recommending approval.

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





IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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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: Mike Pink Address: 882 CTH J
City/Zip Code: Highland WI 53543
Landowner: Mike Pink Address: 882 CTH J
(if other than applicant) City/Zip Code: _____
Applicant Phone: (608) 574-1734 Landowner Phone: (608) 574-1734
Email: _____ Please contact by: _____ email _____ postal mail

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

in the Town of HIGHLAND Acreage of proposed lot(s) 2.00

Section 33 Town 7 N Range 1 E NE 1/4 of the SW 1/4 PIN 012-1007

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: A-1 for the proposed
use(s) of: CRUISE LOT FOR RESIDENCE

Requested Conditional uses (s):

2/0

I. Please list any improvements currently on the land: N/A

II. Please explain the reason for the request and proposed plans: Building New House

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? N/A
- 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? N/A

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?

N/A

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?

N/A

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)

Meet the Plan.

****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: Mike Ped Date: 4-7-24

Landowner(s) Signature: Mike Ped Date: 4-7-24

=====

For Office Use Only: Rcv'd by SL Date 4-10-24 Fee 750 Check # 13740 Cash
N -1 present zoning N/A floodplain N/A shoreland/wetland 13734

PRELIMINARY ONLY

IOWA COUNTY CERTIFIED SURVEY MAP NO.

LOCATED IN PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWN 7 NORTH, RANGE 1 EAST, TOWN OF HIGHLAND, IOWA COUNTY, WISCONSIN.

NOTE:

COUNTY ROAD "I" CENTERLINE AND THE RIGHT OF WAY FOR THIS CSM WAS DETERMINED FROM A SURVEY PLAT MAP COMPLETED AND FILED IN VOLUME 8 OF SURVEY PLATS, PAGES 33-34, ON JANUARY 3, 2003. A SURVEY PLAT MAP COMPLETED AND FILED IN VOLUME 8 OF SURVEY PLATS, PAGES 62-64, ON FEBRUARY 28, 2003. THE AFOREMENTIONED, BEING A SURVEY OF THE CORPORATE LIMITS OF THE VILLAGE OF HIGHLAND. ALSO WISCONSIN DOT HIGHWAY PROJECT NO. 5135-1-72.73 WAS USED IN ESTABLISHING THE LOCATION OF THE EXISTING ROAD RIGHT OF WAY OF COUNTY ROAD "I".

RECORDED AS OF CENTERLINE AND VILLAGE OF HIGHLAND CORPORATE LIMITS BOUNDARY COURSE TABLE

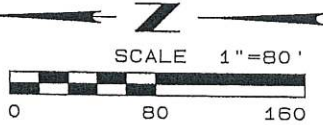
DESIGNATION	RECORDED AS BEARING	RECORDED AS DISTANCE
L4	N 01° 03' 18" W	81.65'
L3	N 03° 13' 18" W	176.95'

SURVEY BY:

