

REZONE/CUP PETITION 14-2018 SCHLIECKAU



020-0104-00000

HONEY CREEK

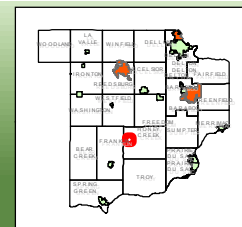
Exclusive Agriculture Zoning District
to Agriculture Zoning District
Approximately 0.84 Acres

Leland Rd

Legend

Road

- | | | | | | |
|--|------------|--|--------|--|-----------------|
| | State | | Alley | | Parcel Boundary |
| | Interstate | | County | | Private-Named |
| | Federal | | Town | | |



Not to Scale

Sauk County
Conservation, Planning & Zoning

FOR INFORMATIONAL PURPOSES ONLY
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CONSERVATION, PLANNING, AND ZONING STAFF REPORT REZONE/CUP-14-2018

Prepared by: Brian Cunningham, Assistant Zoning Administrator

Reviewed by: Lisa Wilson, Director

brian.cunningham@saukcountywi.gov or (608) 355-4833

Public Hearing Date: 07/24/2018

Request

Consider a request from Randy Schlieckau, hereafter referred to as the applicant, to consider a rezone from an Exclusive Agriculture to an Agriculture zoning district and conditional use permits for the following: s.7.039(1) Animal Grooming and s.7.039(5) Kennel.

Legal Description

The property is generally described as being located within Section 13, T10N, R4E, in the Honey Creek and further described in the Rezone/CUP 14-2018 application. The tax parcel identification number is 020-0104-00000.

Background

The applicant is requesting a rezone of approximately 0.84 acres from an Exclusive Agriculture Zoning District to an Agriculture Zoning District to allow for the ability to establish a dog kennel and grooming business. The applicant plans to groom dogs out of their garage and raise two to three litters of puppies a year in their house.

Analysis

The current zoning is Exclusive Agriculture. The proposed zoning will be changed to an Agriculture Zoning District. Relevant plans include the Town of Honey Creek Comprehensive Plan.

The adjacent zoning and land uses are as follows:

Direction	Zoning	Land Use
Property	Exclusive Agriculture	Single Family/Woods/Ag
North	Exclusive Agriculture	Woods/Ag
South	Exclusive Agriculture	Ag
East	Exclusive Agriculture	Woods/Ag
West	Exclusive Agriculture	Woods/Single Family/Ag

Parking: An existing gravel driveway and a concrete parking area currently serves the property. Upon review of the zoning ordinance, this type of use is under the moderate-parking category. Pursuant to s. 7.092(5)(b) moderate parking is applied for animal grooming. Based on the required parking space dimensions and areas needed for circulation (rows), staff estimates that approximately six parking spaces are currently available and believe that this is adequate for the proposed use.

Septic/Sanitary: The property has an at-grade septic system that was installed in 1998 and is sized for 450 gallons per day.

Well: There is a well on the property.

Property Access: The property has an existing access to Leland Rd.



Lighting: The applicant has not indicated that additional lighting is necessary for the business.

Stormwater: There will be no new construction, so stormwater plans are not required.

Zoning Ordinance Standards and Criteria (Rezone)

In reviewing zoning map amendment standards, the agency (CPZ Committee) shall follow these standards (7.150(9)):

In its review and action on the application, the agency shall make findings with respect to the following criteria:

- (a) The proposed map amendment is consistent with the overall purpose and intent of this chapter (Sauk County Zoning Ordinance).

Staff comment: The rezone as proposed is consistent with the overall purpose and intent of the Sauk County Zoning Ordinance which is to protect public health, safety and welfare of Sauk County residents and the public, to plan for future development of communities, and to further the purposes contained in Wis. Stat. § 59.69(1). The proposed zoning of Agriculture supports a broad range of uses to promote economic viability. If the property is rezoned, the property owner/applicant would need to apply for and receive a conditional use permit to establish the proposed use.

- (b) The proposed map amendment is consistent with the Sauk County Comprehensive Plan and the Farmland Preservation Plan, if applicable.

Staff comment: The existing uses are not agriculture related.

- (c) Factors have changed from the time of initial ordinance adoption that warrant the map change, or an error, inconsistency, or technical problem administering this chapter as currently depicted has been observed.

Staff comment: The County zoning ordinance was repealed, recreated, and adopted by the Sauk County Board of Supervisors in February 2014. The official zoning maps included as part of the new zoning ordinance are not meant to anticipate future land uses. The zoning ordinance does include a map amendment or rezoning process to evaluate zoning changes based upon current conditions and needs of the property owner. The requested rezone would appear to either allow or allow via a conditional use permit more intense uses.

- (d) In rezoning land out of any exclusive agricultural district, the agency shall find all of the following, after a public hearing:

1. The land is better suited for a use not allowed in the exclusive agricultural district.
2. The rezoning is consistent with the Sauk County Comprehensive Plan.
3. The rezoning is substantially consistent with the Sauk County Farmland Preservation Plan.
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.



Staff comment: The applicant has limited the size of the rezone to approximately 0.84 acres from an Exclusive Agriculture Zoning District to an Agriculture Zoning District to allow for the ability to establish a dog kennel and grooming business. The rezone as proposed is consistent with the overall purpose and intent of the Sauk County Zoning Ordinance which is to protect public health, safety and welfare of Sauk County residents and the public, to plan for future development of communities, and to further the purposes contained in Wis. Stat. § 59.69(1). The proposed zoning of Agriculture supports a broad range of uses to promote economic viability.

Zoning Ordinance Standards and Criteria (CUP)

In reviewing a conditional use, the agency shall follow these standards (7.151(5) & 7.151(6)):

- (a) The establishment, maintenance, or operation of the proposed use may not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.

Staff comment: It does not appear that the use that is located on the property would endanger the public health, safety, and general welfare of the community.

- (b) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use may not change the essential character of the area by substantially impairing or diminishing the use, value, or enjoyment of existing or future permitted uses in the area.

Staff comment: The surrounding area is characterized by agriculture uses. The applicant has limited the size and scope of the operation as stipulated in a written statement provided to the Committee to blend with the existing neighborhood. The mitigating factors associated with the management plan appear to ensure that use does not appear to impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.

In reviewing the conditional use, the agency shall consider the following:

- (a) The erosion potential of the site based on topography, drainage, slope, soil type, and vegetative cover and mitigation of erosion potential.

