

**AMENDED AGENDA FOR THE
PLAN COMMISSION**

Members noticed must notify the person who prepared agenda (see below) at least 24 hours before the meeting as to whether they will not be able to attend this meeting.

Date and Time: Tuesday, January 15, 2019, **5:15 PM**
Location: Council Chambers, Municipal Building, 101 South Blvd., Baraboo, Wisconsin
Plan Comm Notices: Mayor Palm, P. Wedekind, D. Thurow, R. Franzen, P. Liston, J. O'Neill, T. Kolb, K. Fitzwilliams
Others Noticed: T. Pinion, E. Geick, E. Truman, Steve Messner, Chasity Gabrielson, **Tyler Edwards**, Library, and Media.

PETITIONERS OR REPRESENTATIVES MUST BE PRESENT OR SUBJECT WILL NOT BE HEARD BY THE COMMISSION!

1. **Call to Order**
 - a. Note compliance with the Open Meeting Law.
 - b. Roll Call
 - c. Approve agenda.
 - d. Approve December 18, 2018 meeting minutes.

2. **Public Invited to Speak** (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)

3. **New Business**
 - a. Consideration of Ad-Hoc Zoning Committee's recommendation for regulating Short-Term Rentals in the City of Baraboo.

 - b. Consideration of an amendment to the Zoning Code to add Retail Sales & Service and Pet Grooming to allowable permitted uses in the B-2 Neighborhood Business, B-3 Highway-Oriented Business, and I-4 Planned Industrial/Business districts.

 - c. Review and approve a Two-Lot Certified Survey Map for land in the SE ¼ of the SW ¼ of Section 3, T11N, R6E, City of Baraboo, at 1040 State Rd 136 for Menard, Inc.

4. **Adjournment**

Phil Wedekind, Mayor Designee
Agenda prepared by Kris Jackson, 355-2730, Ext. 7309
Amended Agenda Posted by Donna Munz on January 14, 2019

PLEASE TAKE NOTICE, that any person who has a qualifying as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 101 south Blvd., or phone 355-2700, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the City of Baraboo who are not members of the above Council, committee, commission or board may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above stated meeting, **other than the Council, committee, commission, or board identified in the caption of this notice.**

FOR INFORMATION ONLY, NOT A NOTICE TO PUBLISH.

**PLAN COMMISSION ITEM SUMMARY
JANUARY 15, 2019**

SUBJECT: CONSIDERATION OF AD-HOC ZONING COMMITTEE'S RECOMMENDATION FOR REGULATING SHORT-TERM RENTALS IN THE CITY OF BARABOO.

SUMMARY OF ITEM A: The Mayor appointed an Ad-Hoc Zoning Committee to review allowable conditional uses in our Zoning Code. That Committee met six times and they have provided a host of recommended changes to conditional uses for your consideration that we reviewed last month. In light of recent legislation pertaining to Short-Term Rental Dwellings, the Ad-Hoc Committee also reviewed our current Short-Term Rental regulations and has recommended the proposed revisions included in the packet to better conform to the new State Law.

If the Commission decides to accept their recommendation, the process parallels that of a rezone since it requires an amendment to our Zoning Code.

ACTION: Forward to Common Council for a Public Hearing to amend the Zoning Code with a recommendation to Approve/Conditionally Approve/or Deny the proposed amendment.

SUBJECT: CONSIDERATION OF AN AMENDMENT TO THE ZONING CODE TO ADD RETAIL SALES & SERVICE AND PET GROOMING TO ALLOWABLE PERMITTED USES IN THE B-2 NEIGHBORHOOD BUSINESS, B-3 HIGHWAY-ORIENTED USE, AND I-4 PLANNED INDUSTRIAL/BUSINESS DISTRICTS.

SUMMARY OF ITEM B: I recently a couple of inquiries from people wanting to open a dog grooming business in Baraboo. I am unaware of any existing pet grooming businesses in the City of Baraboo. In reviewing our Zoning Code, Chapter 17 of the General Code of Ordinances, "pet grooming" is expressly prohibited as either a Home Occupation or Professional Home Office but does not appear as an allowable use (either as permitted or conditional) in any zoning district. The list of prohibited uses under the respective definitions for Home Occupation and Professional Home Office groups "pet grooming" with veterinary clinics, animal hospitals, and boarding. These uses, excluding pet grooming, are all listed as either permitted uses or conditional uses in at least one zoning district.

For what it's worth, the following definition is currently defined by the Zoning Code but it is not listed as a permitted use or conditional use in any district.

(82A) RETAIL SALES AND SERVICES. Retail sales and service land uses include all land uses which conduct or display sales or rental merchandise or equipment, or non-personal or non-professional services, entirely within an enclosed building

If you are inclined to add pet grooming as an allowable use, perhaps you would also consider adding Retail Sales and Services as an allowable use.

The City Attorney and I have discussed the matter and suggest that both Pet Grooming and Retail Sales & Service be added to the respective lists of permitted uses in the B-2 Neighborhood Business, B-3 Highway-Oriented Business, and I-4 Planned Industrial/Business districts.