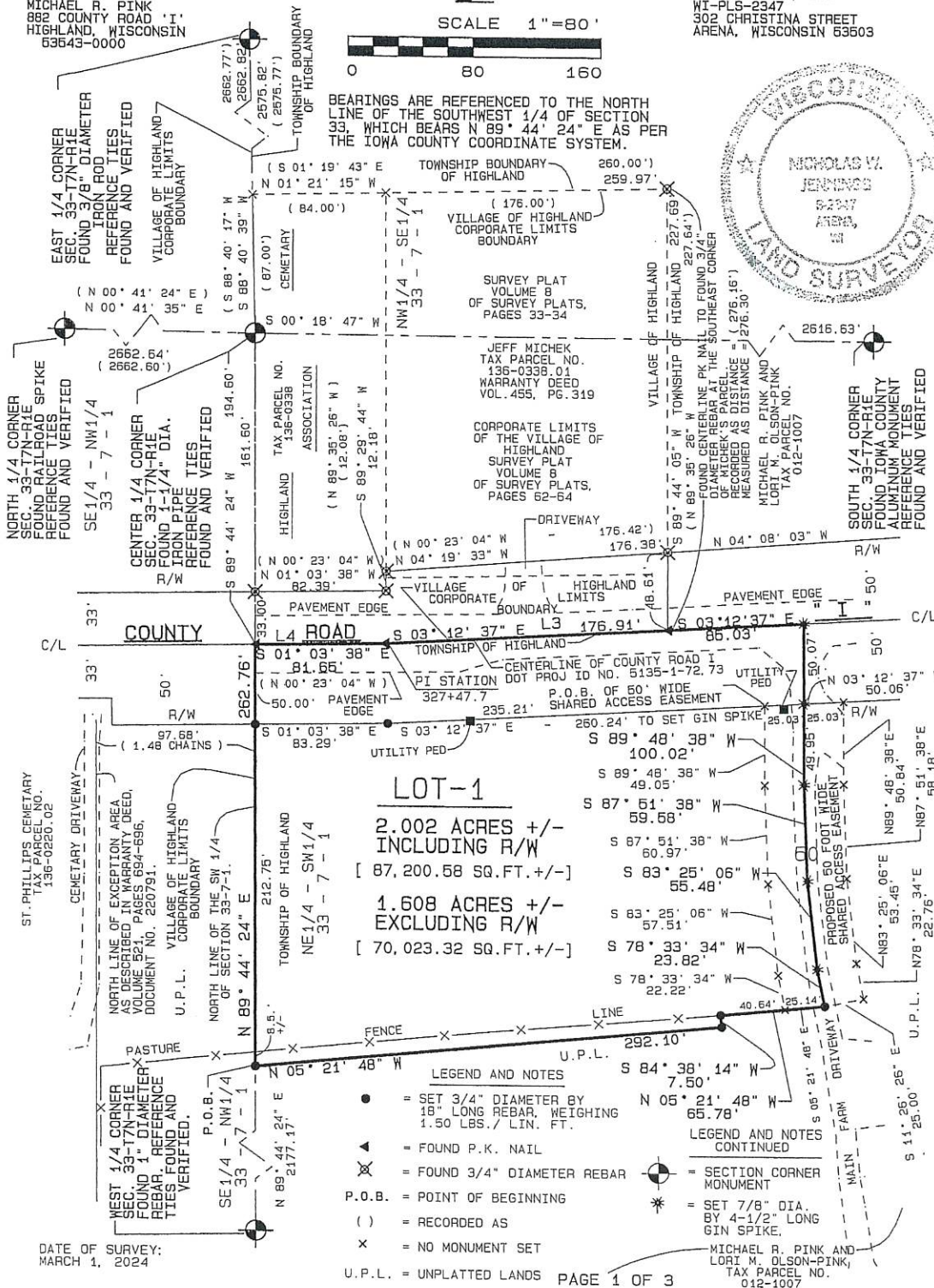
NICHOLAS W. JENNINGS
NJ SURVEYING, LLC
WI-PLS-2347
302 CHRISTINA STREET
ARENA, WISCONSIN 53503

SURVEY FOR:

MICHAEL R. PINK
882 COUNTY ROAD "I"
HIGHLAND, WISCONSIN
53543-0000



BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 33, WHICH BEARS N 89° 44' 24" E AS PER THE IOWA COUNTY COORDINATE SYSTEM.



LOT-1

2.002 ACRES +/-
INCLUDING R/W

[87,200.58 SQ.FT. +/-]

1.608 ACRES +/-
EXCLUDING R/W

[70,023.32 SQ.FT. +/-]

LEGEND AND NOTES

- = SET 3/4" DIAMETER BY 18" LONG REBAR, WEIGHING 1.50 LBS./LIN. FT.
- ▲ = FOUND P.K. NAIL
- ⊗ = FOUND 3/4" DIAMETER REBAR
- P.O.B. = POINT OF BEGINNING
- () = RECORDED AS
- x = NO MONUMENT SET
- U.P.L. = UNPLATTED LANDS

LEGEND AND NOTES
CONTINUED

- ⊙ = SECTION CORNER MONUMENT
- * = SET 7/8" DIA. BY 4-1/2" LONG GIN SPIKE.
- MICHAEL R. PINK AND LORI M. OLSON-PINK, TAX PARCEL NO. 012-1007

DATE OF SURVEY:
MARCH 1, 2024

PRELIMINARY ONLY

IOWA COUNTY CERTIFIED SURVEY MAP NO. _____

SURVEYOR'S CERTIFICATE:

I, NICHOLAS W. JENNINGS, WISCONSIN PROFESSIONAL LAND SURVEYOR, S-2347, AT THE REQUEST OF MICHAEL PINK, HEREBY CERTIFY THAT I HAVE SURVEYED, MAPPED AND MONUMENTED A PARCEL OF LAND LOCATED IN PART OF THE NORTH-EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWN 7 NORTH, RANGE 1 EAST IN THE TOWN OF HIGHLAND, IOWA COUNTY, WISCONSIN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1" DIAMETER REBAR, BEING THE WEST 1/4 CORNER OF SECTION 33, TOWN 7 NORTH, RANGE 1 EAST, THENCE N 89° 44' 24" E, (PREVIOUSLY RECORDED AS S 89° 44' 43" W), ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 2177.17 FEET TO A 3/4" DIAMETER REBAR, SAID POINT BEING THE POINT OF BEGINNING OF LOT-1:

