

**BOARD OF APPEALS THURSDAY, APRIL 27, 2023 –  
6:30PM BUFFALO CITY MUNICIPAL BUILDING**

Meeting was called to order by Chair Jerilyn Baures. Meeting held as noticed. Board present Dan Arendt, Keith Fetting and Don Blank. Citizens present: Karen and Daniel Shaha, Patrick Schaffner, Kathryn Schwanke, Marsha Przybylla, Steven and Carolyn Larson, George and Sandra Raasch. Meeting was held as noticed.

Baures presented conditional use permit request for Patrick Schaffner, 375 N Belvidere Street. Board member Schutz arrived at the meeting. Schaffner said he has been operating his vegetable sales business out of what used to be a ice fishing shack parked on his property for about 5 years. He grows and sells the produce as well as other homemade items and rocks and plants. He keeps the signage to a minimum and provides off street parking for patrons. Schffner said he also carries business insurance separate from his homeowner's policy. All board members have viewed the property. Clerk received no comments from neighbors who were notified. No one at meeting spoke in favor or against the business. Motion Schutz, second Fetting to approve a conditional use permit to operate a commercial business for Schaffner at 375 N Belvidere St. All yes, motion carried.

Baures presented a conditional use permit request for Kathryn Schwanke, 33 W 10<sup>th</sup> Street. Schwanke as been operating a produce, plant and other items stand at her residence for the past few years. She said she also carries business insurance. She recently added signs to try to get her customers to park further off 10<sup>th</sup> Street because she knows the traffic on the street is an issue with the stopping customers at her stand. She said she would continue to remind her customers they need to pull of the street further. Bauers read a letter in objection to the stand from a neighboring land owner who was also present at the meeting. Land owner Steven Larson also spoke in objection to his land being "taken". Bauers reminded Larson the hearing was not about any land being exchanged and unless he had anything to say about the actual commercial business permit this was not the time to speak. The board was also reminded that the permit is conditional so that if at any time the city does receive complaints about the stand they can consider amending or revoking it. All board members had viewed the property. Clerk received no other communication from neighbors that live near the property. The board made a suggestion to Schwanke that she move some of her personal vehicles to make room for more patron vehicle parking and vision on the street. Schwanke said that she was very happy for the suggestion. Motion Schutz, second Blank to approve the conditional use permit to operate a commercial business for Schwanke at 33 W 10<sup>th</sup> Street. All yes, motion carried.

Baures presented a conditional use permit request for Marsha Przybylla, 256 W 19<sup>th</sup> Street. Przaybylla would like to cut hair at her home. She has had a conditional use permit to do the same at a former residence in the City in the past. She moved to the new address in the past few months. There is plenty of room for off street parking for the one-at-a -time clients she will have in the space she will be using behind her garage. All board members had viewed the property and the clerk received no communication from any

neighbors. Motion Arendt, second Schutz to approve the conditional use permit to operate a commercial business for Przybylla at 256 W 19<sup>th</sup> Street. All yes, motion carried.

Baures presented the variance request from Daniel and Karen Shaha, 255 N River Rd. for a 9' side yard and 10' side yard variance to add on to their existing home to build a garage with living space on top. The Shahas said they are planning to retire to the area soon and need more space in the small home for their belongings and family. The home sits on one lot total. They said they have been told by the county zoning department they can put a holding tank in when the current septic tank needs replacing. Neighbors George and Sandra Raasch were at the meeting to question how close the addition would be to their property. The plans show the addition will sit in the same footprint as the current garage but it will be raised to include a second floor. The Shahas told them they would not put a window in facing their property. Board member Arendt questioned where the actual property line was after viewing it prior to the meeting. After discussing the property lines, the Shahas admitted they did not know the exact property lines even though they were stated on the application. The board told the Shahas that variances could not be considered without exact measurements. They would need a survey done especially since the neighbor was questioning the line. The Shahas asked the clerk if they would have to pay to come back to the meeting again. The clerk told them she could not make that decision. Motion Fetting, second Blank to table the Shaha variance request to a later Board of Appeals meeting. All yes, motion carried.

Motion Schutz, second Fetting to adjourn. All yes, motion carried.

Jenny Ehlenfeldt  
Clerk/Treasurer