Staff comment: The building is existing on the property. There is no plan for any construction. The proposed use does not appear to cause potential damage to drainage, slope, vegetative cover, etc.

- (b) The prevention and control of water pollution, including sedimentation, and the potential impacts on floodplain and wetlands.

Staff comment: There are no mapped wetlands or floodplain areas on the property. As a result, there does not appear to be any potential impacts on floodplain or wetland.

- (c) Whether the site has adequate utilities including, if necessary, acceptable disposal systems.

Staff comment: The applicant appears to have adequate facilities for the property. A well and septic are located on the property.



(d) Whether the site has access to roads and highways.

Staff comment: The property has access to Leland Rd.

(e) Whether the site has suitable ingress and egress.

Staff comment: The property has an existing driveway access to Leland Rd.

(f) Whether the site is designed to minimize traffic congestion, and the potential effect on traffic flow.

Staff comment: The driveway and parking area provides adequate space for parking and traffic flow associated with the proposed use. No traffic congestion or traffic flow issues are anticipated.

7.064 Kennel, secondary standards

(1) Overnight Care. All overnight care of animals must occur indoors.

Staff comment: As noted in the applicant's statement, the animals are extremely temperature sensitive and plan on living in the house.

(2) Kennel Setbacks. All kennels, outdoor runs, and exercise areas shall be no closer than 1,000 feet from any residential dwelling other than that of the owner, agent, or employee of such kennel.

Staff comment: The closest residential dwelling is approximately 1,190 feet to the west.

(3) Escape. All outdoor runs and exercise areas shall be fenced to prevent animals from escaping.

Staff comment: The applicant plans on putting up an invisible fencing to make sure the animals do not leave the yard.

(4) Vegetative Buffer. All kennels shall meet the vegetative buffer requirements of s. 7.042.

Staff comment: The applicant submitted a planting/screening plan. They plan on using the natural landscape for most of their screening and planting some arborvitae trees in their front yard.

Plan Commission/Town Recommendation

As of writing of the staff memo, the Town of Honey Creek Plan Commission and the Town Board had not reviewed the item. The Town's recommendation is forthcoming.



Conservation, Planning, & Zoning Staff Recommendation

Based upon staff's evaluation of the request, should the Conservation, Planning, & Zoning Committee choose to approve the conditional use permit, staff would recommend that the following conditions be considered:

- A. The conditional use shall be established and constructed in accordance with the plans, specifications, and information provided as part of the record to the Conservation, Planning, and Zoning Committee on July 24, 2018.
- B. The property owner shall apply for and be issued a Land Use Permit by the Department pursuant to Sauk County Code 7.153 Land Use Permits: Review Procedure and Standards.
- C. Any conditional use permit approval granted by the Conservation, Planning, and Zoning Committee is contingent upon approval of the requested rezone by the Sauk County Board of Supervisors.
- D. Failure to comply with the standards and conditions of this Conditional use Permit may result in revocation of said permit and order for removal of any structures or discontinuance of any use thereby permitted by the Conditional Use permit by the Conservation, Planning, and Zoning Committee of the Sauk County Board of Supervisors.
- E. If a Conditional Use is not initiated by securing a land use permit within 365 days of the approval, the conditional use is considered void, unless an extension is requested and granted by the zoning administrator prior to the original expiration date. Should the use or activity cease for 365 days or more after first being established on the property, the use will be deemed to have been terminated.

Conservation, Planning, & Zoning Staff Recommendation

The Conservation, Planning, and Zoning Committee must review the request and make appropriate findings based upon the record and evidence provided with respect to the criteria for and standards for granting a zoning map amendment. A copy of the findings of fact, conclusion, and decision has been included.

Public Notice Information

Public notice was provided by U.S Mail; however, notification to the paper was sent via e-mail with publication dates noted.

June 29, 2018: Newspaper

June 29, 2018: CPZ Committee

June 29, 2018: Town Clerk

June 29, 2018: Adjacent Landowners



Conservation, Planning, and Zoning Committee Action Options:

Approve Petition 14-2018. Motion to recommend approval of the rezone from an Exclusive Agriculture to an Agriculture zoning district based upon the findings of fact subject to the staff analysis. Motion to approve the requested conditional uses based upon the findings of fact and conclusion of law subject to the staff analysis and conditions as noted herein.

Disapprove Petition 14-2018. Motion to recommend disapproval the rezone from an Exclusive Agriculture to a Agriculture zoning district based upon the findings of fact subject to the staff analysis. Motion to disapprove the requested conditional use based upon the findings of fact and conclusion of law subject to the staff analysis noted herein.

Modify and Approve Petition 14-2018. Not Recommended.

Exhibits

- A. DRAFT – Findings of Fact and Conclusion
- B. Public Hearing Notice Map prepared by Sauk County CPZ
- C. Development Application prepared by Randy Schlieckau received 6/08/2018
- D. Photos of Existing Conditions taken by Sauk County CPZ staff

**BEFORE SAUK COUNTY
CONSERVATION, PLANNING, AND ZONING COMMITTEE**

REZONE & CONDITIONAL USE PERMIT

**Randy Schlieckau
E6910 Leland Road
Town of Honey Creek**

FINDINGS OF FACT

The Agency finds that:

1. Randy Schlieckau owns property located in part of the SW ¼, NW ¼, Section 13, T10N, R4E Town of Honey Creek, Sauk County, WI. Said property consists of tax parcel number 020-0104-00000.
2. The current use of the property is single family residential.
3. The existing property is zoned Exclusive Agriculture. The applicant is requesting a rezone of the property from Exclusive Agriculture to Agriculture.
4. The applicant is also requesting a conditional use permit to allow for the operation of a kennel and animal grooming business to be located on the property.
5. On July 12, 2018 and July 19, 2018, a public notice was published in the County's official newspaper.
6. On May 8, 2018, the Town of Honey Creek Plan Commission reviewed and discussed the rezone of the property so as to allow for the proposed uses indicated. A recommendation to the Town Board was made to approve the rezone from Exclusive Agriculture to Agriculture.
7. On May 8, 2018 the Town of Honey Creek Town Board reviewed the rezone request and recommendation provided by the Plan Commission. The Town Board approved the rezone as requested.

