

**County of Buffalo- Alma, Wisconsin
Notice of Public Hearing
Agenda**

Committee:	Buffalo County Zoning Board of Adjustment
Date:	Friday, July 10th, 2026
Time:	8:00 a.m.
Location:	3rd Floor, County Board Room, Buffalo County Courthouse

1. Call to Order/ Roll Call of Members
2. Reading of the Public Notice
3. **Barry Johnson**, VAR 2026-2. Application for a variance to allow an 80' 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, to also allow a 19' setback from a class C Highway instead of a 50' setback as required in Chapter 11, Section 3, B, 3 of the Buffalo County Zoning Ordinance, and also to reduce the vision triangle clearance to 80' instead of 150' as required in Chapter 11, Section 4, A, 1 of the Buffalo County Zoning Ordinance. Property located at S1052 Chippewa Road, located in the NW ¼, SE ¼, Section 25, Town of Nelson.
 1. Application Presentation and Testimony
 2. Public Comments
 3. Questions to Applicant by the BOA members & Zoning Staff
 4. Correspondence
4. The Board of Adjustment at their discretion may conduct a site investigation, which would include Board review and discussion, the Board of Adjustment would then reconvene at the courthouse and review and act on the application accordingly.
5. **Eric Parks, Jeff Pank & Dawn Pank**, VAR 2026-1.
Application for a Variance to treat the parcel associated as a lot of record. To allow a dwelling to be built with the current legal access easement without the 100 ft of required road frontage as required in Chapter 8, Section 1 of the Buffalo County Zoning Ordinance. Property located at W1805 County Road S, located in the SE ¼, SE ¼, Section 25, Town of Alma.
 1. Application Presentation and Testimony
 2. Public Comments
 3. Questions to Applicant by the BOA members & Zoning Staff
 4. Correspondence
6. The Board of Adjustment at their discretion may conduct a site investigation, which would include Board review and discussion, the Board of Adjustment would then reconvene at the courthouse and review and act on the application accordingly.
7. Review/Discussion/Action- Minutes: November 11, 2025 Board of Adjustment Public Hearing
8. Adjournment

DATE: JUNE 25, 2026

Dale Klopp, Board of Adjustment, Chairperson



Alexander Dunlevy , Buffalo County Zoning Department

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 608-685-6209 at least 24 hours before the meeting begins so appropriate accommodations can be made. Any Board member that is unable to attend must call the Zoning Office at 608-685-6218 to report their absence.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended, and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

BUFFALO COUNTY



Department of Land Management

Report to the Board of Adjustments

Variance Application

Applicant: Barry Johnson

Address: S1056 Chippewa Road, Nelson, WI 54756

Hearing Date: July 10th, 2026

Barry Johnson applied for a variance from Chapter 11 section 3B and 4A of the Buffalo County Zoning Ordinance to allow a business to be built within a lot of which is not buildable due to road setbacks from Chippewa road, US Highway 25, and vision triangle standards set forth in the Buffalo County Zoning Ordinance.

The applicant's approximately 0.23 acres located in the NE ¼ of the SE ¼, Section 25, Town of Nelson. Parcel access occurs through Chippewa Road.

Barry Johnson proposes a structure 80 feet from US Highway 25, and 19 feet from Chippewa Road. The north end of the building is proposed to have a 6 foot overhang of which is post-supported the rest of the structure is enclosed.

Property History:

There have been no permits historically granted to the parcel in question 032-00843-0000. Previous owner of the parcel Two Brothers Auto Sales LLC.

Nelson Town Board Position:

The town of Nelson on 5-19-2026 Signed in support of the project without comment.

Public Comments:

As of the drafting of this report the Department has received no written public comments.

The Board of Adjustments is required by State Statute to evaluate a variance petition on the following three criteria:

1. UNNECESSARY HARDSHIP Unnecessary hardship exists when strict compliance with the Ordinance would result in hardship and would be “unnecessarily burdensome.” An applicant may not claim hardship when the conditions are self-imposed. The parcel-as-a-whole must be considered when applying the unnecessary hardship test. Also, financial hardship does not warrant a variance as maximizing the economic value of a property is not an objective of variances or justification for granting a variance.
2. UNIQUE PROPERTY LIMITATIONS Unnecessary hardship must be due to the unique physical limitations or constraints of the property which prevent compliance with the Ordinance. The circumstances of the applicant are not a factor when deciding on variances. Also, prior variances granted or a lack of objections from neighbors does not constitute a basis for granting a variance.
3. NO HARM TO PUBLIC INTEREST A variance may not be granted which results in harm to public interests. Boards should consider the short-term, long-term and the cumulative impacts of similar projects on the interests of the neighbors, the community, and even the State. Interests include but are not limited to the general health, safety, and welfare of the public.

Department Summary:

The zoning department recognizes the constraints of the parcel. The ordinance states setbacks of 110 feet from the centerline of a Class A roadway, and 50 feet from a Class C roadway. These setbacks overlap on the parcel making it unbuildable without a variance.

The parcel in question and development proposed in addition to being within the road setbacks is within the vision triangle. The vision triangle as defined in the zoning ordinance as

“an area calculated by connecting the endpoints of line segments which begin at the vertex of an intersection thence along the traveled centerlines away from the vertex for a measured distance of:

1. One hundred and fifty (150) feet along the traveled centerline of a Class B and C Highway.
2. Two hundred and fifty (250) feet along the traveled centerline of a Class A Highway and the centerline of a railway”

A depiction of the vision triangle for this variance is attached to the packet. Labeled “Exhibit A”

The Wisconsin Department of Transportation representative Jill Proud stated that the department will not grant a variance within 80 feet from the centerline of US Highway 25 as stated in document “Exhibit B.

The department recognizes the hardship due to the constrictions against the aforementioned parcel in the variance, but has concerns over obstruction of the vision triangle.

Should the Board of Adjustments choose to approve the Variance Application of The Party, the Buffalo County Department of Land Management recommends that the following conditions be placed on the variance:

1. The new parcel shall remain in the commercial zoning district abiding by density standards set-forth in the ordinance, unless a Rezone Application is approved.
2. Development is for one structure and any further development hereafter to require a new variance.
3. Development to remain out of the Wisconsin Department of Transportation Right of Way of 80 Feet from centerline
4. Development to remain 19 feet from the Chippewa Road centerline.
5. Shall apply for a new fire number associated with the additional structure.

A red handwritten signature, possibly reading "J. W.", is written over a horizontal line.

Zoning Staff



Exhibit A

From: Proud, Jill - DOT <Jill.Proud@dot.wi.gov>

Sent: Monday, June 1, 2026 3:01 PM

To: Tiffany Johnson <Tiffany@timlammtrucking.com>; zoning@buffalocountywi.gov <zoning@buffalocountywi.gov>

Cc: Michels, Chris D - DOT <Chris.Michels@dot.wi.gov>; Smith, Matthew - DOT <matthew.smith1@dot.wi.gov>; Van Riper, Rheanr

Subject: RE: Request for Approval of Proposed Building Site and Setback Exception

Hello,

WisDOT will not grant a variance in the DOT right of way, 80' from the centerline.

Thank you,

Exhibit B

CHAPTER 11

HIGHWAY SETBACKS AND VISION CLEARANCE

1. Purpose.

The provisions of this chapter establish setback requirements for structures from highways and vision clearance standards for highway intersections. These provisions are intended to promote public safety and traffic safety by ensuring proper visibility and by providing adequate distances for structures from highway right-of-ways.

2. Jurisdiction.

- A. Authority. The jurisdiction of this section shall include lands abutting all class A, B and C highways within Buffalo County.
- B. Exceptions. Where a road is located in a city, village or other county boundary, this section does not apply on the portion of the road within the city, village or other county.
- C. Discrepancies. Any discrepancy of official highways located within Buffalo County shall be resolved using the most current municipal road certification listing report and City, Village, Township (CVT) map located on the Wisconsin Department of Transportation website.

3. Highway Classification and Setbacks.

A. Classes of Highways.

- 1. Class A Highway: Improved or unimproved State or Federal Roads.
- 2. Class B Highway: Improved or unimproved County Road.
- 3. Class C Highway: Improved or unimproved Town Roads or other public roads not identified as a Class A or B Highway.

B. Setback Distances. The minimum setback distances for the respective highway classes shall be as follows:

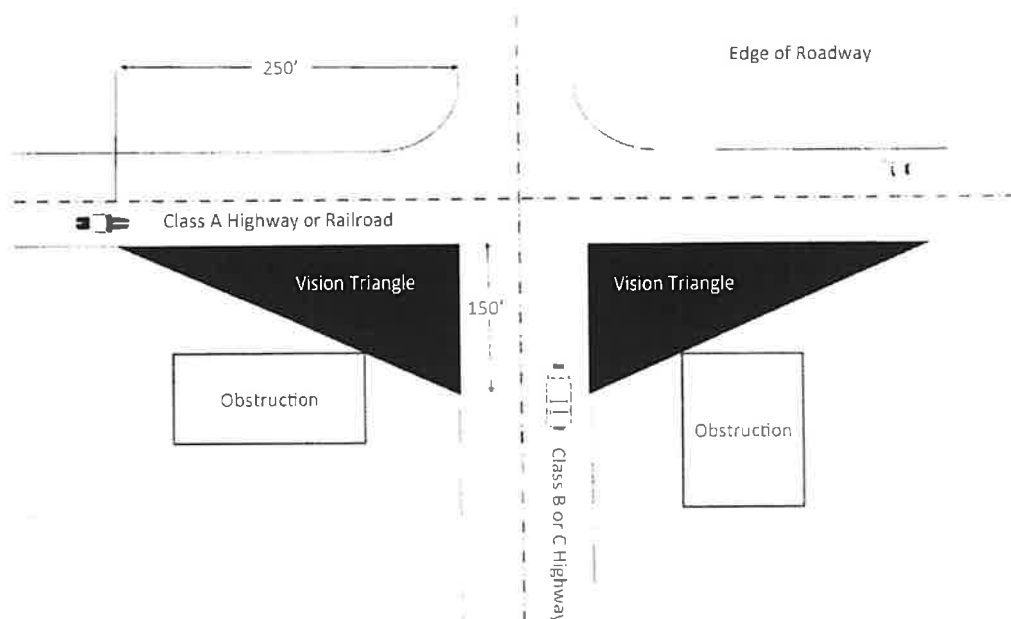
- 1. Class A Highway: One hundred and ten (110) feet from the centerline of the highway.
- 2. Class B Highway: Sixty three (63) feet from the centerline of the highway.
- 3. Class C Highway: Fifty (50) feet from the centerline of the highway.

