



## IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533  
Telephone: (608) 935-0398 Fax: (608) 930-1205 Mobile: (608) 553-7575  
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Pursuant to Section 19.84, Wisconsin Statutes, notice is hereby given that the Iowa County Zoning, Planning, Sanitation and Rural Planning Commission will hold a public meeting on **Wed. May 25, 2005 at 6:00PM**, or as soon thereafter as possible, in the **County Board Room** of the Iowa County Courthouse in the City of Dodgeville, Wisconsin. For information regarding access for the disabled, please call 935-0399.

### Minutes

Approved June 29, 2005

1. Call to order. Ehr called to order at 6:08pm.
2. Roll Call.  
Committee Present: Bill Ehr; Diane McGuire; Dale Theobald  
Committee Absent: John Lind; Curt Peterson  
Staff Present: Scott A. Godfrey; Michael Bindl

3. Certification of notice for this meeting

Motion that meeting has been duly noticed as required by law by McGuire  
Second by Theobald  
Motion carries unanimously

4. Review and approval of the April 27, 2005 meeting minutes.

Motion by Theobald  
Second by McGuire  
Motion carries unanimously

5. Approval of agenda

Motion by Theobald to remove item #25

Second by McGuire

Motion carries unanimously

Motion by McGuire to approve agenda as amended

Second by Theobald

Motion carries unanimously

6. Continued petition by Shirley Oftedahl and John Bergum to consider a conditional use permit to allow additional animal units on a 7.38-acre AR-1 Ag Res lot being in part of the S1/2 of the NE1/4 and N1/2 of the SE1/4 of S32-T7N-R5E in the Town of Brigham. Possible action.

Applicant Present: John Bergum

Town Present: Rita Zander and Doug Reeson

Public Comment: none

Motion by McGuire to approve up to four animal units

Second by Theobald

Motion carries unanimously

7. Petition by Greg Hilden to change the zoning of three proposed lots being 20.442 acres, 31.433 acres and 10.394 acres from A-1 Ag to AR-1 Ag Res in part of the N1/2 of the SW1/4 of S21-T7N-R5E in the Town of Brigham. Possible action.

Applicant Present: Greg Hilden

Town Present: Rita Zander and Doug Reeson

Public Comment: Dave Haskin in opposition

Motion by Theobald to approve

Second by McGuire

Motion carries unanimously

8. Petition by Mid-West Management, Inc. and Russ & Donna Moyer to change the zoning of a proposed 18.294-acre lot from A-1 Ag to B-2 Hwy Bus being in part of the S1/2 of the SW1/4 of S11 and NE1/4 of the NW1/4 of S14, all in T6N-R5E in the Town of Brigham. Possible action.

Applicant Present: Mid-West Management representatives and Russ Moyer

Town Present: Rita Zander and Doug Reeson

Public Comment: three in opposition and two in support

Motion by McGuire to postpone and send back to town for community review

Second by none

Motion dies for lack of a second

Motion by Theobald to approve

Second by none

Motion dies for lack of a second

Motion by McGuire to postpone until next month's meeting

Second by Theobald

Motion carries with Theobald opposing

9. Petition by Mid-West Management, Inc. and Russ & Donna Moyer to consider a conditional use permit to allow a telecommunication tower and facility on an 18.294-acre B-2 Hwy Bus being in part of the S1/2 of the SW1/4 of S11 and NE1/4 of the NW1/4 of S14, all in T6N-R5E in the Town of Brigham. Possible action.

Applicant Present: Mid-West Management representatives and Russ Moyer

Town Present: Rita Zander and Doug Reeson

Public Comment: none

Motion by McGuire to postpone until next month's meeting

Second by Theobald

Motion carries unanimously

10. Petition by Bethel Horizons Foundation, Inc. for a conditional use permit to consider the implementation of phase 3 of the Planned Complex Development granted per ZH2054 on a 542.62-acre B-2 Hwy Bus lot being in part of the Sections 26,27,34 & 35 all in T7N-R3E in the Town of Dodgeville. Possible action.

