

SAUK COUNTY BOARD OF ADJUSTMENT

Thursday, May 25, 2023
County Board Room/Gallery
West Square Building

PRESENT: R. Meier, D. Allen, J. Evert, J. Phephles (9:02)

ABSENT: R. Klitzke

OTHERS PRESENT: L. Wilson, B. Simmert, R. Meyer, W. Christensen, T. Hillmann, M. Krautkramer, V. Skurla, J. Woolever, S. Hemsted, L. Crisman, J. Schluter, L. Konopacki

Call to order and certify compliance with open meetings law

At 9:00 a.m. Chair R. Meier called the meeting to order and introduced the members of the Board, explained the procedures and order of business for the day. LRE Staff certified that the legally required notices were posted for the scheduled public hearings

Adopt agenda

Motion by Allen / Evert to adopt the May 25, 2023, Agenda. Motion carried, unanimously.

Adopt minutes of previous meeting – April 27, 2023

Motion by Phephles / Allen to adopt the minutes from the April 27, 2023, BOA meeting. Motion carried, unanimously.

Communications

No communications were reported.

APPEALS:

Chair Meier announced the process for the public hearing portion. Public hearing called to order at 9:04 a.m.

R. Meyer read the public hearing notice for SP 08-2023.

SP 08-2023. Granting renewal 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: S5761 Coleman Rd, located in part of Section 14, T11N, R6E, Town of Baraboo, as further described in Petition 08-2023. Tax parcel 002-1307-10700, owned by Vladimir Skurla.

T. Hillmann was sworn in and presented the staff report, background, and history. T. Hillmann noted that the Town of Baraboo Plan Commission and Town Board recommended approval of the special exception permit without any further input. Sauk County LRE recommended approval of the special exception permit with the additional conditions mentioned.

Applicant, Dmitri Kostiuk, was sworn in and provided information regarding the request to authorize the operation of a lodging house at S5761 Coleman Rd.

Randy Puttkamer, Town of Baraboo supervisor and Plan Commission member, spoke in favor of approval of the renewal of a special exception permit to authorize the operation of a lodging house located at S5761 Coleman Rd.

No public comment in opposition or interested party.

Seeing no one else wished to speak, Chair R. Meier closed the public hearing for this appeal and the Board went into deliberation at 9:10 a.m.

Motion by Allen / Phephles to approve SP 08-2023 granting a special exception permit to authorize the operation of a lodging house based upon the findings of fact and conclusion of law; with modification to recommended conditions as noted within the staff report. Motion carried, unanimously.

Motion by Evert / Phephles motion to table item SP 09-2023 until the applicant arrives.

R. Meyer read the public hearing notice for SP 10-2023.

SP 10-2023. 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: S5775 Coleman Rd, located in part of Section 14, T11N, R6E, Town of Baraboo, as further described in Petition 10-2023. Tax parcel 002-1307-10900, owned by Vladimir Skurla.

T. Hillmann was sworn in and presented the staff report, background, and history. T. Hillmann noted that the Town of Baraboo Plan Commission and Town Board recommended approval of the special exception permit without any further input. Sauk County LRE recommended approval of the special exception permit with the additional conditions mentioned.

Applicant, Dmitri Kostiuk, was sworn in and provided information regarding the request to authorize the operation of a lodging house at S5775 Coleman Rd.

Randy Puttkamer, Town of Baraboo supervisor and Plan Commission member, spoke in favor of approval of the renewal of a special exception permit to authorize the operation of a lodging house located at S5775 Coleman Rd.

No public comment in opposition or interested party.

Seeing no one else wished to speak, Chair R. Meier closed the public hearing for this appeal and the Board went into deliberation at 9:24 a.m.

Motion by Phephles / Evert to approve SP 10-2023 granting a special exception permit to authorize the operation of a lodging house based upon the findings of fact and conclusion of law; with modification to recommended conditions as noted within the staff report. Motion carried, unanimously.

R. Meyer read the public hearing notice for SP 11-2023.

SP 11-2023. Granting of a special exception permit pursuant to s. 7.036(5)(i) to authorize the operation of a lodging house. This property is located on real estate described as: S895 Meffert Road, located in part of the SE ¼, SE ¼, Section 12, T13N, R2E, Town of Woodland, as further described in Petition 11-2023. Tax parcel 044-0272-00000, owned by Jonathon and Katie Woolever.