C. Setback Reduction.

- 1. A setback of less than the required setback for the appropriate class of highway shall be permitted in cases where the adjacent principal buildings are located closer to the highway than the required setback.

4. Vision Triangle.

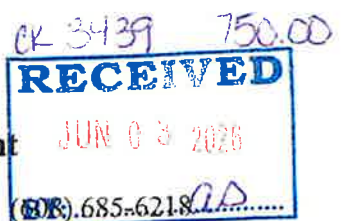
- A. Vision Triangle Clearance. There shall be an area of vision clearance at all highway and railway intersections known as the vision triangle. The vision triangle shall be an area calculated by connecting the endpoints of line segments which begin at the vertex of an intersection thence along the traveled centerlines away from the vertex for a measured distance of:
1. One hundred and fifty (150) feet along the traveled centerline of a Class B and C Highway.
 2. Two hundred and fifty (250) feet along the traveled centerline of a Class A Highway and the centerline of a railway.
- B. Within a vision triangle no structure shall be constructed and no vegetative material shall be planted that causes or will cause an obstruction to view between a height of two and one-half ($2\frac{1}{2}$) feet and ten (10) feet above the elevation of the highway. Agricultural crops are exempt from this provision, however, the Zoning Department, Highway Department or a Town Board may require a landowner to remove crops that limit visibility and present an impediment to highway safety.





Buffalo County Zoning Department

407 S. Second Street ■ PO Box 492 ■ Alma, WI 54610
Fax: (608) 685-6213 www.co.buffalo.wi.us



Variance Application VAR 2026-2

Permit Issue # -

Property Owner Name: <u>Barry Johnson</u>	Phone #: <u>651 564-0686</u>
Mailing Address: <u>51056 Chippewa Road, Nelson, WI 54756</u>	
Email Address: <u>tiffany@timlammtrucking.com</u>	<u>barry@timlammtrucking.com</u>

Agent Name: <u>n/a</u>	Phone #:
Mailing Address:	
Email Address:	

The applicant hereby appeals to the Buffalo County Board of Adjustment for a variance relating to
ARTICLE No. 11 SECTION NO. 3B & 4A of the Buffalo County Zoning Ordinance
chapter

SITE INFORMATION	Parcel Number: <u>032-00843-0000</u>
Site Address: <u>51052 Chippewa Road, Nelson, WI 54756</u>	
Property Description: <u>NW</u> <u>1/4</u> <u>SE</u> <u>1/4</u> Sec. <u>25</u> , T <u>23</u> N, R <u>14</u> W, Town of <u>Nelson</u>	
Parcel Size in Acres: <u>0.23</u>	

PROPOSED DEVELOPMENT / LAND USE
Complete Description: (use additional paper if necessary) <u>The proposed structure is a post-frame building measuring approximately 40 feet by 70 feet with 16-foot sidewall heights. The north end of the building will include a 6-foot roof overhang supported by exposed posts. The remainder of the structure will be fully enclosed.</u>
Use: Residential ☐ Agricultural ☐ Commercial ☒ Industrial ☐ Recreational ☐

Answer the following questions completely and to the best of your ability. These are issues the Board of Adjustment considers in acting upon your variance request. Use additional sheets if needed.

- 1) Explain why strict application of the terms of the ordinance would result in undue and unnecessary hardship:
strict application of the ordinance effectively prevents any reasonable use of the property. Due to the existing setback requirements, a variance would be necessary for the construction of any structure on the parcel, regardless of its size/
- 2) Explain why the hardship is due to physical constraints and/or property limitations rather than the circumstances of the applicant: The parcel is bordered by roadways on three sides, which subjects it to setback ^{and vision triangle} requirements for multiple road frontages. These unique physical constraints significantly reduce the available buildable area on the property.
- 3) Explain why the variance, if granted, will not be contrary to nor harm the public interest: The proposed building will be located entirely on private property and will not interfere with public use of adjacent roadways. Chippewa Road is a dead-end road with limited traffic, so the proposed structure will not create significant impacts on traffic flow, public safety, or access.

SITE PLAN

A detailed site plan must be submitted with your application or the application will be deemed incomplete and returned. The site plan may be drawn on the following page or on a separate piece of paper or survey map. The location of the following features must be included on the site plan:

- | | | |
|---|--|---|
| ☒ Configuration of Parcel with all Dimensions | ☒ North Arrow | ☒ Roads Including Driveways |
| ☒ All Existing Structures | ☒ Proposed New Structure(s) or Addition(s) | ☐ Easements |
| ☒ Distances from Property Lines and Road Centerline | ☐ Septic Tank and Drainfield | |
| ☐ Well Location | ☐ Water Features and Potential Wetlands | |

WETLAND NOTICE

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page or contact a Department of Natural Resources Service Center.

APPLICANT SIGNATURE

I certify by my signature that all information presented herein is true to the best of my knowledge. I understand that I am subject to all applicable codes, statutes and ordinances of Buffalo County and the State of Wisconsin. Providing incorrect information may cause a delay in permit processing or denial. I give permission for the staff of the Buffalo County Zoning Department to enter upon my property for the purpose of verifying that the standards and requirements of the Zoning Ordinance are met.

Owner / Agent Signature



Date:

6-3-26

FEES:

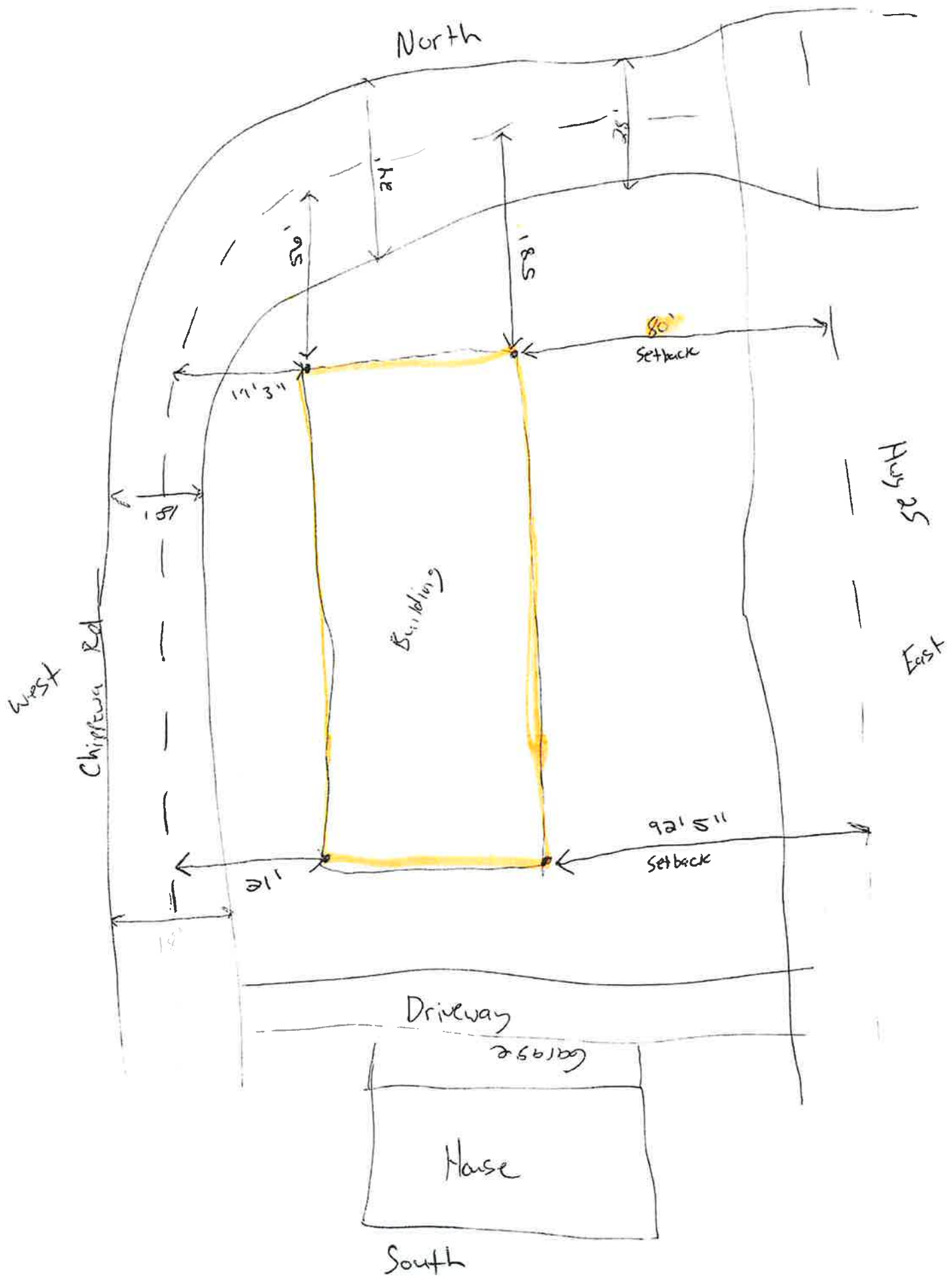
\$750

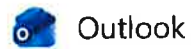
Variance Application

Make checks payable to: **Buffalo County Treasurer**

Return Completed application to: **Buffalo County Zoning Department, P.O. Box 492, Alma, WI 54610**

NOTICE: An after-the-fact fee of five times the applicable variance application fee shall be charged if work is started before a permit is issued. Permit application fees are non-refundable.