Applicant Present: three representatives of Bethel Horizons Foundation, Inc.

Town Present: none

Public Comment: none

Motion by McGuire to approve with condition that a written recommendation to approve is provided from the Town of Dodgeville and that this approval apply only to the Art Ventures portion of the original PUD proposal per ZH2054

Second by Theobald

Motion carries unanimously

11. Petition by Larry & Melanie Forseth to consider a conditional use permit to approve the division of an existing AR-1 Ag Res lot that created two lots of 5.01 acres and 10.63 acres being in part of the SE1/4 of the NE1/4 of S1-T6N-R3E in the Town of Dodgeville. Possible action.

Applicant Present: Larry & Melanie Forseth

Town Present: letter recommending approval

Public Comment: none

Motion by Theobald to approve

Second by McGuire

Motion carries unanimously

12. Petition by Geraldine Anderson and Brad Broaden to change the zoning of a proposed 1.45-acre lot from A-1 Ag and AR-1 Ag Res to all AR-1 Ag Res being in part of the SE1/4 of the SE1/4 of S3-T6N-R3E in the Town of Dodgeville. Possible action.

Applicant Present: Brad Broaden

Town Present: letter recommending approval

Public Comment: none

Motion by McGuire to approve

Second by Theobald

Motion carries unanimously

13. Petition by Clifford Aide and Kenneth Schaefer to change the zoning of a proposed 7.323-acre lot from A-1 Ag and AR-1 Ag Res to all AR-1 Ag Res being in part of the NE1/4 of the SW1/4 of S34-T8N-R1E in the Town of Pulaski. Possible action.

Applicant Present: Ken Schaefer and Cliff Aide  
Town Present: letter recommending approval  
Public Comment: none

Motion by Theobald to approve  
Second by McGuire  
Motion carries unanimously

14. Petition by Terry & Richard Ziebarth to change the zoning of an existing 7.5-acre lot from A-1 Ag to AR-1 Ag Res being in part of the SE1/4 of the NW1/4 of S7-T8N-R2E in the Town of Pulaski. Possible action.

Applicant Present: Terry Ziebarth  
Town Present: letter recommending approval  
Public Comment: none

Motion by McGuire to approve  
Second by Theobald  
Motion carries unanimously

15. Petition by Steven & Susan Lipton to change the zoning of a proposed 12-acre lot from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res being in part of the NE1/4 of the NW1/4 of S26; and SE/4 of the SW1/4 and W1/2 of the SE1/4 of S23, all in T7N-R4E in the Town of Ridgeway. Possible action.

Applicant Present: none  
Town Present: letter recommending approval  
Public Comment: none

Motion by Theobald to approve  
Second by McGuire  
Motion carries unanimously

16. Petition by the Clark Family Angus Farm to change the zoning of a proposed 29.4-acre lot from A-1 Ag to AR-1 Ag Res being in part of the W1/2 of the NW1/4 of S19-T5N-R4E in the Town of Waldwick. Possible action.

Applicant Present: Mrs. Norton and Clarks  
Town Present: letter recommending approval  
Public Comment: none

Motion by McGuire to approve with condition that discrepancy between the legal description on the deed and proposed Certified Survey Map be resolved  
Second by Theobald  
Motion carries unanimously

17. Petition by Curt Greenheck and Ellen Hohenstein for a conditional use to allow Class C fireworks sales on an existing 3-acre B-2 Hwy Bus lot being in part of the SE1/4 of the SW1/4 of S15-T8N-R5E in the Town of Arena. Possible action.

Applicant Present: Ellen Hohenstein  
Town Present: Robert Murphy, Dave Lucey & Bill Gauger  
Public Comment: one in favor and one opposed

Motion by Theobald to approve with the following conditions: 1.) can be open for business only between June 1<sup>st</sup> and July 15<sup>th</sup> each year, and 2.) can be open for business only between 9am and 9pm each day of the week  
Second by McGuire  
Motion carries unanimously

18. Petition by Terry Askevold to change the zoning of a proposed 1.0-acre lot from A-1 Ag to B-2 Hwy Bus being in part of the SW1/4 of the SW1/4 of S10-T8N-R4E in the Town of Arena. Possible action.

