

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.

General Application Requirements

<p>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 received by the deadline will be noticed for a specific hearing date/time.</p>
<input type="checkbox"/> Completed Special Exception Application Form
<input type="checkbox"/> \$500 application fee (non-refundable), payable to Sauk County LRE
<input type="checkbox"/> Written statement that justifies the need/purpose for the special exception request and addresses how the ordinance standards are/will be met as well as 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.)
<input type="checkbox"/> A site plan which shall include a scalable drawing showing the location of all drives, entrances, sidewalks, trails, and signs, the location size, number and screening of all parking spaces.
<input type="checkbox"/> A landscaping plan.
<input type="checkbox"/> A grading and drainage plan.
<input type="checkbox"/> Building elevations and floor plans.
<input type="checkbox"/> 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.
<input type="checkbox"/> Completed Land Use Permit Application Form with Appropriate fee, payable to Sauk County LRE.
<input type="checkbox"/> Town Acknowledgement Form
<input type="checkbox"/> Other information as requested by the zoning administrator to explain the request.

Special Exception Standards

The applicant must demonstrate how the proposal meets the standards for granting a special exception. Please attach additional sheets, if necessary.

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.

Special Exception Procedures and Requirements

What is a special exception?

A special exception is a permission or approval granted to an applicant or property owner to use land in a zoning district for a purpose other than that generally permitted outright within that district. The permission or approval can only be granted by the Board of Adjustment; in accordance with the standards and criteria noted within the zoning ordinance. In order to make application for a special exception permit, the use must be listed as such in the use table key of the zoning ordinance.

Standards

General performance and design standards for approval of special exception uses are provided for by ordinance. An applicant must demonstrate that the proposed project complies with each of the standards. The Board may impose additional conditions on development to ensure consistency with the standards for approval and to meet ordinance criteria.

When reviewing a request for a Special Exception Permit, the Board of Adjustment must review the application against 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.
- (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 no 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.

Also, when reviewing a request for a Special Exception, the Board of Adjustment must review the application against additional criteria.

- a. The 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 wetland.
- c. Whether the site has adequate utilities including, if necessary, 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.

Pursuant to Wisconsin Statutes 59.69(5e)(b), no special exception may be granted if the Board of Adjustment determines that the standards have not been met, nor may a special exception be denied if the Board of Adjustment determines that the standards are met.

Process

1. Contact the LRE Department to schedule a meeting to review your potential request.
2. Complete the Special Exception Application and provide all the supplemental items to the LRE Department by the filing deadline.
3. Review such application with the appropriate staff member to determine completeness.
4. If the application is complete, LRE staff will publish notice of your request for a special exception in the County's official newspaper noting the location and time of the required public hearing before the BOA. Neighbors, town officials, and affected state agencies will be notified as well.
5. If the Town chooses to review the special exception 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 LRE Department for the file.
6. A public hearing will be held before the Sauk County Board of Adjustment. Either the property owner or designated agent will need to be present at the hearing to provide testimony regarding the request. The BOA 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 Board of Adjustment grants your special exception request, you must obtain a land use permit from the Land Resources & Environment Department. The permit will be issued if all of the requirements of the Department and any conditions of the BOA have been addressed.
8. If the Board of Adjustment denies your request, the decision will become final unless a written appeal is filed with the Sauk County Circuit Court within 30-days of the date of decision.