



AGENDA
Iowa County Planning & Zoning Committee
Thursday, June 25, 2020 – 6PM
Community Room, HHS Building
303 W. Chapel Street
Dodgeville, Wisconsin

**Iowa
County
Wisconsin**

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

Any subject on this agenda may become an action item unless otherwise noted.

1	Call to order.
2	Roll Call.
3	Consent Agenda: a) Approve the agenda for this meeting. b) Approve the minutes of the last meeting.
4	Report from committee members and an opportunity for members of the audience to address the Committee. No action will be taken.
5	Continued petition by Cynthia Reynolds-Doyle and Juliet Reynolds for a Conditional Use Permit for Animal Units on a 1.95-acre AR-1 Ag Res lot in the SW/SW & NE/SW of S29-T5N-R4E in the Town of Waldwick.
6	Petition by Mel Boldt & Prairie Ridgeway LLC to rezone 5.72 acres from A-1 Ag to C-1 Conservancy in the SW/SE of S15-T6N-R4E in the Town of Ridgeway.
7	Petition by Nicholas Bryant & Bryant Family Farms LLC for a Conditional Use Permit on an existing 15.43-acre AB-1 Ag Bus lot in the NW/NW of S36-T5N-R3E in the Town of Mineral Point to allow a poultry processing plant.
8	Petition by Terrill Rule & the Carol and Norm Rule Rev Trust to rezone 1.69 acres from A-1 Ag to AR-1 Ag Res in the NE/NE of S9-T5N-R2E in the Town of Linden.
9	Petition by James LeVoy for a Conditional Use Permit on a 3-acre B-2 Hwy Bus lot in the SE/SW of S15-T8N-R5E in the Town of Arena to allow indoor & outdoor storage; retail sales; & repair shop.
10	Petition by Bob Bendtsen to rezone 1.428 acres from A-1 Ag to AR-1 Ag Res and 1.32 acres from A-1 Ag & B-2 Hwy Bus to all B-2 Hwy Bus in the SW/SW of S15-T8N-R5E in the Town of Arena. This petition includes a request for a Conditional Use Permit to allow custom vehicle build & Sales; retail sales; swap meets; community/charity fundraisers; storage; towing; welding & machining on the B-2 lot.
11	Director's Report a) Office activity and programs
12	Next meeting date and time
13	Adjourn
Posting Verified by: SAG Date: June 9, 2020	



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3107
Cynthia Reynolds-Doyle
Juliet Reynolds
5674 State Road 39
Mineral Point, WI 53565

Hearing Date: June 25, 2020
Town of Waldwick
SW/SW & NE/SW S29-T5N-R4E
PIN: 026-0282; 0280

Request: This is a continued for a CUP request for livestock type Animal Units on a 1.95-acre AR-1 lot.



2. Comments

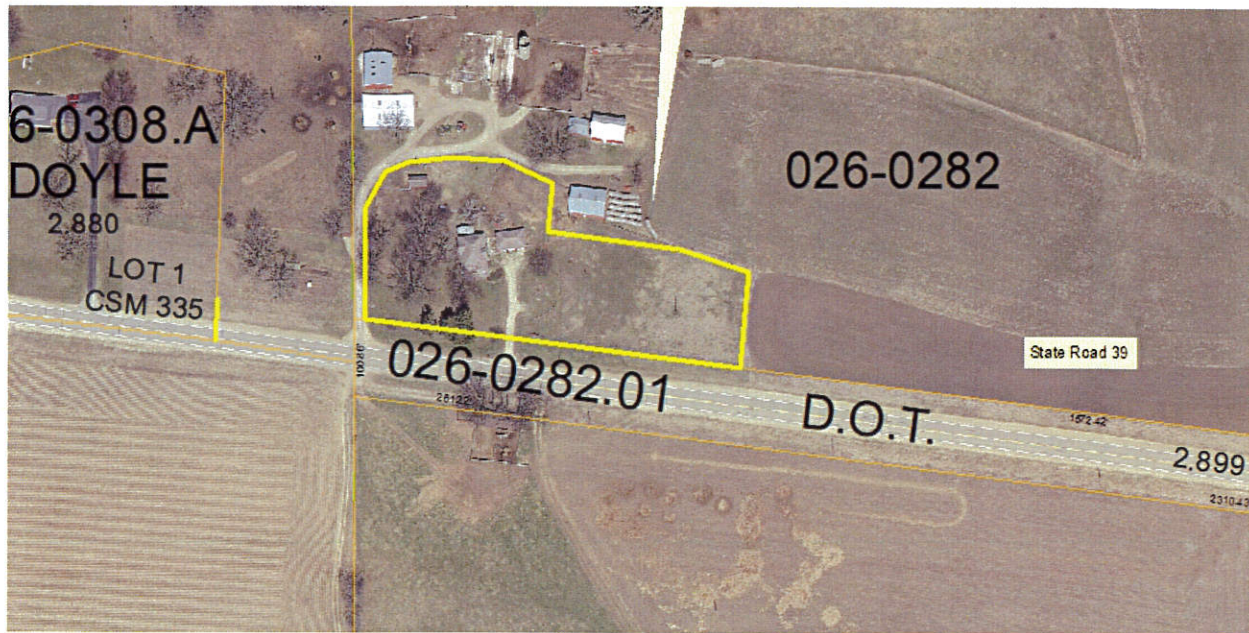
1. The CUP decision was postponed last month to allow the town and applicant to consider how many animal units would be wanted at one time due to the small lot size. The applicant is asking for up to 10 animal units, which is half the original request.
2. In reviewing a requested conditional use permit, the Committee shall consider the following requirements:
 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 Waldwick has not provided a recommendation on the CUP.

Staff Recommendation: Staff recommends approval of up to 10 animal units.



Scott Godfrey

From: Mike and Cindy Doyle <windsong@chorus.net>
Sent: Monday, June 8, 2020 2:31 PM
To: Scott Godfrey
Subject: Re: CUP carryover

In that case I would ask that the application be adjusted to ask for 10 animal units (the most I could see is 20 sheep on the lot at one time).

