

## BOARD OF ADJUSTMENT STAFF REPORT

SP-06-10

**David & Susan Kamman**

Public Hearing Scheduled for: 04/29/10

### 1. Request

A request for a special exception permit to authorize filling and grading (as completed) on slopes of more than 20%.

### 2. History

Location/Zoning	Permits Issued	Previous Appeals	Citations
Property is located in the Shoreland Protection zoning district, on real estate described as: S740A W. Redstone Dr., part of the SE ¼, SE ¼, section 11, T13N, R3E, Town of La Valle.	<u>Land Use Permits:</u> 92-297 (stairs) 00-536 (detached garage)  <u>Septic Permits:</u> 09-396 a replacement holding tank	SP-24-02 Filling and grading on slopes of more than 20%.	None found

### 3. Finding of Fact:

When reviewing a special exception proposal for filling and grading in the Shoreland Protection District, the Board of Adjustment looks at several criteria, including the conditions in section 8.08(3) and the provisions specified in sections 8.14(3)(b) and 8.14(3)(c).

Section 8.08(3)(a)1 of the Sauk County Shoreland Protection Ordinance provides that a special exception permit is required for any filling and grading on slopes of more than twenty percent.

Surrounding Properties		Floodplain/Wetland	Other:
<b>North</b>	Developed and undeveloped residential lots. Immediate to the North is a developed lot.	Floodplain map, panel 5511C0180 E, effective date 12-15-09 (attached)  There are no mapped wetlands indicated in this area.	Lake Redstone is a navigable water and is subject to the Shoreland Protection Ordinance.  The slopes on the property are in excess of 20%.
<b>South</b>	Developed and undeveloped residential lots. Immediately to the South is a developed lot.		
<b>East</b>	Lake Redstone		
<b>West</b>	West Redstone Drive and undeveloped residential lots.		

4. Explain the pictures and view the video

5. Plan Commission/Town Recommendation

The Town Board of La Valle has voted unanimously to support the granting of this special exception request.

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. Erosion control shall be installed and maintained until the site is stabilized/revegetated per the plans submitted at the time of application.

C. 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.

Report submitted by David D. Lorenz