

**BOARD OF ADJUSTMENT STAFF REPORT
SP-17-11**

Willowood Inn

Public Hearing Scheduled for: 08/25/11

1. Request

A request for a special exception permit to bring into compliance an existing motel.

2. History

Location/Zoning	Permits Issued	Previous Appeals	Citations
Property was rezoned to the Recreational-Commercial District in 1992, on real estate described as: S5509 State Road 123, part of the NW ¼, SE ¼, section 11, T11N, R6E, Town of Baraboo.	<u>Permits:</u> In 2004 a permit was issued to replace the sign and in 2007 a permit was issued for a tent for road side sales.	In April of 2004 a Special Exception permit was granted by the Board for a campground.	None found

3. Finding of Fact:

When reviewing a special exception proposal the Board of Adjustment reviews the proposed site to show that the approval shall be consistent with the general purpose and intent of the ordinance and to show the desirability of the proposed location for the specific proposed use from the standpoint of the public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy machinery, heavy vehicular traffic and increased traffic on public streets.

Section 7.08(2)(b)2 of the Sauk County Zoning Ordinance provides that a special exception permit is required for hotels, motels and resorts.

This site had been used as a motel since 1955 the applicants purchased the property in 2004. The zoning was brought into compliance in 1992, however the owners at that time, did not secure the required special exception permit from the Board of Adjustment for the operating motel.

Surrounding Properties		Floodplain/Wetland	Other:
North	The city of Baraboo	Floodplain map, panel 5511C0403 E, effective date 12-15-09. This site is not located within the floodplain. There are no mapped wetlands indicated in this area.	
South	Agricultural and forested properties.		
East	Agricultural, and residential properties.		
West	Agricultural and few residential properties.		

4. Plan Commission/Town Recommendation

The Town of Baraboo is aware that this appeal is being heard by the Board but has not rendered a decision at this time.

5. 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 prior to commencing any building or change of use.

B. The permit shall be issued to the applicants and shall be nontransferable.

C. Sauk County Conservation, 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 Conservation, Planning and Zoning. If the department finds that any of these conditions have 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.

D. 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 Conservation, Planning & Zoning Director, or appear in front of the Board of Adjustment. In order to have 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