

Iowa County Planning & Zoning Committee Minutes – approved 6-28-2023

Thursday, May 25, 2023 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

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

Health and Human Services Center – Community Room

303 West Chapel St., Dodgeville, WI 53533

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

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

2. Roll Call.

Committee Present: Curt Peterson, Mel Masters, Don Leix

Committee Absent: Tim Lease was excused; David Gollon

Staff Present: Scott Godfrey

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

3. Approve of this agenda.

Motion by Supervisor Leix

Second by Supervisor Butteris

Motion carries unanimously.

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

Motion by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously.

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

Motion by Supervisor Butteris

Second by Supervisor Masters

Motion carries unanimously.

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

Applicant present: Mr. & Mrs. Lorenz

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

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

Motion carries unanimously.

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

Applicant present: Mr. & Mrs. Lorenz

Town present: none

Director Godfrey gave the staff report.

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

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

Public Comment: none

Motion to approve with the condition that the sales are wholesale only by Supervisor Leix
Second by Supervisor Masters
Motion carries unanimously.

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

Applicant present: none

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Masters

Motion carries with all ayes and Supervisor Leix abstaining

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

Applicant present: Mr. & Mrs. Iverson

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously.

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

Applicant present: none

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Butteris

Motion carries unanimously.

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

Applicant present: Architect Julie Kardatzke via Zoom

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously

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

Motion by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously.

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

Applicant present: Rob Corbit

Director Godfrey gave the staff report.

Mr. Corbit overviewed the details of the planned event.

Motion to approve by Supervisor Leix with the following conditions:

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

Second by Supervisor Butteris

Motion carries unanimously.

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

Applicant present: none

Director Godfrey gave the staff report.

Motion to approve by Supervisor Leix with the following conditions:

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

Second by Supervisor Masters

Motion carries unanimously.

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

Director Godfrey gave the staff report.

Motion to approve by Supervisor Butteris

Second by Supervisor Leix

Motion carries unanimously.

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

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

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

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

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

Second by Supervisor Masters.

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

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

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

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

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

Consensus was to move forward with this proposed revision.

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

Consensus was to move forward with this proposed revision.

- c) Add the following standards to the definition of “Recreational Residential Rental” in the definitions section:

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

Consensus was to move forward with this proposed revision.

- d) Add the following standards to the definition of “Tourist Cottage” in the definitions section:

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

Consensus was to move forward with this proposed revision.

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

Consensus was to move forward with this proposed revision.

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

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

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

Consensus was to move forward with this proposed revision.

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

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

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

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

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

Consensus was to move forward with this proposed revision.

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

none

19. Director's report

Director Godfrey overviewed the report included in the committee packet.

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

21. Motion to adjourn

Motion to adjourn by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously. Adjourned at 7:48 pm

Scott A. Godfrey, Director