

Iowa County Planning & Zoning Committee Minutes – approved 2-23-2023

***revised Jan. 17, 2023**

Thursday, January 26, 2023 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

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

Health and Human Services Center – Community Room

303 West Chapel St., Dodgeville, WI 53533

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

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

Committee Present: Curt Peterson, Tim Lease, Don Leix, Mel Masters

Committee Absent: David Gollon

Staff Present: Scott Godfrey

Other Supervisors Present: Gerald Galle

3. Approve of this agenda.

Motion by Supervisor Leix

Second by Supervisor Lease

Motion carries unanimously

4. Approve the minutes of the December 29, 2022 meeting.

Motion by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously

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

Motion by Supervisor Lease

Second by Supervisor Leix

Motion carries unanimously

6. Continued petition by Megan Meuer for a Conditional Use Permit to operate a Residential Kennel and allow animal units as defined in the county's zoning ordinance, and for the division of an AR-1 Ag Res lot being Lot2, CSM1029 in the Town of Eden.

Director Godfrey gave the staff report which included a request by the applicant to postpone action until such time the Town of Eden can provide a formal recommendation.

Mrs. Meuer confirmed there have been round bales placed around the kennel and they plan to pour a concrete pad when the weather permits in order to move the kennel to a compliant location. She said the Town of Eden Board will meet again in early February to review the impact of the round bales.

Motion by Supervisor Leix to postpone up to 90 days to allow for the town recommendation
Second by Supervisor Masters
Motion carries unanimously

7. Petition by Nick & Jennifer Mobley and Todd & Heidi McSherry to zone two lots of 5 & 35 acres from A-1 Ag to AR-1 Ag Res in the NE/SW & NW/SE of S8-T5N-R5E in the Town of Brigham.

Mr. & Mrs. Mobley and Town of Brigham Chair, Jason Carden, were in attendance.

Director Godfrey gave the staff report.

Public comment: none

Motion to approve with the condition that the associated certified survey map be duly recorded within 6 months by Supervisor Masters
Second by Supervisor Lease
Motion carries unanimously

8. Petition by Joseph Z. Glick for a Conditional Use Permit to operate a Commercial Kennel as defined in the county's zoning ordinance on an A-1 Agricultural lot being part of the SW/SE S16-T4N-R3E in the Town of Mineral Point.

Director Godfrey gave the staff report.

Public comment: none

Motion to approve with the following conditions by Supervisor Leix

- 1) All dogs must have a Town of Mineral Point dog license
- 2) The operator must maintain all required State licenses
- 3) All provisions of a Commercial Kennel in the county's zoning ordinance must be complied with
- 4) The Conditional Use Permit shall terminate upon the sale of the property if including the buildings

Second by Supervisor Masters

Motion carries unanimously

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

Motion by Supervisor Lease
Second by Supervisor Leix
Motion carries unanimously

10. * Consideration of extending the timeline for meeting the conditions imposed on the approval of a zoning change for James Brodzeller per ZH3286 by an additional 6 months.

Director Godfrey gave the staff report explaining the request by Mr. Brodzeller. He added that the committee's action will require confirmation by the full County Board.

Mr. Brodzeller explained the need for his adjoining neighbor to have additional time to close on the transaction. He added that there is a second neighbor that may be interested should the current decide to decline the purchase.

Motion by Supervisor Leix
Second by Supervisor Lease
Motion carries unanimously

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

Director Godfrey overviewed the proposed revision considerations included in the committee packet.

The consensus of the committee was to move forward with the following proposals:

- a) A maximum of 25 hen chickens should be proposed to be allowed in any district with the allowance for a higher number and/or roosters by Conditional Use Permit.
- b) Roadside stands should be allowed in the AR-1 district with the same criteria as currently in the A-1 district. Criteria "d" in the current ordinance should be stricken.
- c) Zoning permits should have a duration of 24 months from the date of issuance without an opportunity for extension. A project not eligible for a Certificate of Compliance at the end of 24 months will have its permit expire and a new permit will be required in order to continue.
- d) Bathrooms should be allowed in nonresidential, accessory structures provided the landowner signs an affidavit acknowledging the structure cannot be used as a residence without zoning approval and the affidavit is recorded with the Register of Deeds. The bathroom may include a toilet, sink and shower.
- e) A definition of "connected" or "addition" should be included as follows:

Any construction that increases the size of a building or structure in terms of site coverage, height, width, or gross floor area. For the purposes of this definition, an addition must be connected by a common wall or aboveground enclosed breezeway,

with the connection being at least five (5) feet in width. An enclosed breezeway must have a solid roof, floor, and walls; however, openings are allowed for windows, doors, skylights and similar features.

- f) Sections 7.1 and 7.2 should remain unchanged.
 - g) Consider language that will allow a structure to be within a side or rear lot line setback if the adjoining neighbor(s) do not object.
12. Report from the committee members and an opportunity for members of the audience to address the Committee. No action will be taken.

Supervisor Leix suggested the County Board should send a letter to our legislative representatives urging an increase in the current PSC128, Adm. Code setbacks relating to wind turbines.

13. Director's report

Director Godfrey overviewed the report included in the committee packet and pointed out the current issue of the Wisconsin Counties magazine's inclusion of a legal analysis of a county's authority to regulate solar and wind protects. He also handed out the brochure for an upcoming training session for county boards of adjustment to be hosted by Iowa County March 14th.

Chair Peterson suggested there be training on consideration of Conditional Use Permits.

14. Next meeting date and time: February 23, 2023 at 6pm.

15. Motion to adjourn

Motion by Supervisor Masters
Second by Supervisor Leix
Motion carries unanimously. Adjourned at 7:10pm

Scott A. Godfrey, Director