If the Commission decides add these uses, the process parallels that of a rezone since it requires an amendment to our Zoning Code.

ACTION: Forward to Common Council for a Public Hearing to amend the Zoning Code with a recommendation to Approve/Conditionally Approve/or Deny the proposed amendment.

PLAN COMMISSION ITEM SUMMARY
JANUARY 15, 2018 (AMENDED)

SUBJECT: REVIEW AND APPROVE A TWO-LOT CERTIFIED SURVEY MAP FOR LAND IN THE SE ¼ OF THE SW ¼ OF SECTION 3, T11N, R6E, CITY OF BARABOO, AT 1040 STATE RD 136 FOR MENARD, INC.

SUMMARY OF ITEM C: Menards is adding a second entrance lane to their yard gate. The new lane will serve as an automated express lane that allows guests to scan a phone or receipt from an online order to gain access to the yard without waiting for the gate guard to let them in. Since the additional will cross an existing property line, a situation that the Commercial Building Code prohibits, they have submitted a CSM to adjust the existing property lines. A copy of the site plan for the proposed improvement is also included in the packet for reference.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 18.06 – *Certified Survey Map*, I have found the CSM to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve/Conditionally Approve / Deny the CSM.

Minutes of Plan Commission Meeting December 18, 2018t

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O’Neill, and Tom Kolb. Kate Fitzwilliams arrived at 5:17 p.m.

Also in attendance were Administrator Geick, Tom Pinion, Attorney Truman, Brad Servin, Karen Stanley, Dan Hellenbrand, Jon Bare, Griffin James, and Ben Bromley.

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Kolb, seconded by Liston to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O’Neill, seconded by Liston to approve the minutes of the October 16, 2018 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

Public Hearings:

- a. Public Hearing to consider the request of Oak Park Place, 800 Waldo Street, for an amendment to their existing Conditional Use Permit, which was originally granted on November 20, 2007 and subsequently amended on June 17, 2008, July 25, 2011, November 15, 2016, and September 19, 20178 to allow an expansion of two (2) independent living units – There being no speakers, the hearing was declared closed.
- b. Public Hearing to consider the request of Karen Stanley, to convert the existing two-story structure at 138 1st Street, formerly occupied by a business, to a mixed-use occupancy for a restaurant and professional office – There being no speakers, the hearing was declared closed.
- c. Public Hearing to consider the request of Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James for a Conditional Use Permit to open a micro-brewery as a tourism oriented on-site manufacturing business in the westerly portion of the existing building at 623 Broadway, located in a B-1 Zoning District – There being no speakers, the hearing was declared closed.
- d. Public Hearing to consider the request of Daniel J and Adelina Hellenbrand for a Conditional Use Permit to allow a one-chair beauty shop in the existing single-family residence on the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW¹/₄ of the NE¹/₄ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 404 South Parkway, City of Baraboo - There being no speakers, the hearing was declared closed.

New Business

- a. Consideration of Oak Park Place’s request for an amendment to their existing Conditional Use Permit, which was originally granted on November 20, 2007 and subsequently amended on June 17, 2008, July 25, 2011, November 15, 2016, and September 19, 20178 to allow an expansion of two (2) independent living units – Brad Servin, Architectural Design Consultants, representing Oak Park Place address the Commission. Engineer Pinion presented the background for the project. It was moved by Liston, seconded by Franzen to approve the request of Oak Park Place for an amendment to their existing CUP to allow an expansion of two (2) independent living units. On roll call vote for the motion, Ayes – Thurow, Franzen, Liston, O’Neill, Kolb, Fitzwilliams, and Wedekind. Nay – 0, motion carried 7-0.
- b. Consideration of Karen Stanley’s request for a Conditional Use Permit to convert the existing two-story structure at 138 1st Street, formerly occupied by a business, to a mixed-use occupancy for a restaurant and professional office – Karen Staley, 1530 Tillberry Drive introduced herself to the Commission. Pinion presented the Commission with the history of the building and prior tenants. Stanley said that this building was Sand County Café in 1998. Pinion said that he had a conversation with the State Building Inspector and since it was previously upgraded as a restaurant and simply the equipment was removed, everything is in place, so there is no need for State approved plans. He said that this is not really a change in use; it will need to be licensed through the County, who is acting on behalf of the State Health and Family Services. He said that Stanley is looking for this mixed use to go into this property, and they are both allowed as permitted uses in the underlying B-1 Zoning District; however, it is right on the boundary of the City’s conditional use overlay

district. Stanley handed out a summary of her proposed use to the Commission. A question was raised regarding parking. Pinion stated that this is in the B-1 Downtown Central Business District, and there are no off-street parking requirements for any business in a B-1. It was moved by Liston, seconded by Franzen to approve the requested Conditional Use Permit to convert the existing structure at 138 1st Street to a mixed-use occupancy for a restaurant and professional office, conditioned upon licensure through the Sauk County Health Department. On roll call vote for the motion, Ayes – Franzen, Liston, O’Neill, Kolb, Fitzwilliams, Wedekind, and Thurow, Nay – 0, motion carried 7-0.

