

**BOARD OF ADJUSTMENT STAFF REPORT**  
**SP-27-11**

**James & Shelly Cronin**  
Public Hearing Scheduled for: 10/27/11

1. Request

A request for a variance to authorize the structural repair and addition to a residence within the minimum shoreland setback of Lake Redstone.

2. History

<b>Location/Zoning</b>	<b>Permits Issued</b>	<b>Previous Appeals</b>	<b>Citations</b>
Property is located in the Shoreland Protection District, on real estate described as: E4520 W. Redstone Dr., lot 13 Bluebird Addition to lake Redstone, part of the SW ¼, SW ¼, section 24, T13N, R3E, Town of La Valle.	<u>Permits:</u> A permit was issued to install holding tanks in 2002.	None found	None found

3. Finding of Fact:

When reviewing a variance appeal, the Board of Adjustment looks at several criteria, including unique property limitations, the protection of public interest and proof of an unnecessary hardship.

Section 8.06(2) of the Sauk County Shoreland Protection Ordinance provides that all buildings and structures, except piers, wharves, boathouses, boat hoists, boat shelters, stairways, walkways, lifts, landings, and open fences shall be setback at least 75 feet from the ordinary high water mark and shall meet the building requirements of this ordinance.

This house has been in this location since 1969 and is not up to the standards that were put in place when the Shoreland Protection District was adopted.

Surrounding Properties		Floodplain/Wetland	Other:
North	Lake Redstone	Floodplain map, panel 5511C0179 E, effective date 12-15-09. The area of the proposed work is not located within the floodplain.  There are no mapped wetlands indicated in this area.	
South, East & West	Developed and vacant residential properties		

4. Plan Commission/Town Recommendation

The Town of La Valle is aware that this appeal has been requested from the board of Adjustment.

5. Planning and Zoning Recommendation

Planning and zoning recommends that the following conditions be considered by the Board should the Board grant the special exception permit.

- A. All work on and use of the premises shall proceed with the plans and supplemental evidence presented at the hearing. It is the responsibility of the applicant to secure all required Town, State, Federal and County permits within one year of the hearing date. County permits required for this approval include a land use permit.
- B. The total living area of the residence shall not exceed 1650 square feet.
- C. Erosion control shall be installed and maintained until the site is stabilized and revegetated.
- D. Sauk County Conservation Planning and Zoning shall be granted permission to view the site to ensure compliance with these conditions and other relevant provisions of Sauk County Ordinances. The power to ensure compliance with these conditions is given to Sauk County Conservation Planning and Zoning. If the department finds that any of these conditions have been violated, they are hereby authorized to take corrective action, either

through suspension of the permit, citations or by any means of enforcement that is within their power.

E. Failure by the Applicant to follow all of the conditions set forth by the Sauk County Board of Adjustment is grounds for revocation of the variance and possible enforcement action. In order to have the variance reinstated after revocation the applicant must appear in front of the Board of Adjustment for a new hearing and comply with all requirements as outlined in this letter.

Report submitted by David D. Lorenz