Mike

From: "Scott Godfrey" <Scott.Godfrey@iowacounty.org>
To: "Mike and Cindy Doyle" <windsong@chorus.net>
Sent: Monday, June 8, 2020 1:49:36 PM
Subject: RE: CUP carryover

I guess I'd suggest just asking for up to "X" number of animals based on the definition...the maximum number you'd reasonably expect will be on the 1.95 acres at one time.

From: Mike and Cindy Doyle <windsong@chorus.net>
Sent: Monday, June 8, 2020 1:49 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: Re: CUP carryover

I'm sure we would never have them all on the lot at the same time. Probably only one species at a time.

From: "Scott Godfrey" <Scott.Godfrey@iowacounty.org>
To: "Mike and Cindy Doyle" <windsong@chorus.net>
Sent: Monday, June 8, 2020 1:43:23 PM
Subject: RE: CUP carryover

If all were on the lot at one time...25 sheep, 10 calves, and 2 horses...it totals 20 animal units.

Animal Unit

One animal unit shall be defined as being the equivalent of: one dairy cow, steer, bull or horse over six months of age; two steers, calves or horses under six months of age; two pigs; two sheep; two goats; two llamas; or twenty-five fowl. Other animal, fowl or fish types shall be considered on an individual basis on specific application.

From: Mike and Cindy Doyle <windsong@chorus.net>
Sent: Monday, June 8, 2020 1:34 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: Re: CUP carryover

Scott,

Remind me what we have for animal units on the application.

Mike

From: "Scott Godfrey" <Scott.Godfrey@lowacounty.org>

To: "windsong chorus.net" <windsong@chorus.net>

Sent: Monday, June 8, 2020 9:17:45 AM

Subject: CUP carryover

Hi Mike,

I'm working on the agenda for the June 25th P&Z Committee meeting. The carryover CUP for Cynthia and Juliet will be on the agenda. When available, please send me the town's input on the number of animal units or any different proposal C&J may have.

Thanks.

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



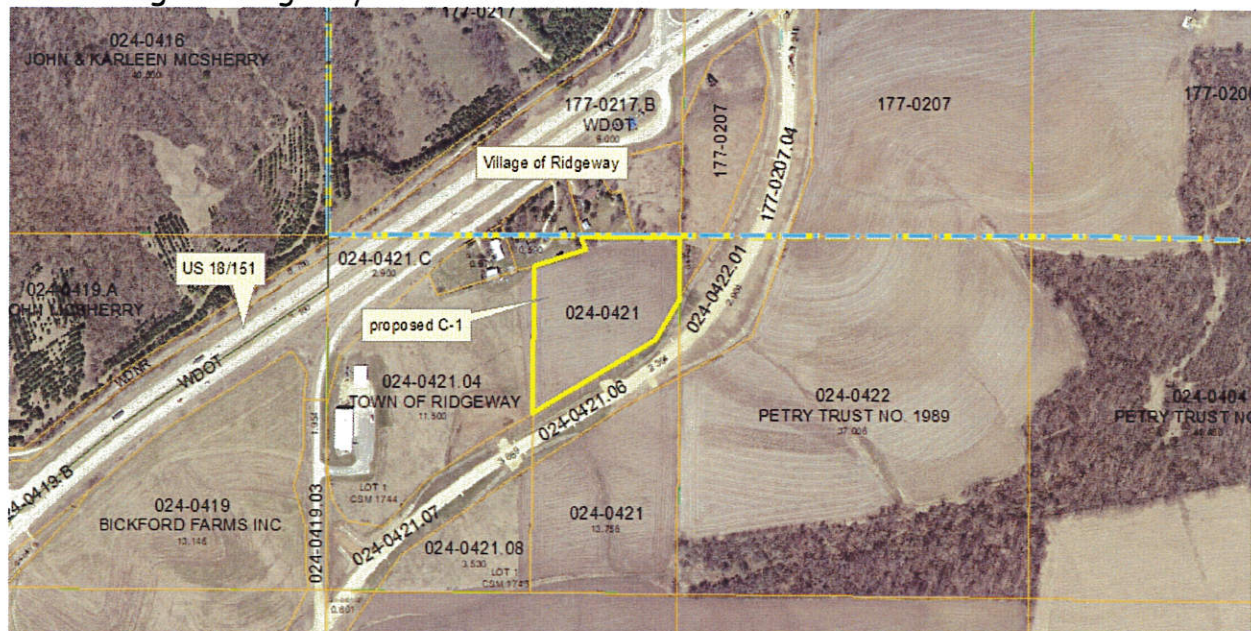
IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3114
Mel Boldt
3020 Bayview Ln
McHenry, IL 60051

Hearing Date: June 25, 2020
Town of Ridgeway
SW/SE S15-T6N-R4E
PIN: 024-0421

Prairie Ridgeway LLC
3020 Bayview Ln
McHenry, IL 60051

Request: This is a request to rezone a lot created by land division from the 18/151 interchange in Ridgeway.



2. Comments

1. This lot was created from the 18/151 interchange project and is subject to the county's land division and zoning ordinances. It is less than the minimum 40-acre lot size for the A-1 district, so the C-1 district
2. If approved, open space uses are allowed. If/When development is proposed, rezoning will be required.
3. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding a zoning change:

[illegible]

OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 935-3024

e-mail: scott.godfrev@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: See below: 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: MEL BOLDT Address: 3000 BAYVIEW
City/Zip Code: McKENNA, IL 60051

Landowner: PRAIRIE RIDGEWAY LLC Address: 3000 N BAYVIEW
(if other than applicant) City/Zip Code: McKENNA, IL 60051

Applicant Phone: 615-770-6538 Landowner Phone: ()

Email: _____ Please contact by: _____ email _____ postal mail

This application is for: ☒ Land use change/Rezone only --- \$500 filing fee
☐ Conditional Use only ----- \$500 fee if no land use change
☐ Both ----- \$600

in the Town of RIDGEWAY Acreage of proposed lot(s) 5.70

Section 15 Town 6 N Range 4 E SW 1/4 of the SE 1/4 PIN 024-0421

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: C-1 for the proposed
use(s) of: AGRICULTURAL USE ON A NON-CONFORMING SIZE
LOT. FUTURE DEVELOPMENT EXPECTED

Requested Conditional uses (s):
NOT FOR PROFIT CAMP, OCCASIONAL USE BY MANAGEMENT
FOR OVERNIGHT CAMP USE.