CONCLUSION OF LAW

1. The County Board of Supervisors may from time to time, amend the official zoning map or zoning ordinance in a manner provided by Wis. Stat. 59.69 and as specified pursuant to s. 7.150 of the Sauk County Zoning Ordinance.
2. In reviewing zoning map amendment, the Conservation, Planning, and Zoning Committee shall hold a public hearing, make findings with respect to criteria pursuant to 7.150(9) of the Sauk County Zoning Ordinance, and make a recommendation to the Sauk County Board of Supervisors. In its review and action on the application, the agency shall make findings with respect to the following criteria:
 - (a) The proposed map amendment is consistent with the overall purpose and intent of this chapter (Sauk County Zoning Ordinance).
The rezone as proposed is consistent with the overall purpose and intent of the Sauk County Zoning Ordinance which is to protect public health, safety and welfare of Sauk County residents and the public, to plan for future development of communities, and to further the purposes contained in Wis. Stat. § 59.69(1). The proposed zoning of Agriculture supports a broad range of uses to promote economic viability. If the property is rezoned, the property owner/applicant would need to apply for and receive a conditional use permit to establish the proposed use.
 - (b) The proposed map amendment is consistent with the Sauk County Comprehensive Plan and the Farmland Preservation Plan, if applicable.
The existing uses are not agriculture related.
 - (c) Factors have changed from the time of initial ordinance adoption that warrant the map change, or an error, inconsistency, or technical problem administering this chapter as currently depicted has been observed.
The County zoning ordinance was repealed, recreated, and adopted by the Sauk County Board of Supervisors in February 2014. The official zoning maps included as part of the new zoning ordinance

are not meant to anticipate future land uses. The zoning ordinance does include a map amendment or rezoning process to evaluate zoning changes based upon current conditions and needs of the property owner. The requested rezone would appear to either allow or allow via a conditional use permit more intense uses.

(d) In rezoning land out of any exclusive agriculture district, the agency shall find all of the following, after a public hearing:

1. The land is better suited for a use not allowed in the exclusive agricultural district.
2. The rezoning is consistent with the Sauk County Comprehensive Plan.
3. The rezoning is substantially consistent with the Sauk County Farmland Preservation Plan.
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

The applicant has limited the size of the rezone to approximately 0.84 acres from an Exclusive Agriculture Zoning District to an Agriculture Zoning District to allow for the ability to establish a dog kennel and grooming business. The rezone as proposed is consistent with the overall purpose and intent of the Sauk County Zoning Ordinance which is to protect public health, safety and welfare of Sauk County residents and the public, to plan for future development of communities, and to further the purposes contained in Wis. Stat. § 59.69(1). The proposed zoning of Agriculture supports a broad range of uses to promote economic viability.

3. The Conservation, Planning and Zoning Committee (hereinafter referred to as the Agency) has the authority pursuant to Sauk County Code of Ordinances s.7.151(2) to within a reasonable time following a public hearing to grant or deny any application for conditional use. Prior to granting or denying a conditional use, the agency shall make findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the Conservation Planning and Zoning Committee finds that the Conditional Use does meet the following standards:
4. The Agency pursuant to s.7.1515(5) shall follow the following standards:
 - a. The establishment, maintenance, or operation of the proposed use may not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
The Agency determined that the use is compatible with the local neighborhood.
 - b. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use may not change the essential character of the area by substantially impairing or diminishing the use, value, or enjoyment of existing or future permitted uses in the area.
The Agency found that the proposed uses and overall layout and use of the property provide for the continued development of this area for agriculture uses as prescribed in the Town of Honey Creek's Comprehensive Plan and Future Land Use Map. As stated under sub. a above, the use is compatible with similar uses in the area and will enhance this area for desired future high quality recreational commercial development, as intended by the town's plan.
5. The Agency pursuant to s.7.151(6) shall consider the following criteria:
 - a. The erosion potential of the site based on topography, drainage, slope, soil type, and vegetative cover and mitigation of erosion potential.
At this time there is no plans for any additional construction activity. The property owner will be required to obtain a Land Use Permit from Sauk County.
 - b. The prevention and control of water pollution, including sedimentation, and the potential impacts on floodplain and wetlands.
The Agency found that there are no floodplains or wetlands in the proposed use area. As a result, the proposal would not result in water pollution or sedimentation.
 - c. Whether the site has adequate utilities including, if necessary, acceptable disposal systems.

The existing sanitary system is designed to accommodate the design wastewater flow. The Agency also found that prior to the issuance of a land use permit that sanitary provisions will be reviewed accordingly.

d. Whether the site has access to roads and highways.

The Agency found the property has direct access to Leland Rd.

e. Whether the site has suitable ingress and egress.

The applicant will need a driveway permit from the town or correspondence from the town that a driveway permit is not needed.

f. Whether the site is designed to minimize traffic congestion, and the potential effect on traffic flow.

The Agency found that the proposed drive area is large enough to accommodate thru traffic and the parking areas, applying flex parking, along with overflow parking along the driveway area is adequate to accommodate the existing and proposed use of the property.

6. The Agency pursuant to s.7.064 must consider the following secondary standards:

(1) Overnight Care. All overnight care of animals must occur indoors.

(2) Kennel Setbacks. All kennels, outdoor runs, and exercise areas shall be no closer than 1,000 feet from any residential dwelling other than that of the owner, agent, or employee of such kennel.

(3) Escape. All outdoor runs and exercise areas shall be fenced to prevent animals from escaping.

(4) Vegetative Buffer. All kennels shall meet the vegetative buffer requirements of s. 7.042.