- c. Consideration of Colossa, Donald Horowitz, Jon Bare, and Griffin James’ request for a Conditional Use Permit to open a micro-brewery as a tourism oriented on-site manufacturing business in the westerly portion of the existing building at 623 Broadway, located in a B-1 Zoning District – Jon Bare and Griffin James introduced themselves to the Commission. Pinion said that a staff level meeting was held at the Al Ringling Mansion with three out of the four owners, as zoning was reviewed there is an opportunity as a conditional use permit to operate an on-site tourism oriented manufacturing facility. He said that this is a parallel process to what the Commission did for the distillery at 300 Water Street, located in the Central Business District; a brewery is not a formal use within that, so the closest one that resembles that is the on-site manufacturing. He said as being contiguous to the Al Ringling Mansion, which is tourism-oriented business it compliments it very nicely. He said that the owners would be getting the property plan approvals through the State, as well as licensure to actually open and operate the brewery. It was stated that the owners would be applying for a brewpub permit, which means they will be selling the majority of what is brewed for consumption on premises; in fact, they will be selling everything that is brewed there. It was stated that there will be no distribution, and there will be a full kitchen. It was stated that this would be a 7-barrel brew house, which is equivalent to about 220 gallons at a time. It was moved by O’Neill, seconded by Kolb to approve the conditional use to open a microbrewery as a tourism oriented on-site manufacturing business at 623 Broadway as requested. On roll call vote for the motion, Ayes – Liston, O’Neill, Kolb, Fitzwilliams, Wedekind, Thurow, and Franzen. Nay – 0, motion carried 7-0.
- d. Consideration of Daniel J and Adelina Hellenbrand’s request for Conditional Use Permit to allow a one-chair beauty shop in the existing single-family residence on the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW¼ of the NE¼ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 404 South Parkway, City of – Daniel and Adelina Hellenbrand introduced themselves to the Commission. Pinion presented the background to the Commission. It was moved by Liston, seconded by Franzen to approve the conditional use to allow a one-chair beauty shop in the existing single-family residence at 404 South Parkway. On roll call vote for the motion, Ayes – O’Neill, Kolb, Fitzwilliams, Wedekind, Thurow, Franzen, and Liston. Nay-0, motion carried 7-0.
- e. Consider a proposed Amendment to the General Development Plan (GDP) & Specific Implementation Plan (SIP) for Oak Park Place, a multi-family residential senior living complex at 800 Waldo Street to allow an expansion of two independent living units. – Brad Servin introduced himself again, the Commission. Pinion presented the background on this request. Liston moved, Kolb seconded to recommend forwarding this proposal to Council with a positive recommendation. On roll call vote for the motion, Ayes – Kolb, Fitzwilliams, Wedekind, Thurow, Franzen, Liston, and O’Neill. Nay – 0, motion carried 7-0.
- f. Review and approve a Two-Lot Certified Survey Map for land in the SE¼ of the SW¼ of Section 3, T11N, R6E, City of Baraboo, at 1040 State Rd 136 for Menard, Inc. – Pinion said that Tyler Edwards is the man that he has been corresponding with from Menard’s; however, he had another meeting this evening and could not be in attendance, and is respectively asking to postpone this until the next Commission meeting. It was moved by Kolb, seconded by O’Neill, to postpone the CSM for Menard until the January meeting. Motion carried unanimously.
- g. Consideration of Ad-Hoc Zoning Committee’s recommendation for revisions to Sections 17.08 Definitions and Conditional Uses in Section 17.20 through 17.35 of the City of Baraboo Zoning Code – Attorney Truman said that the goal of the Ad-Hoc Zoning Committee was specifically to review the conditional uses based on the change in the State law. Atty Truman questioned the Commission on how they wanted to go through the recommendations. Liston said he felt that the AD-Hoc Committee did due diligence, although, he does not know what they have against gazebos. Pinion said that gazebos are a structure and not really a use. Franzen asked Kolb, since he was on the Committee, where there were problems. Kolb answered that short-term rentals, and it was decided to pull short-term rentals out of all the zoning districts, and write a municipal ordinance to cover that. Kolb said that the proposed ordinance should come to the Commission in January. Truman said that short-term rentals is another one that the law changed in mid-2017. She said that the State took away some of the City’s regulatory powers regarding short-term rentals, and some municipalities have responded by just saying they will not be regulating them, and other communities have taken a more regulatory approach, and the AD-Hoc Committee have reviewed what other municipalities have looked at and decided they still what a say as to how they are regulated. Kolb said that some of the ones stricken are businesses that already exist in these zoning districts, and they will be grandfathered in. It was moved by Liston, seconded by O’Neill to move the Ad-Hoc Zoning Committee’s recommendations on to Council with a positive recommendation. On roll call vote for the motion, Ayes – Fitzwilliams, Wedekind, Thurow, Franzen, Liston, O’Neill, and Kolb. Nay – 0, motion carried unanimously.

