

Buffalo County Minutes
Public Hearing – Comprehensive Zoning Ordinance Revision

Committee/Board: Zoning Committee

Date of Meeting: April 5, 2018

Electronic and Hardcopy Filing Date: April 10, 2018

The Public Hearing was called to order at 6:30 p.m. by LouAnne Roby, Chairperson. Roll call was taken. LouAnne Roby, John Kriesel, Bernard Brunkow were in attendance. Michael Taylor was excused.

Others present for all or part of the public meeting include Mike Owecke, Zoning Administrator, Keith Bollinger, Zoning Specialist, Julie Lindstrom, Administrative Assistant in the Zoning Department, Peter Fletcher, Mississippi River Regional Planning Commission (MRRPC) staff. Others that signed in at the meeting: Roger Osegard, Buck Sweeney, Lori Loewenhagen, Steve James, Wayne Peterson, Tom Taylor, Steve Weiss, Max Weiss. Others may have been in attendance that did not sign in.

Minutes are summarized as follows:
The Notice of Public Hearing was read aloud.

Testimony. An Ordinance to Comprehensively Revise the Buffalo County Code of Ordinances entitled “Buffalo County Zoning Ordinance” and Adopt the Revised “Buffalo County Districts Map”.

Ms. Roby stated that any person presenting testimony would be limited to three minutes.

- Buck Sweeney – Mr. Sweeney stated that he was from Axley Law representing The Kraemer Company. Mr. Sweeney provided a copy of all members of the Zoning Committee regarding an issue he was addressing regarding “Diminishing Asset Rule. Mr. Sweeney explained the Diminishing Asset Rule and provided some language to make it clear, so we don’t have to argue about it later. Mr. Sweeney concluded by saying they are not in opposition, just asking for clarification regarding it.
- Lori Loewenhagen – Ms. Loewenhagen introduced herself as a citizen of Naples Township. She thanked the Committee for the hard work preparing the documents and allowing the public to have a voice on what is decided. Ms. Loewenhagen asked that the process slow down to give adequate time for everyone to have their questions answered. She expressed concern for the Zoning District ANR-40 Zoning District being extremely limiting in who has the ability to purchase 40 acres to build in the Township instead of the average citizen being able to purchase a small piece of land to build their home. She also addressed the Home Based Business and the restriction of only being able to have one home based business at a residence and asked for grandfather clause language be added for existing home businesses to be able to operate.
- Tom Taylor – Town of Naples. Thanked the Committee and Staff for the work put into this; was probably time for a revision. He expressed concern of overburden and overregulated situations. He strongly encouraged the committee and staff to research with legal counsel the ability to have Towns strike particular language from the ordinance; some language may not fit a particular Township. He would like to see staff and committee present to the Towns Association, so there can be some dialogue among the Townships to know what each Towns thoughts are. Mr. Taylor said he was a little afraid this may be very dividing in the county right now. Mr. Taylor also commented that there

is no fee schedule with the ordinance and understand that it should be in resolution form, but thinks before the county board considers the ordinance so Towns, citizens and the County Board know what this is ultimately going to cost.

- Max Weiss – Town of Gilmanton. Expressed concern over the regulation that some people may not agree with and the Townships that have a lot of poultry barns; there is some concern about trees by chicken barns and the mix of wild birds in the trees next to poultry. There should be more input into this ordinance; not saying it is all bad, but there are a few things that should be closely examined and a little more input.
- Steve Weiss – Town of Gilmanton. Expressed concern over the fact that the ordinance specifically states who can serve on the Board of Adjustment; must be a resident of Townships, not municipalities. He feels that the Zoning Committee should also not be members of the municipalities; decisions made to the ordinance will not have any effect on the citizens they are serving when they represent municipalities.
- Stephen Nelson – Board Member for Town of Dover. Dean Hestekin, Chairman was not able to attend, so Mr. Nelson is here representing the Town and expressed concern that they need more time to work out some of the details of the Zoning; there is a fair amount of education that will be necessary and need more time to work it out.

Mr. Kriesel questioned the amount of time needed and Mr. Nelson responded by saying 3 months.

- Gene Laehn – Town of Dover, Board member. We have been getting some call regarding sand mines and questioned the increase in the Industrial Zone in the Town of Dover because of sand mines. Citizens are questioning the ability for a chairman to be able to change the Zoning of property from one zoning district to another based on a landowners wishes. The Town of Dover has consulted with an attorney and Mr. Laehn stated that he did not think they had a response from legal counsel yet. The Town is reconsidering going back to ANR40.

This ended the public comments.

There were no correspondence.

Motion by Mr. Kriesel to adjourn. All in favor. Carried. The Public Hearing was adjourned at 6:47 p.m.

Respectfully Submitted,

Julie Lindstrom
Zoning Administrative Assistant