

SAUK COUNTY BOARD OF ADJUSTMENT

Thursday, March 26, 2026
County Board Room/Gallery
West Square Building

PRESENT: R. Meier, J. Phephles, R. Klitzke, D. Allen, One BOA vacancy exists.

OTHERS PRESENT: T. Kabat, B. Simmert, W. Christensen, M. Walters, R. Meyer.

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 and explained the procedures and order of business for the day. R. Meyer certified that the legally required notices were posted for the scheduled public hearing.

Adopt agenda

Motion by Allen / Phephles to adopt the March 26, 2026, agenda. Motion carried unanimously.

Adopt minutes of previous meeting – February 26, 2026

Motion by Klitzke / Allen to adopt the minutes from February 26, 2026, BOA meeting. Motion carried unanimously.

Communications – None.

APPEALS:

Chair R. Meier announced the process for the public hearing portion of the meeting. Public hearing called to order at 9:02 a.m.

R. Meyer read the public hearing notice for Petition VAR-26-1.

- a. **Petition VAR-26-1. A petition to consider a variance pursuant to s. 8.011(2) to reduce the minimum setback of a structure from the ordinary high-water mark of a navigable water (Mirror Lake) and s. 8.011(3)(e) 1. to allow two (2) stairways necessary to provide pedestrian access to the shoreline (Mirror Lake). The variance request is associated with land described as S2011 Ishnala Road, located in part of the SW ¼, NE ¼, Section 29, T13N, R6E, Lot 1 CSM 3936 Town of Delton, as further described in Petition VAR-26-1. Tax parcel 008-0869-00000, owned by Henrici's Management, Inc c/o Robert Prosser.**

B. Simmert provided background and history. The Town of Delton Plan Commission and Delton Town Board have recommended approval of the variance requests. Based on the evidence provided and review of standards, the LRE staff recommend denial of the variance requests for lack of a demonstrable hardship.

The applicant, Robert Prosser appeared and noted the reason for the structure is to allow stairway access to the Mirror Lake shoreline for pedestrians and customers of Ishnala.

No member of the public spoke in favor

Pamela Bennett spoke in opposition to VAR-26-1 due to the conditions of noise around the lake area.

Eric Herps spoke in opposition to VAR-26-1 due to the noise level has been elevating since the new Tomahawk bar has been added.

Jennifer Conlin spoke in opposition to VAR-26-1 due to the intense lighting and noise level of the current activity at Ishnala Supper Club throughout the summer.

No member of the public spoke as interest may appear of Petition VAR-26-1.

R. Prosser addressed the noise and erosion control issues that were brought up. He said with the addition of the deck, if approved, the live music would take place on the deck facing the restaurant vs. facing the lake and would reduce the noise levels.

Seeing no one else wishing to speak, Chair R. Meier closed the public hearing for this appeal, and the Board went into deliberation at 9:49 a.m.

VAR no. 1 – Motion by Phephles / Klitzke to deny Petition VAR-26-1 to extend the deck to reduce the minimum setback of a structure from the ordinary high-water mark of a navigable water (Mirror Lake) based upon the findings of fact and conclusion of law, provided in the staff analysis within the staff report. Motion carried unanimously.

VAR no. 2 – Motion by Meier / Phephles to deny the two (2) stairways to provide pedestrian access to the shoreline (Mirror Lake). The variance request is associated with land described as S2011 Ishnala Road, located in the Town of Delton, as further described in Petition VAR-26-1. Tax parcel 008-0869-00000, owned by Henrici's Management, Inc c/o Robert Prosser based upon the findings of fact and conclusion of law, provided in the staff analysis within the staff report. Motion carried unanimously.

R. Meyer read the public hearing notice for Petition SEP-25-20.

- b. **Petition SEP-25-20. A petition to consider a special exception permit pursuant to s. 7.032(3)(g) for the authorization to allow a pond, built without permits to remain, as built, within the road right of way setback. This property is located in an Exclusive Agricultural zoning district, on real estate described as: E9290 Hogsback Rd, part of the SE ¼, SE ¼, Section 14, T12N, R5E, Town of Excelsior. Tax parcel 010-0647-00000 and owned by Moofy Land LLC.**

W. Christensen provided background and history. The Town of Excelsior Plan Commission and Excelsior Town Board recommended approval of the Special Exception Permit for the authorization to allow a pond, built without permits, to remain, as built, within the road right of way setback with conditions as read. The LRE Staff recommends approval of the Special Exception Permit.