**DECISION OF THE CONSERVATION, PLANNING AND ZONING COMMITTEE TO
RECOMMEND APPROVAL OF A REZONE FROM EXCLUSIVE AGRICULTURE TO
AGRICULTURE AND APPROVE THE CONDITIONAL USE PERMITS
FOR RANDY SCHLIECKAU LOCATED IN THE
SW, NW, SECTION 13, T10N, R4E, TOWN OF HONEY CREEK**

The Agency hereby recommends approval of the rezone from Exclusive Agriculture to Agriculture and approves the following Conditional Use Permits for Randy Schlieckau pursuant to s. 7.039(1) Animal Grooming and s. 7.039(5) Kennel for property located in the SW, NW, Section 13, T10N, R4E, Town of Honey Creek, subject to the following conditions:

- A. The approval of the conditional use permits are contingent upon the approval of the rezone request from Exclusive Agriculture to Agriculture by the Sauk County Board of Commissioners.
- B. The conditional uses shall be established and constructed in accordance with the plans, specifications, and information provided as part of the record to the Conservation, Planning, and Zoning Committee on July 24, 2018.
- C. The property owner shall apply for and be issued a Land Use Permit by the Department pursuant to Sauk County Code 7.153 Land Use Permits: Review Procedure and Standards for any structure and for each conditional use established. As part of the issuance of any Land Use Permit, CPZ staff will also review the sanitary design to accommodate wastewater flow.
- D. Prior to the commencement of any construction on the property, including driveways, parking areas, or buildings and as part of any Land Use Permit application, the applicant shall submit a completed erosion control management plan to the CPZ Department.
- E. Failure to comply with the standards and conditions of this Conditional use Permit may result in revocation of said permit and order for removal of any structures or discontinuance of any use thereby permitted by the Conditional Use permit by the Conservation, Planning, and Zoning Committee of the Sauk County Board of Supervisors.

- F. If a Conditional Uses are not initiated by securing a land use permit within 365 days of the approval, the conditional use is considered void, unless an extension is requested and granted by the zoning administrator prior to the original expiration date. Should the use or activity cease for 365 days or more after first being established on the property, the use will be deemed to have been terminated.

REVOCATION

Failure to follow the conditions set forth by the Sauk County Conservation, Planning, and Zoning Committee is grounds for suspension or revocation of the conditional use permit and possible enforcement action. In order to have your conditional use permit reinstated after suspension, you must comply with all conditions established by the Conservation, Planning, and Zoning Committee as determined by the Director of the Conservation, Planning, and Zoning Department or appear in front of the Conservation, Planning, and Zoning Committee for a new hearing and comply with all requirements as outlined in this letter.

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge the decision made by the Department or the Agency, you should know that you have the right to appeal such determination within established time periods and requirements for reviewing department and agency decisions.

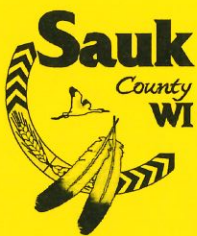
Proceedings for an appeal of the agency's decision may be initiated by any person's aggrieved or by any officer, department, board, or bureau of the County affected by the agency's decision. An appeal must be made not more than 30 days from the date of the decision. The appeal shall be initiated by an application to the zoning administrator and shall be heard by the board of adjustment. The board of adjustment shall review whether the agency followed the standards and criteria in this chapter, rather than conducting a de novo review of the conditional use application.

This notice is provided pursuant to Sauk County Code s.7.151(7).

Dated: July 24, 2018

CONSERVATION, PLANNING, AND ZONING COMMITTEE

William Wenzel, Chair



Conservation, Planning, and Zoning
Department
505 Broadway, Ste. 248
Baraboo, Wisconsin 53913
Phone: (608) 355-3245 Fax: (608) 355-3292
www.co.sauk.wi.us

Application Accepted: 6/8/18
Accepted By: BC
Petition Number: 14-2018
Hearing Date: 7/24/18

Supervisor Dist: 25

Zoning Map Amendment (Rezone) Application

General Information

Property Owner Name: Randy Schlieckau Randy Cell
Mailing Address: E6910 Leland Rd. Loganville WI Home Phone: 608 393 7410
E-mail Address: pschlieckau@gmail.com Cell Phone: 608-415-0968
53943 Penny

Agent/Applicant Name: Penny and Randy Schlieckau Home Phone:
Mailing Address: same as above Cell Phone:
E-mail Address: u u u

Site Information

Site Address: E6910 Leland Rd Loganville, WI 53943
Parcel ID: 020-0104-00000
Property Description: SW 1/4 NW 1/4 Section 13, T 10 N, R 4 E, 46.5
Town of: Honey Creek Current Zoning: EA
Overlay District: ☐ Shoreland ☐ Floodplain ☐ Airport
Current Use: Single Family Dwelling

Existing Structures/Improvements: House, Shed, and Wood Cover

Proposed Zoning

Applicable Ordinance Section	Description
<u>7.039(5)(i)</u>	<u>Dog Grooming and Kennel</u>
<u>7.039(1)(i)</u>	<u>Dog Grooming</u>
	<u>Animal</u>

Describe specifically the nature of the request (be sure to list all proposed uses of the property). What do you plan to do? Please attach additional sheets, if necessary.

I plan to groom dogs out of my garage and raise 2 or 3 litters of EB puppies in my home. These are family dogs kept in my home. They are extremely (heat/cold) sensitive, so they have temperature controlled living quarters. These dogs are also brachycephalic and there is minimal barking and running for long periods is not a characteristic of this breed - They are couch potatoes!

General Application Requirements

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all the necessary information has been provided. All information from the checklist must be provided to the Department to be considered a complete application. Only complete applications submitted by the deadline will be noticed for a specific hearing date/time.

- ☒ Completed Zoning Map Amendment Application Form.
- ☒ \$500 application fee (non-refundable), payable to Sauk County CPZ.
- ☒ A scaled map of the proposed rezone area (if the property is not vacant the location of buildings, driveways, etc. must be shown).
- ☒ Legal description of the area to be rezoned (CSM, Metes & Bounds description) *surveyor draw/leg desc*
- ☒ Any other information as required by the zoning administrator to explain the request.

Zoning Map Amendment Standards

Explain how the proposed rezone is consistent with the overall purpose and intent of the zoning ordinance.

The rezone will ~~remain~~ be consistent to policies and ordinances will be followed-

If rezoning out of an Exclusive Agriculture Zoning District explain how the land is better suited for a use not allowed in the Exclusive Agriculture Zoning District and how the rezoning will not substantially impair or limit future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

My Business is all out of ^{my} home and I will have ~~nothing~~ no effect on our land use - It will be the same as the last 20 years.

Certification

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Sauk County Conservation, Planning, and Zoning Department to enter my property for the purpose of collecting information to be used as part of the public hearing process. I understand that the rezone fee is a non-refundable, regardless if the rezone is approved or denied. I understand that the fee for this application is only for the rezone request and if permits are required for the project that those will require separate application(s) and/or fee(s). I understand that partial or incomplete applications will be returned to the applicant resulting in the application being removed from the hearing agenda and the submittal deadlines will restart. I further agree to withdraw this application if substantive false or incorrect information has been included.