I. Please list any improvements currently on the land: NONE

II. Please explain the reason for the request and proposed plans: NEW HIGHWAY 11/11 BISECTED FARMLAND. NEW LOT SIZE OF 5.72 ACRES IS TOO SMALL TO RETAIN A-1 ZONING

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?
NEW CONSTRUCTION OF HIGH WITHOUT THE A-1 DISTRICT MAKES THE 5.72 ACRES MORE SUITABLE FOR RESIDENTIAL, COMMERCIAL OR INDUSTRIAL USE, FUTURE USE UNKNOWN, SO REZONE TO CR-1 ALLOWS AGRICULTURAL USE UNTIL DEVELOPMENT.
- 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?
NEW CONSTRUCTION MAKES THIS NON-CONFORMING A-1 LOT SURROUNDED BY RESIDENTIAL AND ROADWAY DISTRICTS INSTEAD OF AGRICULTURAL

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?
THE PROPOSED USE IS FOR AGRICULTURAL, WHICH REQUIRES NEW DEVELOPMENT, OVERNIGHT USE IS A CAMPSITE MAY BE REQUIRED
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)?
ADJACENT LEGAL USES ARE RESIDENTIAL THERE WILL BE NO INTERFERENCE, TRAFFIC, NOISE, 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?
THERE WILL BE NO ADVERSE IMPACTS TO THE SURROUNDING FARM OR RESIDENCES.

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

THERE WILL BE 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?

YES

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

THERE WILL BE NO CONTINUING MAINTENANCE REQUIREMENTS

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

THE LAND WILL CONTINUE TO BE FARMED
FUTURE DEVELOPMENT REQUIRES A DIFFERENT
ZONING DISTRICT IS REQUIRED AND
APPLIED FOR.

****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: Mark W Baert Date: 6/10/2020

Landowner(s) Signature: Mark W Baert Date: 6/10/2020

For Office Use Only: Rev'd by _____ Date _____ Fee _____ Check # _____ Cash _____
_____ present zoning _____ floodplain _____ shoreland/wetland

Town of Ridgeway
6300 Town Hall Road
Ridgeway, WI 53582-9686

Phone/Fax: 608/924-2247
Email: TWNRRIDGE@MHTC.NET

TO: Ridgeway Town Board Members
FROM: Land Use Commission
RE: Melvin Boldt (Prairie-Ridgeway LLC) Owner/Applicant

On February 19, 2020 the Land Use Commission met to review Land Use/Rezone Application.

Land Use/Rezone: Rezone 6.3 acres (+/-) from A-1 Agriculture to Conservancy.
Section 15, T6N, R4E, SW ¼, SE ¼, Parcel #024-0421 – County Road HHH.

A motion was made & seconded by Land Use Commission Members to approve rezoning request as stated above.

Nancy Parkos/Clerk

Presented at the Ridgeway Town Board Monthly Meeting on Tuesday, March 3, 2020. A motion was made & seconded to accept the Land Use Commissions approval of above request on March 3 2020.

Upon approval this request will be sent to Scott Godfrey, Director, Iowa County Planning & Development.



Joe Thomas, Chair



Ed Bures, Supervisor



Rick Carlson, Supervisor



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

Prairie Ridgeway LLC
c/o Melvin Boldt
3020 N. Bayview Ln
McHenry, IL 60051

Jan. 6, 2020

Dear Mr. Boldt,

I am sending this final request for you to contact me at your earliest convenience regarding the zoning and land division violations incurred by your transactions with the WDOT affecting your properties in the Town of Ridgeway. I sent an initial letter to you dated April 12, 2019 and a follow up email Nov. 4, 2019. You have not replied to either.

In summary, your tax parcel 024-0421 either must be rezoned and described by a certified survey map or annexed into the Village of Ridgeway. I have been informed by the WDOT that you were compensated for the anticipated certified survey map.

Please contact me immediately if you are in the process of annexation. Otherwise, I anticipate you will be submit an application to rezone (enclosed) by the Feb. 7th deadline to demonstrate your willingness to resolve the violations. Failure to do either will result in the issuance of a citation for each violation until compliance is achieved.

Thank you.


Scott A. Godfrey
Director/LIO

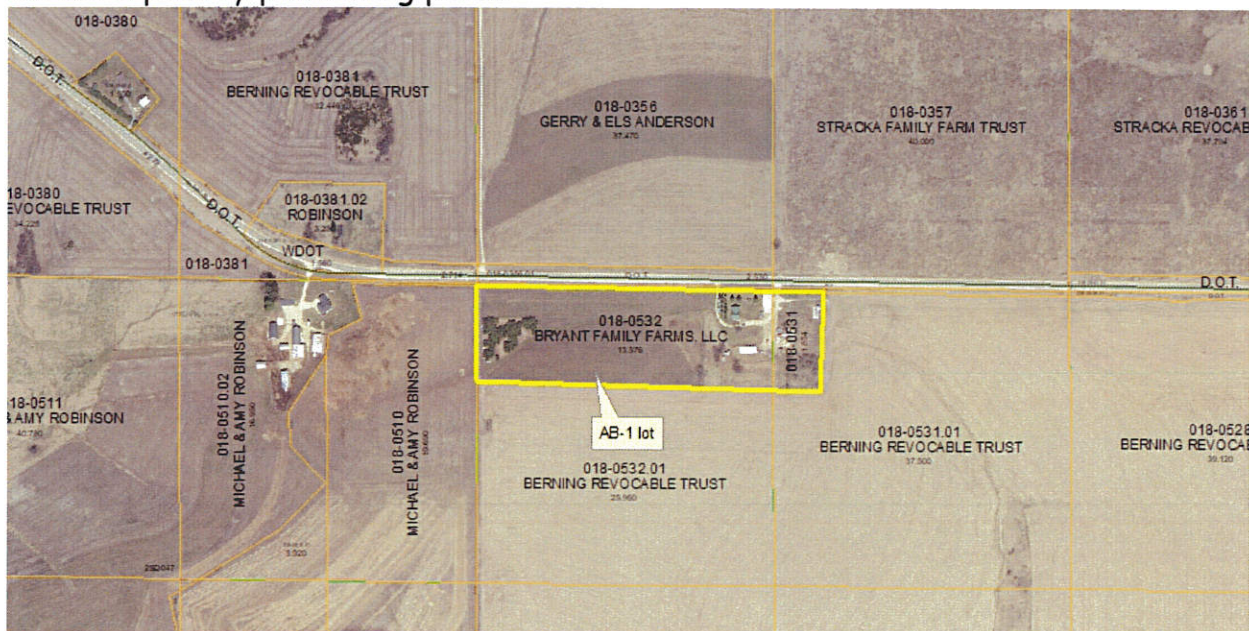


IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3115
Nicholas Bryant
Dba Bryant Family Farms
5179 State Road 39

Hearing Date: June 25, 2020
Town of Mineral Point
NW/NW S36-T5N-R3E
PIN: 018-0531; 0532

Request: This is a request for a Conditional Use Permit on an existing AB-1 Ag Bus lot for a poultry processing plant.



