Forest County Board of Adjustment Minutes

Tuesday, July 15th, 2014

1. The roll was called by Chairman Ron Tschohl at 9:15 at the Argonne town hall located at 8842 black Bear Avenue in the town of Argonne. All members were present and they included Ron Tschohl, chairman, Harry Thurin and Jim Drefahl. ZA Pam LaBine was present to act as clerk. Members of the audience included Don Gordon, Dan Samz, Kathy Deaton, Mike Hill, and Sam Hughes
2. Motion by Harry Thurin to approve the agenda, second by Jim Drefahl, all in favor, motion approved.
3. Motion by Harry Thurin to approve the minutes of the last meeting (Thiex), second by Ron Tschohl, all in favor, motion approved.
4. The ZA confirmed compliance with the open meeting regulations and they are included.
5. The Chairman informed the audience there would be 5 minutes allowed for each speak and rebuttal.
6. Motion by Harry Thurin to open the public hearing, second by Jim Drefahl, all in favor, motion approved.
7. The ZA read the application.
8. Mike Hill, acting as agent for Ed Hill made the following statement; Water was coming into the building on the north side and we had to fix the problem. Also the State does not allow smoking in bars so we had to accommodate our customers someway. By placing a cement pad on the north side with a drain on the edge we have a place to put our smoking hut and a place to serve our customers. The access to the bar is on that side of the building. We need a higher fence to have secure public access as we serve drinks and food outside.
9. Staff had no objections to any request by Ed hill as the impervious surface was well drained. The sanitary is up to specifications. Exceeding the impervious surface is not a problem as the soil is permeable.
10. There was no related correspondence
11. There was no ex-parte communications
12. Kathy Deaton. , neighbor was concerned the survey was off and if the fence was placed where Mr. Hill indicated, it might be on her property. She thinks the survey is off by 1.5 feet. She tried to contact Bixby, the surveyor but he was unavailable. Ms. Deaton said the surveyor went off the corner of her building and her building is into the right of way of Van Zile Ave. It was not done properly.

Dan Samz, town chairman said that Kathy’s was the only original building. The lots were 25 x 142. There were no regular setbacks.

1. ZA asked Kathy if Ed Hill placed his fence right along side of the cement, does she think it would be on his property. She said yes, if the fence was built next to the cement it might be on her property. However she is in favor of the fence being built.
2. There were no final questions.
3. Motion by Harry Thurin to close the public hearing, second by Jim Drefahl, all in favor, motion approved.
4. Motion by Harry Thurin to go into closed session but to make those minutes available in the regular minutes, second by Jim Drefahl, all in favor, motion approved.
5. Discussion was held on the application of Ed Hill. Harry Thurin said that ever since the state pushed smoking outside, everyone has to build a smoke shack. Jim Drefahl said the public entrances are on this side of the bar so this is the only place to put the structure. The fence is required to curtail access. No board member was concerned with exceeding the impervious surface limits of this lot. A discussion was held on a survey and Harry Thurin said they are not here to settle lot line disputes. Motion by Harry Thurin to return to open session, second by Jim Drefahl, all in favor, motion approved.
6. Motion by Harry Thurin to approve the request of Ed Hill to erect a fence between lots that is 8 feet in height, exceed the impervious surface limit of his lot and to build a structure 5 feet from his indicated lot line, second by Jim Drefahl, all in favor, motion approved. There were no conditions attached to this variance. Harry Thurin said we were not here to settle lot line disputes. If Kathy Deaton gets a certified survey, and the fence is on her property, it will have to be moved.
7. Motion by Harry Thurin to adjourn, second by Jim Drefahl, all in favor, motion approved.

Submitted by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_7/17/2014