

**Minutes of the Dodge County  
PLANNING COMMISSION MEETING  
April 3, 2013**

---

The regular meeting of the Planning Commission was called to order by Richard Wolf at 1:00 PM on Wednesday, April 3, 2013. Present were Planning Commission members Harlan Buck, Jon Balzum, Galen Johnson, Walter Wyttenbach, Richard Wolf and Darren Durst. Also present were County Commissioner Dave Erickson, Lyle Tjosaas and Zoning Administrator, Melissa DeVetter.

Motion by Harlan Buck, seconded by Jon Balzum, to approve the agenda and the March 6, 2013 minutes. Motion passed unanimously.

**Kathleen & James Curlee - IUP #13-02**

The public hearing is to consider an application for an Interim Use Permit to allow a dwelling on less than 53 acres in the Agricultural District. The property is 40 acres located in the NW 1/4 of the SE 1/4 of Section 2, Milton Township. Kathleen and James Curlee are the applicants and Grace Hancock is the property owner.

Kathleen & James Curlee and their son, Travis were present to explain this proposal. Ms. Curlee stated that they have entered into a purchase agreement with Grace Hancock to buy this property with the understanding that is permitted for a building site. The site originally had a trailer house on it that was removed 4 or 5 years ago. The septic will have to be abandoned, if it is not already. There is an old well on the site. The barn is in disrepair and will be removed. This property will be for Travis to live on. The plan is to build a home in 10 years or less.

Tom Pyfferoen, Milton Township had no objection. Mr. Pyfferoen wanted a clarification on the 53 acres requirements. If allowing this to be permitted was it going against the County Ordinance?

Melissa DeVetter stated that if the applicant had 53 acres or more than a single family dwelling was a permitted use. In this case they only have 40 acres which requires an Interim Use Permit to allow them to build a dwelling and the quarter section is available for a dwelling on less than 53 acres. This will close the quarter section.

Motion by Harlan Buck, seconded by Darren Durst, to close the public hearing. Motion passed unanimously.

Melissa DeVetter stated that this site meets the requirements, but does have some issues. There are areas that have very steep slopes that are more than 18%, which are prohibited to build on. As you know any 12 % slopes requires engineered plans before a dwelling could be permitted. All setbacks must be met for the septic, well and feedlots. The feedlot setback is not an issue for this site. Ms. DeVetter stated she had a concern that since Milton Township sits on the Decorah Edge this area is

more sensitive to contaminates getting in the ground water and wanted to make sure the applicant is aware of this.

Kathleen Curlee stated that she is aware of the issue with this site.

Walter Wyttenbach had a concern that if the applicant does not build in 5 years then will this site still be available for them to build?

Melissa DeVetter stated that they have one year to start construction or to ask for an additional one year extension. They could put a mobile home on the property and met all the other conditions to satisfy the IUP.

Kathleen Curlee inquired if they put a mobile home there would they be allowed to build a house later on.

Melissa DeVetter indicated yes.

Galen Johnson inquired if there were any sink hole is this area.

Walter Wyttenbach stated no, not in that area.

Melissa DeVetter stated that the County has no sink holes mapped in that area.

Walter Wyttenbach stated that the applicant must meet the setback from the Township road.

Galen Johnson inquired on the septic ordinance No. 4 if that was part of the County's Ordinance.

Melissa DeVetter stated that the Dodge County Subsurface Sewage Treatment Ordinance No. 4 was a separate ordinance and has been amended as needed.

Motion by Jon Balzum seconded by Walter Wyttenbach, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions: (The permittee is put on notice that the violation of any of the conditions of the IUP may result in termination of the permit.

1. The Ag Covenant shall be signed and recorded prior to issuance of the Zoning Permit.
2. Dodge County Zoning Permit shall be obtained before construction.
3. The sewage treatment system must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4, or successor. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit. The old sewage treatment system, if present, should be properly abandoned at the time of the new system is constructed.

4. A Driveway Permit shall be obtained from the Milton Township, when required.
5. If a new well is drilled, the existing on-site shall be properly abandoned at the time of installation.

Motion passed unanimously.

**Other Business**

Melissa DeVetter reminded the Planning Commission that the next meeting will be a night meeting starting at 7:00 P.M.

**Adjourn**

Motion by Galen Johnson, seconded by Darren Durst, to adjourn. Motion passed unanimously. The meeting was adjourned at 1:15 P.M.