Adjournment - It was moved by Kolb, seconded by Liston to adjourn at 5:45 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee

17.08 DEFINITIONS. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the same meaning as they have at common law. (1652 09/14/92, 2446 08/23/2016)

(89L) ~~SHORT TERM RENTAL DWELLING (2446 08/23/2016) Any single family dwelling that is rented to any person on a day-to-day basis or for a period of time of less than 30 consecutive nights. Any advertising of a short term rental dwelling shall be conclusive proof that a dwelling is being used as a short term rental dwelling. Any real property that is used for short term rental shall no longer be considered a single family dwelling.~~

Short-Term Rental means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days, as defined in § 66.0615 (1)(dk), Wis. Stat.

17.13A SHORT-TERM RENTALS

(1) **PURPOSE.** The purpose of this ordinance is to ensure that the quality of short-term rentals operating within the City is adequate for protecting public health, safety and general welfare, including: establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transient occupants, to protect the character and stability of all areas, especially residential areas, within the City; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and providing for the administration and enforcement thereof.

(2) **DEFINITIONS.** For the purpose of administering and enforcing this Article, the terms or words used herein shall be interpreted as follows:

Clerk means the City Clerk of the City of Baraboo or designee.

Corporate Entity means a corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state.

License means the Short-Term Rental License issued under this Article.

Owner means the owner of a short-term rental.

Owner occupied means the Owner resides in the premise a minimum of 210 days per year.

Person shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law. Whenever the word person is used in any Article of this Article prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members hereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation of such Article.

Property Manager means any person that is not the Owner that is appointed to act as agent and/or provides property management services to one or more short-term rental.

State means the State of Wisconsin Department of Health, or its designee.

(3) SHORT-TERM RENTAL LICENSE.

- (a) All License applications shall be filed with the Clerk on forms provided. Applications must be filed by the Owner. No license shall be issued unless the completed application form is accompanied by payment of the required fee.
- (b) Each application shall include the following information and documentation for each short-term rental unit:
 - i. Owner's name, address and phone number;
 - ii. Property Manager's name, address and phone number, if applicable (see §17.xx(4), below);
 - iii. A copy of State of Wisconsin License for a Tourist Rooming House License issued under §254.64, Wis. Stat;
 - iv. A copy of a completed State Lodging Establishment Inspection form dated within one (1) year of the date of issuance or renewal;
 - v. Proof of insurance (see §17.XX(5)(12), below);
 - vi. Floor plan and requested maximum occupancy;
 - vii. Site plan including available onsite parking;
 - viii. A Room Tax Permit issued pursuant to §3.14, Baraboo Municipal Code;
 - ix. A Seller's Permit issued by the Wisconsin Department of Revenue;
 - x. An employer identification number issued by the Internal Revenue Service.
- (c) Each permit and license shall run during a calendar year. Any application which does not include all of the information and documentation shall not be considered as complete.
- (d) When satisfied that the application is complete, the Clerk shall forward the application to the appropriate City Departments for review. If the Clerk in consultation with City staff determines that the application meets the requirements of this Article, the Clerk shall approve the application. If the Clerk in consultation with City staff determines that the application does not meet the requirements of this Article, the Clerk shall deny the application.
- (e) No License shall be issued or renewed unless there is filed with the Clerk a completed Fire Inspection Report dated not more than one (1) year before the date of issuance or renewal.
- (f) No License shall be issued or renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, unless arrangements for payment have been approved by the Clerk.

(4) PROPERTY MANAGER.

- (a) A Property Manager is required for any short-term rental that is not owner occupied.

- (b) To qualify as a Property Manager, the Property Manager must meet the following requirements:
 - i. Be a natural person residing in or within twenty-five (25) miles of the City, or a corporate entity with offices located within twenty-five (25) miles of the City.
 - ii. Not have pending any criminal charge or been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another.
- (c) Each Property Manager shall be authorized by the Owner to act as the agent for the Owner for the receipt of service of notice of violation of this Article's provisions and for service of process pursuant to this Article and shall be authorized by the Owner to allow City employees, officers and their designees, to enter the Owner's property for purposes of inspection and enforcement of this Article and/or the City Municipal Code.

(5) OPERATION OF SHORT-TERM RENTALS.

