

SAUK COUNTY BOARD OF ADJUSTMENT

Thursday, January 23, 2025

County Board Room/Gallery

West Square Building

PRESENT: R. Meier, J Evert, J. Phephles, R. Klitzke, D. Allen,

OTHERS PRESENT: B. Simmert, R. Meyer, T. Hillmann

Call to order and certify compliance with open meetings law

At 9:00 a.m. Chair R. Meier called the meeting to order and introduced the members of the Board, explained the procedures and order of business for the day. LRE Staff certified that the legally required notices were posted for the scheduled public hearings.

Adopt agenda

Motion by Phephles / Evert to adopt the January 23, 2025 Agenda. Motion carried, unanimously.

Adopt minutes of previous meeting – November 21, 2024

Motion by Klitzke / Allen to adopt the minutes from the November 21, 2024, BOA meeting. Motion carried, unanimously. Evert abstained

Communications

No communications were reported.

A request from Sean Dugan of West and Dunn, Agent for Tyler Leatherberry, property owner to request an extension of Special Exception Permit 02-20 for a non-metallic mining site, one acre or greater pursuant to Sauk County Zoning Ordinance s. 7.060(5).

Motion by Phephles / Klitzke to grant a 4-month extension for Mr. Tyler Leatherberry to complete the requirements of the Special Exception Permit application for a non-metallic mining site as requested. Motion carried unanimously.

APPEALS:

Chair R. Meier announced the process for the public hearing portion. Public hearing called to order at 9:02 a.m.

R. Meyer read the public hearing notice for Petition 01-2025.

- a. **Petition 01-2025.** Granting of a special exception permit pursuant to s. 7.036(5)(e) and s. 7.036(5)(h) to authorize the operation of a lodging house. This property is located on real estate described as: E12311 County Road W, located in part of the NE ¼, NW ¼, and NW ¼, NE ¼, Section 07, T11N, R7E, Town of Greenfield, as further described in Petition 01-2025. Tax parcel numbers 018-0193-10000 and 018-0202-00000, owned by Wild Rose Ranch LLC.

T. Hillmann presented the staff report, background, and history. Town of Greenfield Plan Commission and Town Board recommended approval of the special exception permit without any further input. Sauk County LRE recommended approval of the special exception permit.

Applicant, M. Gillette, provided information regarding the request to operate a lodging house in the Town of Greenfield.

No one spoke in favor, opposition or as an interested party of Petition 01-2025.

Seeing no one else wished to speak, Chair R. Meier, closed the public hearing for this appeal and the

Board went into deliberation at 9:15 a.m.

Motion by Phephles / Klitzke to approve Petition 01-2025 to authorize the operation of a lodging house with the conditions set forth by staff, based upon the findings of fact and conclusion of law, subject to the staff analysis, and recommend conditions as noted within the staff report. Motion carried, unanimously.

R. Meyer read the public hearing notice for Petition 02-2025.

- b. **Petition 02-2025**. Granting of a special exception permit pursuant to s. 7.038(1)(i) to the location and operation of a non-metallic mining site, one acre or greater and a Non-Metallic Mining Reclamation Permit pursuant to s. 24.05 of the Sauk County Non-Metallic Mining Reclamation Ordinance. The hearing is a combined hearing on the special exception permit and reclamation plan. This property is located on real estate described as part of the SE ¼, of the NE ¼ of Section 21, T11N, R5E, Town of Freedom, Sauk County, WI. Lands include tax parcel 016-0436-00000 owned by TKC Real Estate Holdings LLC.

B. Simmert presented the staff report, background, and history. Town of Freedom Plan Commission and Town Board recommended approval of the special exception permit without any further input. Sauk County LRE recommended approval of the special exception permit.

B. Jewell, Geologist for Milestone Materials, provided information regarding the request to operate a non-metallic mining site and a Non-Metallic Mining Reclamation Permit. B. Jewell noted that the mine hasn't been used on a regular basis since the Hwy 12 construction.

No one spoke in favor of Petition 02-2025

Maxine Marti spoke in opposition of Petition 02-2025. Maxine stated the project will destroy the environment, horse land, nature, and wildlife due to the blasting and mining. The access easement is in close proximity to two private residents. Maxine has concerns with families with small children and pets with the closeness of the access easement. Maxine has attended the town plan commission and town board meetings to express her concerns.

Ryan Daum spoke in opposition of Petition 02-2025. Ryan lives on Hwy PF near the access easement. Ryan has concerns with the disruption of wildlife as the access easement would eliminate wooded areas. Ryan has mentioned his concern of public safety as the location of the access easement is on a hill and corner. Ryan's spouse works from home, therefore, has concerns with the noise that the operational mine would impact on her employment. Ryan virtually attended the town plan commission and town board meetings.

Tara Olson spoke in opposition of Petition 02-205. Tara has safety concerns with the access easement and the mining operation effecting her in-home daycare. Tara has attended the town plan commission and town board meetings to express her concerns.

No one spoke as an interested party of Petition 02-2025.

Seeing no one else wishes to speak, Chair R. Meier, closed the public hearing for this appeal and the Board went into deliberation at 9:58 a.m.

Motion by Phephles / Evert to approve Petition 02-2025, the requested special exception permit to continue non-metallic mining operations, based upon the findings of fact and conclusion of law subject to the staff analysis and conditions as noted herein. Motion carried, unanimously.

Motion by Evert / Klitzke to approve Petition 02-2025, the reclamation plan as presented for the non-metallic mining site, based upon the findings of fact and conclusion of law subject to the staff analysis and conditions as noted herein. Motion carried, unanimously.

Next meeting date – Thursday, February 27, 2025 at 9:00 am

Adjournment – R. Meier called for a motion to adjourn. Motion by Klitzke / Phephles to adjourn the meeting at 10:02 a.m. Motion carried, unanimously.

Respectfully submitted,

Jennifer Evert, Secretary