Outlook

Re: Request for Approval of Proposed Building Site and Setback Exception

From Tiffany Johnson <Tiffany@timlammtrucking.com>

Date Wed 6/10/2026 3:29 PM

To Alex Dunlevy <alex.dunlevy@buffalocountywi.gov>

The word multiuse comes to mind but I'm not sure exactly how to classify it. We own a trucking company so Barry will park and work on a dump truck in it. I own a seasonal boutique, and will host pop up events 6-8 weekends throughout the year. In addition to that it will be used for our own personal storage and as an entertainment space for family and friends.

Thanks,

Tiffany Johnson

Get [Outlook for iOS](#)

From: Alex Dunlevy <alex.dunlevy@buffalocountywi.gov>

Sent: Wednesday, June 10, 2026 2:27:04 PM

To: Tiffany Johnson <Tiffany@timlammtrucking.com>

Subject: Re: Request for Approval of Proposed Building Site and Setback Exception

I need to know the proposed use of the structure.

Alexander Dunlevy

Zoning Technician

Alex.Dunlevy@BuffaloCountyWi.gov

608-685-6218



to apply for a Conditional Use Permit and a Wisconsin Pollution Discharge Elimination System (WPDES) permit from the Wisconsin Department of Natural Resources.

Inspection Date

6/18/26

Inspector

Alex Dunlevy

Comments

See Staff Report for Zoning Comments
Proposed Setbacks marked with pink flags

{Publish: June 25, 2026, and July 2, 2026, 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 Friday, July 10th, 2026, at 8:00 a.m. in the Third Floor Conference Room, Buffalo County Courthouse, Alma, Wisconsin, at which time the following application(s) will be heard:

Barry Johnson, VAR 2026-2. Application for a variance to allow an 80' 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, to also allow a 19' setback from a class C Highway instead of a 50' setback as required in Chapter 11, Section 3, B, 3 of the Buffalo County Zoning Ordinance, and also to reduce the vision triangle clearance to 80' instead of 150' as required in Chapter 11, Section 4, A, 1 of the Buffalo County Zoning Ordinance. Property located at S1052 Chippewa Road, located in the NW ¼, SE ¼, Section 25, Town of Nelson.

Eric Parks, Jeff Pank & Dawn Pank, VAR 2026-1. Application for a Variance to treat the parcel associated as a lot of record. To allow a dwelling to be built with the current legal access easement without the 100 ft of required road frontage as required in Chapter 8, Section 1 of the Buffalo County Zoning Ordinance. Property located at W1805 County Road S, located in the SE ¼, SE ¼, Section 25, Town of Alma.

Buffalo County Board of Adjustment
Abigail Soderberg
Buffalo County Zoning Department



Buffalo County Zoning Department

407 South Second Street • PO Box 492 • Alma, WI 54610 • (608) 685-6218

Towns Acknowledge Form

Applicants seeking a Rezone, Variance, Conditional Use Permit, Special Exception Permit, or an Appeal are required to present their land use proposal and permit application to the appropriate Town within which the property and proposed use is located. Upon consideration of the permit application the Town Board will record any concerns, observations, and/or recommendations for the Zoning Committee and/or the Buffalo County Board of Adjustments to consider in their review and ruling on the application. The Zoning Department will not place the application on the Zoning Committee or Board of Adjustments agenda until the applicant fulfills this requirement and the form is returned to the Zoning Department.

Property Owner Name: <u>Barry Johnson</u>	Phone #: <u>651 564-0686</u>
Mailing Address: <u>51056 Chippewa Road, Nelson, WI 54756</u>	
Email Address: <u>barry@timlammtrucking.com</u>	

Agent Name:	Phone #:
Mailing Address:	
Email Address:	

SITE INFORMATION	Parcel Number: <u>032-00843-0000</u>
Site Address: <u>51052 Chippewa Road, Nelson, WI 54756</u>	
Property Description: <u>1/4</u> <u>1/4</u> Sec. <u> </u> , T <u> </u> N, R <u> </u> W, Town of <u>Nelson</u>	
Parcel Size in Acres: <u>0.23</u> Square Feet: <u> </u>	

PROPOSED DEVELOPMENT/LAND USE
Complete Description: <u>40 x 70 post frame building w/ 16' sidewalks</u>

Include a detailed Site Plan with your Acknowledgment Form for the Town Boards review.

Applicant:  Date: 5/17/26

After its review the Town Board has the option to execute one of the three options listed below. Should the Board need more information to complete the review process please contact the applicant or the Buffalo County Zoning Department. Please check and sign the appropriate option.

☐ I acknowledge that the applicant has informed the Town Board of the proposed use and/or development to occur within the Town and the Board has no comment regarding the applicant's petition.

Town Chair: _____ Date: _____

☒ I acknowledge that the applicant has informed the Town Board of the proposed use and/or development to occur within the Town and the Board supports the applicant's request. The Town will include a written statement explaining its reasons for supporting the petition.

Town Chair: *Neal Rephelen* Date: 5-19-26

☐ I acknowledge that the applicant has informed the Town Board of the proposed use and/or development to occur within the Town and the Board opposes the applicant's request. The Town will include a written statement explaining its reasons for opposing the petition.

Town Chair: _____ Date: _____

Town Board Comments & Recommendations: _____



Parcel ID: 03

Primary owner
Secondary owner
Mailing address

Parcel address
School district

Land value: \$
Improvement
Total assessed
MFL/FCL land
Estimated fair

Gross property
Net property

Property class
Auxiliary class

Assessed acre
Deeded acre
Calculated acre

[See parcel in](#)