Applicant Present: Terry Askevold and Atty Mike Olds  
Town Present: Robert Murphy, Dave Lucey & Bill Gauger  
Public Comment: three in support

Motion by Theobald to deny in response to town's recommendation of denial based upon they not wanting to spot zone a commercial lot  
Second by McGuire  
Motion fails with McGuire and Ehr opposing

Motion by McGuire to approve  
Second none  
Motion dies for lack of a second

Motion by McGuire to postpone until next month's meeting  
Second none

Motion dies for lack of a second

Ehr invokes Parliamentary Procedure to transfer chair to Theobald

Motion by McGuire to postpone until next month's meeting

Ehr seconds

Motion carries

Ehr takes chair back from Theobald

19. Petition by Terry Askevold for a conditional use permit to allow canoe rentals and mobile food sales on a 1.0-acre B-2 Hwy Bus lot being in part of the SW1/4 of the SW1/4 of S10-T8N-R4E in the Town of Arena. Possible action.

Applicant Present: Terry Askevold and Atty Mike Olds

Town Present: Robert Murphy, Dave Lucey & Bill Gauger

Public Comment: none

Motion by McGuire to postpone until next month's meeting

Second by Theobald

Motion carries unanimously

20. Request by Register of Deeds Dixie Edge to use retained fees to place records of her office on the internet. Possible action.

Applicant Present: Dixie Edge and IS Director Amy Kaup

Public Comment: none

Motion by McGuire to approve using the retained fees account for the \$37,500 package cost and the continuing annual \$1,800 maintenance fees

Second by Theobald

Motion carries unanimously

21. Request to address the committee by James Griffiths. Possible action.

Applicant Present: James Griffiths

Public Comment: none

Motion by McGuire to request Mr. Griffiths to be on the next County Board agenda to discuss his concerns over the Smart Growth planning process and zoning ordinance

Second by Theobald

Motion carries unanimously

22. Discussion of comprehensive plan implementation with representatives of the Town of Mifflin. Possible action.

Applicant Present: none

Public Comment: four individuals expressed concerns over the need to regulate the location of Confined Animal Feeding Operations (CAFOs)

Ehr commented that this issue will be continued to be studied by the committee in context of the state's livestock siting law.

Motion by (no action taken)

Second by

Motion

23. Discussion of the Happy Tails kennel with representatives of the Town of Ridgeway. Possible action.

Applicant Present: Robert Thomas, Tom McGraw & Rich Strutt

Public Comment: several urging the county to set conditions on the kennel operation

Ehr commented that legal counsel has advised that there is no legal means to set conditions on an existing granted conditional use permit at this time. Ehr suggested the town's attorney discuss the matter with corporation counsel to determine the legal options.

Motion by (no action taken)

Second by

Motion

24. Consideration of policy for distribution of comprehensive plans. Possible action.

Motion by McGuire to provide the plan in digital form only at this time

Second by Theobald

Motion carries unanimously

25. Consideration of WI DNR/FEMA model floodplain ordinance. Possible action.

Motion by (item removed from agenda)

Second by

Motion

26. Review and action on expenditures/vouchers.

Motion by McGuire to approve

Second by Theobald

Motion carries unanimously



27. Discussion of next meeting date and agenda. Possible action.

Letter from Steve Sawle requesting consideration of moving the June hearing date from the 22<sup>nd</sup> to the 29<sup>th</sup> as he will be out of the country at that time. Godfrey added that, the way the calendar lies for June, this consideration would allow for town meetings prior to the filing date, as the filing date would move back one week.

