

**Minutes of the Dodge County  
PLANNING COMMISSION MEETING  
May 4, 2011**

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The regular meeting of the Planning Commission was called to order by John Allen at 7:00 PM on Wednesday, May 4, 2011. Present were Planning Commission members Harlan Buck, Jon Balzum, John Allen, Walter Wyttenbach, and Gene Hallaway. Also present were County Commissioner Dave Hanson, Lyle Tjosaas, and Zoning Administrator, Melissa DeVetter.

Motion by Harlan Buck, seconded by Jon Balzum, to approve the agenda and the April 2011 minutes. Motion passed unanimously.

**Joseph Wieners – IUP #11-02**

The first public hearing is to consider an application for an Interim Use Permit to establish a non-farm dwelling in the Agricultural District. The proposed property will be a 10 acre parcel split from 30.5 acres. The property is located in the SW 1/4 of the SW 1/4 of Section 12, Canisteo Township. Joseph Wieners is the applicant and the property owner.

Joseph Wieners was present to explain his proposal. The plan is to build a combination of a garage and apartment. The intent is to split off 10 acres of the woods and leave the southwest corner in CRP land. This will allow space for storage of equipment and living quarters.

Loren Torrens, Canisteo Township stated that there was no objection to this proposal.

Mike Madery had a concern that this proposal might impact his feedlot to the south if he expands.

Motion by Walter Wyttenbach, seconded by Harlan Buck, to close the public hearing. Motion passed unanimously.

Walter Wyttenbach inquired on what the distance was from the feedlot.

Melissa DeVetter stated the feedlot is approximately 575' from the proposed dwelling. Mr. Madery did come to the office when this proposal came up and expressed his concern if he was to expand his feedlot operation. Mr. Folie, former feedlot officer did an OFFSET on the feedlot. Based on the OFFSET numbers and the type of animal units there would not be a limitation. Also Mr. Madery has cattle instead of swine.

Walter Wyttenbach stated then that no variance would be required.

Melissa DeVetter indicated that would be correct.

Walter Wyttenbach inquired if the density for this quarter was open.

Melissa DeVetter stated yes and this proposal, if approved would close the quarter section.

Motion by Harlan Buck, seconded by Walter Wyttenbach, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Dodge County Zoning Permit shall be obtained before construction.
2. The Agricultural Use Covenant shall be signed and recorded in the Dodge County Recorder's Office prior to construction. A copy of the recorded document is required to be submitted to the Dodge County Environmental Services Department to file with the IUP.
3. The sewage treatment system must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4.
4. Address shall be obtained from the Dodge County Highway Dept.
5. Access shall meet the requirements of the Dodge County Zoning Ordinance. The driveway easement shall be recorded.
6. A copy of the shared well agreement shall be on file with the IUP.

Motion passed unanimously.

### **Zoning Amendment #ZA-11-03**

The second public hearing is to consider an amendment to the Dodge County Zoning Ordinance. The existing language pertaining to Chapter 19 Enforcement would be repealed and replaced with the new proposed language. Also part of Chapter 6 Nonconformities will be amended.

Melissa DeVetter explained the proposed changes for Chapter 19 Enforcement. This amendment was to organize and clean up the existing chapter and also renamed it. It is currently called Section 19 Violations and Penalties. The proposed Chapter was sent to the County Attorney's office in November and to the Sheriff office in February. No concerns or issue were indicated from either office.

Motion by Harlan Buck, seconded by Jon Balzum, to close the public hearing.  
Motion passed unanimously.

Motion by Walter Wyttenbach, seconded by Harlan Buck, to recommend approval of Chapter 19 Enforcement as presented. Motion passed unanimously

Melissa DeVetter explained the proposed amendment change to the existing Chapter 6 Nonconformities. When the 1000' setback for feedlot was established it created nonconforming dwellings. If an owner of the dwelling wanted to add on and was within the 1000' setback from a feedlot than a variance would be needed to do so. This amendment addresses that situation.

Motion by Harlan Buck, seconded by Walter Wyttenbach, to recommend approval of the amendment to Chapter 6 Nonconformities as presented. Motion passed unanimously.

**Other Business**

Walter Wyttenbach inquired on Mr. Organ property in Milton Township. Was there a zoning permit issued?

Melissa DeVetter stated she did do a site visit. It was permitted as a garage and at the time when the zoning permit was issued they only had to start the structure by pouring a slab or footings.

Walter Wyttenbach clarified that once the slab was poured then there was no time line to finish it.

Melissa DeVetter indicated yes; that is correct.

**Adjourn**

Motion by Jon Balzum, seconded by Walter Wyttenbach, to adjourn. Motion passed unanimously. The meeting was adjourned at 7:25 P.M.