THENCE CONTINUING N 89° 44' 24" E ON THE SAID NORTH LINE OF SAID SOUTHWEST 1/4, (PREVIOUSLY RECORDED AS S 89° 44' 43" W), FOR A DISTANCE OF 262.76 FEET TO A FOUND P.K. NAIL ON THE CENTERLINE OF COUNTY ROAD 'I'. SAID LINE ALSO BEING THE SOUTH BOUNDARY LINE OF THE CORPORATE LIMITS OF THE VILLAGE OF HIGHLAND AND BEING THE NORTH LINE OF THE HIGHLAND TOWNSHIP.
THENCE S 01° 03' 38" E ON THE CENTERLINE OF COUNTY ROAD 'I' FOR A DISTANCE OF 81.65 FEET TO A FOUND P.K. NAIL, (PREVIOUSLY RECORDED AS N 01° 03' 18" W - 81.65'); SAID LINE ALSO BEING A BOUNDARY LINE BETWEEN THE CORPORATE LIMITS OF THE VILLAGE OF HIGHLAND AND THE TOWNSHIP OF HIGHLAND.
THENCE S 03° 12' 37" E ON THE CENTERLINE OF COUNTY ROAD 'I' FOR A DISTANCE OF 176.91 FEET TO A FOUND P.K. NAIL, (PREVIOUSLY RECORDED AS N 03° 13' 18" W - 176.95'); SAID LINE ALSO BEING A BOUNDARY LINE BETWEEN THE CORPORATE LIMITS OF THE VILLAGE OF HIGHLAND AND THE TOWNSHIP OF HIGHLAND.
THENCE CONTINUING S 03° 12' 37" E ON THE SAID CENTERLINE FOR A DISTANCE OF 85.03 FEET TO A GIN SPIKE;
THENCE S 89° 48' 38" W ON THE CENTERLINE OF A DRIVEWAY ENTRANCE FOR A DISTANCE OF 100.02 FEET TO A GIN SPIKE;
THENCE S 87° 51' 38" W ON THE CENTERLINE OF SAID DRIVEWAY FOR A DISTANCE OF 59.58 FEET TO A GIN SPIKE;
THENCE S 83° 25' 06" W ON THE CENTERLINE OF SAID DRIVEWAY FOR A DISTANCE OF 55.48 FEET TO A GIN SPIKE;
THENCE S 78° 33' 34" W ON THE CENTERLINE OF SAID DRIVEWAY FOR A DISTANCE OF 23.82 FEET TO A 3/4" DIAMETER REBAR;
THENCE N 05° 21' 48" W FOR A DISTANCE OF 65.78 FEET TO A 3/4" DIAMETER REBAR;
THENCE S 84° 38' 14" W FOR A DISTANCE OF 7.50 FEET TO A 3/4" DIAMETER REBAR;
THENCE N 05° 21' 48" W FOR A DISTANCE OF 292.10 FEET AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 2.002 ACRES OR 87,199.77 SQUARE FEET, MORE OR LESS, OF LAND INCLUDING ROAD RIGHT OF WAY AND 1.608 ACRES OR 70,022.97 SQUARE FEET, MORE OR LESS, OF LAND EXCLUDING ROAD RIGHT OF WAY AND IS SUBJECT TO ANY AND OTHER CONVEYANCES OR EASEMENTS OF RECORD.

ALSO TOGETHER WITH A SHARED DRIVEWAY ACCESS EASEMENT TO SERVE LOT-1 OF THIS CERTIFIED SURVEY MAP AND FOR CONTINUED PRESENT DAY USE BY THE ADJOINING FARM PARCEL, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1" DIAMETER REBAR, BEING THE WEST 1/4 CORNER OF SECTION 33, TOWN 7 NORTH, RANGE 1 EAST, THENCE N 89° 44' 24" E, (PREVIOUSLY RECORDED AS S 89° 44' 43" W), ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 2389.92 FEET TO A 3/4" DIAMETER REBAR, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 'I'. THENCE S 01° 03' 38" E ON SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 83.29 FEET TO A 3/4" DIAMETER REBAR; THENCE S 03° 12' 37" E ON SAID WESTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 'I' FOR A DISTANCE OF 235.21 FEET BEING THE POINT OF BEGINNING OF A 50 FOOT WIDE SHARED ACCESS EASEMENT:

THENCE S 89° 48' 38" W FOR A DISTANCE OF 49.05 FEET;
THENCE S 87° 51' 38" W FOR A DISTANCE OF 60.97 FEET;
THENCE S 83° 25' 06" W FOR A DISTANCE OF 57.61 FEET;
THENCE S 78° 33' 34" W FOR A DISTANCE OF 22.22 FEET;
THENCE S 05° 21' 48" E FOR A DISTANCE OF 25.14 FEET;
THENCE S 11° 26' 26" E FOR A DISTANCE OF 25.00 FEET;
THENCE N 78° 33' 34" E FOR A DISTANCE OF 22.76 FEET;
THENCE N 83° 25' 06" E FOR A DISTANCE OF 53.45 FEET;
THENCE N 87° 51' 38" E FOR A DISTANCE OF 58.18 FEET;
THENCE N 89° 48' 38" E FOR A DISTANCE OF 50.84 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 'I';
THENCE N 03° 12' 37" W ON SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 50.07 FEET TO THE POINT OF BEGINNING.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE LOT THEREOF MADE.

