

SAUK COUNTY BOARD OF ADJUSTMENT

August 27, 2015 Session of the Board

PRESENT: Dan Kettner, Vice Chair
David Allen
Henry Netzinger
Nick Ladas
David Wernecke, Alternate

ABSENT: Linda White, Chair

STAFF PRESENT: Dave Lorenz
Gina Templin

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 Allen, seconded by Netzinger . **Motion carried, 5-0.**

The Board adopted the agenda for the August 27, 2015 session of the Board on a motion by Allen, seconded by Netzinger. **Motion carried, 5-0.**

The Board adopted the minutes from the July 7th and 30th Board of Adjustment meeting on a motion by Netzinger, seconded by Allen.

COMMUNICATIONS: None.

APPEALS:

A. Ted & Teresa Bindl (SP-20-15) requesting a variance to authorize an addition to a commercial kennel within 1000 feet of a neighboring residence.

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 brought the investigation onto the property. Lorenz explained the Department received a complaint about barking dogs and an expansion of the kennel.

Kettner verified that in 2006 a special exception and variance was granted and questioned transferability. Lorenz explained.

46 Ladas asked about the new lean-to being within 66' setback. Lorenz stated that with the change
47 of the ordinance the setback is 42' and he meets the setbacks.

48
49 Wernecke asked where the privacy fence falls within the setbacks. Lorenz explained the fencing
50 requirements based on the structure and the build.

51
52 Wernecke asked if the lean-to is where the kennel previously was. Lorenz explained.

53
54 Ted Bindl, applicant, appearing in favor of the request, spoke of the history and background of
55 the project.

56
57 Kettner, referring to Exhibit II-4, asked if the buildings labeled "existing barn" are all one
58 structure. Bindl confirmed and stated since 2006 there are dogs housed in the existing barn, hay
59 shed and in the outbuilding, as listed on the exhibit.

60
61 Bindl explained that the lean-to was built to conform to newer state codes. Kettner confirmed
62 there were pens located there with a concrete base. Bindl stated that was correct.

63
64 Ladas asked about the 2006 variance and if all the buildings were being used. Bindl stated that
65 was correct.

66
67 Wernecke asked if where the lean-to was built, whatever was there before, if that was presented
68 in 2006 as being used. Bindl stated that was correct.

69
70 Kettner asked about the noise complaint. Bindl stated the dogs are active when the coyotes howl
71 and in the morning when they feed them, otherwise they are pretty quiet.

72
73 Wernecke asked if the dogs are inside at night. Bindl stated they are and explained the kennel
74 set up.

75
76 Benny Stenner, appearing as interest may appear, stated the owners take good care of their
77 property and sometimes the dogs bark, but it is not all the time.

78
79 Bindl, reappearing.

80
81 Kettner asked Mr. Bindl to explain using the video where the fencing would be. Bindl
82 explained.

83
84 Lorenz reappearing.

85
86 Netzinger asked about the concrete being allowed to be poured and fencing being allowed and
87 the issue with the expansion is only the roof. Lorenz explained that was correct.

88
89 Wernecke asked about the existing barn being too close to the road and any issues with fence
90 being too close to the road. Lorenz explained again the requirements of the fence.

91

92 Seeing as no one else wished to appear, Vice Chair Kettner closed the public portion of the
93 meeting at approximately 9:42 am.

94
95 Kettner stated the issue at hand is the existence of the roof and there is already a variance on the
96 property.

97
98 The Board discussed.

99
100 Wernecke stated he feels comfortable giving a variance for the expansion given the testimony
101 given today, the roof expansion that was done, was done to comply with state regulations, to
102 treat the animals better, the privacy fence is a good idea. He does have an issue with sequential
103 variances.

104
105 Kettner feels this should have been brought to the Board first.

106
107 Netzinger feels putting a roof over the runs should have been checked out first and feels making
108 him take the roof off would be detrimental to the operation. He also feels the addition of the
109 privacy fence is a good idea.

110
111 Motion by Netzinger, seconded by Ladas to grant the variance under the terms of the original
112 variance to include the expansion, with the conditions listed by the Town of Spring Green and
113 those requested by Conservation, Planning and Zoning. **Motion carried 5-0.**

114
115 Board of Adjustment Training/Review with Corporation Counsel Todd Liebman.

116
117 Liebman provided a training outline packet and gave an update on land use issues and things
118 affecting the State.

119
120 Motion to adjourn by Netzinger, seconded by Allen. **Motion carried 5-0.**

121
122 Respectfully submitted,

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124
125 Henry Netzinger, Secretary
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