Motion by Theobald to move the meeting to June 29<sup>th</sup> in response to Sawle's response and because McGuire cannot attend on the 22<sup>nd</sup> as well

Second by McGuire

Motion carries unanimously

28. Adjournment.

Motion to adjourn by McGuire

Second by Theobald

Motion carries unanimously. Adjourned at 10:23pm

Scott A. Godfrey



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### Draft Minutes

29. Call to order. Ehr called to order at 6:08pm.

30. Roll Call.

Committee Present: Bill Ehr; Diane McGuire; Dale Theobald

Committee Absent: John Lind; Curt Peterson

Staff Present: Scott A. Godfrey; Michael Bindl

31. Certification of notice for this meeting

Motion that meeting has been duly noticed as required by law by McGuire  
Second by Theobald  
Motion carries unanimously

32. Review and approval of the April 27, 2005 meeting minutes.

Motion by Theobald  
Second by McGuire  
Motion carries unanimously

33. Approval of agenda

Motion by Theobald to remove item #25

Second by McGuire

Motion carries unanimously

Motion by McGuire to approve agenda as amended

Second by Theobald

Motion carries unanimously

34. Continued petition by Shirley Oftedahl and John Bergum to consider a conditional use permit to allow additional animal units on a 7.38-acre AR-1 Ag Res lot being in part of the S1/2 of the NE1/4 and N1/2 of the SE1/4 of S32-T7N-R5E in the Town of Brigham. Possible action.

Applicant Present: John Bergum

Town Present: Rita Zander and Doug Reeson

Public Comment: none

Motion by McGuire to approve up to four animal units

Second by Theobald

Motion carries unanimously

35. Petition by Greg Hilden to change the zoning of three proposed lots being 20.442 acres, 31.433 acres and 10.394 acres from A-1 Ag to AR-1 Ag Res in part of the N1/2 of the SW1/4 of S21-T7N-R5E in the Town of Brigham. Possible action.

Applicant Present: Greg Hilden

Town Present: Rita Zander and Doug Reeson

Public Comment: Dave Haskin in opposition

Motion by Theobald to approve

Second by McGuire

Motion carries unanimously

36. Petition by Mid-West Management, Inc. and Russ & Donna Moyer to change the zoning of a proposed 18.294-acre lot from A-1 Ag to B-2 Hwy Bus being in part of the S1/2 of the SW1/4 of S11 and NE1/4 of the NW1/4 of S14, all in T6N-R5E in the Town of Brigham. Possible action.

Applicant Present: Mid-West Management representatives and Russ Moyer  
Town Present: Rita Zander and Doug Reeson  
Public Comment: three in opposition and two in support

Motion by McGuire to postpone and send back to town for community review  
Second by none  
Motion dies for lack of a second

Motion by Theobald to approve  
Second by none  
Motion dies for lack of a second

Motion by McGuire to postpone until next month's meeting  
Second by Theobald  
Motion carries with Theobald opposing

37. Petition by Mid-West Management, Inc. and Russ & Donna Moyer to consider a conditional use permit to allow a telecommunication tower and facility on an 18.294-acre B-2 Hwy Bus being in part of the S1/2 of the SW1/4 of S11 and NE1/4 of the NW1/4 of S14, all in T6N-R5E in the Town of Brigham. Possible action.

Applicant Present: Mid-West Management representatives and Russ Moyer  
Town Present: Rita Zander and Doug Reeson  
Public Comment: none

Motion by McGuire to postpone until next month's meeting  
Second by Theobald  
Motion carries unanimously

38. Petition by Bethel Horizons Foundation, Inc. for a conditional use permit to consider the implementation of phase 3 of the Planned Complex Development granted per ZH2054 on a 542.62-acre B-2 Hwy Bus lot being in part of the Sections 26,27,34 & 35 all in T7N-R3E in the Town of Dodgeville. Possible action.

Applicant Present: three representatives of Bethel Horizons Foundation, Inc.

