

BOARD OF ADJUSTMENT STAFF REPORT

SP-05-10

City of Baraboo

Public Hearing Scheduled for: 04/29/10

1. Request

A request for a special exception permit to authorize the location and operation of a proposed solid waste transfer station.

2. History

Location/Zoning	Permits Issued	Previous Appeals	Citations
Property is located in the Resource Conservancy District-35 zoning district, on real estate described as: E11604 Crawford St., part of the NE ¼, SE ¼, section 23, T12N, R6E, Town of Baraboo. Access to the proposed site will be from County Road A.	<u>Land Use Permits:</u> None found <u>Septic Permits:</u> None found	None found	None found

3. Finding of Fact:

When reviewing a special exception proposal and change in land use, the Board of Adjustment looks at several criteria, including promoting public health, safety and general welfare, whether there are constraints to development and impacts to surrounding properties and if the proposed use is consistent with local and county development plans and codes.

Section 7.10(2)(b)8 of the Sauk County Zoning Ordinance provides that a special exception permit is required for governmental uses.

The property has been used as a landfill site in the past but that has been closed.

Surrounding Properties		Floodplain/Wetland	Other:
North	3 residences within 500 feet of the proposed site, as well as agricultural lands.	There is no floodplain indicated on this parcel. Floodplain map, panel 5511C0401 E, effective date 12-15-09. There are no mapped wetlands indicated in this area.	
South	Agricultural lands.		
East	Town of Fairfield, several residential properties within 500 feet of the proposed site.		
West	Agricultural and forest lands and 3 residences within ¼ mile of the proposed site.		

4. Explain the pictures and view the video

5. Plan Commission/Town Recommendation

The Town of Baraboo has not responded at this time.

6. 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 land use permits.
- B. The permit shall remain in effect for five years and may be renewed by the Board of Adjustment at that time. The permit shall be nontransferable.
- C. The Applicant shall take all measures to control odor and litter.
- D. The site security shall be provided with a locked gate and fencing.
- E. Any signage shall require permits.

F. Sauk County 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 Planning and Zoning. If the department finds that any of these condition has 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.

*Note to Board Members: Failure by the Applicant to follow all of the conditions set forth by the Sauk County Board of Adjustment is grounds for suspension or revocation of the special exception permit and possible enforcement action. In order to have the special exception permit **reinstated after suspension**, the applicant must comply with all conditions established by the Board of Adjustment, as determined by the Sauk County Planning & Zoning Director or appear in front of the Board of Adjustment. In order to the special exception permit **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