

**SAUK COUNTY BOARD OF ADJUSTMENT**  
**July 7, 2015 Session of the Board**

PRESENT: Linda White, Chair  
Dan Kettner, Vice Chair  
David Allen  
Henry Netzinger  
Nick Ladas

ABSENT: None

STAFF PRESENT: Steve Sorenson  
Gail Greve

OTHERS PRESENT: See Registration slips.

Chair White called the session of the Sauk County Board of Adjustment (BOA) to order at 9:05 am. 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 Netzinger, seconded by Allen. **Motion carried, 5-0.**

The Board adopted the agenda for the July 7, 2015 session of the Board on a motion by Allen, seconded by Kettner. **Motion carried, 5-0.**

The Board adopted the minutes from the May 28, 2015 session of the Board on a motion by Netzinger, seconded by Kettner. **Motion carried 5-0.**

COMMUNICATIONS: None.

APPEALS:

A. Dellona Enterprises, LLC., (SP-14-15), numerous variances to bring into compliance a campground that has been in operation since 1984.

B. Sauk County Conservation, Planning & Zoning, (SP-15-15), an appeal to the Board of Adjustment to revoke the special exception permit to authorize the operation of an existing campground.

C. Christmas Mountain Campground Association, (SP-16-16), an appeal of an administrative decision of Conservation, Planning & Zoning to revoke the special exception permit to operate a campground

Steve Sorenson appeared and gave a brief history and background of the property. He then recommended conditions to be placed on the appeal if the request were approved.

Alene Kleczek Bolin appeared and gave a reported and provided Exhibit T.

Richard Piantek appeared in favor of the request. Questioned by board.

Jim DeVries appeared in favor of the request. Questioned by board.

John Anderson appeared in favor of the request. Questioned by board.

Gail Negri appeared in favor of the request. Questioned by board.

Frank Quinn appeared in favor of the request.

Patricia Bennetts: appeared in favor of the request.

Francis Negri: appeared in favor of the request.

Cathy Kahn appeared in favor of the request. Questioned by board.

Elizabeth Rasmussen appeared in favor of the request.

Joseph P. Bartol, Attorney, Stroud, Willink & Howard, et al., appeared in favor of the request. Questioned by board.

At 10:50, the Board recesses for a 5 minute break

At 11:00 the Board is called back in session.

Darren Jorgenson, Fire Chief, Lake Delton, appeared in as interest may appear. Questioned by board.

Bartol, reappearing in favor of the request. Questioned by board.

William Fisher, appeared in favor of the request. Questioned by board.

Cathy Kahn appeared in favor of the request. Questioned by board.

Kathleen Schaeffer appeared in favor of the request. Questioned by board.

Ted Barron appeared in favor of the request. Questioned by board.

Lisa Nelson appeared in favor of the request. Questioned by board.

No one appeared in opposition.

Todd Liebman, Sauk County Corporation Counsel, appearing as interest may appear spoke on request.

Lynn Eberl, appearing as interest may appear, request for the Board as Clerk for Town of Dellona.

Jim Schaffer, appeared in favor of the request.

Sandra Radke, appeared as interest may appear.

Kathy Kahn reappearing.

Bertis Johnson, appearing as interest may appear..

Steve Sorenson, reappearing and was questioned by the board.

Alene Klezek Bolin reappeared and was questioned by the board.

Joe Bartol, reappearing addressed the Board.

Alene Kleczek Bolin, reappearing stated that Herman & Nancy Edgerly would be interested in being considered permanent residents.

Francis Negri, appearing as interest may appear provided a statement.

Clinton Soule, appearing as interest may appear provided a statement/question.

Patricia Bennetts, appearing as interest may appear provided a statement/question.

Joe Bartol, reappearing provided clarification to questions asked.

Alene Kleczek Bolin, reappearing provided a statement.

Richard Kraemer, appearing as interest may appear provided a statement.

Seeing as no one else wished to appear, Chair White closed the public portion of the meeting at approximately 12:45 p.m.

A. Dellona Enterprises, LLC., (SP-14-15), numerous variances to bring into compliance a campground that has been in operation since 1984.

White discusses legal requirements of unnecessary hardship. It can't be self-imposed. Loss of profit; expenses, etc. do not qualify as hardship.

