



AGENDA

Iowa County Planning & Zoning Committee
Thursday, August 27, 2020 – 6:10 PM
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.

All who attend must wear a face covering as required by Governor Evers' Emergency Order #1 effective August 1, 2020.

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 Petition by Garry and Doug Phillips to rezone 7.42 acres from A-1 Ag & AR-1 Ag Res to AR-1 Ag Res and 10.71 acres from A-1 Ag to C-1 Conservancy in the SW/SW of S11-T5N-R3E in the Town of Mineral Point.

6 Public hearing to consider revisions to the Iowa County Subdivision and Land Division Ordinance primarily relating to preliminary and final plat requirements.

7 Consider revisions to the Iowa County Subdivision and Land Division Ordinance primarily relating to preliminary and final plat requirements.

8 Consider request by Pam Lindauer to waive the fee of the zoning permit required to reconstruct a residence after a fire at 2108 County Road Y in the Town of Mineral Point.

9 Director's Report

- a) Office activity and programs
- b) Upcoming Floodplain Ordinance revisions – dam shadows

10 Next meeting date and time

11 Adjourn

Posting Verified by: SAG Date: August 11, 2020



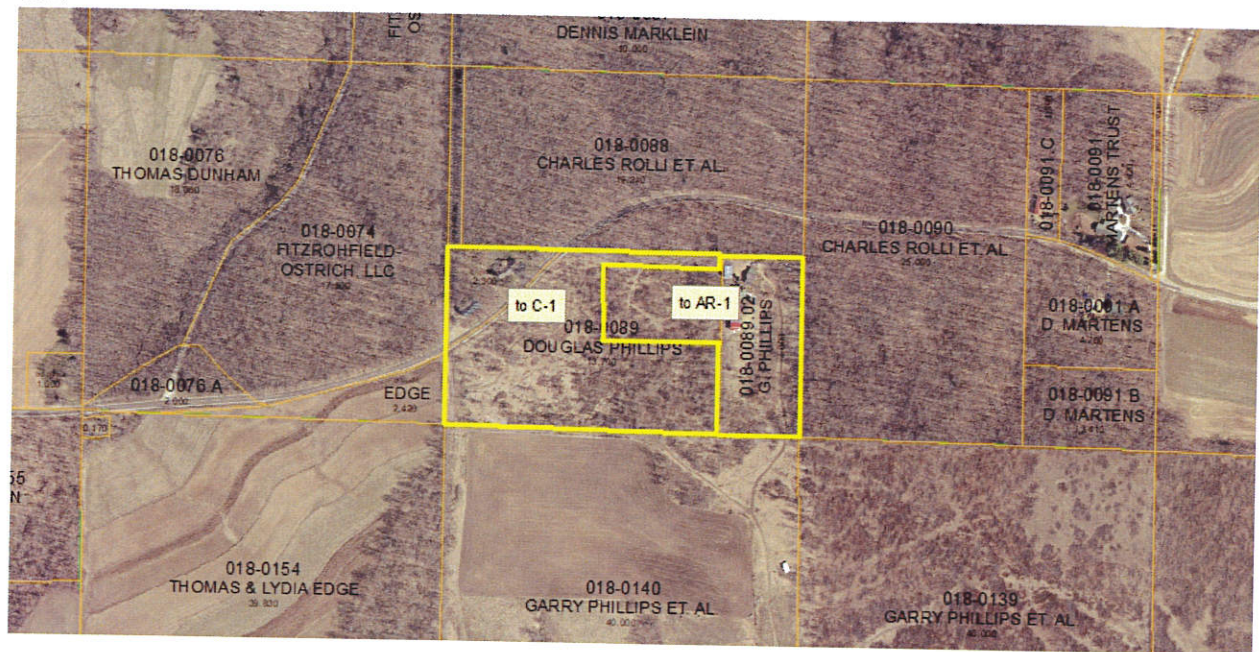
IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Zoning Hearing: 3124
Garry Phillips
2211 County Road Y
Mineral Point, WI 53565

Hearing Date: August 27, 2020
Town of Mineral Point
SW/SW S11-T5N-R3E
PIN: 018-0089; 0089.02

Doug Phillips
1002 N. Bequette St.
Dodgeville, WI 53533

Request: This is a request to enlarge at existing AR-1 Ag Res lot from 4 acres to 7.42 acres by rezoning from A-1 Ag to AR-1 Ag Res and to create a 10.71-acre C-1 lot.