NE corner
toward center



NW flag to
Chippewa Road
Center line



NW Corner
toward Center



SE Corner
toward Center



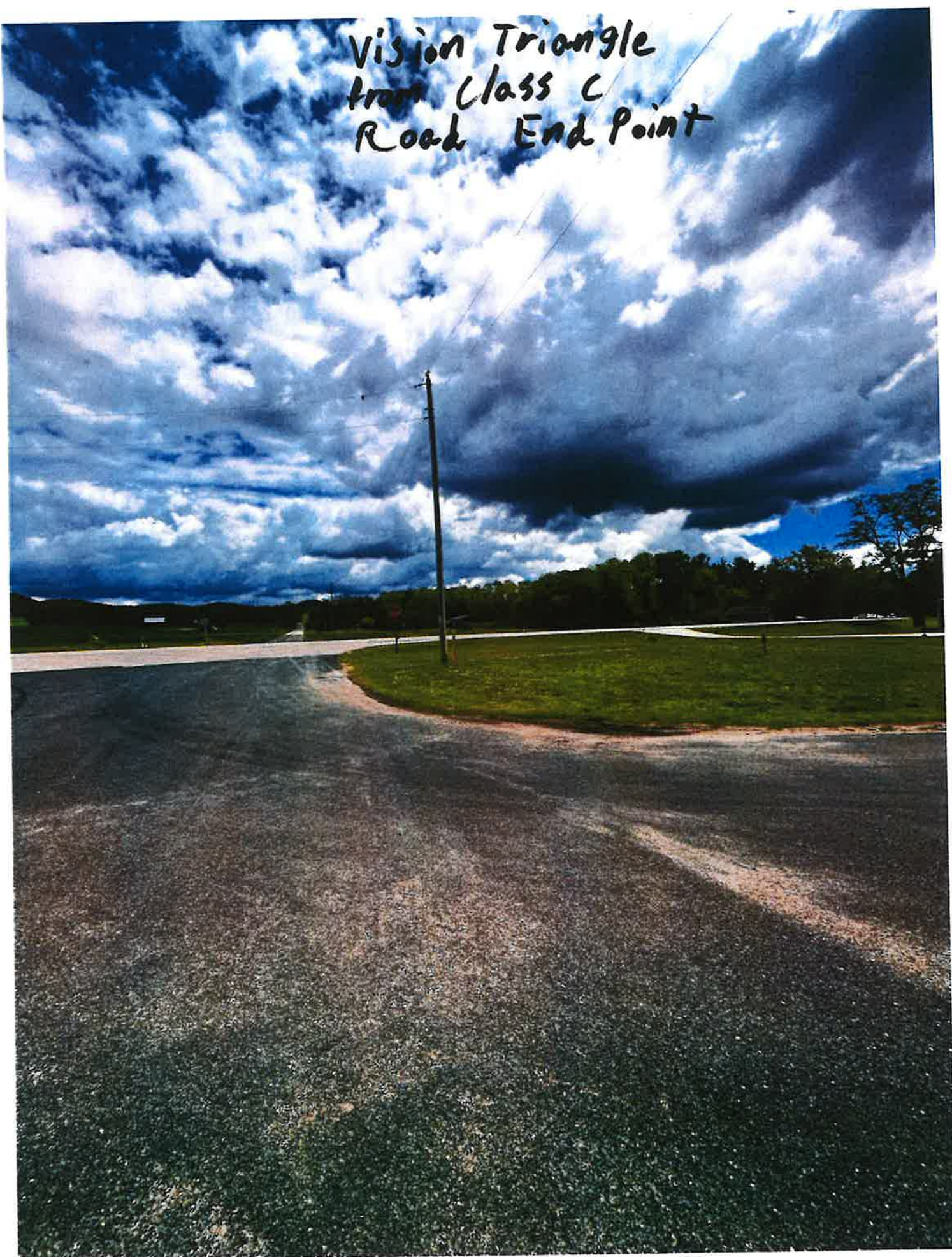
Site from
Intersection



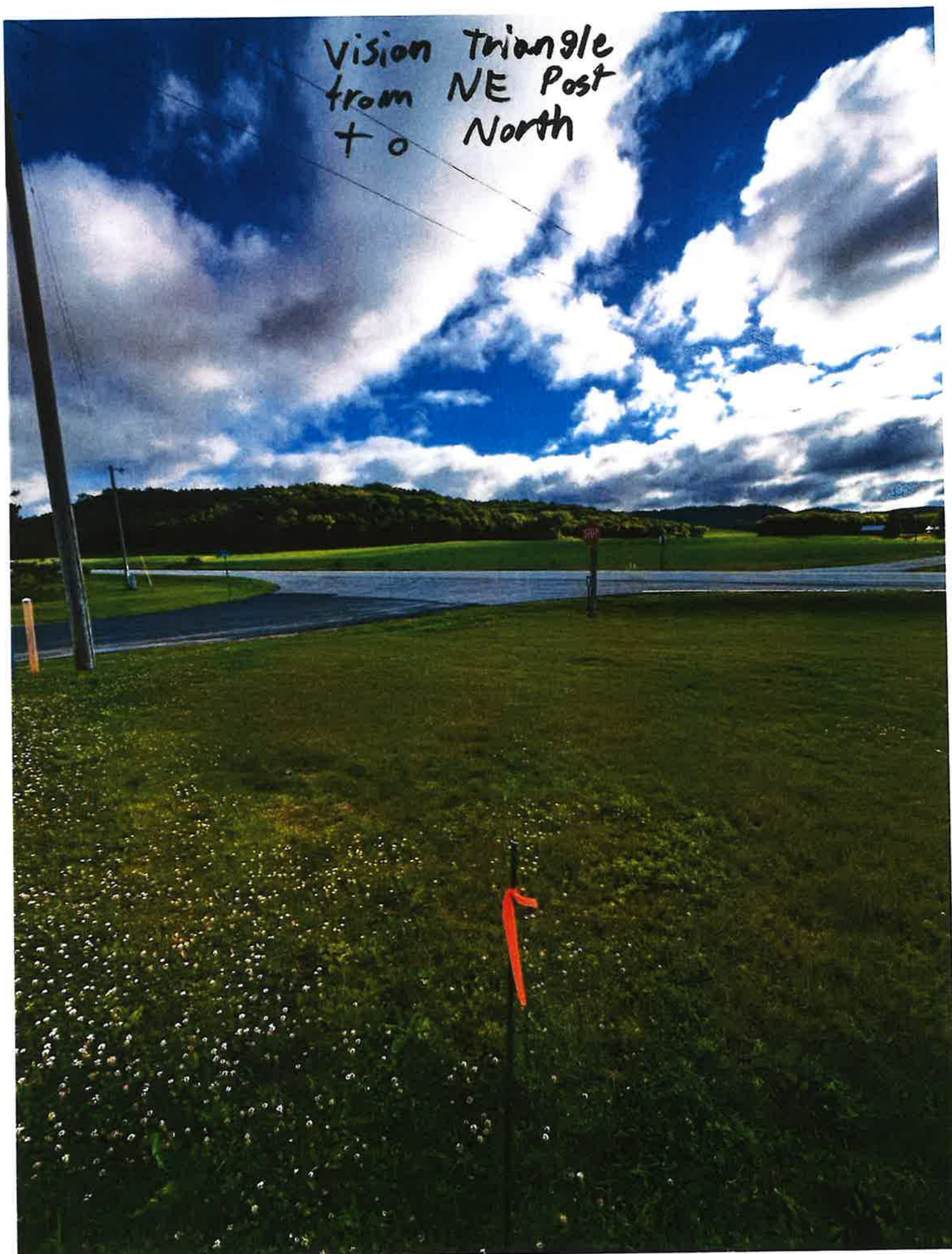
SW Corner
toward Center



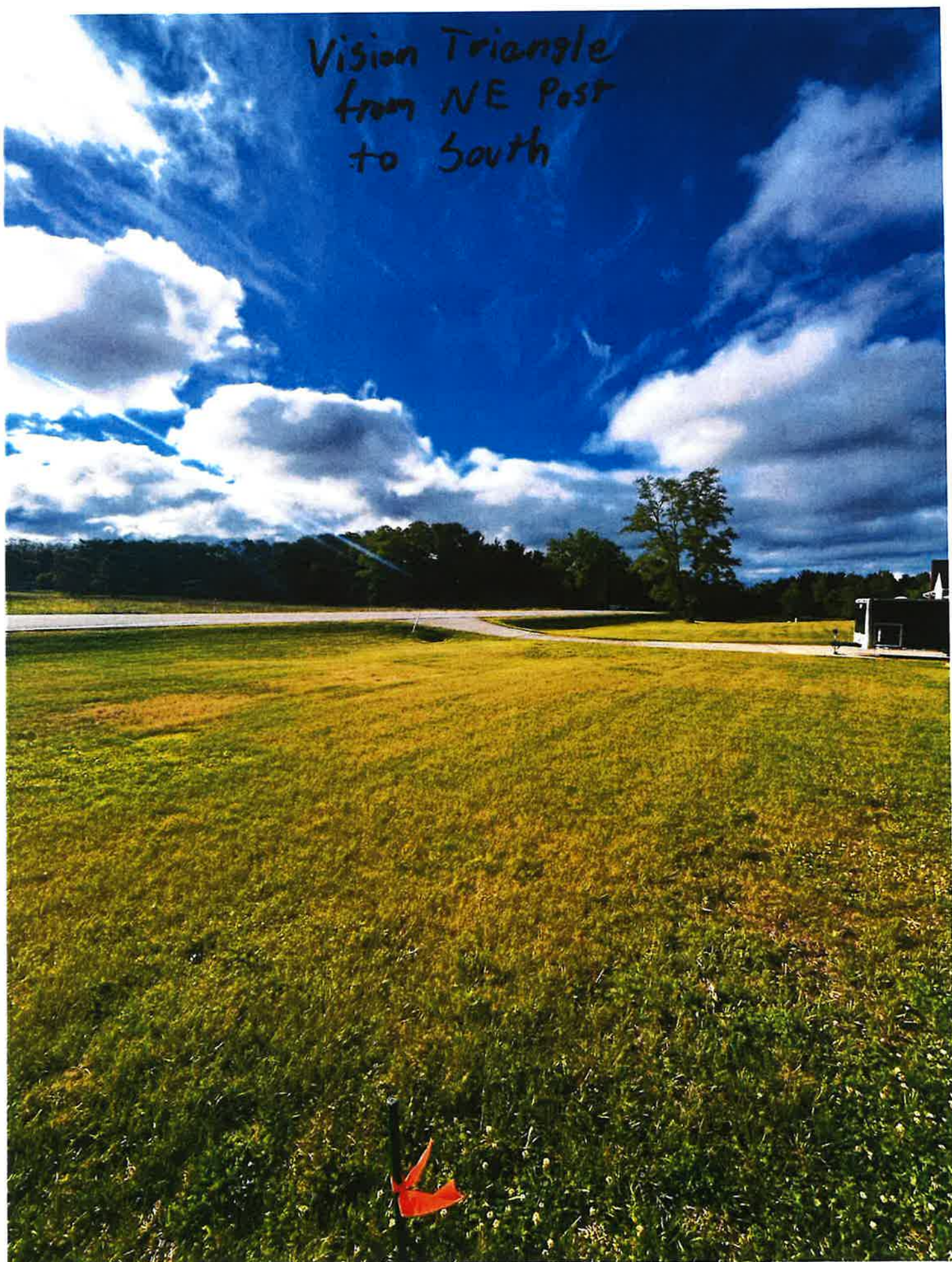
Vision Triangle
from Class C
Road End Point



Vision Triangle
from NE Post
+ o North



Vision Triangle
from NE Post
to South



BUFFALO COUNTY *Wisconsin*

Department of Land Management

Report to the Board of Adjustments

Variance Application

Applicant: Eric Parks, Jeff Pank, Dawn Pank
Address: N11638 CTH-M, Waupun, WI 53963

Hearing Date: July 10, 2026

Eric Parks, Jeff Pank, and Dawn Pank to hereafter be referred to after in this document as (The Party) applied for a variance from Chapter 8, Section 4 (A) and Chapter 21 (Lot of Record) of the Buffalo County Zoning Ordinance to allow a dwelling to be built on a parcel of which does not abut a public road, not considered a lot of record, and non-buildable due to lack of required road frontage.

The applicants' approximately 17.18 acres located in the SE ¼ of the SE ¼, Section 25, Town of Alma. The closest road to the parcel is County Road S, with access to the parcel via easement.

The party proposes their lot be considered as a lot of record due to the town of Alma not being re-monumented and as so did not require a Certified Survey Map be turned into the Buffalo County Zoning Department for review. Doing so would give the same regulation as to a parcel created prior to the adoption of the 2018 Buffalo County Zoning Ordinance.

Property History:

There have been no permits historically granted to the parcel in question 002-00761-0030. Previous owner of the parcel Cheryl Bullington.

Alma Town Board Position:

On 6/18/2026 The town chair of Alma signed no comment on the proposal

Public Comments:

As of the drafting of this report the Department has received no written public comments.