The Board reviewed the five variance requests with the 6<sup>th</sup> item is whether to allow CPZ to pull permit. The order in which the Board will review is:

Variance request #1 is the limiting the use of camping to 8 months in any 12 month period, which will be considered a use variance; Variance request #2 is dealing with the camping units

as an area variance; Variance request #3 is requiring compliance with the 400 square feet requirement of the camping unit, being an area variance; Variance request #4 is prohibiting occupancy of a camping unit on a continuous year around basis and using a camping unit as a permanent abode or legal use of residence, considered a use variance; and Variance request #5 is regulating the side, rear, or front setbacks in a recreational commercial district considered an area variance.

White spoke regarding if variance standards are met. Against variances.

Kettner spoke regarding if variance standards are met. Against variances.

Allen spoke regarding if variance standards are met. In favor of variances.  
Netzinger spoke regarding if variance standards are met. Against variances.

Ladas spoke regarding if variance standards are met. Against variances.

Motion by Ladas, seconded by Netzinger to deny Variance request #1, based on not meeting the criteria required for granting of a variance. **Motion passed: 4-1, with Allen in opposition.**

Motion by White, seconded by Ladas to deny Variance request #2. **Motion passes 4-1 with Allen in opposition.**

Motion by Netzinger, seconded by White to deny Variance #3 based on not meeting the criteria required for granting of a variance. **Motion passed 4-1 with Allen in opposition.**

Motion by Kettner, seconded by Netzinger deny Variance #4 based on not meeting the criteria required for granting of a variance. **Motion passed 4-1 with Allen in opposition.**

Motion by Kettner, seconded by Netzinger to deny request for Variance request #5. based on not meeting the criteria required for granting of a variance **Motion passed: 4-1 with Allen in opposition.**

B. Sauk County Conservation, Planning & Zoning, (SP-15-15), an appeal to the Board of Adjustment to revoke the special exception permit to authorize the operation of an existing campground.

White discussed revoking the permit on the campground. Motion by White to rescind the permit on the campground.

Bartol asked for a public hearing on the matter.

Motion by White, seconded by Ladas, to open the meeting to public hearing to allow testimony and consider separately revoking the permit on the campground. **Motion passed 5-0.**

Laurel Flasch, appearing in favor of the request.

Dan Artl, Representing his mother, appearing in favor of the request.

Kathy Kahn, appearing in favor of the request.

Dale Wehman, appearing in favor of the request.

Maureen Quinn, appearing in favor of the request.

Sorenson appearing and introduces Exhibit EE.

Henry Wilkins, appearing in favor of the request.

Bartol appearing in favor of the request addresses the Board.

Seeing as no one else wished to appearing, Chair White closed the public portion of the hearing at approximately 1:37 p.m.

The Board discussed.

Motion by White, seconded by Netzinger to revoke permit for campground until it comes into compliance, and that we stay that revocation for one year to come up with a plan and that we allow (another 6 months) 18 months to enact the plan.. **Motion passes 4-1 with Allen in opposition.**

Clarification by the Board: BOA is revoking the permit and staying action for one year until plan is decided upon and an additional six months to enact the plan.

Motion to adjourn, Allen/Ladas: All in favor. 1:50 pm

Bolin appearing stated the Board needs to call it back in session to address the appeal challenging the administrative decision.

Allen rescind motion to adjourn.

The Board is called back in session at 1:55 p.m.

C. Christmas Mountain Campground Association, (SP-16-16), an appeal of an administrative decision of Conservation, Planning & Zoning to revoke the special exception permit to operate a campground

Bolin reads the change in administrative decision public notice.

Bartol states procedural concern.

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McKenna, legal counsel for the Board of Adjustment, suggests the Board should have taken up appeal before adjournment and recommend that BOA move for denial of the appeal. BOA should not postpone or table it.

Bolin appears and states the County objects to postponement. The understanding was that the public hearing was for all three issues.

Chair White states the Board need to continue.

Motion by White, seconded by Netzinger to deny the appeal and support the CPZ administrative decision. **Motion passes 5-0.**

Motion by Allen, seconded by Kettner, to adjourn. **Motion carried 5-0.**

Meeting adjourned at 2:05 pm.

Respectfully submitted,

Henry Netzinger, Secretary