

SAUK COUNTY BOARD OF ADJUSTMENT
March 28, 2013 Session of the Board

PRESENT: Dan Kettner, Vice Chair
Nicholas Ladas
Henry Netzing
David Wernecke, Alternate

ABSENT: Linda White
David Allen

STAFF PRESENT: Dave Lorenz
Gina Templin

OTHERS PRESENT: See Registration slips

Acting Chair Kettner called the session of the Sauk County Board of Adjustment (BOA) to order at approximately 9:00 A.M. He 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 Netzing, seconded by Wernecke. **Motion carried, 4-0.**

The Board adopted the agenda for the March 28, 2013 session of the Board on a motion by Wernecke, seconded by Ladas. **Motion carried, 4-0.**

Motion by Ladas, seconded by Netzing to approve the minutes from the January, 2013 hearing. **Motion carried, 3-0 with Wernecke abstaining.**

COMMUNICATIONS: None.

APPEALS:

- A. Adalbert Kouba (SP-03-13) requesting a special exception permit to authorize filling and grading within 300 feet of Lake Redstone during the construction of a new residence located in the Shoreland Protection District.

Dave Lorenz, Environmental Zoning Technician, appeared and gave a brief history and background of the property, as well as reviewing photos and a video of the site. He then recommended conditions to be placed on the appeal if the request were approved.

Kettner asked about the building site using photo 2 as a reference. Lorenz explained where the building site will be located.

Kettner asked about what type of septic system is suitable for the property. Lorenz doesn't believe a soil test has been done to verify the septic type, but because of the slope he believes it will be a holding tank.

Kettner asked about the variance for the building site in 1979. Lorenz explained the variance granted and that it was reviewed with Corporation Counsel and that it was still in effect as the decision runs with the property and not the property owner.

Wernecke asked about the proposed site plan and if Planning and Zoning received a site plan prior to any changes being made. Lorenz stated that the plan provided is what is proposed and is the only plan that has been submitted.

Wernecke asked about vegetation by the water and if it was cleared over time. Lorenz stated it was mostly covered with leaf cover and due to the time of year it's difficult to see vegetation.

Wernecke talked about the shoreland preservation purpose and maintaining cover. Lorenz stated he is unaware of any vegetation removal on this site.

Ladas asked about the site plan and fill going between the easement road and the proposed home. Lorenz verified.

Wernecke, referring the site plan map, spoke of the setback line shown and the rock retaining wall being within the 75 foot setback. Lorenz explained that a natural stone wall is permitted within the setback.

Adalbert Kouba, applicant, appearing in favor of the request, stated that he has visited the lake many times and purchased the lot in the 1980's with the intent of building a home.

Wernecke asked about taking the water from the house and garage and directing it underground and where would those drains exit.

Kouba stated that on the southwest side of the property it would drain into the existing swale between the two properties and he stated the other side would be directed north of the retaining wall attached to the house. He also stated the septic system will be a holding tank.

Kettner verified the holding tank will be located in the parking area.

Wernecke asked about a landscaping plan between the house and the lake. Kouba stated there are a lot of small trees between the house and the water and intends to let the existing vegetation grow and remain. He spoke of the disturbance done during installation of riprap and that vegetation is also growing back and intends to leave it.

Kettner spoke of clear cutting.

Bev Vaillencourt, Town of LaValle Chair, appearing in favor of the request, stated that the request went before the Town Plan Commission and Town Board and both bodies approved the request. She also suggested the applicant look into rain gardens.

Seeing as no one else wished to appear, Acting Chair Kettner closed the public portion of the meeting at approximately 9:30 a.m.

Ladas stated the plan provided is a good plan and is well thought out.

The Board felt that as long as there is no disturbance of the vegetation between the house and the lake, approval can be made.

Motion by Ladas, seconded by Wernecke, to approve the special exception permit request for filling and grading within 300 feet of Lake Redstone during the construction of a new home. **Motion carried 4-0.**

- B. Connie Hartje, Owner; Greg Gnirk, Applicant, (SP-04-13) requesting a special exception permit to authorize the location and operation of a proposed contractors storage yard located in the Commercial District.

Dave Lorenz, Environmental Zoning Technician, appeared and gave a brief history and background of the property, as well as reviewing photos and a video of the site. He then recommended conditions to be placed on the appeal if the request were approved.

Kettner asked for Lorenz to identify what the proposed new structure are versus the ones that are already existing. Lorenz stated the storage bins for landscaping materials as well as gates between existing buildings to secure vehicles and bins for materials. He stated there has been nothing presented as far as new buildings.

Wernecke asked about the storage bins that are to the left of the existing buildings are all within tax parcel 0608 or if it crosses the lot line into 0601. Lorenz stated that he is not sure if the storage bins cross the lot line, as both parcels are owned by the same owner.

Wernecke asked about the gates both located on 0601 and on 0601-01 is where the storage area for vehicles will be located. Lorenz stated that is correct.

Greg Gnirk, applicant, appearing in favor of the request, stated that he has been in the landscaping business for 13 seasons with other companies in the area and is now going out on his own. He has worked with Hartje to rent out of the proposed location and all inside items will be stored inside the existing building and the materials such as landscaping mulch and trees and vegetative items will be stored outside. He intends to keep the area clean and professional looking with all storage of vehicles and such behind the building.

Kettner asked if the existing building is where he will work out of. Gnirk stated he will start working out of the building starting April 1st.

Kettner likes the idea of using the existing property for multiple uses.

Connie Hartje, owner, appearing in favor of the request, stated she owns the properties in question and she feels it is a good opportunity for the business and it is a good addition to the existing location. She also spoke of the gated area in back already being gated for a couple of years and spoke of having the rock storage and vehicles in the back will keep the area clean.

Bev Vaillancourt, Town of LaValle Chair, appearing in favor of the request, stated that both the Town Board and Planning Commission approved the request.

Seeing as no one else wished to appear, Chair Kettner closed the public portion of the meeting at approximately 9:50 a.m.

Wernecke stated that the Board is agreeing to the request with the conditions provided by Planning and Zoning.

Ladas asked about the 5 year permit. Lorenz reappeared and stated that the provision is installed for new businesses and such, but it is up to the board to use those conditions or modify them, but the idea is to have a business get a track record and know that they will be reviewed after a period of time.

Kettner agrees that they should establish a track record and if it needs to be reviewed in the future they can do that at that time.

Netzinger agrees with the multiple use of the commercial property.

Motion by Netzinger, seconded by Ladas, to approve the special exception permit for the location and operation of a proposed contractors' storage yard in the Commercial Zoning District, with the conditions provided by Conservation, Planning and Zoning. **Motion carried 4-0.**

The Board discussed training available at an upcoming seminar. Michalek appeared and let the Board know that funding was available through the Department for expenses related to attending the training session. The Board discussed that Henry Netzinger, Nick Ladas and Dan Kettner would attend the discussed training in Green Bay on April 9th.

Motion by Wernecke, seconded by Ladas to adjourn. **Motion carried 4-0.**

Respectfully submitted,

Henry Netzinger, Secretary