

## **Buffalo County Minutes**

**Committee/Board:** Board of Adjustments

**Date of Meeting:** Thursday, March 9, 2023

The meeting of the Board of Adjustments was called to order at 9:25 a.m. by Dale Klopp. Roll call showed that Dale Klopp and Barry Drazkowski were present for all or part of the meeting. Ron Kazmierczyk joined via Microsoft Teams at the same time. Others present for all or part of the meeting: Ryan Wieczorek, Brian Schmitt, Carter Schmitt, Bob Platteter, Leonard Litscher, Jarrad Fluekiger, Briar Golden, Tammy Christenson, and Cale Severson.

Reading of the notice as follows by Tammy Christenson.

{Publish: February 23 and March 2, 2023, in  
Buffalo County News}

NOTICE OF PUBLIC HEARING  
ON APPLICATION TO THE  
BUFFALO COUNTY BOARD OF ADJUSTMENT

Notice is hereby given that the Buffalo County Board of Adjustment will hold a public hearing on Thursday, March 9th at 9:00 a.m. in the Third Floor Board Room, Buffalo County Courthouse, Alma, Wisconsin, at which time the following application(s) will be heard:

Schmitt Family Farms, LLC, VAR 2023-1. Application for a Variance to allow a 90' setback from a Class A Highway instead of the 110' setback as required in Chapter 11, Section 3, b, 1 of the Buffalo County Zoning Ordinance. Property located at S3078 State Road 95, located in the SE ¼, SW ¼, Section 02, Town of Cross.

Ryan Wieczorek, CUP 2023-1. Application for a Conditional Use Permit for a 'Home Based Business' to be in the Residential Zoning District according to Chapter 7, Section 1, F, 1, b, 6 of the Buffalo County Zoning Ordinance. Property located at S3570 CTH M, located in the NE ¼, SE ¼, Section 31, Town of Buffalo.

Minutes were taken by Tammy Christenson and are summarized as follows.

Mr. Klopp read Schmitt Family Farms public hearing for Variance application.

Mr. Brain Schmitt (Schmitt Family Farms, LLC) testified that he started the project back in 2017, but since then there has been updates for higher efficiency dryers. Having the building built closer to the road will give semi-trucks better access to the building. There is a drop off (Cliff) on the back and the front has a chicken coop. The driveway is waiting for a permit from the State.

Mr. Drazkowski: Verified that the intent of this project is to change to newer technology.

Mr. Klopp: Asked to look at photos of the drop-off and driveway. Briar and Cale showed the pics on overhead computer for all to view.

Mr. Drakowski; asked about semi- trucks at the site. Do you want to use both driveways.

Mr. Schmitt: That will be determined by the State.

Public comments: Mr. Leonard Litcher, Chair of Town of Cross. As a town, we are highly supportive of this request.

Mr. Bob Platteter: says the State was okay with the previous old Ag driveway. He can't see why they would not be okay with this driveway.

Mr. Schmitt: There are plans for the other two parcels in the future.

Mr. Golden: Confirmed that all grains moving in and out will be done by semi-truck.

Mr. Klopp: Confirmed that no one needs to go site.

Mr. Klopp motion to approve variance, 2<sup>nd</sup> approved by Mr. Kazmierczyk according to the following condition:

- 1) DOT approval.

This session of the meeting was adjourned at 10:50 AM.

Mr. Klopp read Ryan Wieczorek public hearing for Conditional Use Permit at 10:56 AM

Ryan Wieczorek, CUP 2023-1. Application for a Conditional Use Permit for a 'Home Based Business' to be located in the Residential Zoning District according to Chapter 7, Section 1, F, 1, b, 6 of the Buffalo County Zoning Ordinance. Property located at S3570 CTH M, located in the NE ¼, SE ¼, Section 31, Town of Buffalo.

Mr. Ryan Wieczorek testified his proposal for selling fireworks out of the left side of garage. 50 x 40 foot Parking lot was done in front of garage for this purpose. R & M fireworks would be open from June 15 through July 5 or by appointment only. He has received support from several neighbors.

No public comments at the hearing. Written public comments were mailed into Buffalo County Zoning Department. Some neighbors were approving and some not approving.

Mr. Drazkowski: Asked about the hours of operations. He saw on Facebook the hours were different from what Mr. Wieczorek is proposing. He also did not plant the trees he was supposed to do in October.

Mr. Wieczorek: The neighbors did not want anything planted along the garage area.

Mr. Golden: The planting should not interfere with neighbors.

Mr. Wieczorek: I did not want to plant them in October. He withdrew permit in January 2023.

Mr. Klopp: Asked about gift cards sold online.

Mr. Wieczorek: The gift certificates were being sold at the bar where his wife works. His wife forgot to post where to purchase and pick up the gift certificates during Christmas when she posted it online.

Mr. Klopp: Asked about the address on WI Revenue Seller's Permit, it was for Spur Station down the road from Mr. Wieczorek garage where he was selling the fireworks.

Mr. Drazkowski: He was struggling with the last sales permit which had only the dates June 15<sup>th</sup> through July 5<sup>th</sup> on it and not by appointment. This shows Mr. Wieczorek is not following the rules.

Mr. Klopp: Mentioned he has the same concerns.

Mr. Drazkowski: Would like the property to be checked on and enforce permit if needed.

Mr. Golden: Ensured that the Zoning Department will be taking care of what is requested.

Mr. Klopp: Motion to approve Conditional Use Permit. Mr. Kazmierczyk 2<sup>nd</sup>. Mr. Drazkowski 3<sup>rd</sup>.

The meeting was adjourned at 11:35 AM.

Respectfully Submitted,  
Tammy Christenson  
Zoning Administrative Assistant