2. Comments

1. This lot was zoned AB-1 in 2016 with a CUP for 75 poultry animal units (1,875) and 10 other animal units.
2. The proposed plant is a Plant in a Box facility (portable) placed on a concrete pad with a separate blast chiller/freezer container. Up to 1000 birds per day can be processed. A holding tank or tanks will be used for waste with a contract for maintenance.
3. In reviewing a requested conditional use permit, the Committee shall consider the following requirements:
 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 Mineral Point is recommending approval.

Staff Recommendation: Staff recommends approval with the condition the animal units are adhered to.



OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 935-3024

e-mail: scott.godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: See below: 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: Nicholas Bryant Address: 5879 State Road 39

City/Zip Code: Mound Point WI

Landowner: Bryant Family Farms

(if other than applicant)

Address: ↑

City/Zip Code: _____

Applicant Phone: (608) 341-9268

Landowner Phone: () _____

Email: bryantfamilyfarms@gmail.com

Please contact by: ☒ email ☒ postal mail

This application is for: ☒ Land use change/Rezone only --- \$500 filing fee
☒ Conditional Use only ----- \$500 fee if no land use change
Both ----- \$600

in the Town of Mound Point Acreage of proposed lot(s) 15.87 15.43

Section 34 Town 5 N Range 3 E SW 1/4 of the SW 1/4 PIN 018-0532; 0531

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

Requested Conditional uses (s):

Feather Processing Facility / USDA INSPECTED

I. Please list any improvements currently on the land: _____

II. Please explain the reason for the request and proposed plans: _____

Processing hurdles

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?

Positive

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)?

It won't change the landscape

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?

Yes its a positive change. Allowing local food to stay local

I. Please list any improvements currently on the land: _____

II. Please explain the reason for the request and proposed plans: _____

Processing hurdles

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?

Positive

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)?

It won't change the landscape

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?

Yes its a positive change. Allowing Local food to stay Local

Scott Godfrey

From: mptownclerk <mptownclerk@gmail.com>
Sent: Wednesday, May 20, 2020 7:29 PM
To: Scott Godfrey
Subject: 2 approvals

Hi Scott

Just had Town Board mtg...

Tanner Terrill driveway was approved for new house off CTH D

Nico Bryants conditional use permit to add processing was also approved

Let me know if you need anything else.

Thanks

Debi

Please note new email address.

Sent from my U.S. Cellular® Smartphone

Scott Godfrey

From: Nicholas Bryant <bryantfamilyfarms@gmail.com>
Sent: Friday, June 12, 2020 5:24 PM
To: Scott Godfrey
Subject: Re: proposed processing facility

Scott,

We are looking at doing a Plant in a Box, which can be seen at www.plantinabox.com. It's a moveable structure. This will be placed on a concrete pad, with an easy hookup to water, waste and electric. There will be a separate blast chiller/freezer (shipping container) that's also portable. The birds would be raised on site or on offsite rented ground. We will be continuously raising more and more birds (March-November) in the future based on customer needs. The plant in a box can only process 1000 birds a day at max capacity. I don't expect to do that within the first couple years of operations. The facility will have limited operations December-March.

There will be Limited Waste and that waste removal will be handled by sanimax.
The holding tanks can/will be pumped by one of the local tank pumping companies.

The pad will be poured on the east side of the driveway for both the blast freezer and the plant in a box.

Thanks
Nico Bryant
Bryant Family Farms
608-341-9268
Bryantfamilyfarms.org

Sent from my iPhone

On Jun 12, 2020, at 3:15 PM, Scott Godfrey <Scott.Godfrey@iowacounty.org> wrote:

Hi Nick,

I hope you're doing well. I'm writing to ask that, when available, could you please send me some details on where you're proposing to locate the processing facility on your lot and some operational details...anticipated number of birds to be processed, where the birds will come from, waste disposal, etc. I'll be working on hearing reports next week and this information would be helpful.

I've attached an aerial of your lot in case you want to use it for a plot plan.

Thanks.

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



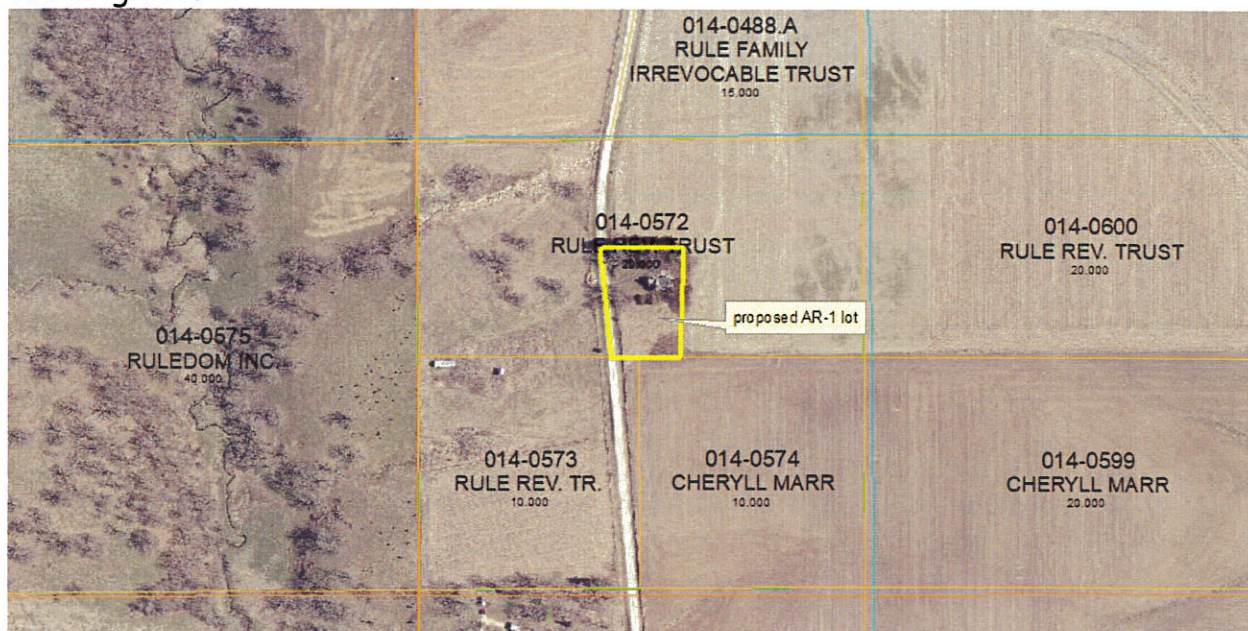
IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3116
Terrill L. Rule
2574 Sunny Slope Rd
Mineral Point, WI 53565