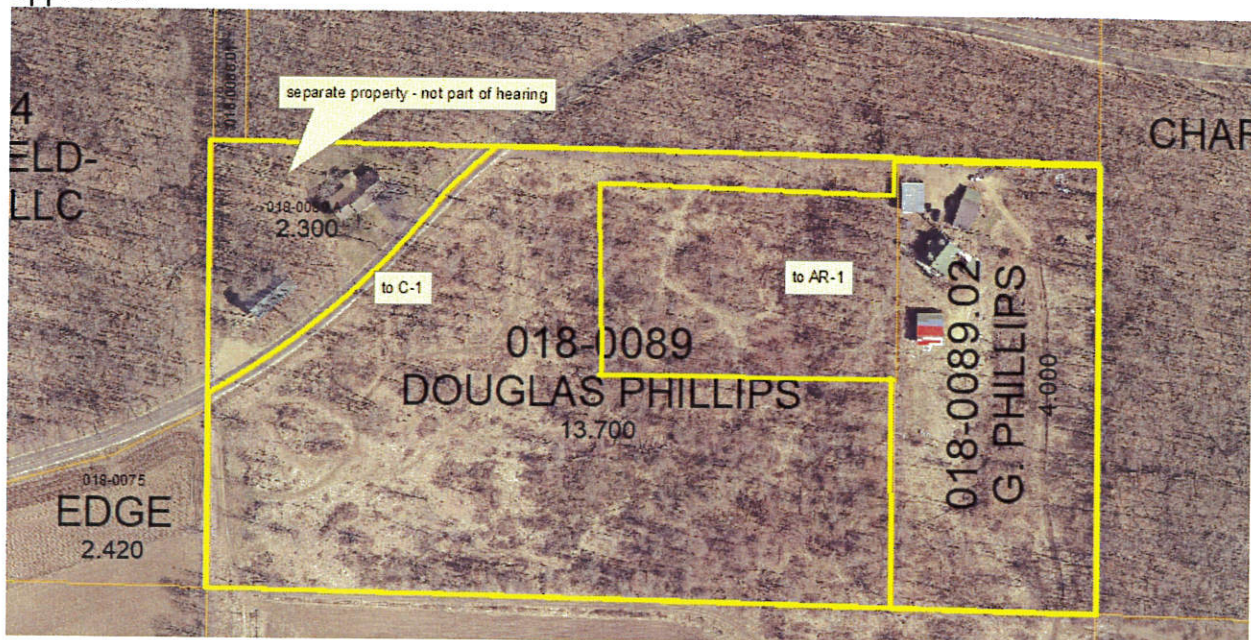
2. Comments

1. The applicants are proposing a sale between each other that will result in enlarging an AR-1 lot to 7.42 acres and rezoning the remaining 10.71 acres of the grantor's land to C-1 Conservancy.
2. If approved, the AR-1 lot would be eligible for one residence (existing), accessory structures and up to 3 livestock type animal units. The C-1 lot would allow open space uses but no development that would require a zoning permit.

3. The Town's 40-acre residential density does not apply as no additional residential lots are being proposed.
4. The associated certified survey map has not been submitted for formal review.
5. 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.
1. 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 that the associated certified survey map is duly recorded within 6 months of 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: Garry Phillips Address: 2211 City Rd y
City/Zip Code: Dodgeville WI 53533

Landowner: Doug Phillips Address: 1002 N Bequette St.
(if other than applicant) City/Zip Code: Dodgeville, WI 53533

Applicant Phone: (608) 574-3383 Landowner Phone: (608) 341-8141

Email: wezakis@potterhatch.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 Mineral Point Acreage of proposed lot(s) 6.84 7.42 - AR-1
Section 11 Town 5 N Range 3 E SW 1/4 of the SW 1/4 PIN 018-0089, 0089.02 10.71 - C-1

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: AG-1 Requested zoning district: AR-1 SC-1
use(s) of: growing grass. connects to Garry's current land
So he wants to match his zoning.

Requested Conditional uses (s):

✓ Fees (8/5/2020)

- TOWN REC ON DOUG'S LOT

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

II. Please explain the reason for the request and proposed plans: Donna is transferring to Garry so Garry can add the land to his current parcel that is zoned A&I

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?
It will remain as is with the land we just want the zoning to coincide with parcel 08-0009 which is currently A&I

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?
It will not limit any Ag use to any existing parcels or itself

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?

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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?

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

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

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****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: *Harry O. Kelly* Date: 6-22-20

Landowner(s) Signature: *Douglas H. Kelly* Date: 6-22-20

For Office Use Only: Rev'd by LS Date 6/22/20 Fee 500 Check # 3814 Cash
____ present zoning ____ floodplain ____ shoreland/wetland

CERTIFIED SURVEY MAP

A parcel of land located in the Southwest 1/4 of the Southwest 1/4 of Section 11, T 5 N, R 3 E,
Town of Mineral Point, Iowa County, Wisconsin.