Applicant/Agent: Penny Schlieckau Date: 6/6/18

Property Owner Signature: _____ Date: _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of their choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Conservation, Planning, and Zoning Department, will remain in the file, and will be public record.

Zoning Map Amendment Procedures and Requirements

What is a Zoning Map Amendment?

The purpose of a zoning map amendment is to alter, enlarge, or reduce a geographic extent of any zoning district, or to enact a new zoning designation for any particular parcel or real property. A change in zoning allows for different land uses and in some instances, different densities of development. The Conservation, Planning, and Zoning Committee will recommend approval or disapproval of a rezone to the Sauk County Board of Supervisors in accordance with the standards and criteria set by the zoning ordinance.

Standards and Criteria

In reviewing a Zoning Map Amendment request, the CPZ Committee must follow four standards:

- a) The proposed map amendment is consistent with the overall purpose and intent of the zoning ordinance.
- b) The proposed map amendment is consistent with the Sauk County Comprehensive Plan and the Farmland Preservation Plan, if applicable.
- c) Factors have changed from the time of initial ordinance adoption that warrant the map change, or an error, inconsistency, or technical problem administering the zoning ordinance as currently depicted has been observed.
- d) In rezoning land out of any exclusive agriculture district, the agency shall find all of the following, after a public hearing:
 1. The land is better suited for a use not allowed in the exclusive agriculture district.
 2. The rezoning is consistent with the Sauk County Comprehensive Plan.
 3. The rezoning is substantially consistent with the Sauk County Farmland Preservation Plan.
 4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

Note: Pursuant to Wis. Stat § 91.48(1) A political subdivision (Sauk County) with a certified farmland preservation zoning ordinance may not rezone land out of a farmland preservation zoning district (Exclusive Agriculture) without having the rezoning certified under Wis. Stat § 91.36 and provided that the standards (a) through (d) above are met.

Process

1. Contact the CPZ Department to schedule a meeting to review your potential request.
2. Complete the Zoning Map Amendment Application and provide all the supplemental items to the CPZ Department by the filing deadline.
3. Review such application with the appropriate staff member to determine completeness.
4. If the application is complete, CPZ staff will publish notice of your request for a zoning map amendment in the County's official newspaper noting the location and time of the required public hearing before the CPZ Committee. Neighbors, town officials, and affected state agencies will be notified as well.
5. If the Town chooses to review the zoning map amendment request at the Town Planning Commission and Town Board level, you will need to attend such meetings to provide information regarding the request. Please request that copies of minutes/proceedings outlining the Town's recommendation be provided to the CPZ Department for the file.
6. A public hearing will be held before the CPZ Committee. Either the property owner or designated agent will need to be present at the hearing to provide testimony regarding the request. The CPZ Committee must make a decision based only on the evidence that is submitted to it at the time of the hearing. Failure to provide representation may result in denial or postponement of your request.
7. The CPZ Committee and Sauk County Board of Supervisors may approve, disapprove, or modify and approve the zoning map amendment request.

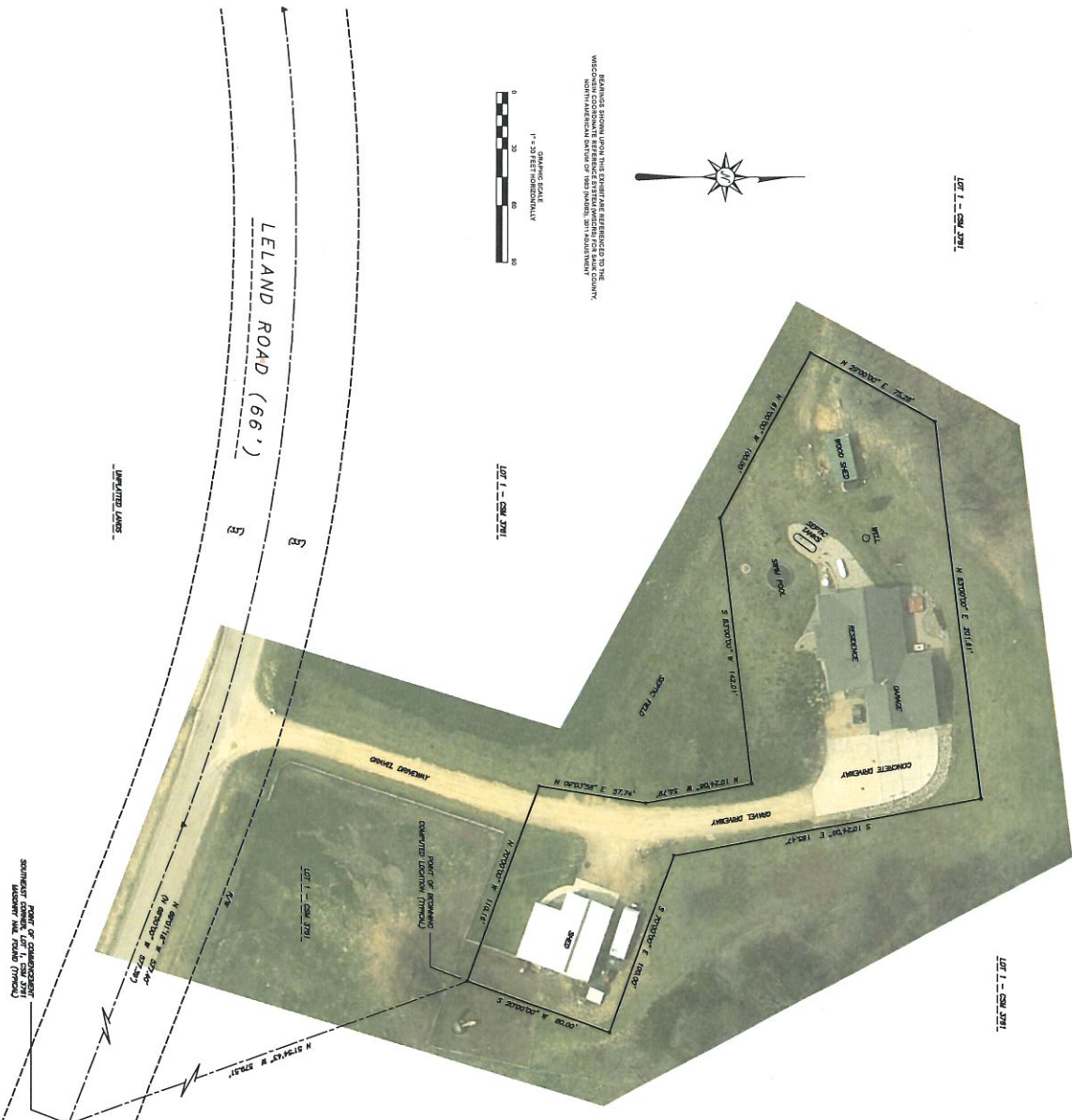
Please Note: If a zoning map amendment application is dis approved by the CPZ Committee and no appeal is filed, no new zoning map amendment application can be re-submitted for a period of 365 days from the date of the CPZ Committee's decision, except on grounds of new evidence or proof of changes of factors found valid by the CPZ Committee.

