

1 SAUK COUNTY BOARD OF ADJUSTMENT

2 October 29, 2015 Session of the Board

3
4 PRESENT: Linda White, Chair
5 Dan Kettner, Vice Chair
6 David Allen
7 Henry Netzinger
8 Nick Ladas
9

10 ABSENT: Nick Ladas

11
12 STAFF PRESENT: Dave Lorenz
13 Gina Templin
14

15 OTHERS PRESENT: See Registration slips

16
17 Chair White called the session of the Sauk County Board of Adjustment (BOA) to order at
18 approximately 9:00 A.M. The Chair introduced the members of the Board, explained the
19 procedures and the order of business for the day. The staff certified that the legally required
20 notices had been provided for the scheduled public hearing. The certification of notice was
21 accepted on a motion by Netzinger, seconded by Kettner . **Motion carried, 4-0.**
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23 The Board adopted the agenda for the October, 2015 session of the Board on a motion by Allen,
24 seconded by Netzinger. **Motion carried, 4-0.**
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26 The Board adopted the minutes from the August Board of Adjustment meeting on a motion by
27 Netzinger, seconded by White. **Motion carried, 4-0.**
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29 COMMUNICATIONS: None.
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31 APPEALS:

32
33 A. Eldred & Elaine Wilhelm, SP-21-15, requesting a variance to authorize the proposed
34 construction of a ramp and deck to an existing residence within the minimum road setback.
35

36 Dave Lorenz, appeared and gave a brief history and background of the property, as well as
37 reviewing photos and a video of the site. He then recommended conditions to be placed on the
38 appeal if the request were approved.
39

40 Kettner confirmed the building of the ramp is allowed without going through a variance. Lorenz
41 confirmed the ramp can be built, however the ramp would need to be removed when it is no
42 longer needed for access, however, there is no provision for a deck. Kettner asked about the
43 landing. Lorenz confirmed. Kettner asked about a wheelchair ramp landing. Lorenz spoke of
44 the uniform dwelling code, however the county does not have anything in the zoning ordinance,
45 but it is being worked on by Corporation Counsel.
46

47 White asked if this was done by permit and if it was removed, are their provisions for access
48 within the setback. Lorenz explained.

49
50 Kettner asked about the current entry to the home. Lorenz confirmed. Kettner asked about
51 inside the home. Lorenz stated he was not in the home.

52
53 Andrew Davidson, applicant, appearing in favor of the request, spoke of the design of the home
54 inside.

55
56 Kettner asked about the stairs inside the home. Davidson stated they are narrow and relatively
57 stable. Kettner verified they will remain in place and will be used.

58
59 White asked about a chair lift. Davidson explained where the chairlift will be.

60
61 White asked where the bedrooms are. Davidson stated the bedroom is located in the livingroom.

62
63 Kettner confirmed there are already a number of changes to the interior of the home. Davidson
64 stated the interior changes are nearly done and just need to finish the access.

65
66 Kettner asked if the size of the deck could be made slightly smaller to be used for an
67 access/landing and not be any wider than the house. Davidson stated it could be.

68
69 White asked about where the chairlift is and putting a patio outside there, which would require
70 no permits. Davidson stated that could be done.

71
72 White explained the variance standards and issues.

73
74 Allen asked if the trees where in the road right of way. Davidson spoke of the tree near the
75 mailbox would be in the road right of way.

76
77 White asked the applicant to address the 3 variance requirements.

78
79 Davidson stated he feels the hardship is that the applicant has to use a walker to walk and soon
80 he will need a wheelchair. He stated the unique property limitations are that the applicant can't
81 negotiate getting into the house safely. He concluded that the public safety is protected as the
82 road is a dead end road.

83
84 Allen asked if it was ever explored to put the ramp on the north side of the house or if they
85 looked at using the chair lift to enter/exit the house. Davidson stated they did not explore that at
86 all.

87
88 Carol Anderson, appearing in favor of the request, stated she is a neighbor to the property and is
89 in favor of the request and feels it will not impede traffic on the road and the deck and ramp will
90 help allow them to stay in their home.

92 Seeing as no one else wished to appear, Vice Chair Kettner closed the public portion of the
93 meeting at approximately 9:50 am.

94
95 White stated they are only dealing with the deck because the applicant can get a permit for the
96 ramp from the Department.

97
98 Netzinger asked what the setback is from the centerline of the road. White stated it is 63', which
99 the side of the house would be in, but the north side of the house would not be in the setback.
100 She also commented it would be helpful to know for certain what landing size would be allowed
101 for handicap standards.

102
103 Allen stated he is sympathetic, but feels there are other options that can be explored.

104
105 Netzinger feels getting old is a hardship, but the rest does not fit within the code for a variance.
106 He feels there are other areas that can be explored and there is handicap access to the house
107 through the chairlift and access to the north side of the house for the ramp.

108
109 Allen feels they would taking a house that is already within the setback and putting more
110 structures within the setback. He also stated there are other options to be explored and there is
111 access through the chairlift. However, they can have the ramp already through the permit and
112 the deck is not considered a hardship.

113
114 Netzinger feels it is necessary for their psychological wellbeing and feels their hardship is their
115 age and they modified their house already and they need a deck to wrap their landing around to
116 make it safer. He feels their unique property limitations are that the building is already too close
117 to the road and if modifying the deck and moving it over and making it smaller and doesn't feel
118 it is contrary to public interest, but favors the public interest and accommodates the elderly.

119
120 White stated on the hardship they have to look if there are other alternatives. She stated there are
121 other locations for access, it is not as convenient, the board doesn't know how large the landing
122 could be. She stated it also does not meet the unique property limitations, it is flat, there are no
123 creeks, and you can move the deck to make it compliant, and spoke of the zoning regulations and
124 the purpose for such. As far as public interest, she doesn't feel it is not against public interest.

125
126 Motion by White, seconded by Netzinger to deny the variance due to the application not meeting
127 the hardship or unique property limitations. **Motion carried 3-1 with Kettner being**
128 **opposition.**

129
130 Motion to adjourn by Allen, seconded by Netzinger. **Motion carried 4-0.**

131
132 Respectfully submitted,

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134
135 Henry Netzinger, Secretary
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