Bearings are referenced to the South line of the Southwest 1/4 of Section 11, T 5 N, R 3 E, Town of Mineral Point, Iowa County, WI assumed as Bearing N88°49'35" W

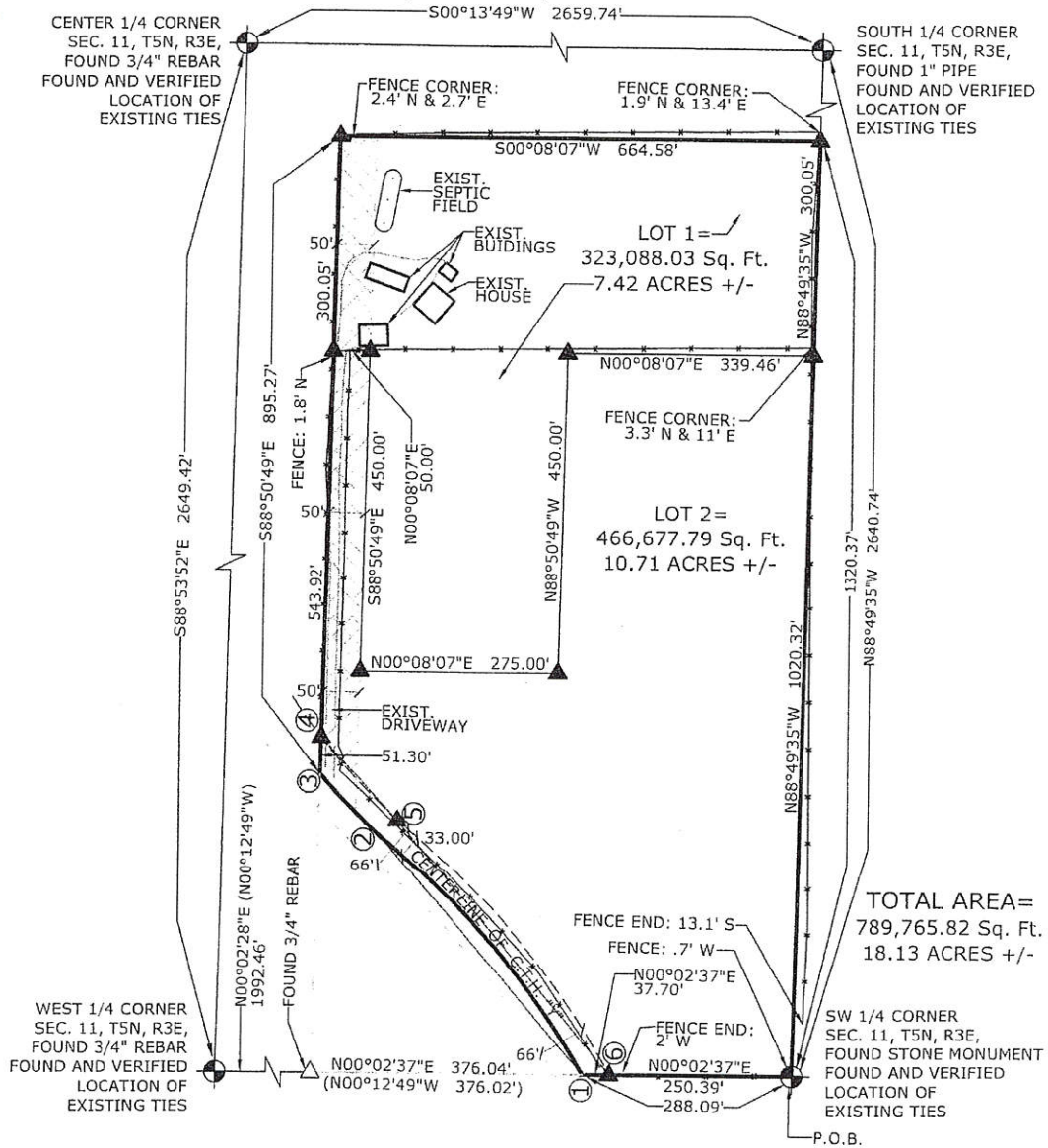
SURVEYED FOR:

Garry Phillips
2211 County Road Y
Dodgeville, WI 53533
April 29, 2020

LEGEND:

-  = Found Section Corner Monument
 = Set 3/4" Rebar
 Weighing 1.502 Lbs./Lin. Ft.
 () = Previously Recorded
 Bearings & Distances

Scale: 1" = 200'



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

Scott Godfrey

From: Scott Godfrey
Sent: Tuesday, June 30, 2020 7:48 AM
To: Debi Heisner - Town of Mineral Point (mptownclerk@gmail.com)
Subject: FW: PC TB and septic

Hi Debi,

Garry has applied to rezone, but Doug will have to as well since his lot will be reduced. Was rezoning Doug's remainder lot part of the recommendation below?

