

Iowa County Planning & Zoning Committee-approved 12-5-2024

October 31, 2024 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 718 009 4544

<https://us02web.zoom.us/j/7180094544?omn=81946087123>

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.

Members present: Curt Peterson, Tim Lease, Ingmar Nelson, Dave Gollon, Don Leix (via Zoom)

Members absent: none

Staff Present: Scott Godfrey

Other Supervisors present: none

3. Approve of this agenda.

Motion to approve by Supervisor Gollon

Second by Supervisor Nelson

Motion carries unanimously

4. Approve the minutes of the September 26, 2024 meeting.

Motion to approve by Supervisor Lease

Second by Supervisor Nelson

Motion carries 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 Lease

Motion carries unanimously

6. Petition by John & Erin Edgington to zone 80 acres from A-1 Ag to AB-1 Ag Bus being the W1/2-SE of S15-T6N-R1E in the Town of Eden.

Applicant present: John Edgington

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 by Supervisor Nelson

Second by Supervisor Gollon

Motion carries unanimously

7. Petition by John & Erin Edgington for a Conditional Use Permit to operate a Roadside Stand involving tree sales, produce sales, and retail sales on an 80-acre AB-1 Ag Bus lot being the W1/2-SE of S15-T6N-R1E in the Town of Eden.

Applicant present: John Edgington

Town present: none

Director Godfrey gave the staff report

Public comment: none

Peterson suggested a condition of approval should include only off-street parking.

Motion to approve with the conditions of only off-street parking and that associated zoning change is approved by the County Board by Supervisor Nelson

Second by Supervisor Lease

Motion carries unanimously

8. Petition by Ivey Construction Inc. to zone 67.94 acres from A-1 Ag & AR-1 AB-1 Ag Bus to all AB-1 Ag Bus in the W1/2-NW of S31-T6N-R3E in the Town of Dodgeville.

Applicant present: Dan and Chase Ivey

Town present: none

Chair Peterson abstained due to a conflict of interest and turned the chairmanship to Supervisor Gollon for this item.

Director Godfrey gave the staff report

Public comment: none

Motion to approve with the condition that the associated Conditional Use Permit is approved by Supervisor Lease

Second by Supervisor Leix
Motion carries unanimously

9. Petition by Ivey Construction Inc. for a Conditional Use Permit for nonmetallic mining on a 67.94-acre AB-1 Ag Bus lot in the W1/2-NW of S31-T6N-R3E in the Town of Dodgeville. This includes consideration of the associated reclamation plan and post-mining land use.

Applicant present: Dan & Chase Ivey
Town present: none

Chair Peterson abstained due to a conflict of interest and turned the chairmanship to Supervisor Gollon for this item.

Director Godfrey gave the staff report

Public comment: none

Supervisor Nelson asked how it was assured the reclamation takes place. Director Godfrey explained the statutory need for financial assurance to be posted in the name of the county.

Motion to approve with the condition that the associated zoning change is approved by the County Board by Supervisor Nelson

Second by Supervisor Leix
Motion carries unanimously

10. Petition by Dean Reddell and Oxnem Acres LLC to zone 1.093 acres from A-1 Ag to AR-1 Ag Res in the NE/NE of S32-T6N-R3E in the Town of Dodgeville.

Applicant present: Dean Reddell
Town present: none

Director Godfrey gave the staff report

Public comment: none

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

Second by Supervisor Lease
Motion carries unanimously

11. Petition by Bennie Beiler for a Conditional Use Permit to operate a Commercial Kennel on a 40-acre A-1 Ag lot being L1 of CSM2012 in S16-T4N-R1E in the Town of Mifflin.

Applicant present: none

Town present: none

Director Godfrey gave the staff report

Public comment: none

Motion to approve by Supervisor Lease with the following conditions:

- 1) All dogs must have a Town of Mifflin dog license and valid rabies certification
- 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

Second by Supervisor Leix

Motion carries unanimously

12. Petition by John Beiler for a Conditional Use Permit to operate a Commercial Kennel on a 40-acre A-1 Ag lot being L3 of CSM2012 in S16-T4N-R1E in the Town of Mifflin.

Applicant present: John Beiler

Town present: none

Director Godfrey gave the staff report

Public comment: none

Motion to approve by Supervisor Leix with the following conditions:

- 1) All dogs must have a Town of Mifflin dog license and valid rabies certification
- 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

Second by Supervisor Nelson

Motion carries unanimously

13. Petition by John Kinsinger to zone 30.4 acres from A-1 Ag to AR-1 Ag Res in the NW/SW of S7-T4N-R1E in the Town of Mifflin.