THAT I HAVE COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATE STATUTES AND ANY APPLICABLE SUBDIVISION REGULATIONS AND OR ORDINANCES OF THE TOWNSHIP OF HIGHLAND IN SURVEYING, MAPPING AND MONUMENTING THE SAME.

NICHOLAS W. JENNINGS
WI-PLS-2347
302 CHRISTINA STREET
ARENA, WISCONSIN 53603



DATE _____

Scott Godfrey

From: Leah Nankey <leahnankey@gmail.com>
Sent: Wednesday, April 10, 2024 1:35 PM
To: Scott Godfrey
Subject: Re: Pink rezone recommendation

Hi Scott,

I am slow in getting this info out to you—have been out of the office yesterday and this morning.

Mike Pink was at the Highland Town board meeting Monday, April 8, 2024. He submitted a driveway permit application and a zoning change request. Both were approved by the board.

The driveway is for a single use driveway coming off of his existing driveway, which currently meets requirements for a multi-use driveway.

The Rezoning Request is to rezone 2 acres to Residential use for the purpose of building a new house. It is part of an existing 156 acres currently zoned Ag-1.

Please let me know if you have any questions.

Thanks,
Leah

From: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Sent: Wednesday, April 10, 2024 1:00 PM
To: Leah Nankey (leahnankey@gmail.com) <leahnankey@gmail.com>
Subject: Pink rezone recommendation

Hi Leah,

Mike Pink has applied to rezone 2 acres to AR-1 Ag Res. Please let me know when there is a town recommendation.

Thanks.

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



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: 3424

Jennifer Wolf

7275 Sugar Loaf Rd

Avoca, WI 53506

Hearing Date: May 23, 2024

Town of Pulaski

NW/SW S13-T8N-R1E

PIN: 022-0405.A

1. Request: This is a request to zone an existing 0.58-acre lot from A-1 Ag to AR-1 Ag Res to make it eligible for a Conditional Use Permit for a Residential Kennel.



2. Comments

1. This existing lot is legal nonconforming A-1 as it does not meet the minimum 40-acre lot size being existing prior to the 40-acre lot size being enacted. As such, those lawful uses existing at that time are allowed to continue.
 2. In July of 2023, a complaint of there being a large number of dogs on the property was made. The applicant had recently purchased the property on land contract and admitted to having 12 dogs at that time. The applicant was informed this would require a Residential Kennel CUP, which is not an
-

option in the A-1 district. An alternative is to reduce the number of dogs to no more than 2.

3. The applicant was also informed that the AR-1 district has a minimum 1-acre lot size so, in addition to rezoning and a CUP, a variance will need to be sought if she could not enlarge the lot to at least 1 acre.
4. In August of 2023, the applicant took a job offer in Hawaii and put the property up for sale. The dogs were removed from the property.
5. In October 2023, a new complaint was made about the dogs, thus continuing the zoning violation. Between that time and now:
 - Numerous complaints have been made of dogs running loose.
 - The ISCO has responded to several complaints.
 - Staff and a ISCO detective visited the site to discuss the issues with the applicant who, at that time, admitted to having 7 dogs.
 - The applicant met with the Town of Pulaski for a recommendation to the county, which the town decided not to make.
 - As of the date of this report, the applicant had not obtained the required dog licenses from the town or paid real estate taxes.
6. 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).

7. 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 Pulaski has not made a recommendation and has referred the matter to the county.

