



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Pursuant to Section 19.84 and 59.69, Wisconsin Statutes, notice is hereby given that the Iowa County Planning & Zoning Commission will hold public hearings and meeting on **Wed., May 28, 2008 at 6:00PM**, or as soon thereafter as possible, in the **County Board Room (2nd floor)** of the Iowa County Courthouse in the City of Dodgeville, Wisconsin. Let this also serve notice for the possible quorum of the board of any town affected as listed below. For information regarding access for the disabled, please call 935-0399. Additional information about the petitions, including maps, can be obtained from the Office of Planning & Development.

Minutes

Approved June 18, 2008

1. Call to order. Bill Ehr called the meeting to order at 6:01pm
2. Roll Call. Godfrey read the roll.

Committee Present: Bill Ehr, Diane McGuire, Dwayne Hiltbrand, Carol Anderson, Gerry Dorscheid
Committee Absent: Brad Wells, Tom Mueller (excused)
Staff Present: Scott A. Godfrey, Mike Bindl

3. Certification of notice for this meeting. Godfrey stated this meeting has been duly noticed as required by law.

Motion to accept by McGuire
Second by Anderson
Motion carries unanimously.

4. Review and approval of the April 23, 2008 minutes.

Motion to approve by Dorscheid
Second by Anderson
Motion carries unanimously.

5. Approval of agenda.

Motion to approve by McGuire
Second by Dorscheid
Motion carries unanimously.

6. Petition by Mike McCarville and Gerry Anderson for a land use change of 2.82 acres from A-1 Ag to AR-1 Ag Res being in part of the W1/2-SE of S3-T4N-R4E in the Town of Waldwick.

Applicant Present: Mike McCarville and Gerry Anderson
Town Present: none

Godfrey gave staff report to approve and Town recommendation to approve.

Motion to approve by Dorscheid
Second by McGuire

No public comment

Vote: carried unanimously

7. Petition by Sharon Mueller and Lloyd Buckingham for a land use change to create a 5.74-acre AR-1 Ag Res lot and 1.32-acre C-1 Conservancy outlot from an existing 7.06-acre AR-1 Ag Res lot in the NE&NW of S5-T5N-R2E in the Town of Linden.

Applicant Present: Lloyd Buckingham
Town Present: none

Godfrey gave staff report to approve and Town recommendation to approve.

Motion to approve by Anderson
Second by Hiltbrand

No public comment

Vote: carried unanimously

8. Petition by John Huntington for consideration of a conditional use permit to allow a Recreational Rental Residence on a 160-acre A-1 Agricultural lot being the S1/2-SW of S8 & N1/2-NW of S17; all in T7N-R2E in the Town of Highland.

Applicant Present: Mr. & Mrs. Huntington
Town Present: none

Godfrey gave staff report to postpone until resolution of listed issues and Town recommendation to approve.

Mr. Huntington stated:

- Well water has been tested
- In process of obtaining state licensing
- Septic system has been regularly maintained
- Rental periods are from 3 days to weekly
- Three bedroom house rented when owners not present
- Neighboring farmer rents land and watches property
- Advertises only on Spring Green Chamber of Commerce website

Motion to approve by Dorscheid
Second by Hiltbrand

Public comment:

Neighbor Joseph Yarish stated concern over lack of property management that has resulted in frequent fireworks and a February 2007 arrest of an intoxicated individual discharging firearms.

The Huntingtons responded that they were unaware of the police incident and had not rented the property over the winter, thus the perpetrator(s) were trespassing. They understood Mr. Yarish's concerns.

McGuire offered to condition the motion to approve with:

- Requiring a rental agreement that states prohibited behavior
- The issues within the staff report be resolved
- Any state licensing be obtained

Ehr offered to further condition the motion to approve with:

- Any future reports of public nuisance will be grounds from this committee to review the status of the conditional use permit

Dorscheid and Hiltbrand agreed to the offered conditions

Vote: carried unanimously with stated conditions

9. Petition by Bob & Linda Bishop and Timothy & Jodi Shemak for a land use change of 10 acres from A-1 Ag to AB-1 Ag Business in the S1/2-NW of S35-T6N-R1E in the Town of Eden.

Applicant Present: Bob Bishop and Timothy Shemak

Town Present: Loren Johnsen

Godfrey gave staff report to approve with Town recommendation to approve.

Motion to approve by Anderson
Second by Dorscheid

No public comment

Vote: carried unanimously

10. Petition by Bob & Linda Bishop and Timothy & Jodi Shemak for consideration of a conditional use permit to allow a commercial livestock operation with residence on a 10-acre AB-1 Ag Business lot in the S1/2-NW of S35-T6N-R1E in the Town of Eden.

Applicant Present: Bob Bishop and Timothy Shemak
Town Present: Loren Johnsen

Godfrey gave staff report to approve with conditions and Town recommendation to approve.

