

SAUK COUNTY BOARD OF ADJUSTMENT
November 30, 2017 Session of the Board

PRESENT: Linda White, Chair
Dan Kettner, Vice Chair
David Allen
Henry Netzginer
Dave Wernecke, Alternate

ABSENT: Jim Mercier

STAFF PRESENT: Dave Lorenz
Gina Templin
Lisa Wilson

OTHERS PRESENT: See Registration slips

Vice Chair Kettner called the session of the Sauk County Board of Adjustment (BOA) to order at approximately 9:00 A.M. The Vice Chair introduced the members of the Board, explained the procedures and the order of business for the day. The staff certified that the legally required notices had been provided for the scheduled public hearing. The certification of notice was accepted on a motion by White, seconded by Wernecke. **Motion carried, 5-0.**

The Board adopted the agenda for the November 30, 2017 session of the Board on a motion by Wernecke, seconded by Allen. **Motion carried, 5-0.**

The Board adopted the minutes from the August 31, 2017 Board of Adjustment meeting on a motion by Netzinger, seconded by Allen. **Motion carried 5-0.**

COMMUNICATIONS:

Lorenz spoke of a phone call from Mr. Anderson stating the property has been sold, however the new owners would like to continue to use the property as a lodging house. He confirmed they would like to continue with the application to continue to use the property in the interim until the property is officially sold. The board spoke of the logistics of the permit and the application of the new permit.

Wernecke asked of the date of expiration of the current permit. Lorenz stated the current permit expired as of last year.

APPEALS:

A. Robert and Edna Anderson, (SP-22-17), a special exception permit to authorize the continued operation of a lodging house. The property is described as; E11611 Park Rd., lot 1, CSM 4953, part of the SE ¼, NE ¼, Section 14, Town of Baraboo.

Dave Lorenz, Conservation, Planning and Zoning, provided a history and background of the request, reviewed photos and a video of the project and property and concluded with conditions to be placed on the appeal if it is to be granted.

Kettner asked when the last permit expired. Lorenz referred to the copy in the packet, which was September 2016.

Kettner asked if there is a notice sent out or if it is up to the applicant to take care of the issue to take care of the renewal. Lorenz stated the department notified the applicant to take of the expiration, but he believes it was the departments fault for not notifying them.

Wernecke asked if there is a system that the department would be reminded to do annual inspections and fees and when deadlines are. Lorenz stated the department has notifications for annual inspections but is unsure on deadlines.

Wernecke asked about how the department deals with conditions and screening on a campground, particularly and how the department verifies compliance for approval. Lorenz stated it is part of the system that needs to be improved.

Wernecke asked about the public health inspection of the place and if that is a new state law. Lorenz stated that has to do with the state license and they have given documentation that they have complied.

Wernecke asked if the state has deferred to the county for inspections. Lorenz explained.

Wernecke asked about the conditions and the applicant providing written notification to neighbors. Lorenz explained that is something that has been required recently through the BOA as a condition to other lodging houses.

Kettner asked if any of the other lodging houses come up for renewal during the interim when theirs ended and the date is now. He voiced concern of the 14 months without permits and no attempt to get into compliance. Lorenz spoke of lodging houses in the area and they have been very good about keeping up to date with their expiration dates.

Wernecke appreciated having the special exception standards provided in the staff report.

Edna Anderson, applicant, appearing in favor, apologized for the delay and stated that as soon as they found out that it was expired, they reacted. She did state that they do have an offer of sale and the proposed buyer is aware that they need to reapply if they chose to continue with the lodging house.

White asked about the rental schedule. Anderson stated that the a couple months of the year it is full weekly, otherwise it is full on the weekends only. She also stated that they take care of the cleaning and maintenance of the house themselves.

Wernecke stated that in 2007 they stated it was a place they wanted to live, if the property was for sale for this long, and if it was marketed as a single-family residence. Anderson stated it was listed, but would not allow a realtor to put a sign out because they did not want to defer anyone that was interested in renting. She stated that they have stayed there and had family functions there, but have not lived there.

Wernecke asked if it was advertised as a single-family residence or a lodging/rental home. Anderson stated it was listed as a single-family residence.

White spoke of the neighborhood and the increase in lodging homes.

Randy Puttkamer, Town of Baraboo, appearing as interest may appear, spoke of the history of the property and request. He stated that the Town will meet on this request tonight for the Plan Commission and then the Town Board will meet in a couple weeks. He verified it is connected to the sanitary sewer district, and there have been no issues with the rentals or complaints provided to the Town.

White asked if they approve with a condition that it is approved by the Town, would that be acceptable. Puttkamer stated they will provide the paperwork to the Department immediately, and would prefer that they would do it that way.

Wernecke asked if they are going to start taking a look where this option should be included in mapping. Puttkamer stated they have enacted an ordinance and have paid a lot of money to an attorney to draft an ordinance that complies with the new state statute.

White asked if there have been any change in valuation of properties in this subdivision. Puttkamer stated there have been none.

Seeing as no one else wished to appear, Chair White closed the public portion of the hearing at 9:40 a.m. and the board went into deliberation.

White is appalled that it is 14 months past the deadline that the renewal is taking place. Wernecke stated that if the department creates a system for notifications this would help. Netzingner feels this would be a new application and they have to look at it as a 5-year renewal.

White stated she would like to see the date from the end of the last permit, not from today, as they should not get one year of a free ride or operating in violation.

Motion by Netzingner, seconded by White, to approve the special exception permit for a lodging house, removing condition C (sanitary verification), five years from the prior expiration date, conditioned on Township approval. **Motion carried, 5-0.**

The Board will review and adopt the 2018 schedule at the December meeting.

Motion by Allen, seconded by Netzingner, to adjourn at 9:50 p.m. **Motion carried, 5-0.**

Respectfully submitted,

Henry Netzingner, Secretary