Town Present: none

Public Comment: none

Motion by McGuire to approve with condition that a written recommendation to approve is provided from the Town of Dodgeville and that this approval apply only to the Art Ventures portion of the original PUD proposal per ZH2054

Second by Theobald

Motion carries unanimously

39. Petition by Larry & Melanie Forseth to consider a conditional use permit to approve the division of an existing AR-1 Ag Res lot that created two lots of 5.01 acres and 10.63 acres being in part of the SE1/4 of the NE1/4 of S1-T6N-R3E in the Town of Dodgeville. Possible action.

Applicant Present: Larry & Melanie Forseth

Town Present: letter recommending approval

Public Comment: none

Motion by Theobald to approve

Second by McGuire

Motion carries unanimously

40. Petition by Geraldine Anderson and Brad Broaden to change the zoning of a proposed 1.45-acre lot from A-1 Ag and AR-1 Ag Res to all AR-1 Ag Res being in part of the SE1/4 of the SE1/4 of S3-T6N-R3E in the Town of Dodgeville. Possible action.

Applicant Present: Brad Broaden

Town Present: letter recommending approval

Public Comment: none

Motion by McGuire to approve

Second by Theobald

Motion carries unanimously

41. Petition by Clifford Aide and Kenneth Schaefer to change the zoning of a proposed 7.323-acre lot from A-1 Ag and AR-1 Ag Res to all AR-1 Ag Res being in part of the NE1/4 of the SW1/4 of S34-T8N-R1E in the Town of Pulaski. Possible action.

Applicant Present: Ken Schaefer and Cliff Aide  
Town Present: letter recommending approval  
Public Comment: none

Motion by Theobald to approve  
Second by McGuire  
Motion carries unanimously

42. Petition by Terry & Richard Ziebarth to change the zoning of an existing 7.5-acre lot from A-1 Ag to AR-1 Ag Res being in part of the SE1/4 of the NW1/4 of S7-T8N-R2E in the Town of Pulaski. Possible action.

Applicant Present: Terry Ziebarth  
Town Present: letter recommending approval  
Public Comment: none

Motion by McGuire to approve  
Second by Theobald  
Motion carries unanimously

43. Petition by Steven & Susan Lipton to change the zoning of a proposed 12-acre lot from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res being in part of the NE1/4 of the NW1/4 of S26; and SE/4 of the SW1/4 and W1/2 of the SE1/4 of S23, all in T7N-R4E in the Town of Ridgeway. Possible action.

Applicant Present: none  
Town Present: letter recommending approval  
Public Comment: none

Motion by Theobald to approve  
Second by McGuire  
Motion carries unanimously

44. Petition by the Clark Family Angus Farm to change the zoning of a proposed 29.4-acre lot from A-1 Ag to AR-1 Ag Res being in part of the W1/2 of the NW1/4 of S19-T5N-R4E in the Town of Waldwick. Possible action.

Applicant Present: Mrs. Norton and Clarks  
Town Present: letter recommending approval  
Public Comment: none

Motion by McGuire to approve with condition that discrepancy between the legal description on the deed and proposed Certified Survey Map be resolved  
Second by Theobald  
Motion carries unanimously

45. Petition by Curt Greenheck and Ellen Hohenstein for a conditional use to allow Class C fireworks sales on an existing 3-acre B-2 Hwy Bus lot being in part of the SE1/4 of the SW1/4 of S15-T8N-R5E in the Town of Arena. Possible action.

Applicant Present: Ellen Hohenstein  
Town Present: Robert Murphy, Dave Lucey & Bill Gauger  
Public Comment: one in favor and one opposed

Motion by Theobald to approve with the following conditions: 1.) can be open for business only between June 1<sup>st</sup> and July 15<sup>th</sup> each year, and 2.) can be open for business only between 9am and 9pm each day of the week  
Second by McGuire  
Motion carries unanimously

46. Petition by Terry Askevold to change the zoning of a proposed 1.0-acre lot from A-1 Ag to B-2 Hwy Bus being in part of the SW1/4 of the SW1/4 of S10-T8N-R4E in the Town of Arena. Possible action.

