

BOARD OF ADJUSTMENT STAFF REPORT
SP-01-14

Bluffview Center of Hope, Inc.
Public Hearing Scheduled for: 01/30/14

1. Request

A request for a special exception permit to bring into compliance a church that has been operating at this location for the last ten years.

2. History

Location/Zoning	Permits Issued	Previous Appeals	Citations
The church is zoned Commercial. The recently acquired property is zoned Multiple-Family. The parcels are described as: lots 33 and 27 of Bluffview Village, part of the NE ¼, SW ¼, section 3, T10N, R6E, Town of Sumpter.	None found	None found	None issued

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 7.13(1)(h)4 of the Sauk County Zoning Ordinance provides that a special exception permit is required for institutions, public or private, of an educational, philanthropic or charitable nature.

The applicant is requesting a special exception permit to continue to operate the church located at S7559 U. S. Highway 12.

Surrounding Properties		Floodplain/Wetland	Other:
North	There is a gas station and convenience store.	Floodplain map, panel 5511C0532 E, effective date 12-15-09. This site is not located within the floodplain. There are not mapped wetlands indicated at this location.	
West & South	The Bluffview multi family subdivision		
East	Badger Ordinance		

4. Plan Commission/Town Recommendation

The Town of Sumpter is aware that this appeal has been filed with the Sauk County Board of Adjustment.

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.
- B. No work shall be commenced prior to receiving the Board of Adjustment decision letter and securing the required permits.
- C. The site shall operate under the terms and during the hours as presented by the applicant.
- D. The permit shall be nontransferable.
- E. 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.

F. 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