LOT 1 - CSM 3761

LOT 1 - CSM 3761



SAUK COUNTY TAX PARCEL 020-0104-00000, BEING A PORTION OF LOT 1 OF SAUK COUNTY CERTIFIED SURVEY MAP 3761, LOCATED IN THE NW1/4-SW1/4 OF SECTION 13, TOWN 10 NORTH, RANGE 4 EAST, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:



SHEET 1 OF 1

REZONING APPLICATION SITE / PLOT PLAN

A PORTION OF
SAUK COUNTY TAX PARCEL 020-0104-00000
BEING A PORTION OF LOT 1 OF
SAUK COUNTY CERTIFIED SURVEY MAP 3761

LOCATED IN
THE NW1/4-SW1/4 OF SECTION 13,
TOWN 10 NORTH, RANGE 4 EAST,
TOWN OF HONEY CREEK, SAUK COUNTY, WISCONSIN

PREPARED FOR:
RANDY AND PENNY SCHIEKAL
68910 LELAND ROAD
LOGANVILLE, WISCONSIN 53943

DESCRIPTION OF LANDS TO BE RE-ZONED:

A PARCEL OF LAND CONTAINING A PORTION OF SAUK COUNTY TAX PARCEL 020-0104-00000, BEING A PORTION OF LOT 1 OF SAUK COUNTY CERTIFIED SURVEY MAP 3761, LOCATED IN THE NW1/4-SW1/4 OF SECTION 13, TOWN 10 NORTH, RANGE 4 EAST, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 OF CSM 3761; THENCE N 81°54'43" W, A DISTANCE OF 679.51 FEET TO THE POINT OF BEGINNING.

THENCE N 70°00'00" W, A DISTANCE OF 110.16 FEET;
THENCE N 09°03'59" E, A DISTANCE OF 67.74 FEET;
THENCE N 07°24'00" W, A DISTANCE OF 62.91 FEET;
THENCE N 07°00'00" W, A DISTANCE OF 100.00 FEET;
THENCE N 61°00'00" W, A DISTANCE OF 72.28 FEET;
THENCE N 29°00'00" E, A DISTANCE OF 201.61 FEET;
THENCE N 63°00'00" E, A DISTANCE OF 100.00 FEET;
THENCE S 70°00'00" E, A DISTANCE OF 100.00 FEET;
THENCE S 20°00'00" W, A DISTANCE OF 80.00 FEET;

DESCRIBED PARCEL OF LAND CONTAINS 36,792 SQUARE FEET OR 0.84 ACRES OF LAND.

END OF DESCRIPTION.

AS GIVEN JUNE, 19TH 2018 BY:

THE EXCELSIOR GROUP, LLC
MATTHEW M. FILIUS, LAND SURVEYOR
WISCONSIN PROFESSIONAL LAND SURVEYOR 2165



The Excelsior Group, LLC
Surveying & Land Planning
Matthew M. Filius, Professional Surveyor
cellular: (608) 381-6887 • office: (608) 384-4131 • fax: (608) 848-3955
e-mail: info@excelsiorgroup.com • www.excelsiorgroup.com
1320 maple court • wausau, wisconsin 54985



Conservation, Planning, and Zoning
Department
505 Broadway, Ste. 248
Baraboo, Wisconsin 53913
Phone: (608) 355-3245 Fax: (608) 355-3292
www.co.sauk.wi.us

Application Accepted: 6/8/18
Accepted By: BC
Petition Number: 14-2018
Hearing Date: 7/24/18

Conditional Use Permit Application

General Information

Property Owner Name: Randy Schlieckau Cell (R) Home Phone: 608 393-7410
Mailing Address: E6910 Leland Rd. Loganville, WI (P) Cell Phone: 608 415 0965
E-mail Address: pschlieckau@gmail.com 53943
Agent/Applicant Name: Penny Schlieckau Home Phone:
Mailing Address: same as above Cell Phone:
E-mail Address:

Site Information

Site Address: E6910 Leland Rd. Loganville, WI 53943
Parcel ID: 020-0104-00000
Property Description: SW 1/4 NW 1/4 Section 13, T 10 N, R 4 W, 46.5
Town of: Honeycreek Zoning: EA
Overlay District: ☐ Shoreland ☐ Floodplain ☐ Airport
Current Use: Single Family Home
Existing Structures/Improvements: House, shed and wood building

Proposed Use

Applicable Ordinance Section	Description
<u>7.039 (5)(i)</u>	<u>Dog Kennel</u>
<u>7.039 (1)(i)</u>	<u>Dog Grooming</u>

Describe specifically the nature of the request (be sure to list all proposed uses of the property). What do you plan to do?
Please attach additional sheets, if necessary.

I plan to use my garage for dog grooming and living room and dining room to raise English Bulldog puppies. I plan to have 2 or 30 per year. I also do pickup and delivery for most of my grooming clients. No employees, just me working out of my home.

If your proposal has additional development or secondary standards, please explain how your proposal meets or exceeds those requirements. Please attached additional sheets, if necessary.

we will plant the lower edge of lawn w/ arborvitae
and we will be putting in an invisible
fence to make sure no leaves our yard.

General Application Requirements

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all the necessary information has been provided. All information from the checklist must be provided to the Department to be considered a complete application. Only complete applications submitted by the deadline will be noticed for a specific hearing date/time.