- (a) No person may maintain, manage, or operate a short-term rental more than six (6) nights in a 365-consecutive day period without a License.
- (b) Every short-term rental shall be operated by an Owner or Property Manager.
- (c) Each short-term rental shall comply with all of the following:
 - i. No vehicular traffic shall be generated that is greater than normally expected in the residential neighborhood.
 - ii. There shall not be excessive noise, fumes, glare, vibrations generated during the use.
 - iii. Name plates or other signage shall not exceed one square foot. No other signage advertising the short-term rental is permitted on site. Off-site advertising in media channels relating to the availability of the rental may take place only after all City, County and State permits and licenses have been obtained.
 - iv. The number of occupants in any unit shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable county and City housing regulations based upon the number of bedrooms in each unit.
 - v. No recreational vehicles (RVs), camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.
 - vi. Any outdoor event held at the short-term rental shall last no longer than one day, occurring between the hours of 8:00 a.m. and 10:00 p.m. Any activities shall be in compliance with other noise regulations of the City.
 - vii. Compliance with all applicable state, county, and local codes and regulations is required.
 - viii. Annual general building inspection is required prior to issuance or renewal of the license, to be conducted by the Building inspector and Fire Inspector at the sole cost of the Owner.
 - ix. Short-term rental licenses are issued for one year period and must be renewed annually as provided for in this Article.

- x. Each short-term rental shall carry casualty and liability insurance at all times and issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate.
- xi. Each short-term rental shall maintain the following written records for each rental of the dwelling unit: the full name and current address of any person renting the property, the time period for that rental, and the monetary amount or consideration paid for that rental.
- xii. Each license shall be displayed on the inside of the main entrance door of each short-term rental.

(6) RENEWAL.

- (a) Each application for a renewal License shall include updated information for the documentation on file with the Clerk and payment of the applicable fee. The Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Article. The Clerk shall request reports from the Police Department and Zoning Administrator regarding any complaints received, calls for service or actions taken regarding the short-term rental properties.
- (b) The Clerk shall issue renewal licenses within thirty (30) days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this Article and/or the reports from the Police Department and the Zoning Administrator indicate that there are complaints or actions involving the property that substantially relate to the use of the property as a short term rental. If the Clerk finds that the license or permit should not be renewed, the Clerk shall deny the renewal.
- (c) No License shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, or is under an order issued by the Building Inspector, Fire Inspector, Zoning Administrator or Police Department to bring the premises into compliance with City ordinances, unless arrangements for payment have been approved by the Finance Director.

(7) STANDARDS FOR SHORT-TERM RENTALS. Each short-term rental shall comply with this Article's requirements or any other applicable City ordinance. Each short-term rental shall comply with the following minimum requirements:

- (a) One (1) internal full bathroom for every four (4) occupants;
- (b) Not less one hundred fifty (150) square feet of floor space for the first occupant thereof and at least an additional one hundred (100) square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any premises without a separate enclosed bedroom is two (2) people;
- (c) Not less than one (1) onsite off-street parking spaces for every four (4) occupants based upon maximum occupancy;

- (d) At least two safe, unobstructed means of egress from the short-term rental leading to safe, open space at ground level;
- (e) Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code;
- (f) Shall not have an accessible wood burning fireplace unless the property owner provides a certificate from a properly licensed inspector, dated not more than thirty (30) days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances;
- (g) Shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure;
- (h) Shall not have a fire pit or other similar device used for heating or any other purpose on any balcony, deck or under any overhanging structure or within fifteen (15) feet of any structure.

(8) APPEAL AND LICENSE REVOCATION

- (a) The denial of a License application or renewal under this Article may be appealed by filing a written appeal request with the Clerk within ten (10) calendar days of the City's notice of denial. The appeal shall be governed by Chapter 6 of the Baraboo Municipal Code.
- (b) A License may be revoked by the Clerk for one or more of the following reasons:
 - i. Failure of the Owner to make timely payment on taxes or debt owed to the City;
 - ii. Failure of the Owner to make timely payment of the room tax;
 - iii. Determination by the Chief of Police that the property is a Chronic Nuisance Premises, as defined by §10.05A, Baraboo Municipal Code.
 - iv. Failure to maintain all required local, county, and state licensing requirements;
 - v. Failure to use the property as a short-term rental within twelve (12) months of obtaining the License;
 - vi. Any violation of local, county, or state laws that substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

(9) PENALTIES

- (a) Any person who violates any provision of this Article shall be subject to a penalty as provided in §25.04, Baraboo Municipal Code.
- (b) Penalties set forth in this Article shall be in addition to all other remedies of injunction, abatement or costs whether existing under this Article or otherwise

