

**BOARD OF ADJUSTMENT STAFF REPORT  
SP-04-14**

**Thomas Wysocki & Marta Holodniak**  
Public Hearing Scheduled for: 01/30/14

1. Request

A request for a special exception permit to authorize the location and operation of a bed and breakfast establishment.

2. History

<b>Location/Zoning</b>	<b>Permits Issued</b>	<b>Previous Appeals</b>	<b>Citations</b>
Property is zoned Agricultural, on real estate described as: E9510 Oak Hill Rd., part of the NE ¼, NW ¼, section 1, T13N, R5E, Town of Dellona.	A land use and sanitary permit was issued in 2004 for a four bedroom residence and detached garage.	None found	Citations were issued in August of 2013 for renting a lodging house without the required permits.

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 7.03(2)(n)1 of the Sauk County Zoning Ordinance provides that a special exception permit is required for lodging houses and bed and breakfast establishments.

The department has received a complaint that this property had been rented as a lodging house in 2013. The applicant has submitted plans to add bedrooms to the existing house and convert the garage into living quarters. An additional septic system would be required to serve the additional wastewater load.

Surrounding Properties		Floodplain/Wetland	Other:
West, East & South	Agricultural, forested and few residential properties.	Floodplain map, panel 5511C0250 E, effective date 12-15-09. This property is not located within the floodplain.  There are no mapped wetlands indicated on this parcel.	
North	Juneau County		

4. Plan Commission/Town Recommendation

The Town of Dellona 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. A septic verification shall be submitted to Sauk County Conservation Planning & Zoning.
- E. The property shall meet all applicable State of Wisconsin regulations and all applicable licenses shall be issued to said property prior to rental as a bed and breakfast.

- F. The permit shall be issued to the owner and shall be nontransferable.
- G. An annual inspection fee shall be paid to Sauk County by June 1st of each year.
- H. Off street parking shall be provided at a rate of one space per bedroom and shall meet all applicable local township and County standards.
- I. This permit shall be valid for a period of five years and may be renewed by the Board of Adjustment at that time.
- J. 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.
- K. 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