The Board of Adjustments is required by State Statute to evaluate a variance petition on the following three criteria:

1. UNNECESSARY HARDSHIP Unnecessary hardship exists when strict compliance with the Ordinance would result in hardship and would be “unnecessarily burdensome.” An applicant may not claim hardship when the conditions are self-imposed. The parcel-as-a-whole must be considered when applying the unnecessary hardship test. Also, financial hardship does not warrant a variance as maximizing the economic value of a property is not an objective of variances or justification for granting a variance.
2. UNIQUE PROPERTY LIMITATIONS Unnecessary hardship must be due to the unique physical limitations or constraints of the property which prevent compliance with the Ordinance. The circumstances of the applicant are not a factor when deciding on variances. Also, prior variances granted or a lack of objections from neighbors does not constitute a basis for granting a variance.
3. NO HARM TO PUBLIC INTEREST A variance may not be granted which results in harm to public interests. Boards should consider the short-term, long-term and the cumulative impacts of similar projects on the interests of the neighbors, the community, and even the State. Interests include but are not limited to the general health, safety, and welfare of the public.

Department Summary:

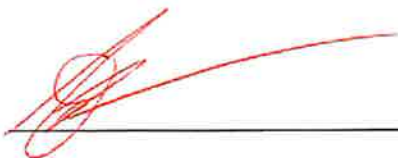
The Zoning Department recognizes that the parcel split created 4 parcels. Due to the township pending re-monumentation the parcel was split legally without review by the County. This split created 3 lots with proper road frontage, and one landlocked parcel. Due to the stipulations in the zoning ordinance to limit building on landlocked parcels, the lot in question is not considered buildable due to being split after the adoption of the 2018 Zoning Ordinance.

The Zoning Department recognizes that the perpetual easement would allow for access to the parcel and run with the lands if ever to be transferred.

The Zoning Department recognizes the hardship of which a parcel being created was not reviewed by the county.

Should the Board of Adjustments choose to approve the Variance Application of The Party, the Buffalo County Department of Land Management recommends that the following conditions be placed on the variance:

1. The parcel 002-00761-0030 shall not be further divided. An additional parcel shall not be created without road frontage. In the scenario this parcel achieves the required road frontage, this stipulation to be removed.
2. The new parcel shall remain in the ANR-40 zoning district abiding by density standards set-forth in the ordinance, unless a Rezone Application is approved.


A red ink signature is written over a horizontal line.

Zoning Staff

1. Travel Trailer: A portable structure built on a chassis designated to be used as a temporary dwelling for travel, recreational and vacation uses while its occupants are engaged in the pastime of camping.
2. Motor Home: A portable, temporary dwelling to be used for travel, recreation, and vacation and constructed as an integral part of a self-propelled vehicle.
3. Pickup Coach: A structure designated to be mounted on a truck for use as a temporary dwelling for travel and recreational purposes.
4. Tent: A collapsible shelter of fabric, such as nylon or canvas, stretched and sustained by poles and used for camping.

Rendering Plant: A plant for the reduction of dead animals or slaughtered animals not suitable for human consumption to by-products such as hide, skin, grease, bones, glue and soap and for the storage of such by-products.

Residential Density: The ratio of dwelling units to acres for a particular tract of land.

Residential Use: Any listed use under "residential uses".

Restaurant: A place of business dedicated to the preparation and sale of food and beverage for immediate consumption on or off site. A restaurant may sell alcoholic beverages for consumption on the premises as a use.

Retail Sales: Any generally recognized retail business that supplies commodities on the premises to the general incidental public where all sales and display of goods shall occur entirely indoors. Commodities supplied may include groceries and similar food products for consumption off the premises.

Riding Stable, Private: Any establishment where six (6) or fewer adult horses are kept for riding or private recreation.

Riding Stable, Commercial: An establishment where seven (7) or more adult horses are kept for riding or where any number of horses are stabled for compensation, sale or show.

Road Frontage: All lots or parcels upon which a dwelling, commercial or industrial building is to be constructed shall abut upon a public road, street or highway. Abutting lots/parcels shall have a road frontage/lot width as required by this Ordinance. If access is via a private road, it shall serve no more than four (4) dwellings. If a private road already serves four (4) dwellings, no zoning permits shall be granted for an additional dwelling or dwellings until the private road has been converted to a public road pursuant to procedures set forth in Wisconsin Statutes. A Private road shall not serve a multifamily dwelling, a commercial building, or an industrial building.

Roadside Stand: A structure having a ground area of not more than three hundred (300) sq. ft., readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products more than one-half ($\frac{1}{2}$) of which were produced on the premises or adjacent premises. There shall not be more than one (1) such roadside stand on any single premise.

CHAPTER 8

ZONING DISTRICT REQUIREMENTS & ZONING MAPS

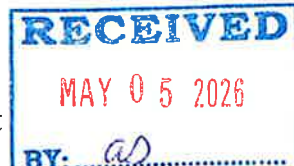
1. Zoning District Requirements Table.

Zoning Districts	Min. Lot Area (acres)	Min. Lot Width-Road Frontage	Maximum Non-Farm Dwelling Density per A/NR District	Side Yard Setback, Minimum	Rear Yard Setback, Minimum
Agriculture/Natural Resource – 40 (ANR-40)	2	100 Feet	1 per 40 Acres owned maximum of 4 total	20 Feet	40 Feet
Agriculture/Natural Resource – 20 (ANR-20)	2	100 Feet	1 per 20 Acres owned	20 Feet	40 Feet
Agriculture/Natural Resource – 10 (ANR-10)	2	100 Feet	1 per 10 Acres owned	20 Feet	40 Feet
Agriculture/Natural Resource – 5 (ANR-5)	2	75 Feet	1 per 5 Acres owned	10 Feet	20 Feet
Agriculture/Natural Resource Transition – 5 (ANRT-5)	2	75 Feet	1 per 5 Acres owned	10 Feet	20 Feet
Residential (R)	1 acre, .25 acres if served by public sewer	75 Feet 50 Feet-Sewered	NA	10 Feet	10 Feet
Commercial (C)	1 acre, .25 acres if served by public sewer	75 Feet 50 Feet-Sewered	NA	10 Feet 20 feet from Residential lot	10 Feet 40 feet from Residential lot
Industrial (I)	1 acre, .25 acres if served by public sewer	100 Feet	NA	20 Feet 40 feet from Residential lot	20 Feet 40 feet from Residential lot
Conservation (CONS)	1	100 Feet	NA	10 Feet	10 Feet



Buffalo County Zoning Department

407 S. Second Street ■ PO Box 492 ■ Alma, WI 54610 (608) 685-6218
Fax: (608) 685-6213 www.co.buffalo.wi.us



Variance Application

Permit Issue # -

Property Owner Name: Eric Parks, Jeff Pank & Dawne Pank	Phone #: 920-251-0523
Mailing Address: N11638 Cty Rd M, Waupun, WI 53963	
Email Address: eparksdirect@yahoo.com	

Agent Name:	Phone #:
Mailing Address:	
Email Address:	

The applicant hereby appeals to the Buffalo County Board of Adjustment for a variance relating to ARTICLE No. Chapter 21 SECTION NO. Page 216 of the Buffalo County Zoning (18-07-01) Ordinance

SITE INFORMATION	Parcel Number: 002-00761-0030
Site Address: W1805 County Road S, Alma, WI 54610	
Property Description: SE ¼ SE ¼ Sec. 25, T 22 N, R 13 W, Town of Alma	
Parcel Size in Acres: 17.1 Acres	S25T22NR13W

PROPOSED DEVELOPMENT / LAND USE	
Complete Description: (use additional paper if necessary)	
To treat the parcel associated as a lot of record. We would like to build a dwelling on the 17 acres that we purchased in 2025. The Town of Alma is not monumented which allows parcels to be divided without road frontage. We have a legal easement up the existing driveway and have made several unsuccessful attempts to purchase road frontage to meet the requirements. (See additional)	
Use:	Residential ☒ Agricultural ☐ Commercial ☐ Industrial ☐ Recreational ☐

Answer the following questions completely and to the best of your ability. These are issues the Board of Adjustment considers in acting upon your variance request. Use additional sheets if needed.

- 1) Explain why strict application of the terms of the ordinance would result in undue and unnecessary hardship:

We would be unable to build on the parcel which greatly diminishes the value to the owners and would require us to find additional land that we could build on.
- 2) Explain why the hardship is due to physical constraints and/or property limitations rather than the circumstances of the applicant:

The parcel that we purchased and that was subdivided by a previous owner does not meet the 100 ft road frontage requirement noted in Chapter 8 Section 1 where ANR-40 zoning districts require a min of 100 feet of road frontage. Note in Point 4 A, it states that no lot shall hereafter be so reduced or created so that it does not meet the minimum lot width / road frontage. We did not divide the land.
- 3) Explain why the variance, if granted, will not be contrary to nor harm the public interest:

The area that we would like to build is located a significant distance off the road and several hundred feet from the adjoining neighbor.

SITE PLAN

A detailed site plan must be submitted with your application or the application will be deemed incomplete and returned. The site plan may be drawn on the following page or on a separate piece of paper or survey map. The location of the following features must be included on the site plan:

- | | | |
|--|---|--|
| ☐ Configuration of Parcel with all Dimensions | ☐ North Arrow | ☐ Roads Including Driveways |
| ☐ All Existing Structures | ☐ Proposed New Structure(s) or Addition(s) | ☐ Easements |
| ☐ Distances from Property Lines and Road Centerline | ☐ Septic Tank and Drainfield | |
| ☐ Well Location | ☐ Water Features and Potential Wetlands | |

WETLAND NOTICE

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page or contact a Department of Natural Resources Service Center.

APPLICANT SIGNATURE

I certify by my signature that all information presented herein is true to the best of my knowledge. I understand that I am subject to all applicable codes, statutes and ordinances of Buffalo County and the State of Wisconsin. Providing incorrect information may cause a delay in permit processing or denial. I give permission for the staff of the Buffalo County Zoning Department to enter upon my property for the purpose of verifying that the standards and requirements of the Zoning Ordinance are met.