W. Christensen was sworn in and presented the staff report, background, and history. W. Christensen noted that the Town of Woodland Town Board recommended approval of the special exception permit without any further input. Sauk County LRE recommended approval of the special exception permit with the additional conditions mentioned.

Applicant, Jonathon Woolever, was sworn in and provided information regarding the request to authorize the operation of a lodging house at S895 Meffert Rd.

No public comment in favor, opposition or interested party.

Seeing no one else wished to speak, Chair R. Meier closed the public hearing for this appeal and the Board went into deliberation at 9:33 a.m.

Motion by Phephles / Evert to approve SP 11-2023 granting a special exception permit to authorize the operation of a lodging house based upon the findings of fact and conclusion of law; with modification to recommended conditions as noted within the staff report. Motion carried, unanimously.

R. Meyer read the public hearing notice for SP 12-2023.

SP 12-2023. Granting a variance pursuant to s. 7.144(3) / 7.043 of the Sauk County Zoning Ordinance, to vary the vegetative screening requirement for mobile tower/service facilities. The property is located on real estate described as: E11758 County Rd DL, located in part of the W ½ of the SW ¼ Section 12, T11N, R6E, Town of Baraboo, as further described in Petition 12-2023. Tax parcel 002-0348-20000, owned by Louise Crisman.

B. Simmert was sworn in and presented the staff report, background, and history. B. Simmert noted that the Town of Baraboo Town Board preferred maintaining two rows of staggered vegetative screening around the entire perimeter (as per Sauk County ordinances) but was willing to allow for a variance to reduce the distance, both between rows and between trees, to up to half of the distance specified by county ordinances.

US Cellular representative, Shaun Hemsted, was sworn in and provided information regarding the request of a variance of the Sauk County Zoning Ordinance to vary the vegetative screening requirement for mobile tower / service facilities at E11758 County Rd DL. Exhibit I was submitted to the board.

Applicant, Louise Crisman, was sworn in and provided information regarding the request of a variance.

B. Simmert spoke regarding consideration of the proposal of the variance.

R. Puttkamer, Town of Baraboo supervisor, spoke regarding the variance as a precedence being set for future vegetative screenings being removed.

No public comment in opposition or interested party.

Seeing no one else wished to speak, Chair R. Meier closed the public hearing for this appeal and the Board went into deliberation at 10:14 a.m.

Motion by Evert / Meier to deny SP 12-2023 granting a variance of the Sauk County Zoning Ordinance to vary the vegetative screening requirement for mobile tower / service facilities based upon the findings of fact and conclusion of law. Motion carried, unanimously. 3 in favor of denial – 1 in favor of approval.

Motion by Evert / Allen to remove SP 09-2023 from the table and postpone SP 09-2023 to July 27, 2023

Discussion and possible action on decision on petition 07-23, Jason and Kendra Schluter appeal. This appeal pertains to the interpretation of Sauk County Code s. 8.016(3) and (8). 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, and owned by Jason and Kendra Schluter. The Board may adjourn into closed session pursuant to Wis. Stat. s. 19.85(1)(a) to deliberate concerning this matter, which was the subject of a judicial or quasi-judicial trial or hearing before the Board. Upon adjournment of the closed session, the Board will reconvene into open session and may make a decision on this matter and continue its meeting agenda.

Motion by Phephles / Evert to go into closed session to discuss the decision letter. Roll Call Vote: David – Yay, Jamie – Yay, Jennifer – Yay, Robin – Yay. Motion carried unanimously.

Motion by Evert / Allen to return to open session at 10:47am. Roll Call Vote: David – Yay, Jamie – Yay, Jennifer – Yay, Robin – Yay. Motion carried unanimously.

Motion by Evert / Phephles to approve the decision letter. Motion carried unanimously.

Next meeting date – Thursday, July 27, 2023

Adjournment – R. Meier called for a motion to adjourn. Motion by Allen / Phephles to adjourn the meeting at 10:51 a.m. Motion carried, unanimously.

Respectfully submitted,

Jennifer Evert, Secretary