Applicant Present: Terry Askevold and Atty Mike Olds  
Town Present: Robert Murphy, Dave Lucey & Bill Gauger  
Public Comment: three in support

Motion by Theobald to deny in response to town's recommendation of denial based upon they not wanting to spot zone a commercial lot  
Second by McGuire  
Motion fails with McGuire and Ehr opposing

Motion by McGuire to approve  
Second none  
Motion dies for lack of a second

Motion by McGuire to postpone until next month's meeting  
Second none

Motion dies for lack of a second

Ehr invokes Parliamentary Procedure to transfer chair to Theobald

Motion by McGuire to postpone until next month's meeting

Ehr seconds

Motion carries

Ehr takes chair back from Theobald

47. Petition by Terry Askevold for a conditional use permit to allow canoe rentals and mobile food sales on a 1.0-acre B-2 Hwy Bus lot being in part of the SW1/4 of the SW1/4 of S10-T8N-R4E in the Town of Arena. Possible action.

Applicant Present: Terry Askevold and Atty Mike Olds

Town Present: Robert Murphy, Dave Lucey & Bill Gauger

Public Comment: none

Motion by McGuire to postpone until next month's meeting

Second by Theobald

Motion carries unanimously

48. Request by Register of Deeds Dixie Edge to use retained fees to place records of her office on the internet. Possible action.

Applicant Present: Dixie Edge and IS Director Amy Kaup

Public Comment: none

Motion by McGuire to approve using the retained fees account for the \$37,500 package cost and the continuing annual \$1,800 maintenance fees

Second by Theobald

Motion carries unanimously

49. Request to address the committee by James Griffiths. Possible action.

Applicant Present: James Griffiths

Public Comment: none

Motion by McGuire to request Mr. Griffiths to be on the next County Board agenda to discuss his concerns over the Smart Growth planning process and zoning ordinance

Second by Theobald

Motion carries unanimously



50. Discussion of comprehensive plan implementation with representatives of the Town of Mifflin. Possible action.

Applicant Present: none

Public Comment: four individuals expressed concerns over the need to regulate the location of Confined Animal Feeding Operations (CAFOs)

Ehr commented that this issue will be continued to be studied by the committee in context of the state's livestock siting law.

Motion by (no action taken)

Second by

Motion

51. Discussion of the Happy Tails kennel with representatives of the Town of Ridgeway. Possible action.

Applicant Present: Robert Thomas, Tom McGraw & Rich Strutt

Public Comment: several urging the county to set conditions on the kennel operation

Ehr commented that legal counsel has advised that there is no legal means to set conditions on an existing granted conditional use permit at this time. Ehr suggested the town's attorney discuss the matter with corporation counsel to determine the legal options.

Motion by (no action taken)

Second by

Motion

52. Consideration of policy for distribution of comprehensive plans. Possible action.

Motion by McGuire to provide the plan in digital form only at this time

Second by Theobald

Motion carries unanimously

53. Consideration of WI DNR/FEMA model floodplain ordinance. Possible action.

Motion by (item removed from agenda)

Second by

Motion

54. Review and action on expenditures/vouchers.

Motion by McGuire to approve

Second by Theobald

Motion carries unanimously

55. Discussion of next meeting date and agenda. Possible action.

Letter from Steve Sawle requesting consideration of moving the June hearing date from the 22<sup>nd</sup> to the 29<sup>th</sup> as he will be out of the country at that time. Godfrey added that, the way the calendar lies for June, this consideration would allow for town meetings prior to the filing date, as the filing date would move back one week.

Motion by Theobald to move the meeting to June 29<sup>th</sup> in response to Sawle's response and because McGuire cannot attend on the 22<sup>nd</sup> as well

Second by McGuire

Motion carries unanimously

56. Adjournment.

Motion to adjourn by McGuire

Second by Theobald

Motion carries unanimously. Adjourned at 10:23pm

Scott A. Godfrey  
Director