

MEETING OF THE KIMBERLY BOARD OF APPEALS
MINUTES
NOVEMBER 15, 2021

Chairman Karner called the meeting to order at 5:30 p.m. Members appearing in person for roll call were Kell Bales, Peter Berg, Norb Karner, Jesse Metko, and Jess Schneider. Appearing by phone was Josh Young. Also present were Administrator Block, Operations Director Dannhoff, petitioners Patrick and Gina Buechel, Riverwood Homes Developer Bryan Renaud and three other individuals.

Schneider moved, Metko seconded the motion to approve the minutes of March 25, 2020. Motion carried unanimously.

Chairman Karner cited for the record the request of Patrick and Gina Buechel's for a variance to the R1-Residential District side-yard setback standard, to permit construction of a new single-family dwelling with an attached garage at 335 Rivers Edge Drive, Lot 28. Chairman Karner invited the Buechel's to present their request to the Board.

Mr. Renaud spoke on behalf of the Buechels and indicated that while developing the site plan for Lot 28, they discovered an easement from WE Energies which would hinder the size of the house they wanted to build on the property. The Buechels are looking for a variance from the 6-foot setback on the opposite side of the property from the WE Energies easement.

Neither Mr. Renaud nor the Buechels are the developer of the undeveloped adjoining lot, Lot 29. Operations Director Dannhoff contacted the developer and property owner of the Rivers Edge subdivision and asked if they would transfer land from Lot 29 to Lot 28 to meet the setback, but they declined. The Rivers Edge developer and property owner also communicated they had no concerns with the variance request.

Director Dannhoff also made inquiries with WE Energies. WE Energies informed him that if they did grant permission, any encroachment would need to be something that was "removable" since they did not know if in the future, they would need to use the easement property.

Schneider moved, Metko seconded the motion to approve the variance of a 3-foot side yard setback on the west side of the property. Motion carried unanimously.

Board members cited their familiarity with the new subdivision and the difficulty of finding property owners to develop the lots bordering the WE Energies easement. Without the variance setback, the property would remain undeveloped. The setback permits a home to be developed consistent in form and character with other houses in the neighborhood.

There was no New Business.

Bales moved, Metko seconded the motion to adjourn. The motion carried unanimously and the Board adjourned at 5:39 pm.

Respectfully submitted,


Danielle L. Block
Administrator