Owner / Agent Signature Eric L. Parks Date: 05/04/2026

FEES: **\$750** Variance Application

Make checks payable to: **Buffalo County Treasurer**

Return Completed application to: **Buffalo County Zoning Department, P.O. Box 492, Alma, WI 54610**

NOTICE: An after-the-fact fee of five times the applicable variance application fee shall be charged if work is started before a permit is issued. Permit application fees are non-refundable.

SITE PLAN		
Applicant: _____	Section _____	Town of _____

Include all features listed on previous page. Site plan may be drawn in box below or on a separate piece of paper or survey map.

See Attachment

EROSION CONTROL AND STORMWATER MANAGEMENT
--

~~Sediment and erosion control and stormwater management are an important aspect of all land disturbing activities.~~
Additional review and permitting may be required if your site is within 300 feet of a stream or if your site is on steep slopes of 12% or greater. If your development activity will disturb one acre of land or more you are required

5/4/26

Variance Application Details



Buffalo County Zoning Department

407 S. Second Street ■ PO Box 492 ■ Alma, WI 54610 (608) 685-6218
Fax: (608) 685-6213 www.co.buffalo.wi.us

Variance Application

Permit Issue # -

Property Owner Name: Eric Parks, Jeff Pank & Dawne Pank	Phone #: 920-251-0523
Mailing Address: N11638 Cty Rd M, Waupun, WI 53963	
Email Address: eparksdirect@yahoo.com	
Agent Name:	Phone #:
Mailing Address:	
Email Address:	

The applicant hereby appeals to the Buffalo County Board of Adjustment for a variance relating to ARTICLE No. Chapter 21 SECTION NO. Page 216 of the Buffalo County Zoning (18-07-01) Ordinance

SITE INFORMATION	Parcel Number:
Site Address: W1805 County Road S, Alma, WI 54610	
Property Description: 1/4 1/4 Sec. 25 T 22 N. R 13 W, Town of Alma	
Parcel Size in Acres: 17.1 Acres	S25T22NR13W

PROPOSED DEVELOPMENT / LAND USE
Complete Description: (use additional paper if necessary)
To treat the parcel associated as a lot of record. We would like to build a dwelling on the 17 acres that we purchased in 2025. The Town of Alma is not monumented which allows parcels to be divided without road frontage. We have a legal easement up the existing driveway and have made several unsuccessful attempts to purchase road frontage to meet the requirements (See additional)

The parcel in question was purchased from Cheryl Bullington, daughter to Darrell Gross, the owner that owned the land for many years prior to Cheryl. Darrell had the parcel in question in a Managed Forest Land program for many years and it did not come out of the MFL program until 2024 after Darrell had passed away and the land had been sold to Cheryl. It was not taken out of the MFL program prior to 2024 as there were significant tax implications for Darrell. In 2024, Cheryl subdivided the land so that the neighbor Anthony Wisneski could purchase the driveway to the house that he bought from the Gross family. The division was legal as you will see below that due to the Town of Alma not being monumented, it was and still is legal to divide the land without road frontage.

I, along with Jeff and Dawne Pank purchased the 17 acres from Cheryl in early 2025 with the intent of building a dwelling that could be used on occasion and hopefully retire there in the future. We were unaware of the stipulation of the road frontage, and it was not discussed by our realtor.

	EASEMENT
Document Number	

Alana R. Gross, a single person and Anthony L. Wisneski, a single person, grant to Cheryl Bullington, a married woman as individual property, the following described interest in real estate in Buffalo County, State of Wisconsin:

Burdened Parcel No. 002-00625-0000

Benefited Parcel No. 002-00761-0000

An easement for the purpose of ingress and egress off County Road S over the existing driveway located in the SW ¼ of the SW ¼, Section 30, Township 22 North, Range 12 West, Town of Alma, Buffalo County Wisconsin.

Said easement shall run with the lands.

Dated: 9-17-2024

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, _____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Steven Schultz/jtb
Seifert & Schultz, S. C.

285842 MARY A MALLOY REGISTER OF DEEDS BUFFALO COUNTY, WI RECORDED ON 11/04/2024 08:02 AM TRANSFER TAX: TAX EXEMPT #: REC FEE: 30.00 PAGES: 2 **The above recording information verifies that this document has been electronically recorded and returned to the submitter.** Recording Area Name and Return Address Seifert & Schultz, S.C. PO Box 206 Durand, WI 54736 Part of 002-00625-0000 Parcel Identification Number (PIN)

ACKNOWLEDGMENT

STATE OF WISCONSIN
LA CROSSE COUNTY
Personally came before me this 17 day of September, 2024 the
above named Alana R. Gross, to me known to be the person(s) who
executed the foregoing instrument and acknowledge the same.
Susan J. Kunc
Notary Public, State of Wisconsin
My Commission expires: 10-16-2026



Having an ordinance that allows for the division without road frontage and another ordinance that states that all lot must have road frontage or be deemed unbuildable seems contradictory. It appears the ordinances were intended to work together.

Since we landed in a contradictory position, we would like to propose that the lot that we purchased be deemed a lot of record. We would then follow all the regulations for a lot of record.

BUFFALO COUNTY ZONING ORDINANCE

Adopted by the Board of Supervisors of Buffalo County

Ordinance no. 18-07-01

July 23, 2018

5. Lots of Record.

Lots created prior to the effective date of this Ordinance shall be deemed a Lot of Record and shall be considered legally buildable even though the lot may not meet the minimum lot area and lot width requirements, provided that the lot is in separate ownership from abutting land, and further provided that the lot is developed with a use that is permitted, and structures meet the minimum setback requirements of the zoning district in which it is located.

- A. Evidence. Lots of record must be of record in at least one of the following forms to establish the date of the creation of the lot.
 - 1. A recorded land deed, plat, or certified survey map, on file with the Buffalo County Register of Deeds that predated the effective date of this Ordinance, showing the lot in its present form.
 - 2. A deed or land contract on file with the Buffalo County Register of Deeds which predates the effective date of this Ordinance.
- B. Lot Area Minimum. Minimum lot size for a Lot of Record shall be 20,000 square feet for lots without public sewer, and 10,000 square feet for lots with public sewer.

A lot of record which qualifies as a building site may be enlarged through acquisition of adjacent property, but need not comply with the lot area provision of Ch. 8.1. Any lot so enlarged shall not thereafter be reduced below the minimum lot size required in the applicable zoning district.

BUFFALO COUNTY

LAND DIVISION ORDINANCE

Adopted by the Board of Supervisors of Buffalo County,

Ordinance no. 21-05-01, May 24, 2021

I. Jurisdiction.

- A. Jurisdiction of this ordinance and these regulations shall include all areas of Buffalo County, outside the incorporated areas of municipalities, that have been completely remonumented.**

The provisions of this ordinance shall not apply to:

1. Transfers of interest in land by will or pursuant to court order or operation of law.
2. Leases for a term not to exceed 10 years, mortgages or easements.
3. Sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required and meet all applicable zoning or other regulations.
4. Cemetery plats made under Sec. 157.07, Wis. Stats.
5. Assessor's plats made under Sec. 70.27, Wis. Stats., but such assessor's plats shall

5

comply with Secs. 236.15(2)(a) to (g) and 236.20(1) and (2)(a) to (e), Wis. Stats.

6. Towns in Buffalo County where complete remonumentation has not been attained.

7. A parcel created by virtue of any exemption under this ordinance is not exempt from other applicable regulations. Any parcel that does not satisfy the standards of any regulation or law as to performance standards such as: parcel size or dimension, road frontage, standards governing waste disposal, or the like, shall not be eligible for relief from such standards by variance.

According to Cale Severson, Buffalo County Zoning Administer, the Town of Alma is not monumented.

Dated this 27th day of September, 2024.

Anthony L. Wisneski
Anthony L. Wisneski

ACKNOWLEDGMENT

STATE OF Hawaii
Honolulu COUNTY

Personally came before me this 27th day of September, 2024 the above-named Anthony L. Wisneski, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