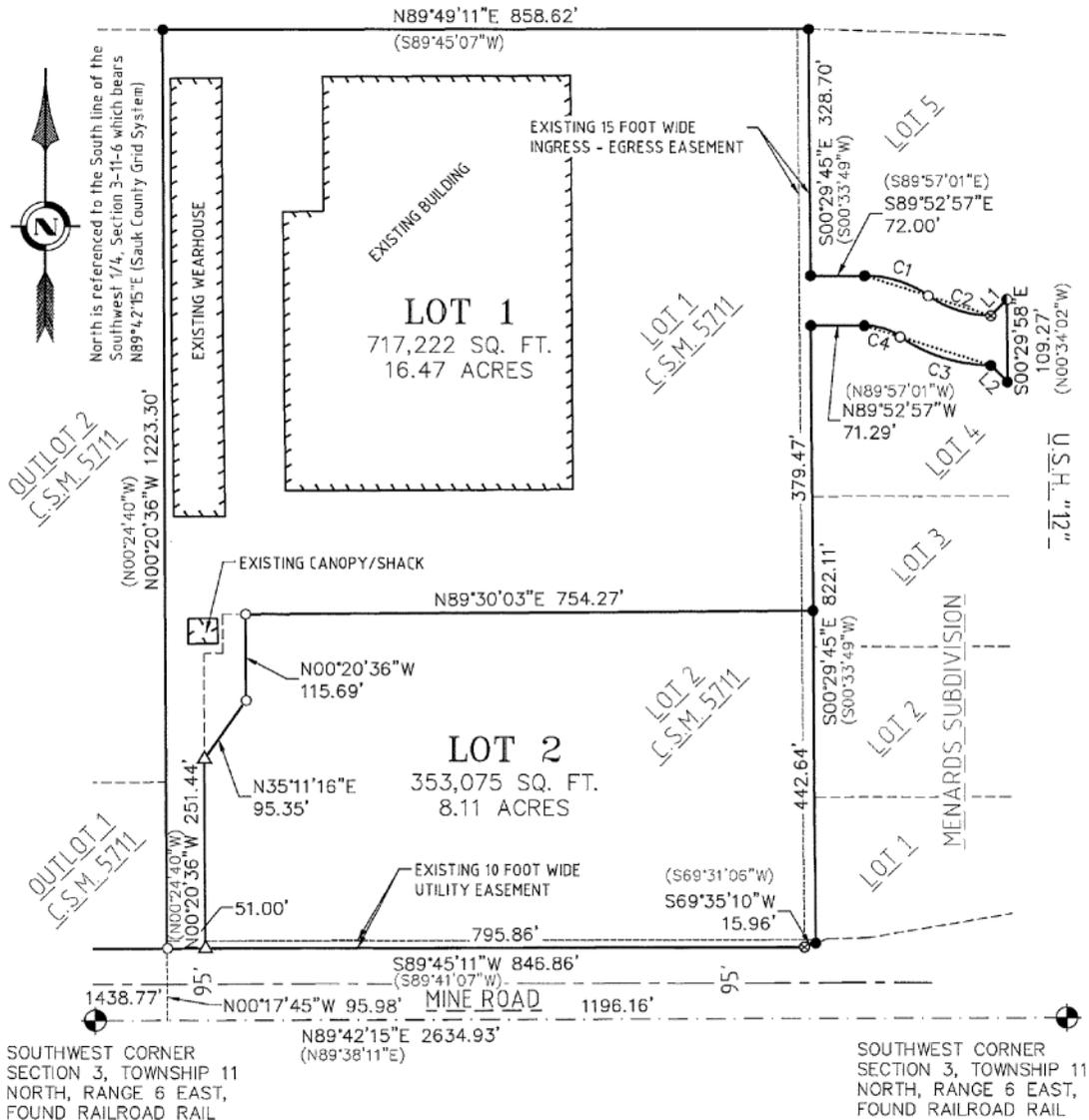
- (10) FEES. Initial and renewal Short-Term Rental application fee shall be \$200.00. This fee is nonrefundable and due upon application or renewal submission to the Clerk.
- (11) SEVERABILITY. If any provision of this Article and its ordinances is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this Article or its ordinances. It is hereby declared to be the intention of the City of Baraboo that all provisions of this Article and its ordinances therein are separable.

DRAFT

CERTIFIED SURVEY MAP NO. _____
VOLUME _____, PAGE _____.

PART SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER,
 SECTION 3, TOWNSHIP 11 NORTH, RANGE 6 EAST, CITY OF
 BARABOO, SAUK COUNTY, WISCONSIN, BEING ALL OF LOTS 1 AND
 2, CERTIFIED SURVEY MAP, NO. 5711, VOL. 33 OF CSM, PAGE 5711,
 DOC# 959381.

LOT 2
WAL-MART SUBDIVISION



LEGEND

- ⊕ Government Corner (As Noted)
- Set 3/4" x 18" Iron Rebar Weighing 1.502 Pounds/Lineal Foot
- △ Set P.K. Nail
- Found 1" O.D. Iron Pipe
- Found 3/4" Iron Rebar
- ⊗ Found "x" In Concrete
- () Recorded Bearing/Distance

SCALE: 1" = 200'



11/07/2018 COMPLETION DATE OF THE FIELDWORK



Dustin J. LaBlonde, PLS
 Cedar Corporation
 604 Wilson Avenue
 Menomonie, Wisconsin 54751

OWNER/PREPARED FOR:
 MENARD INC.
 4777 MENARD DRIVE
 EAU CLAIRE, WISCONSIN 54703

Dustin J. LaBlonde
 11/08/2018
 SHEET 1 OF 2 SHEETS

**CERTIFIED SURVEY MAP NO. _____
VOLUME _____, PAGE _____.**

PART SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER,
SECTION 3, TOWNSHIP 11 NORTH, RANGE 6 EAST, CITY OF
BARABOO, SAUK COUNTY, WISCONSIN, BEING ALL OF LOTS 1 AND
2, CERTIFIED SURVEY MAP, NO. 5711, VOL. 33 OF CSM, PAGE 5711,
DOC# 959381.