The applicant / consultant, Neil Pfaff with Vierbicher & Associates, noted the purpose of the pond is for recreational use only. There was a DNR permit applied for, issued and approved. The setback was an oversight when it was being built, as many other counties require 30 feet.

Laurie Hasenbalg, Supervisor one of Town of Board and Chair of the Plan Commission, spoke regarding the proper permits not being obtained. The Town conditions were reviewed and explained including the emergency action plan in the event of a breach of the pond.

Doris Tickner spoke as interest may appear regarding the landscaping toward the road, visibility, and the increase of wildlife crossing the road.

No member of the public spoke in favor or in opposition of Petition SEP-25-20.

Seeing no one else wishing to speak, Chair R. Meier closed the public hearing for this appeal, and the Board went into deliberation at 10:36 a.m.

Motion by Klitzke / Phephles to approve Petition SEP-25-20 to consider a special exception permit for the authorization to allow a pond, built without permits to remain, as built, within the road right of way setback. This property is located in an Exclusive Agricultural zoning district at E9290 Hogsback Rd. in the Town of Excelsior. Tax parcel 010-0647-00000 and owned by Moofy Land LLC with the conditions set forth by staff and town recommendations, based upon the findings of fact and conclusion of law, subject to the staff analysis, and recommended conditions as noted within the staff report. Motion carried unanimously.

R. Meyer read the public hearing notice for Petition SEP-25-21.

- c. **Petition SEP-25-21. A petition to consider a special exception permit pursuant to 7.038(1)(i) to authorize the continued operation of a non-metallic mining site, one acre or greater and a Non-Metallic Mining Reclamation Permit pursuant to s. 24.05 of the Sauk County Non-Metallic Mining Reclamation Ordinance. This property is located on real estate described as part of the S ½ of the SW ¼ of Section 25 T9N, R4E, tax parcels 036-0329-00000 and 036-0330-0000, Town of Troy, Sauk County, WI.**

M. Walters provided background and history. The Town of Troy Plan Commission and Troy Town Board recommended approval of the Special Exception Permit for the continued operation of a non-metallic mining site and a non-metallic mining reclamation permit with additional conditions as noted. The LRE Staff recommends approval of the Special Exception Permit for the continued operation of a non-metallic mining site and a non-metallic mining reclamation permit owned by Milestone Materials referred to as the Schuknecht Quarry with additional conditions as read.

The applicant, Bob Jewell geologist for Milestone Materials, noted the reason for the special exception permit is to continue operation and a 15-acre expansion of a non-metallic mining site to address the growing demand for aggregates.

Gary Moseman registered in favor of SEP-25-21.

No member of the public spoke in favor or in opposition of Petition SEP-25-21.

Lawrence Steele spoke as interested may appear and requested to install vegetation.

Seeing no one else wishing to speak, Chair R. Meier closed the public hearing for this appeal, and the Board went into deliberation at 10:59 a.m.

Motion by Klitzke / Allen to Approve Petition SEP-25-21 to consider a special exception permit for the continued operation of a non-metallic mining site one acre or greater and a non-metallic mining reclamation permit with the conditions set forth by staff, based upon the findings of fact and conclusion of law, subject to the staff analysis, and recommended conditions as noted within the staff report. Motion carried unanimously.

Request for a 5-minute break. The meeting resumed at 11:05 am.

R. Meyer read the public hearing notice for Petition SEP-26-01.

- d. **Petition SEP-26-1. A petition to consider a special exception permit pursuant to s. 7.036(5)(a) to authorize the location and operation of a lodging house. This property is located on real estate described as S5815 South Shore Road and further described as SW 1/4, NE 1/4, Sec 14, T11N, R6E, Town of Baraboo, Sauk County, WI. Lands including tax parcel 002-1301-00000 owned by**

Steve Sinnot and Heather Sveom.

M. Walters provided background and history. The Town of Baraboo Plan Commission and Baraboo Town Board recommended approval of the Special Exception Permit for the operation of a lodging house located at S5815 South Shore Road. The LRE Staff recommends approval of the Special Exception Permit for the operation of a lodging house with additional conditions as read.

The applicant, Heather Sveom, noted the reason for the special exception permit is to operate a lodging house located at S5815 South Shore Rd.

No member of the public spoke in favor, in opposition or as interest may appear of Petition SEP-26-1.

Seeing no one else wishing to speak, Chair R. Meier closed the public hearing for this appeal, and the Board went into deliberation at 11:21 a.m.