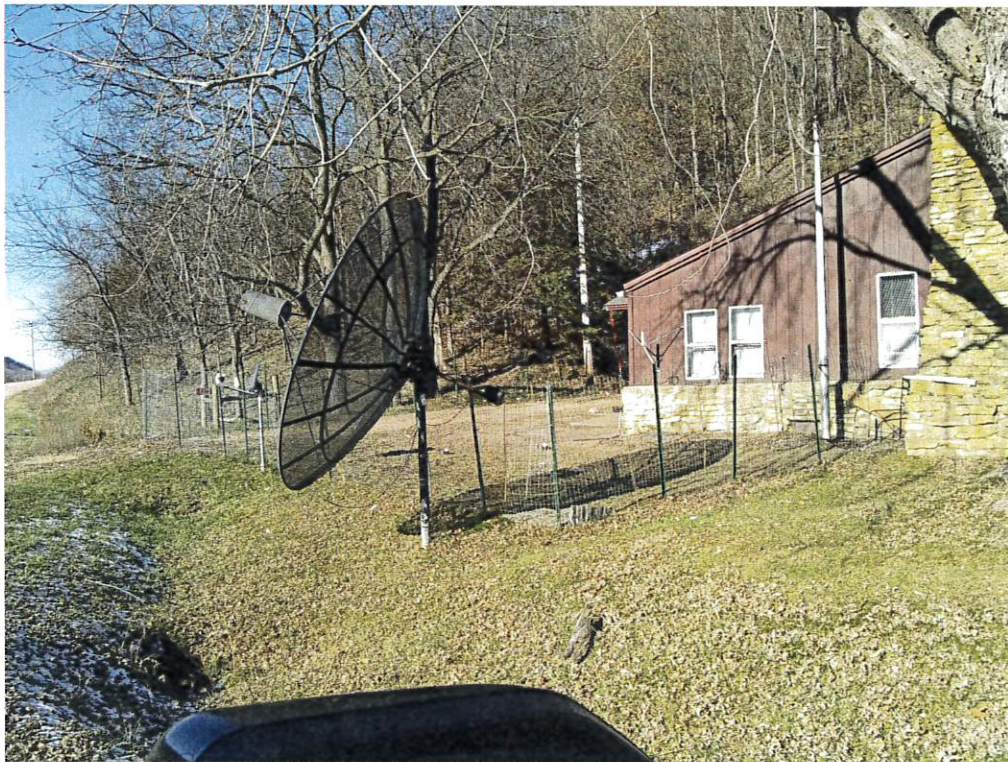
Staff Recommendation: Staff recommends approval of the zoning change on the condition that the necessary area variance is also granted within 12 months.

Staff recommends not approving the Conditional Use Permit for a Residential Kennel, which would leave the allowance for up to 2 dogs on the lot, out of concern over the applicant being able to meet the following highlighted required standards for a Residential Kennel as stated in the Iowa County Zoning Ordinance:

Use standards:

- a) All dogs and cats must be licensed by the appropriate town if the town maintains a licensing requirement, and regardless, the use shall be subject to all applicable town, county, and state regulations.
 - b) The animals shall be securely detained on the applicant's property, whether by fencing, leash, restraint, or other humane means.
 - c) Outdoor dog runs or exercise pens shall have the following setbacks:
 - i. located at least 20 feet from a lot line
 - ii. located at least 200 feet from an existing legal residence or other structure occupied at least 51% of the time on adjacent property – this setback may be reduced if the adjacent property owner agrees in writing
 - d) No excessive barking, cries, howling, or other noise shall be permitted. The term "excessive barking, cries, howling or other noise" includes but is not limited to the creation of any noise by a dog or cat that can be heard at the property line by any person and that occurs continuously or incessantly for a period of ten continuous minutes or intermittently for thirty minutes or more, except in instances where it can be demonstrated that such noise was associated with a person trespassing or threatening to trespass upon the private property where the kennel is situated or in instances where the animals are being teased or provoked.
 - e) All pens, yards, structures or areas where animals are kept shall be maintained in a nuisance free manner. Droppings and manure shall be removed and disposed of properly so not to attract insects or rodents, become unsightly or cause objectionable odors.
 - f) The lot or parcel size shall be considered as to whether adequate in size for the proposed use and its proximity to adjacent legal uses for potential negative impacts.
 - g) The limit of dogs or cats can be limited where a conditional use permit is required if the limitation is to mitigate potential negative impacts to adjacent legal land uses or due to the subject lot or parcel size.
-

Photos of the property from Nov. 29, 2023:







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

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: Jennifer Wolf Address: 7275 Sugarloaf Rd
City/Zip Code: Avoca, WI 53506

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

Applicant Phone: (608) 630-6471 Landowner Phone: () _____

Email: jwolf53560@gmail.com Please contact by: ☒ email _____ postal mail

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

in the Town of Pulaski Acreage of proposed lot(s) 0.58

Section 13 Town 8 N Range 1 E SW 1/4 of the SW 1/4 PIN 022-0405-A

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 LNC Requested zoning district: AR-1 ^{WILL REQ. VARIANCE FOR} for the proposed use(s) of: Residential Kennels

Requested Conditional uses (s):

RESIDENTIAL KENNELS

I. Please list any improvements currently on the land: House, 2 Garages,
Fence.

II. Please explain the reason for the request and proposed plans: I have over the allowed
amount of dogs and would like to apply for a Residential Kennel.
My dogs are emotional support dogs for my children and when old
enough we hope to train them as service dogs.

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?