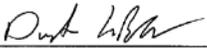
SURVEYOR'S CERTIFICATE

I, Dustin J. LaBlonde, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed, divided, and mapped part of the Southeast quarter of the Southwest quarter, Section 3, Township 11 North, Range 6 East, City of Baraboo, Sauk County, Wisconsin, more particularly described as follows:

Being all of Lots 1 and 2 of Certified Survey Map, No. 5711, Vol. 33 of CSM, Page 5711, Doc# 959381.

That I have made such survey, land division, and map at the direction of Menard Inc., Owner, 4777 Menard Drive, Eau Claire, Wisconsin, 54703. That such map is a correct representation of the exterior boundaries of the land surveyed, and the subdivision thereof made. That I fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes, A-E 7 of the Wisconsin Administrative Code and the subdivision regulations of the City of Baraboo, Sauk County in surveying, dividing and mapping the same. Said survey is subject to easements of record and as shown.

Dated this 8th day of November, 2018.


Dustin J LaBlonde, P.L.S. #3096



PLAN COMMISSION RESOLUTION

Resolved, that this Certified Survey Map, in the City of Baraboo, Sauk County, Wisconsin, Menard Inc., Owner, is hereby approved by the Plan Commission.

Date: _____ Approved _____
Mayor

Date: _____ Signed _____
City Engineer

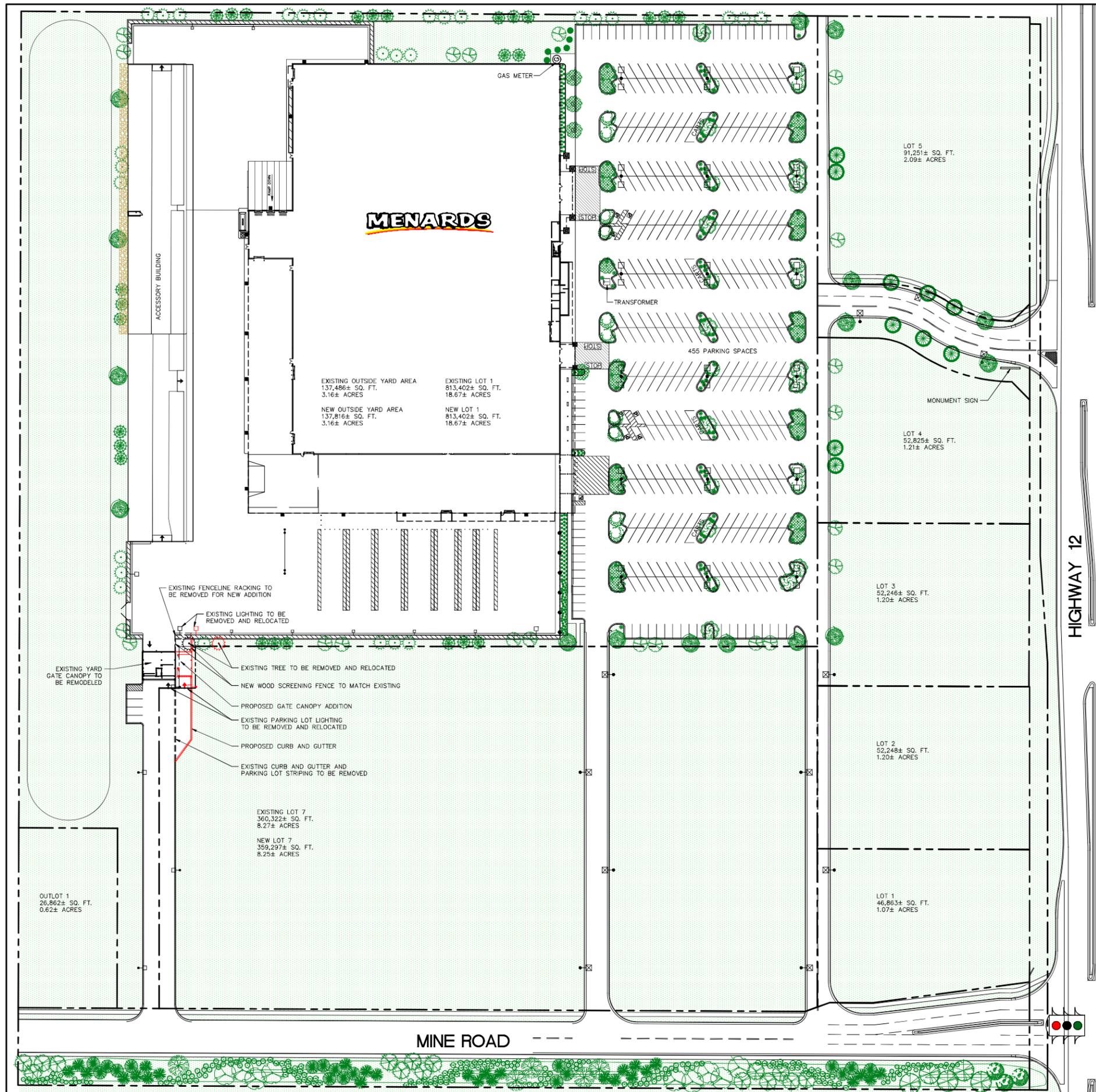
I hereby certify that the foregoing is a copy of a resolution adopted by the Plan Commission of the City of Baraboo, Wisconsin, This _____ day of _____, 2018.