Hearing Date: June 25, 2020
Town of Linden
NE/NE S9-T5N-R2E
PIN: 014-0572

Norm & Carol Rule Rev Trust
2375 Sunny Slope Rd
Mineral Point, WI 53565

Request: This is a request to create a 1.69-acre lot by rezoning from A-1 Ag to AR-1 Ag Res.



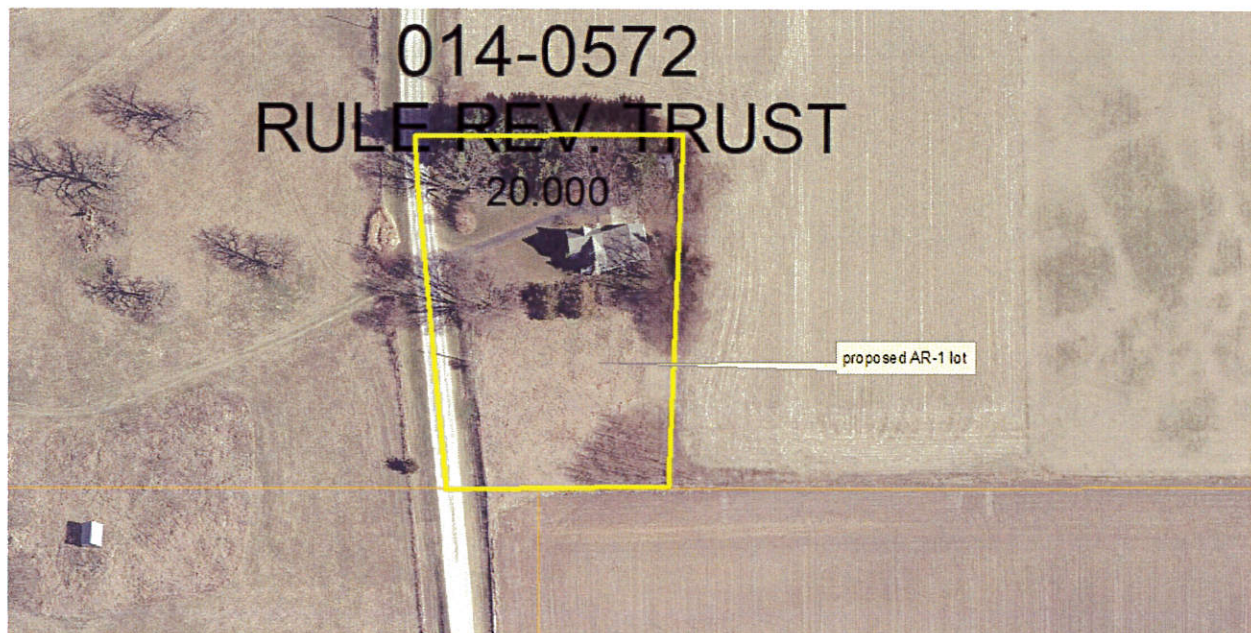
2. Comments

1. Because the proposed lot does not meet the minimum 40-acre lot size to remain A-1 Ag, the AR-1 Ag Res district is being proposed.
2. If approved, the lot will be eligible for one single family residence (existing), accessory structures, and limited ag uses but no livestock type animal units.
3. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding a zoning change:
 1. The petition is consistent with the Iowa County Comprehensive Plan and the comprehensive plan of any Town affected by said petition.

2. Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available as required by the petition while maintaining adequate levels of service to existing development.
3. Provisions of public facilities to accommodate the petition will not place an unreasonable burden on the ability of affected local units of government to provide 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 Linden is recommending meeting the minimum 2-acre recommended in its plan. However, at the time of this report, consideration may be to allow the 1.69 acres since it is the existing occupied yard, would not require taking agricultural land to enlarge to 2 acres, and the minimum 2 acres is a "recommendation" in the plan.

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



OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 935-3024

e-mail: scott.godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: See below: 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: Terrill L. Rube
Trustee

Address: 2574 Sunnyslope Rd
City/Zip Code: Min. Pt. 53565

Landowner: Norm + Carol Rube
(if other than applicant) Revocable Trust

Address: 2375 Sunnyslope Rd
City/Zip Code: Min. Pt. 53565

Applicant Phone: (608) 623-2684

Landowner Phone: () _____

Email: _____ Please contact by: _____ email ☒ postal mail

This application is for: ☒ Land use change/Rezone only --- \$500 filing fee
_____ Conditional Use only ----- \$500 fee if **no** land use change
_____ Both ----- \$600

in the Town of Linden Acreage of proposed lot(s) 1.69 2 ACRES w/House

Section 9 Town 5 N Range 2 E NE 1/4 of the WE 1/4 PIN 014-0572

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: House and 2 Acres no crop land included

Requested Conditional uses (s):

I. Please list any improvements currently on the land: _____

II. Please explain the reason for the request and proposed plans: _____

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: Terrill L. Rule Date: 5-4-20
Landowner(s) Signature: Trustee for Date: 5-4-20
Carole & Norm
Revocable Trust Rule

