

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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DIVISION OF INDUSTRY SERVICES
4822 MADISON YARDS WAY
MADISON WI 53705
Contact Through Relay
<http://dsps.wi.gov/programs/industry-services>
www.wisconsin.gov



Tony Evers, Governor

Dan Hereth, Secretary

NOTICE OF VIOLATIONS AND ORDERS

August 5, 2022

ELKHART ACRES LLC
TYLER LUEDTKE
W6627 HICKORY HILL
PLYMOUTH WI 53073

SITE:
W6671 COUNTY ROAD A N
TOWN OF RHINE
PARCEL 59018258813

ORDER 0008064

Regulated Objects:

Nature of Complaint Summary: Failure to submit building plans for a heated indoor storage space

Object Type: Complaint (21 COM 55)

INVESTIGATION NOTES: An investigation found that this building is used for vehicle storage for at least part of the year. Members of the public can purchase car storage spaces. This vehicle storage is a change of use of the building from its original designation as an agriculture building. The Department is aware that a Conditional Use Permit was obtained by the property owners, however, that Conditional Use Permit is issued by the local municipality and concerns zoning issues. The Permit was not issued by the Department. Please inform the Department if the site is no longer being used for commercial vehicle storage.

NOTE: Due to the uncertainty caused by COVID-19 the Department will extend compliance dates so long as work is being made on gaining compliance with orders or if the site is not being used due to restrictions.

The following violations were revealed at the site:

1. Violation: Building is currently out of compliance with the commercial code based on its use. Building plans were not submitted for review and conditional approval for the change of use to this property.

Wis. Admin. Code § SPS 361.03 Application:

(1) Standards.

(a) The design and construction of public buildings and places of employment shall comply with s. SPS 361.05, except as otherwise provided in chs. SPS 361 to 366.

(b) The codes and standards that are referenced in this chapter, and any additional codes and standards which are subsequently referenced in those codes and standards, shall apply to the prescribed extent of each such reference, except as modified by this chapter.

(c) The requirements in IBC Appendix C may be applied to certain agricultural buildings, as specified in s. SPS 362.3600 (2), in lieu of corresponding, otherwise applicable requirements of chs. SPS 361 to 366.

(11) Change of occupancy or use. Except as provided in sub. (12), no change may be made in the use or occupancy of any building or structure, or any space within a building or structure, that would place the building, structure or space either in a different division of the same group of occupancies or in a different group of occupancies, unless the building, structure or space complies with the requirements of chs. SPS 361 to 366 for the new division or group of occupancies, as these requirements exist on one of the following dates:

(a) Pursuant to s. SPS 361.30, the date when plans for the change in occupancy or use are approved by the department or authorized representative.

(b) The date a local building permit is issued, if plan submittal and approval is not required under s. SPS 361.30.

SPS 361.03(11)(c)(c) The date construction is initiated, where pars. (a) and (b) do not apply.

(d) The date an occupancy permit is issued, where pars. (a) to (c) do not apply.

Wis. Admin. Code § SPS 361.30 Plan review and approval. (1) TYPES OF BUILDINGS. (a) Except as provided in par. (b), Table 361.30-1, and sub. (4), the construction of, the alteration of, or the addition to a public building or a place of employment may not commence unless plans for the project have been submitted to and approved by the department or its authorized representative in accordance with s. SPS 361.31.

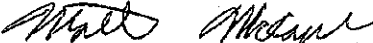
Required Action: Submit four sets of building plans (or one plan set and three additional index sheets), with one set of calculations and specifications, a completed SBD-118 form, a copy of orders as issued by a Dept. representative from the field to this Department for review and approval. If the building is over 50,000 cubic feet in total volume, all plans, calculations and specifications shall be properly stamped, signed and dated by a WI-registered architect or engineer.

You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be notified. If you fail to comply, this order is enforceable in circuit court pursuant to Wis. Stat. 101.02(13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation.

If you have any questions regarding this matter, please feel free to contact commercial building inspector for the area Brian Noe.

Wis. Admin. Code § SPS 303.03 Permits any person affected by a rule of the department to petition for a variance of the rule. The petition needs to establish equivalency to the rule, be provided on the form from the department and be submitted with accompanying fee and municipal recommendation.

Wis. Stat. § 101.02(6) Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter. All requests must be received within 30 days of the date of this Order and shall set out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

ATTORNEY NAME: Matthew McCasland		INVESTIGATION DATE: 3/2021
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	8/5/2022	COMPLIANCE DATE: December 1, 2022

cc: Brian Noe

Lucas Dederich

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	ORDER SUSPENDING LICENSE
	:	
JARED LATUS, R.PH.,	:	ORDER 0007650
RESPONDENT.	:	

TO: JARED LATUS, R.PH.,
BROOKFIELD WI 53005

On October 20, 2021, the Wisconsin Pharmacy Examining Board issued a Final Decision and Order ("Order") limiting Respondent's Pharmacist license with certain terms and conditions. Pursuant to the Order, Respondent's license may be suspended, without hearing, for substantial or repeated violation of any provision.

Information has been received that demonstrates Respondent is in violation of the terms of the Order. As a result, the following is entered:

ORDER

1. Respondent's Pharmacist license (#15499-40) is hereby SUSPENDED until further notice.
2. This order is effective the date of its signing.

WISCONSIN PHARMACY EXAMINING BOARD

By: Anthony Peterangelo (a.j.w.)
A Member of the Board

August 5, 2022
Date