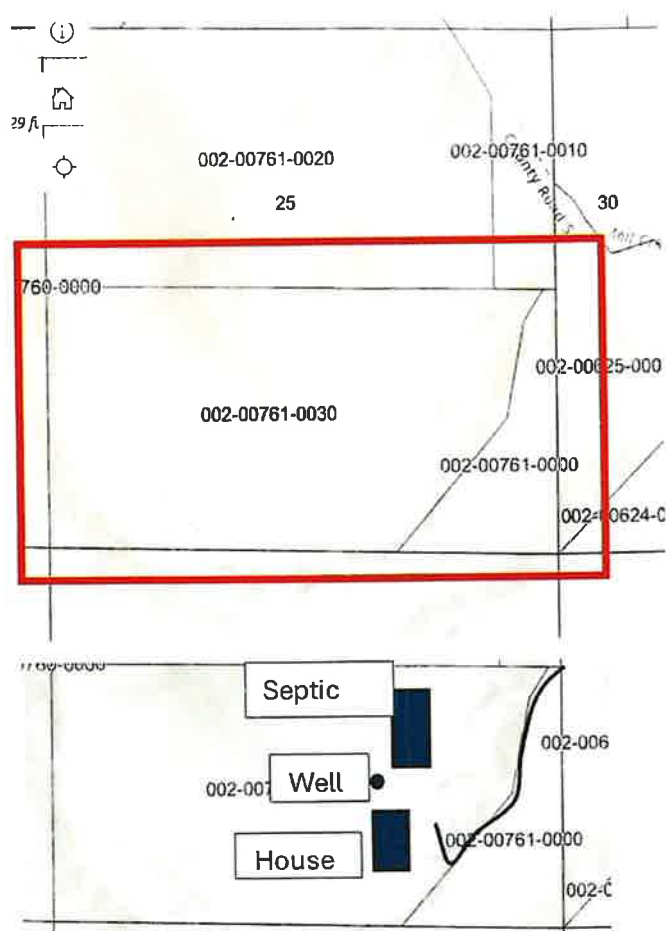
Roman De Castro

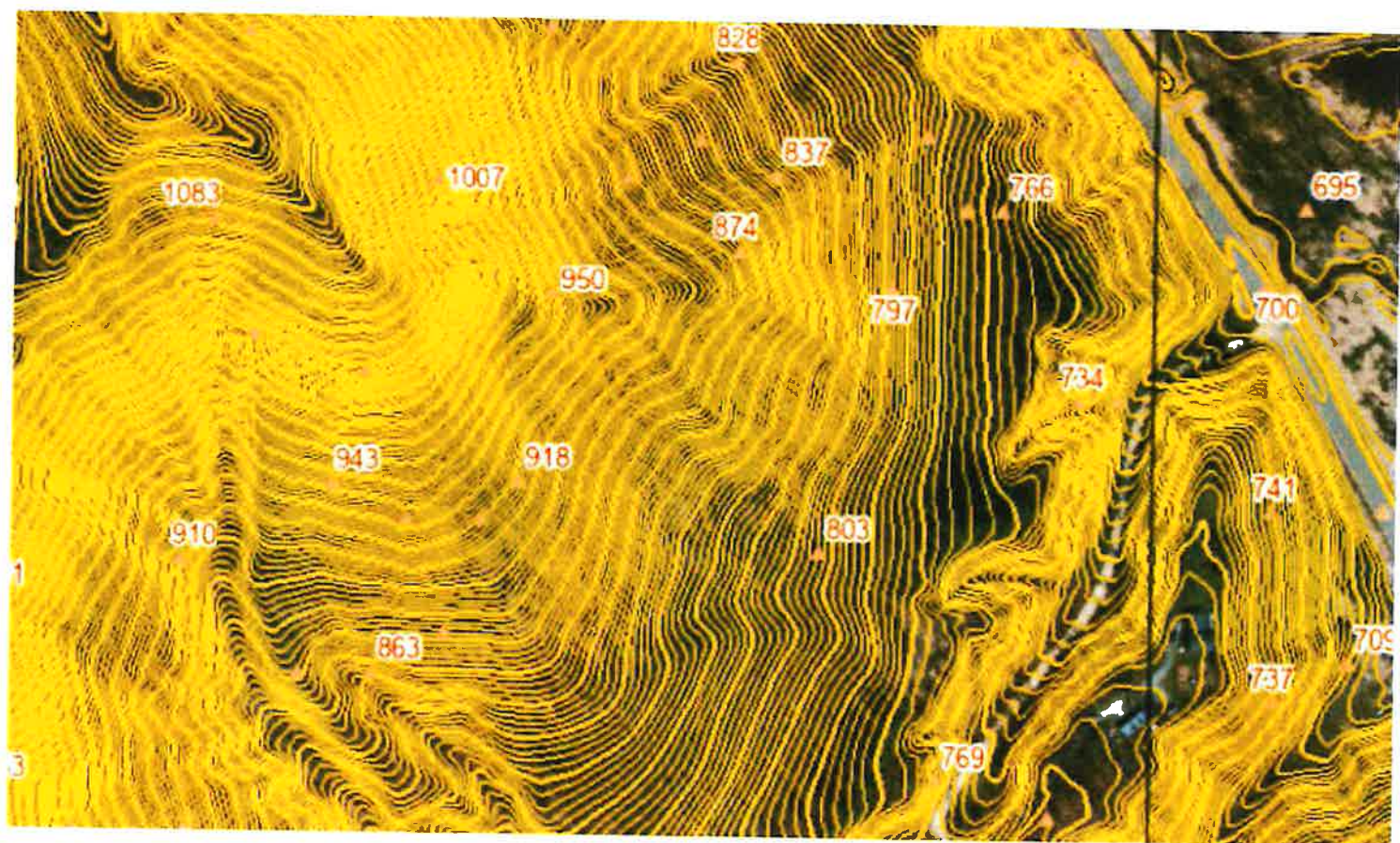
Notary Public, State of
My Commission expires 03/14/2027

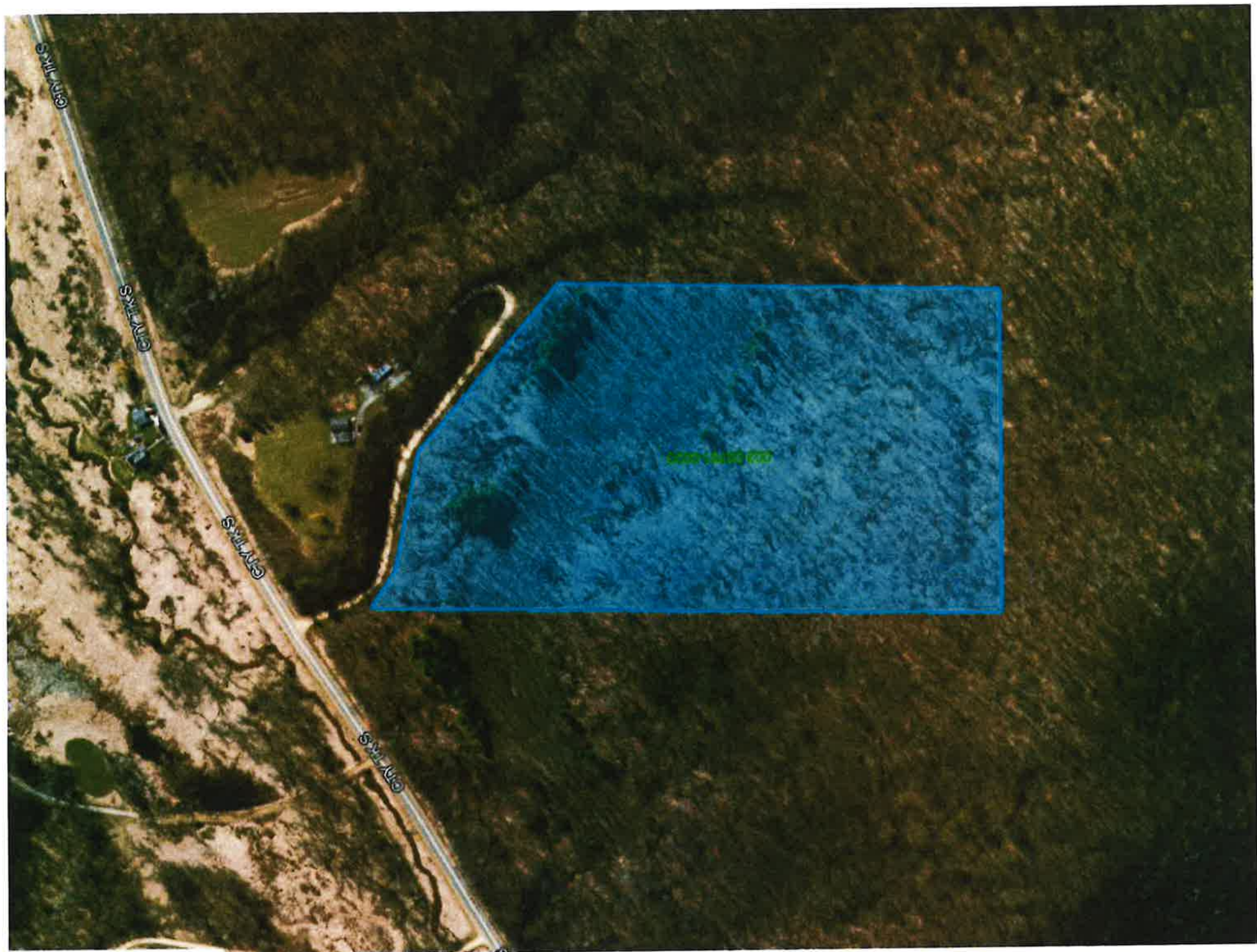


Doc. Date 09/27/2024 # Pages 2
Notary Name Roman De Castro First Circuit
Doc. Description Easement
RDC 09/27/2024
Notary Signature Date

DP EP JP









Electricity Easement

403005

146783

Right of Way Easement For VOL. 888 PAGE 209
Underground Electric Lines - - Individual Residence

KNOW ALL MEN BY THESE PRESENTS: That Darrell Gross and Alona Gross (hereinafter called the "Grantor"), in consideration of the sum of One dollar and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, warrant and convey unto Buffalo Electric Cooperative, a cooperative organized under Chapter 105 Wisconsin Statutes, hereinafter called the "Grantee", and to its successors and assigns, the right, privilege and easement to enter upon the lands described hereinafter, and to construct, operate, repair, maintain, relocate and replace thereon and under the surface thereof, and upon or under all streets, roads or highways on or abutting said lands, a line or lines for the transmission and distribution of electric energy, including without limitation all appropriate cable, wire, transformers, handholes, manholes, concrete pads, duct conduit, ground connections, attachments, equipment, accessories and appurtenances necessary and appropriate for the underground transmission and distribution of energy.

Except as otherwise stated, the right of way shall be _____ feet in width.

The lands of the Grantor with respect to which this right of way easement is granted are described as follows:

Section 25. T.22N.-R.13W.

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$. Amounting to 40 acres.

Section 30. T.22N.-R.12W.

That part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ - West of Mill Creek.

Amounting to 1.31 acres.

All located in the Town of Alma, County of Buffalo, State of Wisconsin.

Total acres amounts to 41.31 acres.

The location of the center line of the right of way is as shown in broken lines on Plat No. _____

_____, Block No. _____, Lot No. _____, Section _____, T. _____ N, R. _____, Town of Alma, Buffalo County, Wisconsin.

The facilities erected hereunder shall remain the property of Grantee. Grantee shall have the right to inspect, rebuild, remove, repair, improve and make changes, alterations, substitutions and additions in and to its facilities as it may from time to time deem advisable, including the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, connection boxes, transformers and transformer enclosures.