For Office Use Only: Rcv'd by SL Date 6-4-2020 Fee 500 Check # 1028 Cash
____ present zoning ____ floodplain ____ shoreland/wetland

I, Bruce D. Bowden, P.L.S. - 1250, agent of Bowden Surveying, Ltd., do hereby certify:

:That I have surveyed, divided, mapped and monumented that part of the Northeast quarter of the Northeast quarter of Section 9, Town 5 North, Range 2 East, Town of Linden, Iowa County, Wisconsin, being more particularly described as :

Commencing at the Northeast corner of the said Northeast quarter; thence S 89°21'21"W, 753.33' to the center line of Sunny Slope Road being the arc of a 1254.63' radius curve; thence Southerly, 326.13' along the arc of said curve to the left making a central angle of 14°53'37" and a long chord of 325.21' that bears S 4°13'35"W to the point of beginning; thence N 89°21'21"E, 247.80' to a 2" pipe; thence S 2°15'02"W, 323.55' to a stone monument; thence S 88°57'44"W along the fence, 205.17' to the aforesaid center line; thence N 5°26'37"W, 276.93' along said center line; thence Northerly 48.69' along the aforesaid curve (now to the right) making a central angle of 2°13'24" and a long chord of 48.68' that bears N 4°19'49"W to the point of beginning. Parcel contains 1.69 acres (73,484 square feet), more or less, and is subject to any and all easements and rights-of-way of record and/or usage, including, but not limited to, the Westerly 33' for Sunny Slope Road.

:That I have made such survey and land division under the direction of Terrill L. Rule and Lance Rule.

:That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, Section A.E. 7 of Wisconsin Administrative Code, and the subdivision regulations of Iowa County and the Town of Linden in surveying, dividing, and mapping the same.

:That such map is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made to the best of my knowledge and belief.

Dated this 5th day of June, 2020.

Bruce D. Bowden, P.L.S. - 1250
Agent of Bowden Surveying, Ltd.



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3117
James Levoy
8178 US Highway 14
Arena, WI 53503

Hearing Date: June 25, 2020
Town of Arena
SE/SW S15-T8N-R5E
PIN: 002-0201.A

Request: This is a request for a Conditional Use Permit to allow indoor & outdoor storage, retail sales, and repair shop on a 3-acre B-2 Hwy Bus lot.



2. Comments

1. This lot was originally 3.619 acres created in 1995 with a CUP for storage and rental space. In 2017, additional uses were approved that have since ceased. In 2018, the 3.619 acres was divided by sale into this 3 acres and the balance sold to the adjacent neighbor to the west. Division of a B-2 zoning lot required CUP approval of the proposed uses.
2. If approved, the retail sales and repair shop use would require a septic system which does not currently exist.
3. In reviewing a requested conditional use permit, the Committee shall consider the following requirements:
 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.

Town Recommendation: The Town of Arena is recommending approval.

Staff Recommendation: Staff recommends approval with the following conditions:

1. No parking is allowed within the right-of-way of US Highway 14.
2. The retail sales and repair shop uses will require compliance with private septic system regulations.
3. Any lighting be directed downward and away from traffic on US 14.



OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 935-3024

e-mail: scott.godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: See below: 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: James LeVoy

Address: 8178 Highway 14
City/Zip Code: Arena, WI 53503

Landowner: James LeVoy
(if other than applicant)

Address: 10379 County Rd 8
City/Zip Code: Mazomanie, WI 53560

Applicant Phone: (608) 795-2390

Landowner Phone: () _____

Email: MazoStorage@yahoo.com Please contact by: ☒ email ☐ postal mail

This application is for: _____ Land use change/Rezone only --- \$500 filing fee
☒ Conditional Use only ----- \$500 fee if no land use change
_____ Both ----- \$600

in the Town of Arena Acreage of proposed lot(s) 3

Section 15 Town 8 N Range 5 E SE 1/4 of the SW 1/4 PIN 002-0201-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: B2 Requested zoning district: 4A for the proposed use(s) of: _____

Requested Conditional uses (s):

indoor & outdoor storage, retail, repair shop

I. Please list any improvements currently on the land: 8 buildings

II. Please explain the reason for the request and proposed plans: division of B2 lot - return to previous conditions

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?

All uses were previously permitted

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)?

uses have not changed

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, these uses have been the same for years

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

there aren't any 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?

yes

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

ongoing business, proper practices will be performed

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

It's commercial business along Hwy 14.

****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: [Signature] Date: 5-19-20

Landowner(s) Signature: [Signature] Date: 5-19-20

For Office Use Only: Rcv'd by 2 Date 5/24/20 Fee \$500 Check # 1758 Cash
____ present zoning ____ floodplain ____ shoreland/wetland

Scott Godfrey

From: Arena Town Clerk <townofarena@mhtc.net>
Sent: Tuesday, March 3, 2020 3:23 PM
To: Scott Godfrey
Subject: RE: Approved Motions

Hi Scott,

The CUP's were approved at the 2/5/2020. My apologies if I didn't pass that onto you. Here are those meeting minutes.

Lee Levoy- 8178 Highway 14 conditional use permit - Return property to previous conditions with indoor, outdoor storage with retail, repair shop. Wright motioned to approve and Gauger seconded. Motion carried.

Bob Benson – 8164 and 8174 US Highway 14 conditional use permit to allow motorcycle, cars, snowmobiles, off-road vehicle, custom build, retail sales of merchandise, swap meets and fundraisers for community and charity organization, storage, towing, welding and machining. Gauger motioned to approved, Wright seconded. Motion carried.

Kari Legler
Arena Town Clerk
PO Box 126
Arena, WI 53503
608-444-3742

From: Scott Godfrey [mailto:Scott.Godfrey@iowacounty.org]
Sent: Tuesday, March 3, 2020 7:20 AM
To: Arena Town Clerk
Subject: RE: Approved Motions

Thank you, Kari. Is there any recommendation on the corresponding conditional use permit for each?

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

From: Arena Town Clerk <townofarena@mhtc.net>
Sent: Monday, March 2, 2020 7:35 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: Approved Motions

Hi Scott,

Here is the approved motions from tonight's Town Board Meeting.