Thanks.

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

Please note that, as of March 19, 2020 all Iowa County buildings will be closed to the public due to the developing coronavirus pandemic. Offices will still be staffed and services will provided to the greatest extent possible by phone, email, mail or online. A directory and forms/applications can be found at www.iowacounty.org Completed forms/applications can be mailed, scanned/emailed or left in a drop box on the north side of the courthouse at the carport along Chapel St. These measures are being made promote the health and safety of the public and employees. Thank you.

From: Scott Godfrey
Sent: Thursday, June 11, 2020 7:15 AM
To: 'mptownclerk@gmail.com' <mptownclerk@gmail.com>
Subject: RE: PC TB and septic

Hi Debi,

Thanks for the email. One question on the Phillips rezone...did Doug include in his request rezoning the land he's keeping? I've explained to both Doug and Gary (and Dalsing, the surveyor), that this will need to be a 2-lot CSM...1 being what Gary will ultimately own and what Doug is keeping. Both will require rezoning. Gary's is to be AR-1 but Doug wasn't sure if he wanted just C-1 to keep as open use/ag use or AR-1 for a building site. If AR-1, I told him I'm not sure how the Town would address the density requirement. (His land is currently nonconforming A-1.)

For the pumping report, you can send the check if Casey is sending the report. If you're getting the report back from Casey, then it's best to send both in together. Either way works.

Thanks.

Scott A. Godfrey, Director
Office of Planning & Development

222 N. Iowa Street
Dodgeville, WI 53533
608-935-0333

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From: mptownclerk@gmail.com <mptownclerk@gmail.com>
Sent: Wednesday, June 10, 2020 6:41 PM
To: Scott Godfrey <Scott.Godfrey@iowacounty.org>
Subject: PC TB and septic

Hey Scott

Just finished Town board and Planning commission Meeting.

The PC and TB approved 2 things tonight.

- a. Discussion and Recommendation for a transfer & re-zoning of 2.73 acres from A1 to AR1 @ 2211 CTH Y, Dodgeville for Doug & Garry Phillips owners, Parcel #018-0089.
- b. Discussion and Recommendation for CSM Approval and rezoning of 12.83 acres for Parcel 018-1018.01 and 018-1018, Miller Living Trust and Lavern Hensen owners.

Both were approved unanimously. Lavern Henson knows he has to set 40 aside for conservancy and is supposed to let me know the parcel # soon.

Side note – we got the septic letter in the mail and I have Bill Crist and Sons lined up to do the work. I went back to work in Fennimore this week so I told Casey I would mail him the paperwork to send to you and I will mail you a check for \$30. Should I wait on the \$30 until it's done or can I send it now. Just don't want to confuse things. Let me know – I have it ready but can sit on it too if you'd rather I wait.

Thanks!

Debi Heisner

Town Clerk Treasurer

Town of Mineral Point

mptownclerk@gmail.com

608-574-5360



This email has been checked for viruses by Avast antivirus software.
www.avast.com



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Meeting Date: August 27, 2020

Agenda Item 6: Consideration of revisions to the Iowa County Subdivision and Land Division Ordinance primarily relating to preliminary and final plat requirements.

Background: As part of the effort to review all county ordinances for relevancy, Staff is recommending revisions that eliminate unnecessary burden on a developer to streamline the process. Some revisions reflect changes in associated State law or code.

Summary of Proposed Revisions:

1. Section 1.60:
 - a) Eliminate term "Development Envelope" as it is not necessary to show areas of grading, lawns, pavement and buildings. Minimum required setbacks will still be required to be shown on the preliminary and final plat.
 - b) Revise the definition of "Land Division" to remove "building site" to eliminate possibility of a remnant or fragment are from not meeting the definition.
 - c) Revise the definition of "Parcel" to "A tract of land that does not meet the definition of a Lot as defined in this Ordinance." This means any remnant or fragment not meeting the definition of "Lot" must be labelled as an "Outlot".
 2. Section 2.60: require designating slopes greater than 25% versus 12% to reflect current limitations for private septic systems.
 3. Section 3.20:
 - a) Eliminate need to show soil classification types as this is no longer a limiting factor for development in county zoning.
 - b) Show slopes in excess of 25% versus 10% to reflect current limitations for private septic systems.
 - c) Eliminate requiring maps showing views from site as has no value.
 - d) Clarify the Development Yield Analysis only applies for proposed conservation subdivisions.
 - e) Eliminate the need to show "Preliminary Development Envelopes" on a preliminary plat as the term is proposed to be eliminated.
 4. Section 4.00:
 - a) Eliminate indicating the use of all lots on a preliminary plat as the use is dictated by the underlying zoning and not the platting process.
 - b) Clarify only public sanitary lines and water mains need to be shown on a preliminary plat and eliminate the need to show the proposed site of private septic systems on each lot. The current State private septic system code is much less restrictive than when this provision was originally required.
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- c) Eliminate the need to show "Development Envelopes" on the preliminary plat as proposed to be eliminated.
 - d) Clarify corner lot setbacks need to include any required clear view triangle on the preliminary plat.
 - e) Eliminate the need to submit preliminary construction plans and grading/erosion control plans with the preliminary plat as the county has no ordinance to set standards for either.
 - f) Include requirement for Surveyor affidavit with preliminary plat.
5. Section 5.00:
- a) Include requirement for the Certificates required by Statute for the final plat.
 - b) Eliminate requirement to submit a local plat (ie. plat not meeting Statutory definition) to State agencies with objecting authority. This streamlines process and is not required by State law.
 - c) Eliminate need to submit final construction plans with Final Plat. (see 4e above)
 - d) Eliminate need of plans for protecting or introducing native vegetation with the Final Plat as this is not necessary.
6. Section 5.10(g): Clarify the Final Plat must show minimum building setbacks.
7. Section 8.00: Eliminates inconsistency where incorrectly states all subdivision plats must meet standards of Section 8.2, which only applies to conservation plats.
8. Section 8.20:
- a) Eliminate references to "Development Envelopes" as this term is being proposed to be eliminated.
 - b) Clarify street design must be approved by the local unit of government that will be accepted them as public. It further clarifies the design standards in the ordinance can be required by the local unit of government.
 - c) Revise to reflect changes in State agency names.
9. Section 8.42: Eliminate as the County is not party to a Homeowner's Association...not relevant.
10. Section 9.10: Clarify variances must follow Statutory standards.
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IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT STAFF REPORT

Meeting Date: August 27, 2020

Agenda Item 8: Consider request by Pam Lindauer to waive the fee of the zoning permit required to reconstruct a residence after a fire at 2108 County Road Y in the Town of Mineral Point.

Background: Ms. Lindauer's home burned on February 6, 2020 resulting in losing all but the basement level. The zoning permit fee would be \$250. The house is proposed to be rebuilt to the same 3-dimensional footprint as to the original.

July 24, 2020

Scott Godfrey
Office of Planning & Development
222 N. Iowa St.
Hodgeville, NH 53533

Dear Scott,

I am writing to request a waiver of the permit fee from the Iowa County Planning & Zoning Committee due to me having to rebuild my house after a natural disaster.

On February 6th we had a house fire. My daughter, granddaughter, and I made it out in time, but a cat and dog was lost in the fire. I am a widow since losing my husband from cancer in 2013. I have had a 5 1/2 month personal leave with no income as I worked from home. I had insurance, but not replacement insurance as it was part of a farm policy. Consequently, we are rebuilding only the house at this time, but hope to rebuild the garage at a later date.

I would greatly appreciate your consideration. It would be extremely helpful if this fee could be waived.

Thank you.

Sincerely,

Pam Lindauer.



**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: August 2020

General Activity

	Since last report	Year to date	same time 2019	Comments
Zoning permits	24	173	143	
Permit project value	\$2,001,100	\$14,282,827	\$14,260,230	
New residences	5	37	23	
Accessory structures	11	81	59	
Ag buildings	8	45	45	
Other	0	12	16	
Of note				
Floodplain/Shoreland pts	2	17	15	
Complaints/Violations	7	23	65	
Certified survey map review	3	28	34	
Zoning Hearings	4	43	57	
Board of Adj hearings	0	2	2	
Sanitary Permits	9	69	45	
Soil Tests Reviewed	9	47	37	

as of Aug. 17, 2020

Other Updates

- 3 dam shadows have been approved by WDNR (TP4, TP6, OC12) – County has until Feb. 28, 2021 to incorporate into its floodplain ordinance in order to lower dam hazard ratings – process will require at least 1 public hearing and County Board action – only 2 or 3 cattle sheds impacted for structures
 - As of August 17th, Shaun and Ted are working remotely with Scott working from the office
 - Draft 2021 Budget
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