

**SAUK COUNTY BOARD OF ADJUSTMENT  
MEETING NOTICE/\*\*AMENDED AGENDA**

**DATE:** Thursday, April 27, 2023  
**TIME:** 9:00 a.m.  
**PLACE:** County Board Room/Gallery  
West Square Building  
505 Broadway, Baraboo, WI

A quorum may be present consisting of members of the Aging & Disability Resource Center and Veterans Service Office Committee; Board of Health; Economic Development Committee; Executive & Legislative Committee; Extension Education, Arts & Culture Committee; Finance Committee; Health Care Center Board of Trustees; Highway Committee; Human Services Board; Land Resources and Environment Committee; Law Enforcement & Judiciary Committee; Personnel & Insurance Committee, and Property Committee. No governing body will exercise any responsibilities, authority, or duties except for the Board of Adjustment. It is possible that a quorum of County Board members will be at this meeting to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the County Board pursuant to State ex re Badke v. Greendale Village Board, Wis 2d 553, 494 n.w.2d 408 (1993), and must be noticed as such, although the County Board will not take any formal actions at this meeting. It is also possible that there may be quorums of other County Board Committees present, although those committees will not take any formal action at this meeting.

**REASON FOR MEETING: REGULAR**

**SUBJECTS FOR DISCUSSION:**

**1. Call to order and certify compliance with open meetings law.**

**2. Adopt agenda**

**3. Adopt minutes of previous meeting – March 23, 2023**

**4. Communications**

**5. APPEALS:**

- a. SP 05-2023. Granting of a special exception permit pursuant to s. 7.036(5)(a) to authorize the operation of a lodging house. This property is located on real estate described as: S847A Christmas Mountain Road, located in part of the SE ¼, SE ¼, Section 11, T13N, R05E, Town of Dellona, as further described in Petition 05-2023. Tax parcel 006-0978-00000, owned by Whiskey Woods LLC.
- b. SP 06-2023. Granting of a special exception permit pursuant to s. 7.036(5)(a) to authorize the operation of a lodging house. This property is located on real estate described as: S860 Christmas Mountain Road, located in part of the SE ¼, SE ¼, Section 11, T13N, R05E, Town of Dellona, as further described in Petition 06-2023. Tax parcel 006-0954-00000, owned by Goblet Family Living Trust.
- c. Petition 07-2023, Jason and Kendra Schluter. To hear and decide an appeal pursuant to s.8.018(4)3 of the Sauk County Shoreland Ordinance where it is alleged that there is an error in any interpretation, order, requirement, decision, or determination made by the zoning administrator or any administrative official in the enforcement, administration, or interpretation of this chapter or of Wis. Stat. § 59.69. This appeal pertains to the construction of retaining walls and a proposed retaining wall. The Sauk County Land Resources and Environment Department has determined that that the constructed retaining walls and the proposed retaining wall do not comply with the Sauk County Shoreland Protection Ordinance. The following sections of the Sauk County Shoreland Protection Ordinance are implicated:

s. 8.016 Nonconforming uses and structures (3) MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF NONCONFORMING STRUCTURES. An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed

when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level as measured under s. 8.015(1). Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

s. 8.016 Nonconforming uses and structures (8) MAINTENANCE, REPAIR, REPLACEMENT OF ILLEGAL STRUCTURES. A structure that was illegally constructed, which is older than 10 years and may not be enforced under Wis. Stat. § 59.692(1t), the shoreland ordinance, may be maintained, repaired, replaced, restored, rebuilt, or remodeled if the activity does not expand the footprint of the structure. No vertical or lateral expansions are allowed for these structures.

The appeal is associated with land described as Lot 1, Weigand's Bay Assessor's Plat, including tax parcel 026-1127-00000, Town of Merrimac, Sauk County, WI.

\*\* (1) Deliberation on (Schluter Appeal): The Board of Adjustment may adjourn into Closed Session pursuant to 19.85(1)(a), Wis. Stats., to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before this body.

(2) Reconvene into open session for a determination of the Board on the (Schluter) Appeal.

## **6. Next meeting date – Thursday, May 25, 2023**

## **7. Adjournment**

### **COPIES TO:**

Board of Adjustment Members      Applicants      County Clerk      LRE Staff      Town Clerk/Chair      Web

**DATE NOTICE MAILED:** Friday, April 21, 2023      **PREPARED BY:** Land Resources & Environment Department

NOTE: Any person who has a qualifying disability that requires the meeting or materials at the meeting to be in an accessible location or format should contact Sauk County (608-355-3269 or TTY 608-355-3490) between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, exclusive of legal holidays, and at least 48 hours in advance of the meeting so that reasonable arrangements can be made to accommodate each request.