Lee Levoy – 8178 Highway 14 Land division – Gauger motioned to approve land division. Wright seconded. Motion approved.

Bob Bentson – 8164 and 8174 US Highway 14 Land division – Gauger motioned to approve land division. Wright seconded. Motion approved.

Thank you!

Kari Legler
Arena Town Clerk
PO Box 126
Arena, WI 53503
608-444-3742

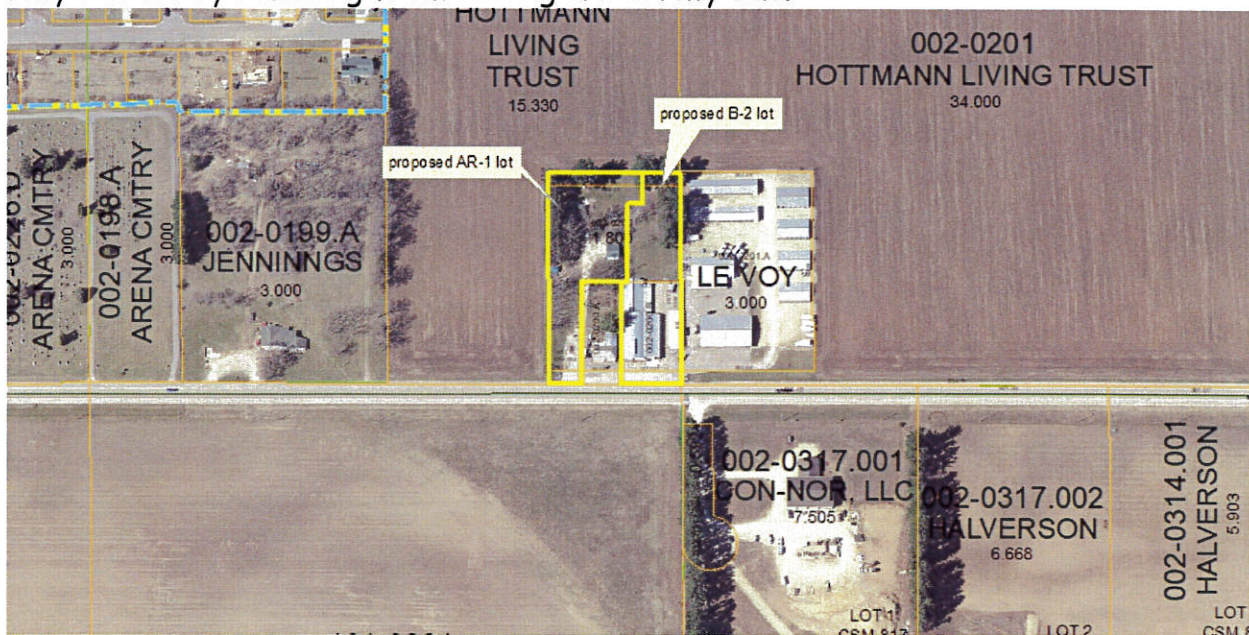


IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3118
Bob Bendtsen
8174 US Highway 14
Arena, WI 53503

Hearing Date: June 25, 2020
Town of Arena
SW/SW S15-T8N-R5E
PIN: 002-0200; 0200.B; 0200.03

Request: This is a request to create a 1.428-acre AR-1 Ag Res lot & 1.32-acre B-2 Hwy Bus lot by rezoning from A-1 Ag & B-2 Hwy Bus.



2. Comments

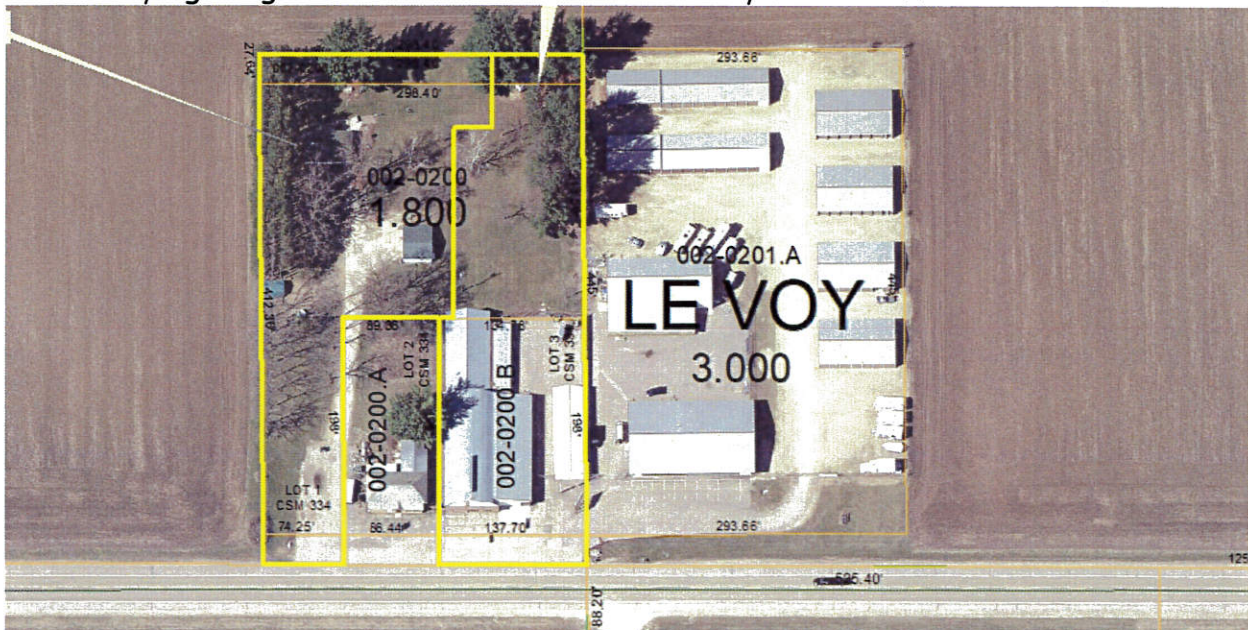
1. The applicant purchased separate properties that are now proposed to be combined into the two proposed lots.
2. If approved, the AR-1 lot will be eligible for one single family residence (existing), accessory structures, and limited ag uses but no livestock type animal units.
3. If approved, the B-2 lot will be eligible for those uses approved by Conditional Use Permit. The applicant is proposing custom vehicle build & sales; retail sales; swap meets; community/charity fundraisers; storage; towing; welding and machining.
4. The associated certified survey map has not been submitted for formal review.