Grantee shall at all times have the right to keep the easement clear of all buildings, structures or other obstructions, trees, shrubbery, undergrowth and roots. All trees and limbs cut by Grantee at any time shall remain the property of Grantor.

Grantor, his successors and assigns, may use the land within the easement for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with or endanger the construction, operation and maintenance of Grantee's facilities.

For the purpose of constructing, inspecting, maintaining or operating its facilities, Grantee shall have the right of ingress to and egress from the easement over the lands of Grantor adjacent to the easement and lying between public or private roads and the easement, such right to be exercised in such manner as shall occasion the least practicable damage and inconvenience to Grantor.

To have and to hold unto the said Grantee, its successors and assigns forever. This conveyance shall be binding on the heirs, representatives, assigns and grantees of the Grantor.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 20th day of

June, A.D., 1977

Signed, sealed and delivered in the presence of:
Witnesses:

Christian A. Schultz

Darrell Gross (SEAL)

Lonnie L. Sass

Alona Gross (SEAL)

Lonnie L. Sass

Alona Gross (SEAL)

STATE OF WISCONSIN }
COUNTY OF Buffalo } SS.

Personally came before me this 20th day of June, A.D., 1977.

the above named

Darrell Gross and Alona Gross

to me known as the Notary Public who executed the foregoing instrument and acknowledged the same.

BUFFALO COUNTY, WIS. } SS.

Received for Record the

day of June, A.D. 1977 at 8:00

o'clock, 4 M., and recorded in

Vol. 888 of 209 Page 209

James D. Pearson

REGISTER

James D. Pearson
Notary Public, State of Wisconsin
My Commission Expires March 26, 1980

DOCUMENT DRAFTED BY James D. Pearson

ON BEHALF OF BUFFALO ELECTRIC COOPERATIVE

ALMA, WISCONSIN. WORK ORDER NO. 6648

{Publish: June 25, 2026, and July 2, 2026, 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 Friday, July 10th, 2026, at 8:00 a.m. in the Third Floor Conference Room, Buffalo County Courthouse, Alma, Wisconsin, at which time the following application(s) will be heard:

Barry Johnson, VAR 2026-2. Application for a variance to allow an 80' 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, to also allow a 19' setback from a class C Highway instead of a 50' setback as required in Chapter 11, Section 3, B, 3 of the Buffalo County Zoning Ordinance, and also to reduce the vision triangle clearance to 80' instead of 150' as required in Chapter 11, Section 4, A, 1 of the Buffalo County Zoning Ordinance. Property located at S1052 Chippewa Road, located in the NW ¼, SE ¼, Section 25, Town of Nelson.

Eric Parks, Jeff Pank & Dawn Pank, VAR 2026-1. Application for a Variance to treat the parcel associated as a lot of record. To allow a dwelling to be built with the current legal access easement without the 100 ft of required road frontage as required in Chapter 8, Section 1 of the Buffalo County Zoning Ordinance. Property located at W1805 County Road S, located in the SE ¼, SE ¼, Section 25, Town of Alma.

Buffalo County Board of Adjustment
Abigail Soderberg
Buffalo County Zoning Department



Buffalo County Zoning Department

407 South Second Street • PO Box 492 • Alma, WI 54610 • (608) 685-6218

Towns Acknowledge Form

Applicants seeking a Rezone, Variance, Conditional Use Permit, Special Exception Permit, or an Appeal are required to present their land use proposal and permit application to the appropriate Town within which the property and proposed use is located. Upon consideration of the permit application the Town Board will record any concerns, observations, and/or recommendations for the Zoning Committee and/or the Buffalo County Board of Adjustments to consider in their review and ruling on the application. The Zoning Department will not place the application on the Zoning Committee or Board of Adjustments agenda until the applicant fulfills this requirement and the form is returned to the Zoning Department.

Property Owner Name: Eric Parks, Jeff Pank, Dawne Pank	Phone #: 920-251-0523
Mailing Address: N11638 Cty Rd M, Waupun, WI 53963	
Email Address: eparksdirect@yahoo.com	

Agent Name:	Phone #:
Mailing Address:	
Email Address:	

SITE INFORMATION	Parcel Number: _____
Site Address: W1805 County Road S, Alma, WI 54610	
Property Description: _____ ¼ _____ ¼ Sec. <u>25</u> , T <u>22</u> N, R <u>13</u> W, Town of <u>Alma</u>	
Parcel Size in Acres: <u>17.1</u>	Square Feet: _____

PROPOSED DEVELOPMENT/LAND USE
Complete Description: We are proposing that the 17 acres that we purchased in 2025 be treated as a Lot of Record as it was divided after 2018 which would mean that the lot would be nonconforming and thus not buildable. The town of Alma is not monumented and still allows for the legal division of land without road frontage. The previous owner divided the land and we were under the assumption that it was buildable. Should we be approved, we would like to build a house on the lot. See the associated variance details for more detail.

Include a detailed Site Plan with your Acknowledgment Form for the Town Boards review.

Applicant: Eric L Parks Date: 05/05/26

After its review the Town Board has the option to execute one of the three options listed below. Should the Board need more information to complete the review process please contact the applicant or the Buffalo County Zoning Department. Please check and sign the appropriate option.

- ☒ I acknowledge that the applicant has informed the Town Board of the proposed use and/or development to occur within the Town and the Board has no comment regarding the applicant's petition.

Town Chair: Thomas Hub Date: 6-17-26

- ☐ I acknowledge that the applicant has informed the Town Board of the proposed use and/or development to occur within the Town and the Board supports the applicant's request. The Town will include a written statement explaining its reasons for supporting the petition.

Town Chair: _____ Date: _____

- ☐ I acknowledge that the applicant has informed the Town Board of the proposed use and/or development to occur within the Town and the Board opposes the applicant's request. The Town will include a written statement explaining its reasons for opposing the petition.

Town Chair: _____ Date: _____

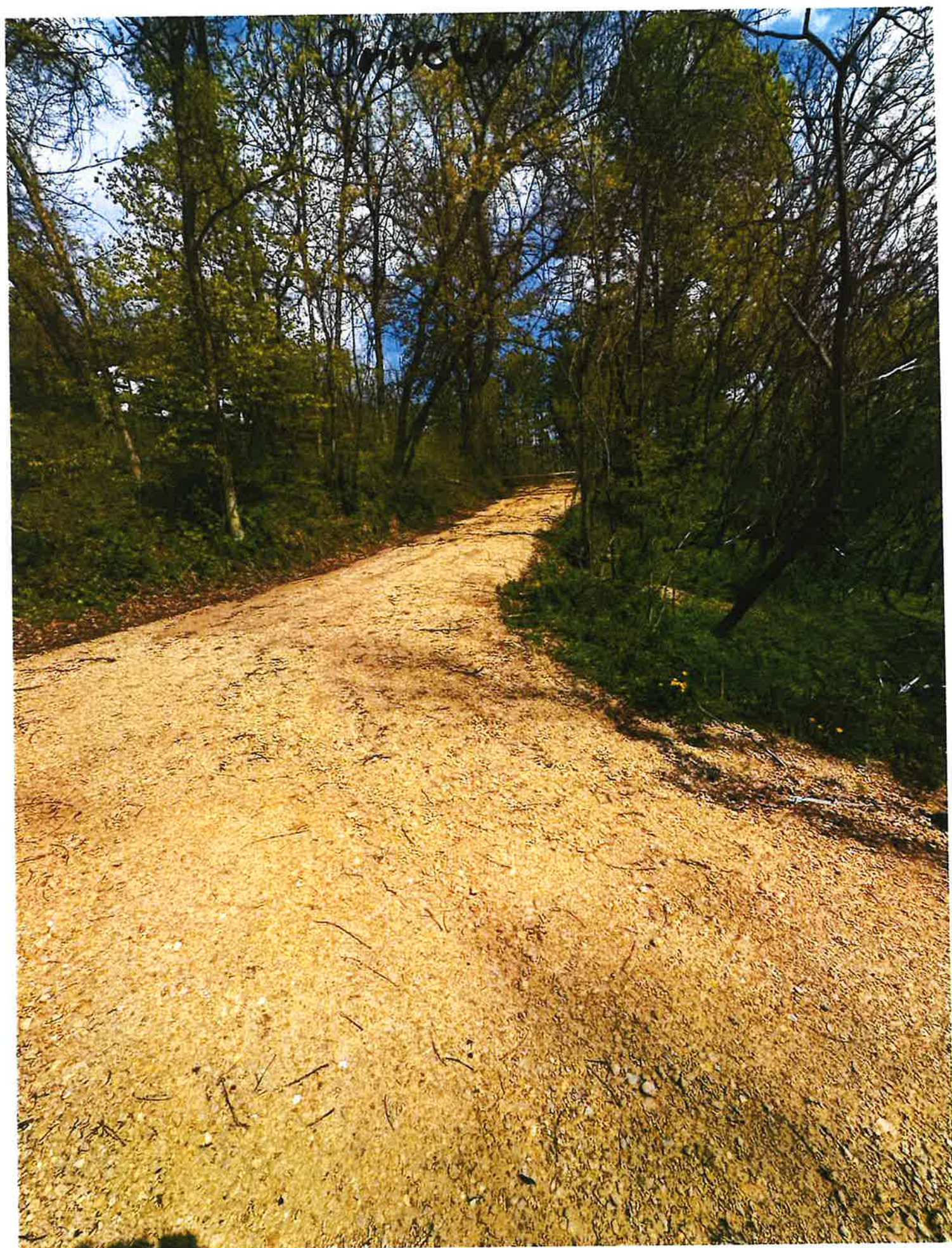
Town Board Comments & Recommendations: _____

Shared
Drive Entry





Access off Shourd Dr





Site NINE



Site 5