- ☐ Completed Conditional Use Permit Application Form.
- ☐ A completed Land Use Permit Application Form with appropriate fee, payable to Sauk County CPZ.
- ☐ \$500 application fee (non-refundable), payable to Sauk County CPZ.
- ☐ A written narrative of the proposed conditional use; to include: a description of the proposed business activity; equipment used in the business activity; days/hours of operation; number of employees; noise, dust, vibration, fumes abatement measures; visual screening measures; and other features or characteristics (signs, fences, outdoor display/storage areas, etc.).
- ☐ A scaled site plan which shall include the location of all existing and proposed buildings, driveways, entrances, sidewalks, trails, and signs; the location, size number and screening of all parking spaces.
- ☐ Landscaping Plan, if applicable.
- ☐ Stormwater and Erosion Control Plan, if applicable.
- ☐ A detailed proposal including covenants, agreements, or other documents showing the ownership and method of assuring perpetual maintenance of land to be owned or used for common purposes.
- ☐ Building elevation and floor plans, if applicable.
- ☐ Any other information as required by the zoning administrator to explain the request.

Conditional Use Standards

Part A: Conditional Use Standards

Please explain how the establishment, maintenance, or operation of the proposed use may not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.

all ordinances will be followed ~

Please explain how the use will be designed constructed, operated, and maintained so as to be compatible and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use may not change the essential character of the area by substantially impairing or diminishing the use, value or enjoyment of existing or future permitted uses in the area.

None of my business is done outside the home.

Part B: Conditional Use Criteria

Please explain how the proposed conditional use is able to address the following:

- (a) Erosion potential of the site based on topography, drainage, slope, soil type, and vegetative cover and mitigation of erosion potential.
- (b) The prevention and control of water pollution, including sedimentation, and the potential impacts on floodplain and wetlands.
- (c) Whether the site has adequate utilities including, acceptable disposal systems.
- (d) Whether the site has access to roads and highways.
- (e) Whether the site has suitable ingress and egress.
- (f) Whether the site is designed to minimize traffic congestion, and the potential effect on traffic flow.

N/A

Certification

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Sauk County Conservation, Planning, and Zoning Department to enter my property for the purpose of collecting information to be used as part of the public hearing process. I understand that the conditional use fee is a non-refundable, regardless if the conditional use is approved or denied. I understand that the fee for this application is only for the conditional use request and if permits are required for the project that those will require separate application(s) and/or fee(s). I understand that partial or incomplete applications will be returned to the applicant resulting in the application being removed from the hearing agenda and the submittal deadlines will restart. I further agree to withdraw this application if substantive false or incorrect information has been included.

Applicant/Agent: Penny Schlieckau Date: 6/6/18

Property Owner Signature: _____ Date: _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of their choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Conservation, Planning, and Zoning Department, will remain in the file, and will be public record.

Conditional Use Procedures and Requirements

What is a conditional use?

A conditional use is a land use that may be permitted in a respective zoning district only after approval is granted by the Conservation, Planning, and Zoning Committee (CPZ) in accordance with the standards and criteria set by the zoning ordinance. A conditional use is not suited to all locations in a zoning district, but may be allowed in some locations if it is not contradictory to the ordinance's standards/criteria and the general purpose statement for the particular zoning district. The Agency may approve such a request with conditions, which generally relate to the site's suitability and compatibility with neighboring land uses. Conditional uses must be custom tailored to a specific location and must be listed as such in the use table key of the zoning ordinance.

Standards and Criteria

In reviewing a Conditional Use request, the CPZ Committee must follow two standards:

- a) The establishment, maintenance, or operation of the proposed use may not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
- b) The use will be designed constructed, operated, and maintained so as to be compatible and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use may not change the essential character of the area by substantially impairing or diminishing the use, value or enjoyment of existing or future permitted uses in the area.

The CPZ Committee must also consider the request based on the following:

- (a) Erosion potential of the site based on topography, drainage, slope, soil type, and vegetative cover and mitigation of erosion potential.
- (b) The prevention and control of water pollution, including sedimentation, and the potential impacts on floodplain and wetlands.
- (c) Whether the site has adequate utilities including, acceptable disposal systems.
- (d) Whether the site has access to roads and highways.
- (e) Whether the site has suitable ingress and egress.
- (f) Whether the site is designed to minimize traffic congestion, and the potential effect on traffic flow.

If the CPZ Committee finds that the standards and criteria have been met, the committee has the authority to grant the conditional use permit. The Committee also has the authority to attach conditions and restrictions on the establishment, location, maintenance, and operation of the conditional use as it deems necessary to ensure that the proposed conditional use adheres to the purpose and review criteria within the zoning ordinance.

Process

1. Contact the CPZ Department to schedule a meeting to review your potential request.
2. Complete the Conditional Use Permit Application and provide all the supplemental items to the CPZ Department by the filing deadline.
3. Review such application with the appropriate staff member to determine completeness.
4. If the application is complete, CPZ staff will publish notice of your request for a conditional use in the County's official newspaper noting the location and time of the required public hearing before the CPZ Committee. Neighbors, town officials, and affected state agencies will be notified as well.
5. If the Town chooses to review the conditional use request at the Town Planning Commission and Town Board level, you will need to attend such meetings to provide information regarding the request. Please request that copies of minutes/proceedings outlining the Town's recommendation be provided to the CPZ Department for the file.
6. A public hearing will be held before the CPZ Committee. Either the property owner or designated agent will need to be present at the hearing to provide testimony regarding the request. The CPZ Committee must make a decision based only on the evidence that is submitted to it at the time of the hearing. Failure to provide representation may result in denial or postponement of your request.
7. If the CPZ Committee grants your conditional use you must obtain a land use permit from the CPZ Department. A conditional use must be initiated by securing a land use permit within 365 days of the date of the approval. Failure to do so will result in the conditional use being void. The permit will be issued if all of the requirements of the Department and any conditions of the Committee have been addressed.
8. If the CPZ Committee denies your conditional use, the decision will become final unless a written appeal is filed with the Zoning Administrator within 30-days of the decision. Appeals are heard before the Board of Adjustment,

which will review whether the agency followed the standards and criteria in the zoning ordinance, rather than conducting a de novo review of the conditional use application.

Please Note: If a conditional use application is denied by the CPZ Committee and no appeal is filed, no new conditional use application can be re-submitted for a period of 365 days from the date of the CPZ Committee's decision, except on grounds of new evidence or proof of changes of factors found valid by the CPZ Committee.