5. The remaining land to the north is intended to be sold to an adjoining landowner, otherwise it will need an easement to Korback Rd so not to be landlocked.
6. In reviewing a requested conditional use permit, the Committee shall consider the following requirements:
 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.

Town Recommendation: The Town of Arena is recommending approval.

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

1. No parking is allowed within the right-of-way of US Highway 14.
2. Any lighting be directed downward and away from traffic on US 14.



OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 935-3024

e-mail: scott.godfrey@iowacounty.org

IOWA COUNTY LAND USE CHANGE/CONDITIONAL USE APPLICATION

Filing Fee: See below: 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: Bob Benotser Address: 8174 US Hwy 14
City/Zip Code: Arena, WI 53503
Landowner: Bob Benotser Address: _____
(if other than applicant) City/Zip Code: _____
Applicant Phone: (608) 753-2874 Landowner Phone: (608) 753-2874
Email: _____ Please contact by: _____ email ☒ postal mail

This application is for: _____ Land use change/Rezone only --- \$500 filing fee
_____ Conditional Use only ----- \$500 fee if no land use change
☒ Both ----- \$600 1.428 → A-1

in the Town of Arena Acreage of proposed lot(s) 2.6 ± ac. 1.32 → B-2

Section 15 Town 8 N Range 5 E SW 1/4 of the SW 1/4 PIN 002-0200-03
002-0200
002-0200-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. LOT 1, 3, CSM 334

**Present zoning district: A-1 Requested zoning district: A-1
use(s) of: B-2 Single family residence for the proposed

Requested Conditional uses (s): FOR B-2 LOT:
CUSTOM BUILD & SALES OF VEHICLES; FEMALE SALES; SWAP MEETS;
COMMUNITY FUNDRAISERS; STORAGE; TOWING; WELDING;
MACHINING

I. Please list any improvements currently on the land: single family residence,
garage, several buildings

II. Please explain the reason for the request and proposed plans: Bring The land
into Conformance

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) The petitioned land is better suited for a non-agricultural use.
A-1 currently has house and garage, no Ag land
- 2) The rezoning is consistent with the Iowa County Comprehensive Plan.
allows for house on A-1 as it was existing
- 3) The rezoning is substantially consistent with the Iowa County Farmland Preservation Plan.
Continuing existing uses
- 4) The rezoning will 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.
NO.

IV. Please submit a list of all landowners with addresses that abut the affected property.

LeDoy Living Trust to The East - Warehouse GARAGE WIS ART - South
Hottman Living Trust, Scott, Phyllis; Norma's West, Lon - NOR US - South
****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: Bob Bendtsen Date: 6/5/2020

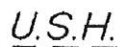
Landowner(s) Signature: Bob Bendtsen Date: 6/5/2020

For Office Use Only: Rcv'd by SL Date 6/5/20 Fee 10044 Check # Cash
A-1's 52 present zoning 4A floodplain 4A shoreland/wetland

Information needed yet for completion of application:

complete date: _____

**LOCATED IN THE SW ¼-SW ¼, INCLUDING LOT 1 AND LOT 3 OF IOWA COUNTY
CERTIFIED SURVEY MAP NUMBER 334, RECORDED IN VOLUME 2 OF CERTIFIED SURVEY
MAPS ON PAGE 91 & 92, SECTION 15, TOWN 8 NORTH, RANGE 5 EAST, TOWN OF ARENA,
IOWA COUNTY, WISCONSIN.**



"14"

Scott Godfrey

From: Arena Town Clerk <townofarena@mhtc.net>
Sent: Friday, February 7, 2020 8:35 AM
To: Scott Godfrey
Subject: RE: LeVoy-Bendtsen CUP clarification

Happy Friday Scott! Sorry, I should have included that in the first email. Here is the exact meeting minutes:

Bob Benson – 8164 and 8174 US Highway 14 conditional use permit to allow motorcycle, cars, snowmobiles, off-road vehicle, custom build, retail sales of merchandise, swap meets and fundraisers for community and charity organization, storage, towing, welding and machining. Gauger motioned to approved, Wright seconded. Motion carried.

Lee Levoy- 8178 Highway 14 conditional use permit - Return property to previous conditions with indoor, outdoor storage with retail, repair shop. Wright motioned to approve and Gauger seconded. Motion carried.

Kari Legler
Arena Town Clerk
PO Box 126
Arena, WI 53503
608-444-3742

From: Scott Godfrey [mailto:Scott.Godfrey@iowacounty.org]
Sent: Thursday, February 6, 2020 7:31 AM
To: Arena Town Clerk
Subject: RE: LeVoy-Bendtsen CUP clarification

Thank you, Kari. Can you provide me the uses that Mr. Bendtsen requested and were approved? I understand Mr. LeVoy simply wanted the prior storage and rental space. If there's anything different for him, please send me that too.

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

From: Arena Town Clerk <townofarena@mhtc.net>
Sent: Wednesday, February 5, 2020 8:29 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: RE: LeVoy-Bendtsen CUP clarification

Hi Scott,
Levoy CUP was approved. Bendtsen CUP was approved but could not act on land division.

Kari Legler



**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

Director's Report: June 2020

General Activity

	Since last report	Year to date	same time 2019	Comments
Zoning permits	43	111	101	
Permit project value	\$2,504,150	\$8,783,332	\$9,971,280	
New residences	11	22	17	
Accessory structures	24	53	41	
Ag buildings	6	28	34	
Other	2	10	9	
Of note				
Floodplain/Shoreland pts	5	13	13	
Complaints/Violations	1	15	29	
Certified survey map review	6	23	24	
Zoning Hearings	15	34	39	
Board of Adj hearings	1	2	2	
Sanitary Permits	20	52	26	
Soil Tests Reviewed	9	25	28	
as of June 16, 2020				

Other Updates

- Approximately 37% of septic system reports have been returned (out of 1540 or so)
 - Request to revise subdivision preliminary plat requirement for a soil test on each proposed lot
-