Applicant present: John Kinsinger

Town present: none

Director Godfrey gave the staff report

Public comment: none

Motion to approve by Supervisor Gollon

Second by Supervisor Lease

Motion carries unanimously

14. Petition by John Kinsinger for a Conditional Use Permit to allow up to 22 animal units on a 30.4-acre AR-1 Ag Res lot in the NW/SW of S7-T4N-R1E in the Town of Mifflin.

Applicant present: John Kinsinger

Town present: none

Director Godfrey gave the staff report

Public comment: none

Motion to approve with the condition that the associated zoning change is approved by the County Board by Supervisor Nelson

Second by Supervisor Leix

Motion carries unanimously

15. Petition by Deven & Leah Walrack to zone 1.0 acre from AR-1 Ag Res to A-1 Ag in the SW/SW of S7-T4N-R3E in the Town of Mineral Point.

Applicant present: none

Town present: none

Director Godfrey gave the staff report

Public comment: none

Motion to approve by Supervisor Gollon

Second by Supervisor Lease

Motion carries unanimously

16. Petition by Peg Senf to zone 6.33 acres from A-1 Ag to AR-1 Ag Res in the NW1/4 of S11-T4N-R5E in the Town of Moscow.

Applicant present: Mr. Senf

Town present: none

Director Godfrey gave the staff report

Public comment: none

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

Second by Supervisor Leix

Motion carries unanimously

17. Petition by Robert & Jeanne Alfred to zone 20.0 acres from A-1 Ag to C-1 Conservancy in the NE/NW of S26-T6N-R4E in the Town of Ridgeway.

This petition was withdrawn by the applicants.

18. Petition by Jason Schluter, Dave Onan, and Mary Patoka to zone 0.715 acres from R-2 Multi-Family Res to R-1 Single Family Res being Lot 90 of The Springs Subdivision in S29-T8N-R4E in the Town of Wyoming.

Applicant present: Mary Patoka via Zoom

Town present: Mike Degen

Director Godfrey gave the staff report

Public comment:

- Mike Degen said the town is in support as it is consistent with the development patten of the development.

Motion to approve by Supervisor Nelson

Second by Supervisor Lease

Motion carries unanimously

19. Continued petition by Gordon Greene to zone 29.986 acres from A-1 Ag to CR-1 Conservation Recreation in the W1/2-SE of S28-T8N-R3E in the Town of Wyoming.

Action was taken at the September 24, 2024 hearing to approve with the conditions that the associated Conditional Use Permit is approved and the associated certified survey map is duly recorded within 6 months of County Board approval.

20. Continued petition by Gordon Greene for a Conditional Use Permit to allow a non-profit camp on a 29.986-acre CR-1 Con Rec lot in the W1/2-SE of S28-T8N-R3E in the Town of Wyoming.

Applicant present: Gordon and Patricia Greene

Town present: Mike Degen

Director Godfrey gave the staff report

Public comment:

- Mary Schultz expressed her objection to the proposal and questioned whether the proposal is a camp or more of a school.

Chair Peterson asked Counsel Morzenti for input. Counsel Morzenti stated the application seems to meet the qualifications for a non-profit camp as the proposed use is what's relevant and not what the use is called.

Supervisor Gollon said he was concerned about losing tax revenue if the property becomes tax exempt. Corporation Counsel David Morzenti stated the town assessor makes the determination on tax exemption and this isn't appropriate to be a consideration for the conditional use permit.

Mike Degen said that, although he is not advocating on behalf of the proposal, the town plan commission felt the proposed use is consistent with other uses that lend to the unique culture of the town and is consistent with the comprehensive plan goals.

Motion by Supervisor Nelson to approve with the condition that the existing septic system is proven to be adequately sized for the proposed uses or a system of adequate sizing is installed and that the zoning change not move forward to the County Board until this determination is made

Second by Lease

Motion carries unanimously

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

Motion by Supervisor Leix

Second by Supervisor Nelson

Motion carries unanimously

22. Consideration to clarify the fencing condition imposed on the Conditional Use Permit for Sunshine Behavioral Health per ZH 3392 does not include the south side of the property as confirmed by the Town of Dodgeville. The affected property is at 3591 State Road 23 and owned by FHAM LLC.

Chair Peterson explained the town felt it of no value to fence the southerly boundary as there exists the natural boundary of trees.

Motion to agree with the Town of Dodgeville confirmation by Supervisor Nelson

Second by Supervisor Leix

Motion carries unanimously

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

none

24. Director's report

Director Godfrey overviewed the report included in the packet.

25. Next meeting date and time – possibly Dec. 5, 2024 at 6pm

26. Motion to adjourn

Motion to adjourn by Supervisor Lease

Second by Supervisor Leix

Motion carries unanimously. Adjourned at 7:15pm

Scott A. Godfrey, Director