

SAUK COUNTY BOARD OF ADJUSTMENT
July 30, 2015 Session of the Board

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

ABSENT: None

STAFF PRESENT: Dave Lorenz
Gina Templin

OTHERS PRESENT: See Registration slips

Chair White 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 Kettner . **Motion carried, 5-0.**

The Board adopted the agenda for the July 30, 2015 session of the Board on a motion by Netzinger, seconded by Kettner. **Motion carried, 5-0.**

The Board will not adopt minutes until the August meeting.

COMMUNICATIONS: None.

APPEALS:

A. Steve & Sara Bishop (SP-17-15) requesting a variance to authorize the proposed construction of an addition to a residence within the minimum road setback.

Dave Lorenz, 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 what the setback is for the road. Lorenz explained it is 42 feet from the road right of way. Kettner asked how that is measured. Lorenz explained it would have to be measured by a registered land surveyor.

White verified the road right of way setback has been in existence since when. Lorenz stated since 1968.

Applicant is not present.

Mike Terry, appearing in opposition, representing the Town of Baraboo, stated the applicant appeared in front of the Town and explained that the Town Plan Commission recommended denial.

White asked what his position would be if it were a Town road. Terry stated he feels he would stick with denying the request.

Ladas asked about the size of the addition. Terry stated that the applicant did not show up at the Town Board meeting either and deferred the question to Mr. Cahoon who was at the Planning Commission meeting.

Steve Cahoon, appearing as interest may appear, stated he is the Chair of the Baraboo Plan Commission, explained what took place at the town meeting and the requirements the town asked of the applicant as well as other requests made.

Seeing as no one else wished to appear, Chair White closed the public portion of the meeting at approximately 9:20 am. Motion by White, seconded by Ladas, to postpone a decision until after the next case to allow the applicant time show up and testify. **Motion carried 5-0.**

B. Refik Fazlibasic (SP-18-15) requesting a special exception permit to authorize the location and operation of a lodging house.

Dave Lorenz, 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 for a set of standards for lodging houses, such as the main local contact and the letters that are sent out to all neighbors and the town prior to the getting the permit.

Ladas asked about the parking. Lorenz explained.

Ladas asked if there were any complaints on the lodging homes that were just approved. Lorenz stated he is not aware of any.

Tom Kuester, agent for the applicant, appearing in favor, presented Exhibit VIII,1, and a letter to all the neighbors has been drafted and is ready to go up on approval. He stated that Exhibit VIII, 1 is an operation plan, rental management agreement, snow removal, garbage removal, cleaning agreement, etc. and said that is a standard to the way everyone does things out there.

Kettner asked if it is already being rented. Kuester stated everything is in place if the permit is granted, and he is not renting at this time.

Kettner believes there should be some standard in place and feels it should be two families and not 10 unrelated people and should set the standard by using their own language.

White spoke of a consistent set of operating rules.

Michael Terry, appearing in favor, representing the Town of Baraboo, stated that they have other lodging homes in the area and the ordinance allows the use.

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

White spoke of the neighborhood, the plans and the rules set for the other lodging homes, as well as this one. Kettner spoke of the plans submitted.

Motion by White, seconded by Allen to approve the special exception permit with the recommendation from Conservation, Planning and Zoning, along with the added conditions of 10 p.m. quiet time, no tents or rvs or outside lodging associated with the permit, outside fireworks, and a letter sent with contact information to all owners , in the neighborhood and must meet all other conditions and definitions in single family residential zoning.

Motion by White, seconded by Kettner to reopen SP-17-15 for a decision. Motion carried 5-0.

White stated the variance does not meet a hardship standard, public interest doesn't seem to be hurt, however, it doesn't seem to restrict them from doing what they want to do with the property – no unique property limitations.

Kettner stated without having the applicant to present any other information, based on what is provided, he believes the hardship standard has not been met.

Allen believes he would decline the request.

Netzinger believes he doesn't meet a hardship criteria.

Ladas believes the request does not meet the hardship criteria, as it is all financial. He stated that the garage could be built if it was built smaller. He also mentioned that the Town denied the request as well.

Motion by White, seconded by Ladas, to deny the variance request based on failure to meet the 3 criteria to grant a variance.

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

Respectfully submitted,

Henry Netzinger, Secretary