

Howard Planning and Zoning Minutes



MINUTES

HOWARD COUNTY PLANNING & ZONING

May 20, 2020

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20th of May, 2020. Due to COVID-19 this meeting was held virtually by Zoom.

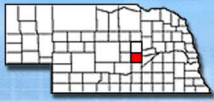
Chairman Terry Spilinek called the meeting to order at 8:00 P.M. The Open Meeting Act was recognized. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 6 members present: Jeff Christensen, Chris Kosmicki, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek. Daryl Anderson was having technical issues and arrived late. Those absent were: Randy Kauk and Ken Kozisek. Also present were Cherri Klinginsmith, Planning & Zoning Administrator and Nancy Usasz Planning & Zoning Secretary. Members of the public included: Kimberly Hostetler, Ashley Ambrose, Brad Kool and Tim Puscher.

The Agenda and Minutes were mailed to the Board Members prior to the meeting. A motion was made by Dave Sack and seconded by Ron Kulwicki to approve the minutes of the March 18, 2020 meeting. The motion carried on unanimous voice vote

At 8:05 P.M. a Public Hearing was opened for Naper Estate Subdivision. This is a non-residential single-lot subdivision located in the SE ¼ Section 22, Township 13N, Range 11W and the NE ¼ Section 27, Township 13N, Range 11W. Kimberly Hostetler was on the phone to represent this request. Chairman Spilinek asked for Testimony in favor or in opposition. There was none. The Public hearing was closed and a short discussion was had by the board. Administrator Klinginsmith stated that in order for the Subdivision to be buildable they would need to ask the Road Department and the Howard County Commissioners to improve the road. With no further discussion a motion was made by Jack Reimers and seconded by Dave Sack to approve the Naper Estates Subdivision, a non-residential single-lot subdivision located in the SE ¼ Section 22, Township 13N, Range 11W and the NE ¼ Section 27, Township 13N, Range 11W. Motion carried 6-0 Roll Call Vote. A Finding of Fact was completed and is attached.

At 8:15 P.M. a Public Hearing was opened for B & G 2nd Subdivision. This is a non-buildable Single-lot Subdivision located in the E ½ of the NE ¼ of Section 24 Township 13N, Range 12W. Ashley Ambrose and Ben Kool were on the Zoom meeting to represent the request. Ashley stated that she would like to purchase 11.36 +/- acres from Panowicz Family Farms LLC and that there is a canal that separates the property and the Panowicz Family does not have access unless they go through her property. She intends to use the property for pasture and does not have any intentions of building a residence. Chairman Spilinek asked for testimony in favor or opposition. There was none. The public hearing was closed and discussion was had by the board. After a short discussion Ron Kulwicki made a motion to approve B & G 2nd Subdivision. A non-residential single lot subdivision consisting of 11.36 +/- acres located in the E ½ of the NE ¼ of Section 24 Township 13N, Range 12W. Dave Sack Seconded the motion. Motion Carried 6-0 roll call vote. A Finding of Fact was completed and is attached.



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Next a discussion was had regarding BMW Estates Multi-Lot Subdivision. Administrator Klinginsmith stated that she has received a request to build a house on Out Lot A. This lot was not part of the engineering study submitted with the Subdivision. Administrator Klinginsmith stated that she received a study to include this lot and bringing in fill dirt will not cause more than a one (1) foot of rise. She has given them a Flood Plain Development Permit to bring in fill dirt and after they fill in dirt they will need to apply for a LOMR-F. If that is approved then she will be able to issue a Zoning Permit.

Administrator explained that as floodplain manager, she will now require anyone building in the floodplain to apply for a LOMR-F if their site is below the 1' above the BFE (base flood elevation). This will ensure the site is reasonably safe from flooding and a LOMR-F removes the site from the floodplain.

Daryl Anderson Joined the Meeting at 8:40 P.M.

The next discussion was regarding a Conditional Use Permit application by Tim Puscher for a guest house in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 13, Range 9. Tim was on the phone to answer any questions the board had. After much discussion Ron Kulwicki made a motion to approve the Conditional Use Permit to be approved administratively with the following conditions: it will be seasonal, not rented out, water will be connected with the main house. Septic will be separate and installed by a licensed plumber. Dave Sack seconded the motion. Motion Carried 7-0 Roll Call Vote. Finding of Fact was completed and is attached.

The final discussion was regarding a request for an Auto Dealership License on A-1 Zone Land not meeting a home occupation business definition. Administrator Klinginsmith stated that two neighbors would like to have an Auto Dealership and they have formed a LLC. After much discussion the board stated that it would be best for them to apply for a Conditional Use Permit and then proceed. There was no action taken by the board.

With no further business Chris Kosmicki made a motion to adjourn and Dave Sack seconded the motion.

Nancy Usasz, Secretary