

## BOARD OF ADJUSTMENT STAFF REPORT

SP-15-10

### Verizon Wireless

Public Hearing Scheduled for: 07/22/10

#### 1. Request

A request for a special exception permit to authorize the location and operation of a proposed 180 foot telecommunication tower.

#### 2. History

Location/Zoning	Permits Issued	Previous Appeals	Citations
Property is located in the Exclusive Agricultural zoning district, on real estate described as: E10747 Lehman Rd., part of the NW ¼, NE ¼, section 21, T11N, R6E, Town of Sumpter.  Lands surrounding the sites are all zoned Exclusive Agricultural or RC-35	<u>Land Use/ Septic Permits:</u> A permit was issued for a residence and septic system was issued in 1991.	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.

The Sauk County Comprehensive Plan states that the County currently operates eight communication towers to ensure that there exists reliable communication during emergency situations. Town of Sumpter's Comprehensive Plan states "the placement of these facilities is regulated through the Sauk County Tower Siting Ordinance".

Section 23.07(1)(b)2 of the Sauk County Zoning Ordinance provides that a special exception permit is required for any new tower greater than 150 feet in height, to a maximum of 300 feet.

Surrounding Properties		Floodplain/Wetland	Other:
<b>North:</b>	Agricultural properties, forest lands and a couple of residences.	There is no indicated floodplain on this parcel.  Floodplain map, panel 55111C0395E, effective date 12-15-09.  No wetlands are indicated in the project area.	
<b>East</b>	Agricultural properties, the closest residence to the entrance is about ¼ mile.		
<b>West</b>	Agricultural properties and forest lands.		
<b>South</b>	Agricultural properties and forest lands.		

4. Explain the pictures and view the video

5. Plan Commission/Town Recommendation

The Town of Sumpter 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. Erosion control shall be installed as needed and maintained until the site is stabilized.

C. 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.

D. 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