

Buffalo County Minutes

Committee/Board: Zoning Board of Adjustment

Date of Meeting: May 28, 2020

Electronic and Hardcopy Filing Date: June 25, 2020

The public hearing was called to order at 9:00 a.m. by Chairman, Dale Klopp. Ron Kazmierczak, Barry Drazkowski, Dale Klopp were all present.

The public notice for the hearing was read aloud.

Others present for all or part of the public meeting include Mike Owecke; Zoning Administrator, Julie Lindstrom; Administrative Assistant in the Zoning Department. Briar Golden, Zoning Specialist, Katy Abrams. Others may have been in attendance that did not sign in.

Agenda item #3 was reviewed by Mr. Klopp.

Minutes are summarized as follows:

Applicant Presentation and Testimony. Katy Abrams applicant. Explained that she wants to construct an addition to her home 14 ft' wide x 26 ft long. This will include a playroom and extra room for storage space. Instead of 20 feet away from the property line, because of the way the house sits on the property, she is 17 ft away on one corner and 18 ft away on the other corner.

This ended the applicant presentation.

There were no public comments.

Questions to the Applicant by the Board of Adjustment members and the Zoning Staff.

- Mr. Kazmierczak – How far is the front of the house where the porch is from County Rd BB? How far is that setback?
- Mr. Owecke – The minimum is 63 feet from the centerline by our ordinance and it is well beyond that. It is probably at least 80 feet from the centerline of the county road.
- Mr. Drazkowski – For clarification, you mentioned 17 to 18 feet in the setback, but information in our packet said it was 14 feet.
- Mr. Owecke – It was kind of hard to say exactly where the property line is, so I thought it would be prudent, from what their calculation is, contractor said it was approximately 17 feet. To give him a few more feet just to make sure. In the case the property line is not exactly where you think it is will give them 3 or 4 more feet to work with.
- Mr. Kazmierczak – Where is the septic system located.

Mr. Abrams pointed out on the survey map, the location of the septic system.

- Mr. Kazmierczak – And the well.
- Ms. Abrams – The well is right in the front of the house.

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- Mr. Kazmierczak – So the front of the house is not able to be built on because of the location of the well and the back because that is where the septic system is located.
- Mr. Kazmierczak – To the southeast side of the house.

Mr. Owecke explained that is a driveway and garage.

- Mr. Kazmierczak – And the addition is going to be smaller than what they want with the variance.
- Mr. Owecke – And that is your entry to the house, so it would be hard to put an addition.

Mr. Klopp questioned slopes and Mr. Owecke stated there are no slopes. It is real flat.

Mr. Klopp questioned Correspondence and if one was received from the Town of Naples. Mr. Owecke explained that the “Town Acknowledgement Form” was just signed with no comments.

- Mr. Klopp – Did you build the existing house.
- Mr. Abrams – I bought it.
- Mr. Klopp – Did you have the survey completed yourself in 2017.
- Mr. Abrams – It was completed when I bought the house.
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Photo Presentation as this time. Mr. Owecke reviewed the photos as follows: We are standing on County Road BB looking east, this is the Abrams residence. This is the north side of the house where the addition will be coming out this way 14 feet.

- Mr. Kazmierczak – Assuming the property line is right where the trees are,
- Mr. Owecke – You know it is hard to say.
- Ms. Abrams – Right on the other side of the trees about one foot is the property line.
- Mr. Owecke – And if you look at our parcel mapping, our parcel mapping has the property line on this side of the trees.
- Mr. Kazmierczak – Was Town of Naples re-monumented already. (no one in attendance seemed to know if the Town of Naples had been re-monumented).
- Mr. Owecke – It could vary a few feet.

Mr. Owecke continued with the photo presentation. This is looking more northeast. As you can see, it is surrounded by cropland. There are no other homes anywhere to the north, east or south of their home. Looking more north on County Road BB. This is looking south. There is across the road, there is a livestock and some horses. There is no home, just livestock. There are no other residence within almost in sight of their location. This is a close view of the north side of the house where the addition will be. The field road just to get access to his field. That is the land owner that the letter said they had no problem with the encroachment. This is the front of the house. Mr. Klopp questioned and learned that the building in the photo was a chicken coop.

Mr. Owecke continued. This is the front of the house. Garage to the right. Looking south from the neighboring field. The field road access and the area where the addition will be. Ms. Abrams stated that the well is out in front of the house under the deck..

This ended the photo presentation.

Draft !. Until approved by BOA at a future hearing/meeting.

Motion by Mr. Kazmierczak, seconded by Mr. Drazkowski, to approve the variance 2020-1 for Katy Abrams. given the situation, location of the existing buildings, what was shown through the photos and the conditions the Zoning Department included in their paperwork. At this point, I didn't see any additional conditions that are necessary. All in favor. Carried.

Mr. Owecke explained that the variance would allow for the encroachment in the setback, however, Ms. Abrams will still need to apply for a Zoning Permit to construct the addition.

Minutes from the April 23, 2019 hearing Mr. Kazmierczak asked for a correction on the first page, change artisian to artisan; page 2 of 11, 1 ½ inch down from top of page, should be bulk, not balk; again the correction of artisian to artisan. Page 10, bottom of the page” better clarification “it is not that I don't trust you”. December 3, 2020; Mr. Klopp, first page, James Schultz, should be Jason Schultz; Mr. Kazmierczak – page 5, 4th line from the bottom, scrapping should be scraping. September 10 & July 23, 2020, no comments. June 11, 2019, page 3, bottom 1¼ inch down, adverse possess, should be possession. Motion by Mr. Kazmierczak, seconded by Mr. Klopp to approve the minutes from the April 23, 2019, June 11, 2019, July 23, 2019, September 10. 2019 & December 3, 2019 Board of Adjustment Public Hearing minutes with the proposed changes. All in favor. Carried.

Mr. Kazmierczak thanked Ms. Lindstrom for her help with the BOA hearings. He mentioned that she has gone above and beyond. Thank her very much and wished her good luck with her future endeavors. Both Mr. Drazkowski and Mr. Klopp expressed agreement with what Mr. Kazmierczak. Ms. Lindstrom will be retiring from Buffalo County at the end of this month.

Motion by Mr. Klopp, seconded by Mr. Kazmierczak to adjourn. All in favor. Carried. The public hearing of the Board of Adjustment was adjourned at 9:25 a.m.

Respectfully Submitted,

Julie Lindstrom, Zoning Administrative Assistant