

**BOARD OF ADJUSTMENT STAFF REPORT**  
**SP-14-10**

**Donald Fluette**

Public Hearing Scheduled for: 07/22/10

1. Request

A request for a variance to authorize the replacement of the foundation for a detached garage within the minimum road setback. The applicant states that the building has been there since the 1940's.

2. History

<b>Location/Zoning</b>	<b>Permits Issued</b>	<b>Previous Appeals</b>	<b>Citations</b>
Property is located in the Agricultural zoning district, on real estate described as: S5505 Old Lake Rd., part of the NE ¼, SW ¼, section 12, T11N, R6E, Town of Baraboo.	<u>Land Use Permits:</u> None Found  <u>Septic Permits:</u> None found	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 7.05(2)(l)19 of the Sauk County Zoning Ordinance provides that no part of any building which has a setback less than is required by this ordinance shall be enlarged or structurally altered within the front yard established by the setback required by this ordinance for the district in which such building is located.

Surrounding Properties		Floodplain/Wetland	Other:
<b>North:</b>	Residential properties and the City of Baraboo.	There is no indicated floodplain on this parcel.  Floodplain map, panel 55111C0403E, effective date 12-15-09.  No wetlands are indicated in the project area.	
<b>East</b>	Smaller agricultural properties		
<b>West</b>	Residential development.		
<b>South</b>	Residential development.		

4. Explain the pictures and view the video

5. Plan Commission/Town Recommendation

The Town of Baraboo has not yet responded to this appeal.

6. Planning and Zoning Recommendation

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 Sauk County Planning and Zoning Office shall be granted permission to view the site to ensure compliance with these conditions and other relevant provisions of the Sauk County Codes.

C. The authority to ensure compliance with these conditions is given to the Sauk County Planning and Zoning Department. If that department finds that any of these conditions have been violated, it is hereby authorized to take corrective action, either through suspension of the permits, citations or by any means of enforcement that is within its authority.

Report submitted by David D. Lorenz