Sauk County

Ascent Land Records Suite

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Real estate property & tax

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Owner (s): SCHLIECKAU, RANDY L		Location: Section,Sect. 13, T10N, R4E	
Mailing Address: RANDY L SCHLIECKAU E6910 LELAND RD LOGANVILLE, WI 53943		School District: 5100 - Sch D of Sauk Prairie	
Tax Parcel ID Number: 0104-00000	Tax District: 020-Town of Honey Creek		Status: Active
Alternate Tax Parcel Number:			Acres: 46.5000
Description - Comments (Please see Documents tab below for related documents. For a complete legal description, see recorded document.): S 13-10-4 PRT SW NW & NW SW = CSM #3761 LOT 1 46.50A (MFL 35A PER D-717897)			
Site Address (es): (Site address may not be verified and could be incorrect. DO NOT use the site address in lieu of legal description.) E6910 LELAND RD LOGANVILLE, WI 53943			

Select Detail -->

<Select Detail>

[Make Default Detail](#)[Printer Friendly Page](#)[View Interactive Map](#)**Summary of Subject Details:***NOTE: Not all subject details are available at every county.***Assessments:**

Assessment detail by year.

Taxes:

Tax history by year, links to tax payment history, and payoff calculator.

Zoning:

Rural zoning map for the selected parcel. Zoning is intended to be used as a reference only. Only rural zoning information is provided. For information about city or village zoning, please contact local officials.

Districts:

Special District information (Lake, Sanitary, TIF, BID).

Parcel History:

History of tax parcel changes. Parcel history is not available for changes made prior to January 2012. Changes made prior to this are available only by visiting the County.

Documents:

Documents related to selected tax parcel. There may be other documents related to this parcel that are not shown.

Survey History:

List of surveys performed on selected parcel or on parents of selected parcel. There may be surveys performed that are not available electronically through this portal.

Sales History:

List of all sales related to the selected parcel. There may be documents related to this parcel that are not shown.

Parcel Map:

Interactive map of the selected tax parcel. Maps are available for 'Active' parcels only.

Permits:

Listing of sanitary and/or land use permits associated with the parcel.

[Log in](#)[View Disclaimer](#)[Database Versions](#)



Sauk County Land Information/GIS Web Map





OFFICE OF
SAUK COUNTY CONSERVATION, PLANNING, AND ZONING

SAUK COUNTY WEST SQUARE BUILDING
505 BROADWAY
BARABOO, WI 53913
Telephone: (608) 355-3285

NOTICE

PLEASE TAKE NOTICE, that the Conservation, Planning, and Zoning Committee of the Sauk County Board of Supervisors will hold a public hearing on July 24, 2018, at 9:15 a.m. or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 14-2018 A petition to consider a rezone from an Exclusive Agriculture zoning district to a Agriculture zoning district and conditional use permits pursuant to s.7.039(1) Animal Grooming and s.7.039(5) Kennel. Said rezone and conditional use is located in the Town of Honey Creek, Sauk County, Wisconsin.

Land to be affected by the proposed rezone and conditional use are located in Section 13, T10N, R4E, Town of Honey Creek and further described in Petition 14-2018. Tax parcel identification number 020-0104-00000.

- B. Testimony of persons to appear at the public hearing; any person so desiring, will be given a reasonable opportunity to express their opinions on the matter before the Committee.
- II. A. The purpose of the proposed rezone and conditional uses is to use the property for a dog kennel and grooming business.
- B. Any person desiring more information or to request a map of the proposed conditional use permit may contact the Sauk County Conservation, Planning, and Zoning Office, Brian Cunningham at the Sauk County West Square Building (Telephone 608/355-3245 phone)
- C. If you have a disability and need help, reasonable accommodations can be made for those so requesting provided that a 48 hour notice is given. Please call 608-355-3245 or TDD 608-355-3490.

Date: June 29, 2018

SAUK COUNTY CONSERVATION, PLANNING, AND ZONING COMMITTEE

BY: Brian Cunningham
 Sauk County Department of Conservation, Planning, and Zoning
 505 Broadway Street
 Sauk County West Square Building
 Baraboo, WI 53913

To be published July 12, 2018 and July 19, 2018

This notice can also be found at www.wisconsinpublicnotices.org or www.co.sauk.wi.us/legalnotices





View from driveway looking east.



View from driveway looking north.



View from house looking south.



View from house looking north.



View of parking area.



View of shed.



Conservation, Planning, and Zoning Department
505 Broadway, Ste. 232, Baraboo, Wisconsin 53913
Phone: (608) 355-3245 Fax: (608) 355-3292
www.co.sauk.wi.us

June 29, 2018

TO THE MEMBERS OF THE SAUK COUNTY CONSERVATION, PLANNING, AND ZONING COMMITTEE:

William Wenzel, 290 Fifth St., Prairie du Sac, WI 53578
Chuck Spencer, S5075 Lover's Ln., Baraboo, WI 53913
John Dietz, S4831 Golf Course Rd., Rock Springs, WI 53961
Glenn Johnson, E7358 Junction Rd., Reedsburg, WI 53959
Jean Berlin, S6308 Hwy 154, Hillpoint, WI 53937
Bob Newport, S1596 Summit Point Dr., LaValle, WI 53941

Hearing of a Rezone and Conditional Use Petition:

Petition #14-2018 Rezone and Conditional Use. A petition to consider a rezone pursuant to s.7.150 from an Exclusive Agriculture Zoning District to a Agriculture Zoning District. A petition to consider a conditional use permit pursuant to s.7.039(1) Animal Grooming, s.7.039(5) Kennel. The purpose of said rezone request for the future establishment of a dog kennel and grooming business. Said rezone and conditional use is located in the Town of Honey Creek, Sauk County, Wisconsin.

Please take note:

A hearing on the above Petition has been scheduled for TUESDAY, July 24, 2018 at 9:15 a.m. in the COUNTY BOARD ROOM.

A copy of the Notice of Hearing is enclosed.

Sincerely,

Brian Cunningham
Assistant Zoning Administrator
Sauk County Conservation, Planning & Zoning

Copy (with enclosure) to:

Sauk County Clerk, Sauk County West Square Building
Crystal Fahrenkamp, Honey Creek Town Clerk, S8314 Denzer Rd, North Freedom, WI 53951 (certified mail)
Randy and Penny Schlieckau, E6910 Leland Rd., Loganville, WI 53943 (certified mail)
Adjacent property owners