

Iowa County Planning & Zoning Committee – approved 6-27-2024

Thursday, May 23, 2024 at 6:30 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

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

Health and Human Services Center – Community Room

303 West Chapel St., Dodgeville, WI 53533

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

1. Call to order.

Chair Peterson called the meeting to order at 6:50pm

2. Roll Call.

Committee Present: Curt Peterson, David Gollon, Ingmar Nelson

Committee Absent: Don Leix (excused); Tim Lease (excused)

Staff Present: Scott Godfrey

Other Supervisors: Dan Nankee

3. Approve of this agenda.

Motion to approve by Supervisor Nelson

Second by Supervisor Gollon

Motion carried unanimously

4. Approve the minutes of the May 8, 2024 meeting.

Motion to approve by Supervisor Gollon

Second by Supervisor Nelson

Motion carried unanimously

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

Motion to approve by Supervisor Nelson

Second by Supervisor Gollon

Motion carried unanimously

6. Petition by the Town of Brigham and the Bethel Cemetery Association to zone 1.15 acres from A-1 Ag to H-1 Historical in the SE/NW of S34-T7N-R5E in the Town of Brigham.

Applicant Present: none

Town Present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Nelson

Motion carried unanimously

7. Petition by Town of Brigham and the Bethel Cemetery Association for a Conditional Use Permit to allow a cemetery on a 1.15-acre H-1 Historical lot in the SE/NW of S34-T7N-R5E in the Town of Brigham.

Applicant Present: none

Town Present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve by Supervisor Gollon

Second by Supervisor Nelson

Motion carried unanimously

8. Petition by Mike Pink to zone 2.002 acres from A-1 Ag to AR-1 Ag Res in the NE/SW of S33-T7N-R1E in the Town of Highland.

Applicant Present: Mr. & Mrs. Pink

Town Present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Gollon

Motion carried unanimously

9. Petition by Jennifer Wolf to zone 0.58 acre from A-1 Ag to AR-1 Ag Res in the NW/SW of S13-T8N-R1E in the Town of Pulaski.

Applicant Present: Jennifer Wolf

Town Present: none

Director Godfrey gave the staff report.

Public Comment:

- Supervisor Gollon asked why the town did not provide a recommendation. Director Godfrey said he did not know, but the town was provided the opportunity. Jennifer Wolf commented she felt the town did not understand the process.

Motion to approve with the condition that the associated area variance is granted by the Iowa County Board of Adjustment within 12 months of County Board approval by Supervisor Gollon
Second by Supervisor Nelson
Motion carried unanimously

10. Petition by Jennifer Wolf for a Conditional Use Permit to allow a Residential Kennel on a 0.58-acre AR-1 Ag Res lot in the NW/SW of S13-T8N-R1E in the Town of Pulaski.

Applicant Present: Jennifer Wolf
Town Present: none

Director Godfrey gave the staff report.

Public Comment:

- Supervisor Nankee said his constituent has had ongoing issues with the applicant's dogs harassing their cattle
- Jamey Wardell (neighbor) said the applicant has not maintained fencing and her dogs have been on his property numerous time to the point his cattle are threatened. He added the Sheriff's Office have been called several times yet the issue continues. He said he may not be able to continue having cattle if her dogs are allowed to continue to run free.
- Jennifer Wolf said she has video showing cattle in the adjacent pasture and her dogs not barking. She added she has repaired the fence more than once after dogs have dug under it and she doesn't let them run without being present.
- Chair Peterson asked if the applicant has obtained the town dog licenses. Jennifer Wolf replied she has not and was unaware that it was necessary. Chair Peterson said most towns include the licensing information with the tax bills.
- Jennifer Wolf said she currently has 7 dogs and 5 adopted children. Each child has a dog for support and one of the dogs will be going to Arizona soon, leaving 6.
- Supervisor Nelson asked for clarification of what a Residential Kennel is. Director Godfrey explained how it is defined, the minimum standards and when a Conditional Use Permit is required.
- Chair Peterson clarified that a denial will allow the applicant to have up to 2 dogs.
- Ms. Wolf's sister stated Jennifer is doing the best she can and felt a denial would be punishment of having a small lot and unfair. She added the male dogs are fixed and the females will be too as finances allow.

Supervisor Gollon stated he cannot support this number of dogs on such a small lot that has so little area for the dogs to exercise. He added the past issues with containing the dogs on the

applicant's property and the lack of getting town licenses, which is required everywhere, demonstrates a lack of compliance.

Supervisor Nelson stated he cannot support having that number of dogs on such a small lot and that it's not healthy for them to be inside either. He said his experience is that dogs will pack and create a nuisance if let to do so. He said it pains him to go against the request given the state support role of the dogs, but there are rules for a reason.

Motion by Supervisor Gollon to deny based on the reasons stated above

Second by Supervisor Nelson

Motion carried with Chair Peterson voting against

Jennifer Wolf asked what her options are now. Director Godfrey said the rezoning will go to the County Board and it's up to her if she pursues the conditioned area variance, given the primary purpose to rezone was to make the lot eligible for the Conditional Use Permit, which was denied. He said she can reapply if she feels she can make a better case or she can appeal the decision to the Iowa County Board of Adjustment, which will only look at whether the committee acted within its authority and not arbitrarily or capriciously.

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

Motion by Supervisor Gollon

Second by Supervisor Nelson

Motion carried unanimously

12. Consideration of a Temporary Use Permit for a fireworks stand by R and M Enterprises at 4894 County Road YZ in the Town of Dodgeville.

Director Godfrey gave the staff report.

Motion to approve by Supervisor Gollon with the following conditions:

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

Second by Supervisor Nelson

Motion carried unanimously

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

none

14. Director's report

Director Godfrey overviewed the report included in the packet.

15. Next meeting date and time: June 27th at 6pm to include a public hearing on the proposed revisions to the Iowa County Zoning Ordinance.

Supervisor Nelson suggested notifying the towns again so they can consider comments ahead of the hearing.

16. Motion to adjourn

Motion by Supervisor Gollon

Second by Supervisor Nelson

Motion carried unanimously. Adjourned at 7:38pm

Scott A. Godfrey, Director