

SAUK COUNTY BOARD OF ADJUSTMENT  
April 24, 2014 Session of the Board

PRESENT: Linda White, Chair (9:05 a.m.)  
Dan Kettner, Acting Chair  
David Allen  
Nicholas Ladas  
Henry Netzinger

ABSENT: None.

STAFF PRESENT: Steve Sorenson  
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. The 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 Allen, seconded by Netzinger. **Motion carried, 4-0.**

The Board adopted the agenda for the April 24, 2014 session of the Board on a motion by Allen, seconded by Netzinger. **Motion carried, 4-0.**

The Board adopted the minutes from the March 2014 session of the Board on a motion by Netzinger, seconded by Allen. **Motion carried 4-0.**

COMMUNICATIONS: None.

White in attendance at this time.

APPEALS:

A. Tomasz Zsurzs (SP-06-14) requesting a special exception permit to authorize the location and operation of a lodging house in the Resource Conservancy zoning district.

Steve Sorenson, appeared and gave a brief history and background of the property, as well as reviewing photos and a video of the site. He also presented Exhibit VIII, which is a packet of photos that he took of the property on April 21<sup>st</sup>. He then recommended conditions to be placed on the appeal if the request were approved.

Kettner asked when he was onsite, how the home was being used. Sorenson stated the house was vacant at the time and he received a tour of the property.

Ladas asked if the property was operating as a lodging house prior to getting permits. Sorenson stated the property was operating as a lodging house for at least 2 years.

Ladas asked why the owners did not apply previously for a BOA. Sorenson spoke of the new ordinance allowing the use, where the old ordinance would have required a rezoning, which the Town did not support.

Ladas asked about the letter of explanation listing 3 parties and the request is only recognizing one name and whether or not the permit needs to be in all of their names. Sorenson referred the question to the applicant.

White asked about the new Highway 12 coming through. Sorenson explained.

Kettner asked about an earth berm built between the house and the new road. Sorenson referred the question to the applicant.

Tomasz Zsurzs, applicant, appearing in favor of the request, reviewed the letter of explanation that was provided to the Board.

White asked if he was the owner of the property when it was constructed and if they lived in the home. Zsurzs stated they did build the home and did live there until they were unable to afford the payments and taxes.

White asked where they live now. Zsurzs stated they live in North Freedom now.

White asked how often the property is checked on. Zsurzs explained check in/check out process and the video surveillance of the property, as well as the neighbors having the phone numbers to contact them in case of issues.

White asked if they have ever had to give notice of noncompliance. Zsurzs stated he has never had any issues with clients.

White asked how many days a year they are in operation. Zsurzs stated about 180 days.

White asked about the zoning and meeting with the Town. Zsurzs explained the process and issues.

White asked how long they were operating knowing they were not in compliance. Zsurzs stated they have been operating since 2010 with the knowledge of Steve Sorenson and the Town.

Kettner asked about bedrooms and guests. Zsurzs explained the bedrooms and living space available.

Kettner asked about the rental schedule, weekends versus the week. Zsurzs stated during the winter it is on the weekends and during the summer months it is Saturday through Saturday.

Kettner asked about the contract and being notified of local issues with noise, traffic, etc. Zsurzs explained they have noise regulations in their contract and have never had any problems.

White asked about advertisements. Zsurzs stated they use the internet and returning guests and word of mouth.

Ladas asked about the letter of application and the permit. Zsurzs stated that the names are of him, his wife and his daughter.

Steve Cahoon, appearing as interest may appear, stated he is representing the Town of Baraboo Plan Commission, and stated that the Town of Baraboo was only notified of this issue when Steve Sorenson was notified. He explained the county zoning issues.

White asked if there will be more lodging houses in the Township. Cahoon stated the use is allowed in the zoning district, but can't speculate.

Kettner asked about location and neighborhood play a role in deciding. Cahoon stated they hold public hearings as well for the neighbors to be allowed to speak and would include all factors in making a decision.

Ladas asked in 2010 if they came to the Town. Cahoon stated they did not, but the applicant didn't understand they needed a permit for the use.

Seeing as no one else wished to appear, Acting Chair Kettner closed the public portion of the meeting at approximately 9:35 a.m.

White stated once something comes through from the Town of Baraboo it has been thoroughly reviewed.

Ladas stated he feels everyone makes requests after the fact, however, everything this applicant has done has been well documented and merits approval.