I feel the proposed use of raising/training
emotional support/Service dogs fits very well
in a country setting. My closest neighbor
is 1/4 mile away so I do not have neighbors right next to the
lot line. We are in the middle of the country with a hill directly
behind us. We are not a nuisance to anyone. My dogs are fairly quiet and
are in the house most of the time.

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)?

I feel we are compatible with adjacent operations.
My neighbor farms and has cows, the cows "moo."
Hours of operation are no different than anyone who lives here. No additional
traffic, lighting, etc.

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 - I feel dogs are very compatible with
Farms as well as nature.

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

There are no adverse impacts.

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?

already in place

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

If granted, I will work on getting a solid wood fence around my property.

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: Jennifer Wolf Date: 4/8/24

Landowner(s) Signature: _____ Date: _____

For Office Use Only: Rcv'd by JS Date 4-10-24 Fee 750 Check # 2035 Cash
A-1 present zoning 2/A floodplain 2/A shoreland/wetland
inc

Scott Godfrey

From: Scott Godfrey
Sent: Friday, February 9, 2024 8:08 AM
To: Lori Peat (PulaskiTownClerk@outlook.com)
Subject: Jennifer Wolf

Hi Lori,

I'm writing to confirm what recommendation, if any, was made at this week's town meeting regarding the rezoning and commercial kennel request of Jennifer Wolf. Jamey Wardell, Ms. Wolf's neighbor, has the understanding no action was taken and Ms. Wolf left the meeting.

If no recommendation was made, is the town planning to meet again on the matter or is it waiving its opportunity to make a recommendation? This will impact what next steps I take in the matter.

Thank you.

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

Date	Incoming	Voicemail	Returned	Name	Phone Number	Subject	Notes
2/15/2024	yes		NA	Karl-Oneida	715-369-6176	Re: nonconforming issues	
2/15/2024	yes		NA	Sam Palckill	574-7204	Re: both Spurley and Novak approved - will send minutes	
2/15/2024	yes		NA	Terry Kent	931-8359	Re: CoC req - Moscow house	
2/15/2024		yes		Karl-Oneida	715-369-6176	Re: 59.69(10)(a)(b)3: changing zoning district to more restrictive so will cause nonconforming uses	see 59.69(10)(a)(d) referred to IT
2/15/2024	yes		NA	Colby	405-755-3131	Re: company purchases old computer equipment	
2/15/2024		yes		John Hasburgh	604-9888	Re: zoning on deck letter--call anytime--plan to continue this Spring - please extend	Zpt 8.199
2/15/2024		yes		Lori - T Pulaski	778-8356	Re: contacted by Dep. Havlic on Wolf - did not approve or denied at board but not opposed to apply at county...no recommendation; pointed out to her sub-acre lot & fencing issues (move inside lot line to meet standards)	confirmed town is okay with her moving forward without a firm town recommendation; said would get town dog licenses
2/15/2024		yes		Brett Peterson	574-8756	Re: left message last week - short term rental questions--what is needed //	024-0793: discussed maybe renting for 1-6 months to large employers (said okay as is w/lease); explained CUP option for RRR
2/15/2024		yes		Keith Hasburgh	341-8747	Re: zpt application questions for new house on Factory Rd - what is needed from town on access and siting - how get address //	
2/15/2024		yes		Dan Dannenberg	574-5776	Re: town approved - what is status? //	either provide can rebuild and make setback or rezone to enlarge Ar-1 lot
2/15/2024	yes		emailed	Steve Bertram	341-9521	Re: referring to recent prel dev review	sent review for comment



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

Agenda Item 12: Request for a Temporary Use Permit by R and M Enterprises and Farm & Fleet for a fireworks stand at 4894 County Road YZ in the Town of Dodgeville.

Background:

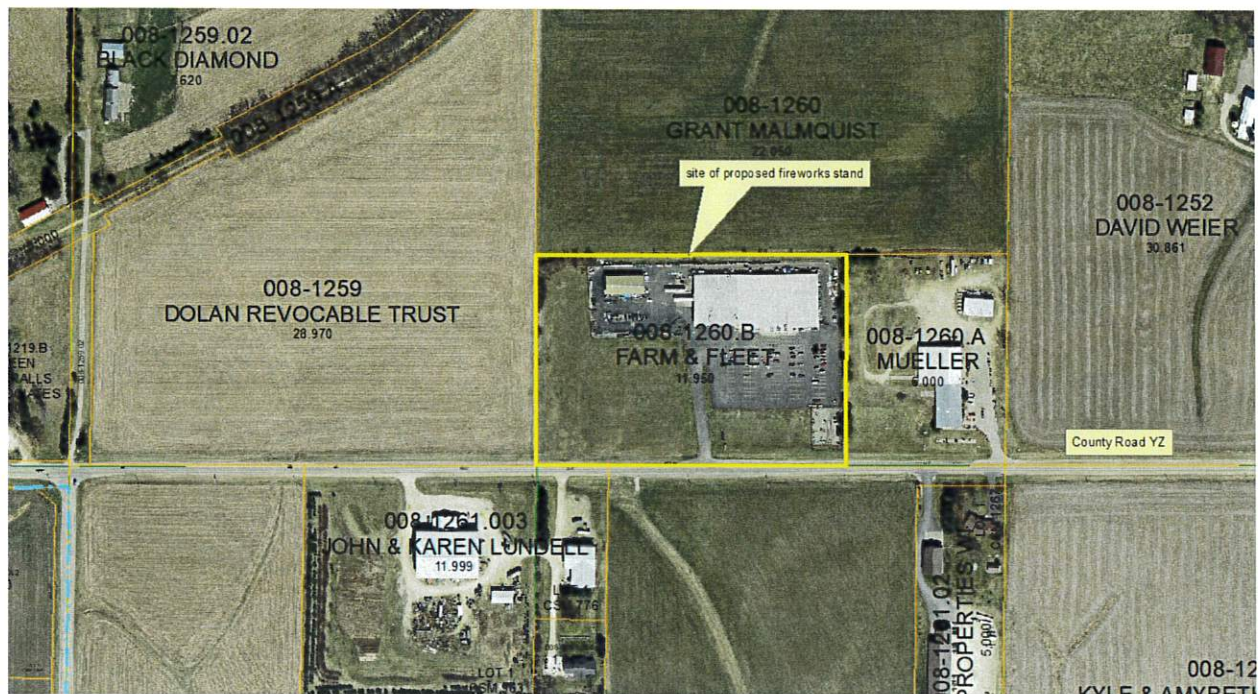
Section 2.6 of the Iowa County Zoning Ordinance provides for the following:

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.

- 1) This has been an annual request over the past several years without any compliant or incident being reported.
- 2) The associated lease is for the period starting June 9, 2024 and ending July 9, 2024.
- 3) A Certificate of Liability Insurance has been provided in the aggregate amount of \$5,000.000

Staff Recommendation: Staff recommends approval with the following conditions:

- 1) The permit shall take effect on June 9, 2024 and terminate July 9, 2024.
 - 2) The provided insurance must remain in effect during the duration of the permit.
-





IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533
Telephone: (608) 935-0398 Fax: (608) 935-0326 Mobile: (608) 553-7575
e-mail: 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: R and M Enterprises, Inc, dbs Snap Fireworks Date: 05/01/2024

Contact Address: 220 East Wisconsin Ave P.O. Box 203 Readstown, WI 54652
Phone: 608-632-0004 Email: mcallaway@randm-enterprises.com

Reason for request: _____

Place a Retail Fireworks Stand at Blains Farm & Fleet 4894 County Road YZ Dodgeville, WI 53533

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

Office use only

008-1240.B

Received by SC Date 5-14-24 Chair decision: grant deny

\$100 - # 41609

LEASE AGREEMENT

This Lease is made by and between Farm & Fleet of Dodgeville, Inc, Inc., hereinafter referred to as "Lessor" and R&M Enterprises, Inc, hereinafter referred to as "Lessee."

Lessor and Lessee agree that Lessee shall lease from the Lessor a part of Lessor's property located at 4894 County Trunk YZ Dodgeville, WI. See Store Manager for placement of stand.

Said Lease is subject to the following terms and conditions:

1. Term. Lessor leases the above-described premises for a term commencing on June 9, 2024 and terminating on July 19, 2024.
2. Rent. Lessee shall [REDACTED] Payment shall be completed prior to the commencement of the lease term.
3. Utilities. Lessee will provide all utilities (i.e. water, electricity, etc.) that they shall require. Lessee will be responsible for the proper removal of all trash and refuse Lessee generates in a legal manner.
4. Tax and Licenses. Lessee agrees to collect and remit to the proper taxing authorities all sales taxes associated with the Lessee's use during the term of the lease and to obtain all necessary permits and licenses for the Lessee's intended use.
5. Maintenance of Property. Lessee shall be responsible for maintaining in good condition and repair the property, which is the subject of the lease. Lessee will restore the property to the original condition.
6. Indemnification. Lessee agrees to indemnify and hold harmless Lessor from any and all claims made by anyone relating to Lessee's use of this property. Lessee will also maintain a general liability insurance policy with a minimal coverage amount of \$5,000,000.00 and name Farm and Fleet of Dodgeville, Inc. as additional insured.