Motion by Phephles / Klitzke to approve Petition SEP-26-1 to consider a special exception permit for the operation of a lodging house located at S5815 South Shore Road with the conditions set forth by staff, based upon the findings of fact and conclusion of law, subject to the staff analysis, and recommended conditions as noted within the staff report. Motion carried unanimously.

R. Meyer read the public hearing notice for Petition SEP-26-02.

- e. **Petition SEP-26-2. A petition to consider a special exception permit pursuant to s. 7.038(1)(i) to authorize the continued operation of a non-metallic mining site, one acre or greater and a Non-Metallic Mining Reclamation Permit pursuant to s. 24.05 of the Sauk County Non-Metallic Mining Reclamation Ordinance. The hearing is a combined hearing on the special exception permit and reclamation plan. The non-metallic mining operation is located in an Agriculture zoning district, described as: part of the W ½ of the SE ¼ of Section 29, Township 13 North, Range 5 East, including tax parcels 006-0652-00000 and 006-0654-00000, Town of Dellona, Sauk County, WI.**

B. Simmert provided background and history. The Town of Dellona Plan Commission and Dellona Town Board recommended approval of the Special Exception Permit for the continued operation of a non-metallic mining site, one acre or greater and a non-metallic mining reclamation permit. The LRE Staff recommends approval of the Special Exception Permit for the continued operation of a non-metallic mining site, one acre or greater, and a non-metallic mining reclamation permit with recommended conditions as read. The property is owned and operated by Gary Schyvinch.

The applicant, Gary Schyvinch, noted the reason for the special exception permit is to continue operation of a non-metallic mining site.

No member of the public spoke in favor, in opposition or as interest may appear of Petition SEP-26-2.

Seeing no one else wishing to speak, Chair R. Meier closed the public hearing for this appeal, and the Board went into deliberation at 11:37 a.m.

Motion by Klitzke / Allen to approve Petition SEP-26-2 to consider a special exception permit for the continued operation of a non-metallic mining site, one acre or greater and a non-metallic mining reclamation permit with the conditions set forth by staff, based upon the findings of fact and conclusion of law, subject to the staff analysis, and recommended conditions as noted within the staff report. Motion carried unanimously.

R. Meyer read the public hearing notice for Petition SEP-25-19.

- f. **Petition SEP-25-19. A petition to consider a special exception permit pursuant to 7.038(1)(i) to authorize the continued operation of a non-metallic mining site, one acre or greater and a Non-Metallic Mining Reclamation Permit pursuant to s. 24.05 of the Sauk County Non-Metallic Mining Reclamation Ordinance. This property is located on real estate described as part of the NE ¼, SE ¼, of Section 1, T10N, R3E and the W ½, SW ¼, of Section 6, T10N, R4E in the Town of Franklin, Sauk County, WI. Lands including Tax Parcel 014-0485-00000 and 014-0660-00000 owned by Gilbert Burmester and 014-0486-00000, 014-0661-00000, and 014-0663-00000 owned by Scott Construction Inc, Town of Franklin, Sauk County, WI.**

M. Walters provided background and history. The Town of Franklin Plan Commission and Franklin Town Board recommended approval of the Special Exception Permit for the continued operation of a non-metallic mining site, one acre or greater and a non-metallic mining reclamation permit. The LRE Staff recommends approval of the Special Exception Permit for the continued operation of a non-metallic mining site, one acre or greater, and a non-metallic mining reclamation permit with recommended conditions. The land is owned by Gilbert Burmester and Scott Construction.

The applicant, Brock Reeson with Scott Construction, noted the reason for the special exception permit and non-metallic mining reclamation permit is to continue operation of a non-metallic mining site.

No member of the public spoke in favor, in opposition or as interest may appear of Petition SEP-25-19.

Seeing no one else wishing to speak, Chair R. Meier closed the public hearing for this appeal, and the Board went into deliberation at 11:50 a.m.

Motion by Klitzke / Phephles to approve Petition SEP-25-19 to consider a special exception permit for the continued operation of a non-metallic mining site, one acre or greater and a non-metallic mining reclamation permit with the conditions set forth by staff, based upon the findings of fact and conclusion of law, subject to the staff analysis, and recommended conditions as noted within the staff report. Motion carried unanimously.

Next meeting date –Thursday, May 28, 2026.

Adjournment – Motion by Allen / Klitzke to adjourn the meeting at 11:52 a.m. Motion carried unanimously.

Respectfully submitted,

Robin Meier, Chair