Netzinger stated the property is next to a campground already and is a proper use of the land and there are no complaints from the neighbors.

Allen stated he is in favor of the use, as there are no complaints against the property and the Town is in support of the use.

Kettner stated that even though it is next door to a campground/recreational use, that his biggest concern would be any noise violations coming from the property next door and feels that should be monitored.

White commended the owner in having a property that is well looked after and well monitored.

Motion by White, seconded by Netzing, to approve the special exception permit to authorize the location and operation of a lodging house with the conditions recommended by Conservation, Planning & Zoning. **Motion carried 5-0.**

B. Sean & Carol Sullivan (SP-07-14) requesting a special exception permit to authorize filling and grading within 300 feet of Lake Wisconsin for shoreline restoration, stabilization and access to the lake.

Steve Sorenson, 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.

White asked about a stairway shown in photo 2. Sorenson referred the question to the applicant.

Kettner asked about the photos in the application and whether or not they were provided by the applicant or zoning. Sorenson was unable to answer the question.

Kettner asked about after reviewing the photos and video, does he feel that it is as good of a plan that can be made to prevent the deterioration of the shoreline. Sorenson stated he feels the plan is a good plan and the site is having issues right now and feel the plan should only improve the site.

Ladas asked about the permits from the town and if the steps and fire pit would be required structural elements that would go before the town. Sorenson stated he is unsure about the grading permit, but the town would require a permit a structure, but would refer to the applicant as to whether the patio and stairs would require a permit from the Town.

Corrine Krebs, appearing in favor of the request, stated they are the contractor on the project. She spoke of excavation due to the stairs and patio and will include plantings. She explained the planting plan proposed. She stated the patio is a flagstone patio with gravel and the project also includes new riprap with a DNR permit. She also confirmed that the town has asked for a permit for all structures, however, she isn't aware of what will exactly need a permit from them. The plan does not include removal of the large trees as they will remain onsite.

White asked about the plan and removing dirt. Krebs stated the fill will be placed on the top of the slope to assist with the grading there. If any is left over it will be removed from the site.

White asked how they will be accessing the site. Krebs stated they will use small equipment to access and work on the site.

White confirmed the patio is part gravel and part flagstone. Krebs confirmed that.

White asked if the regular runoff will be changed where it access the lake. Krebs explained that the plan is to prevent runoff and erosion but any flow will be exactly the same.

Kettner asked about the proposed retaining wall. Krebs spoke of the retaining walls of boulders on either side of the proposed staircase and explained their placement and purpose.

Kettner confirmed it is a retaining wall that doesn't look like a retaining wall. Krebs stated that is correct.

Kettner confirmed the large trees will remain. Krebs stated all the large trees at the top of the slope will remain and the scrub trees down the slope will be removed.

Kettner asked of the root systems of the larger trees will be affected. Krebs stated they will not be affected.

White asked about timing. Krebs stated as soon as all approved permits are in place.

Netzinger asked about existing turf and if it's proper to prevent erosion. Krebs stated they have a good base of turf there and will not be disturbed and feels it's not the best, but will work to hold back erosion.

Kettner confirmed the plantings will be area plantings or spot plantings. Krebs explained the planting plan.

Robert Livingston, appearing in favor of the request, stated he is the owner of the landscaping company. He spoke of how the plantings are grown, processed and then planted. He also spoke of the retaining walls and how they are built.

White asked about the amount of watering. Livingston stated they will set up temporary irrigation for the client for the short term (roughly 4 weeks).

Kettner asked about fertilization on the new vegetation. Livingston stated it is all done at the greenhouse and explained the organic fertilization method they use. He also explained the process at the site and the proposed planting plan.

Kettner asked about the staples. Livingston explained that they will biodegrade in about 3 years.

Seeing as no one else wished to appear, Acting Chair Kettner closed the public portion of the meeting at approximately 10:08 a.m.

White feels it is a good plan and very interesting product.

Netzinger spoke of the planting plan holding up the erosion.

Ladas stated the plan is excellent.

White spoke of the speed of the project and planting plan taking hold is impressive.

Motion by Ladas, seconded by Netzinger, to approve the special exception permit to authorize the filling and grading within 300 feet of Lake Wisconsin with the conditions recommended by Conservation, Planning & Zoning. **Motion carried 5-0.**

Motion by Allen, seconded by White to adjourn. Motion carried.

Meeting adjourned at 10:10 a.m.

Respectfully submitted,

Henry Netzinger, Secretary

DRAFT