Dated this 23th day of April 2024

Lessor Name

Lessee Name

By: _____
James T. Check

Michael F. Callaway
Lessee



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/23/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ryder Rosacker McCue & Huston (MGD by Hull & Company) 509 W Koenig St Grand Island NE 68801	CONTACT NAME: Kristy Wolfe PHONE (A/C, No, Ext): 308-382-2330 E-MAIL ADDRESS: kwolfe@ryderinsurance.com FAX (A/C, No): 308-382-7109														
INSURED R&M Enterprises Inc; Snap Fireworks, Fireworks Outlet & Cheapo Depot; Joe Blow, SEE DESCRIPTION BOX FOR FULL NAMED INSURED 220 East Wisconsin Ave. Readtown WI 54652	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A : SCOTTSDALE INS CO</td><td>41297</td></tr><tr><td>INSURER B : Kinsale Insurance Company</td><td>38920</td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : SCOTTSDALE INS CO	41297	INSURER B : Kinsale Insurance Company	38920	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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COVERAGES**CERTIFICATE NUMBER:** 908027213**REVISION NUMBER:**

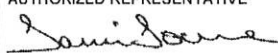
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC		CPS4056753	1/1/2024	1/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 150,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☒ CLAIMS-MADE DED ☐ RETENTION \$		0100276486-0	1/1/2024	1/1/2025	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A				WC STATU-TORY LIMITS ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Regarding the General Liability coverage, Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.
Regarding the General Liability coverage, Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.
Regarding the General Liability coverage, Primary and Non-Contributory coverage applies to the entities listed below per attached form CG 20 01 when required by written agreement.
Farm & Fleet of Dodgeville, Inc and Blain Supply Inc
Location: 4894 County Trunk YZ, Dodgeville, WI 53533

CERTIFICATE HOLDER**CANCELLATION**

Farm & Fleet of Dodgeville Inc 4894 County Trunk YZ Dodgeville WI 53533	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 24 04 05 09

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization:

Any person or organization with whom the insured has agreed to waive rights of recovery, provided such agreement is made in writing and prior to the loss.

Additional Premium is Included

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of Section IV - Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

PRIMARY AND NONCONTRIBUTORY – OTHER INSURANCE CONDITION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
LIQUOR LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

Primary And Noncontributory Insurance

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and

- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.



ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

With respect to this endorsement, **SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract, written agreement or written permit which must be:

- a. Currently in effect or becoming effective during the term of the policy; and
- b. Executed prior to the "bodily injury," "property damage," or "personal and advertising injury."

The insurance provided to these additional insureds is limited as follows:

1. That person or organization is an additional insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by:
 - a. Your acts or omissions; or
 - b. The acts or omissions of those acting on your behalf.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

2. With respect to the insurance afforded to these additional insureds, the following exclusions are added to item 2. **Exclusions of SECTION I—COVERAGES:**

This insurance does not apply to "bodily injury," "property damage" or "personal and advertising injury" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
 - b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
3. The limits of insurance applicable to the additional insured are those specified in the written contract, written agreement or written permit or in the Declarations for this policy, whichever is less. These limits of insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations for this policy.
 4. Coverage is not provided for "bodily injury," "property damage," or "personal and advertising injury" arising out of the sole negligence of the additional insured.
 5. The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of an architect's, engineer's or surveyor's rendering of or failure to render any professional services including:

- a. The preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and
 - b. Supervisory, inspection, architectural or engineering activities.
6. Any coverage provided hereunder will be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis unless a

written contract specifically requires that this insurance be primary.

When this insurance is excess, we will have no duty under **SECTION I—COVERAGES** to defend the additional insured against any "suit" if any other insurer has a duty to defend the additional insured against that "suit." If no other insurer defends, we will undertake to do so, but we will be entitled to the additional insured's rights against all those other insurers.

AUTHORIZED REPRESENTATIVE

DATE

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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

Director's Report: May 2024

	Since last report	Year to date	same time 2023	Comments
Zoning permits	27	71	82	
Permit project value	\$3,294,428	\$9,590,078	\$10,742,558	
New residences	5	13	14	
Accessory structures	10	36	30	
Ag buildings	11	20	35	
Solar	1	2	6	
Airport zoning permits	1	1	1	
Floodplain/Shoreland pts	3	6	9	
Complaints/Violations	3	16	18	
Certified survey map review	3	15	15	
Zoning Hearings	9	25	24	
Board of Adj hearings	0	0	1	
Sanitary Permits	10	23	26	
Soil Tests Reviewed	6	16	18	
as of April 30, 2024				

Other Updates

- Met with Amish families who bought 600+ acres west of airport to be proactive on how they plan to divide and develop the land
 - Participating with WI Land & Water to develop county guidance on large wind & solar
 - May 15th Wind Siting Council meeting recap: report to legislature finalized – no significant revisions being proposed; no subsequent meetings scheduled
-