Clerk

Curve Table							
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length	1st Tangent	2nd Tangent
C1	89.75'	150.50'	34°10'11"	S72°47'49"E	88.43'	S89°52'54"E	S55°42'43"E
C2	89.17'	149.50'	34°10'22"	S72°47'50"E	87.85'	S55°42'39"E	S89°53'01"E
C4	50.39'	84.50'	34°10'11"	N72°47'49"W	49.65'	N55°42'43"W	N89°52'54"W
C3	128.53'	215.50'	34°10'19"	N72°47'50"W	126.63'	N89°52'59"W	N55°42'40"W

Line Table		
Line #	Length	Direction
L1	29.93'	N44°48'40"E
L2	31.27'	N45°11'37"W

Dustin J. LaBlonde, PLS
Cedar Corporation
604 Wilson Avenue
Menomonie, Wisconsin 54751



LANDSCAPE LEGEND		
SYMBOL	SCIENTIFIC, COMMON NAME	QUANTITY
	ACER SACCHARUM 'LEGACY', 'LEGACY' SUGAR MAPLE	16
	ACER RUBRUM 'NORTHWOOD', 'NORTHWOOD' RED MAPLE	9
	QUERCUS MACROCARPA, BUR OAK	5
	QUERCUS BICOLOR, SWAMP WHITE OAK	5
	FRAXINUS PENNSYLVANICA 'PATMORE', 'PATMORE' GREEN ASH	21
	GLEDITSIA TRIACANTHOS VAR. INERMIS 'SHADEMASTER', 'SHADEMASTER' THORNLESS HONEYLOCUST	25
	TILIA CORDATA 'GREENSPIRE', 'GREENSPIRE' LITTLELEAF LINDEN	13
	PRUNUS MAACKII, AMUR CHOKECHERRY	10
	RHUS TYPHINA, STAGHORN SUMAC	66
	MALUS 'DOLGO', 'DOLGO' FLOWERING CRABAPPLE	3
	MALUS 'CARDINAL', 'CARDINAL' FLOWERING CRABAPPLE	15
	MALUS 'PRAIRIE FIRE', 'PRAIRIE FIRE' FLOWERING CRABAPPLE	22
	ABIES CONCOLOR, WHITE FIR	26
	PINUS SYLVESTRIS 'SCOTCH PINE'	28
	PINUS SYLVESTRIS 'SCOTCH PINE'	1
	PINUS STROBUS, EASTERN WHITE PINE	18
	JUNIPERUS VIRGINIANA, EASTERN RED CEDAR	28
	CORNUS STOLONIFERA 'ISANTI', 'ISANTI' DOGWOOD	79
	SYRINGA VULGARIS, COMMON PURPLE LILAC	6
	VIBURNUM TRILOBUM, AMERICAN CRANBERRYBUSH VIBURNUM	76
	SPIRAEA NIPPONICA 'SNOWMOUND', 'SNOWMOUND' SPIRAEA	109
	BERBERIS THUNBERGII 'CRIMSON PYGMY', 'CRIMSON PYGMY' JAPANESE BARBERY	101
	JUNIPERUS HORIZONTALIS 'BAR HARBOR', 'BAR HARBOR' JUNIPER	64

ELECTRICAL LEGEND		
	18	400W 277V M.H. CUTOFF LUMINAIRE PARKING LOT LIGHTING ON NEW 30'-0" TALL POLES
	3	400W 277V M.H. CUTOFF LUMINAIRE PARKING LOT LIGHTING ON 20'-0" TALL POLES
	11	400W 277V M.H. CUTOFF LUMINAIRE STREET LIGHTS (PER BARABOO SPECS)
	15	400W 277V M.H. CUTOFF LUMINAIRE YARD LIGHTS
	9	EXISTING 400W 277V M.H. CUTOFF LUMINAIRE YARD LIGHTS TO REMAIN
	1	EXISTING 400W 277V M.H. CUTOFF LUMINAIRE YARD LIGHT TO BE REMOVED AND RELOCATED
	6	277V M.H. DECORATIVE LAMP

Tyler Edwards
Real Estate Representative
Menard, Inc.
5101 Menard Drive
Eau Claire, Wisconsin 54703



Baraboo, Wisconsin
Menards Site Plan
October 25, 2018
Scale: 1" = 60'-0"