Mr. Bishop stated the property has previously been used for hogs, dairy cattle and most recently steers in a lesser quantity, but larger size.

Mr. Shemak stated that the manure lagoon has been removed; part of the barn within the highway setback has been torn down closest to the road; the cattle yard is concrete; the pasture will be primarily for horses; manure will be contained in an existing pit under the barn and stacked on the concrete until spread

Bishop stated that an attorney is drafting a manure disposal agreement between he and Mr. Shemak.

Motion by McGuire to approve with the following conditions:

- Staff report issues be resolved
- Any evidence of overgrazing will be grounds for the committee to reconsider the conditional use permit
- The maximum number and type of animals shall be that which is stated in the operation plan submitted with the application

Second by Dorscheid

No public comment.

Vote: carried unanimously

11. Petition by Vern & Evelyn Halverson for a land use change of 1.82 acres from R-3 Mobile/Manufactured Home to R-1 Single Family Res in the NE/NW of S19-T8N-R5E in the Town of Arena.

Applicant Present: Vern Halverson
Town Present: Terry Denruiter

Godfrey gave staff report to approve and Town recommendation to approve.

Motion by Anderson to approve
Second by Hiltbrand

No public comment.

Vote: carried unanimously

12. Petition by Janeen Ashbacher, Helen Witte and Jim Roelke for a land use change of 2.308 acres from A-1 Ag to AR-1 Ag Res and 38.325 acres from A-1 Ag to AR-1 Ag Res in the S1/2-NW of S1-T7N-R5E in the Town of Arena.

Applicant Present: John Halverson (surveyor) and Janeen Ashbacher
Town Present: Terry Denruiter

Godfrey gave staff report to approve and Town recommendation to approve.

Motion by Dorscheid to approve
Second by Anderson

No public comment.

Vote: carried unanimously

13. Petition by James, Deborah and Thomas Strutt for a land use change of 5.2 acres from A-1 Ag to AR-1 Ag Res with 34.8 acres zoned with the AC-1 Ag Conservancy overlay district being the SW/NW of S12-T6N-R4E in the Town of Ridgeway.

Applicant Present: James Strutt
Town Present: Rich Strutt

Godfrey gave staff report to approve and Town recommendation to approve.

Motion by McGuire to approve
Second by Anderson

Public comment:

Linda Lynch asked for safety of proposed access to Strutt Road. Rich Strutt stated this is the safest spot on the road and, being on a corner, the traffic slows and visibility is good.

Vote: carried unanimously

14. Petition by Richard Amble for a land use change of 7.394 acres from A-1 Ag to AR-1 Ag Res in part of the NE/SE of S31 & NW/SW of S32; all in T6N-R5E in the Town of Brigham.

Applicant Present: Richard and Jeremy Amble

Town Present: Otis Nelson

Godfrey gave staff report to approve and Town recommendation to approve.

Motion by Anderson to approve

Second by McGuire

No public comment.

Vote: carried unanimously

15. Review of alleged existing campground and compliance with existing laws on land in Sections 9&10, T8N, R4E in the Town of Arena.

Town present: Terry Denruiter

Bindl and Godfrey explained the historical use of the property at issue has been as a recreational area for owners and, over the years, has developed into a campground use. The primary issues are:

- General zoning requires a rezone for a commercial use
- Floodplain zoning prohibits campgrounds as the property is entirely within the mapped floodplain and mostly floodway
- Sanitary regulations require permits for the existing portable toilets
- Recent electrical box installations require floodplain permits

Bindl and Godfrey concluded with their interpretation that the existing use is not permitted as currently zoned. They have provided this decision to the property owner and gave him the opportunity to provide evidence that would prove the property has been historically used as a campground to the point of being considered legal nonconforming.

Bindl provided copies of the property owner's information to the committee.

Ehr stated that this individual was before the committee in recent years seeking a food service use, at which time he and his attorney stated in writing that the property was not a campground.

Mr. Denruiter stated the Town does not approve of the property being considered a campground and any new campground must comply with a town ordinance.

Motion by Dorscheid to no consider the property a “grandfathered” campground
Second by Anderson
Motion carries unanimously

The committee instructed staff to inform the property owner in writing, with copies to the Town, DNR and Lower Wisconsin State Riverway Board, that:

- The property cannot be used for camping.
- No structures or development can occur unless properly permitted under the county regulations, including the recent electrical box installation and portable toilets

16. Discussion of next meeting date and agenda.

June 18th meeting agenda to include:

- Review of adequacy of telecommunication tower removal bonds due to expire
- Erosion control and stormwater management standards
- 2009 budget
- Information presented at hearings
- Public information packets/communication

Anderson and McGuire stated they will not be able to attend.

17. Adjournment.

Motion to adjourn by Hiltbrand
Second by McGuire
Motion carries unanimously. Adjourned at 8:02pm

Scott A. Godfrey
Director