

Board of Adjustment Meeting Minutes
8/30/22
Butler County Courthouse

Present

Board of Adjustment members:

Paul Leerhoff

Jeff Reints

Carla Mulder

Absent

Mark Gerdes

Fern Feldman

Others:

Misty Day, Zoning Administrator

Norm & Jan Mulder

Richard Neal

Paul Leerhoff called the meeting to order at 7:30 a.m.

A motion to approve the Agenda was made by Carla Mulder and seconded by Jeff Reints. Motion passed.

The minutes from the previous meeting dated June 28, 2022, were not ready to review.

Old Business:

Administrator Day updated the Board on the Zoning Ordinance update and stated that revisions have been made to the wind and solar energy sections and a 2nd public informational meeting will be held before the adoption process resumes.

Public Hearing:

Vice Chair Leerhoff opened the public hearing on a request by Norm and Jan Mulder for a special exception permit to excavate sand for resale located on Hwy 3 in the NW¼ N & E of RR Except Parcel C in Section 34, Township 92 N, Range 15 W.

Norm and Jan Mulder were present on behalf of their application and stated that they plan to start by excavating the sand around the existing pond and are undecided about the larger area closer to the Highway, which is currently in CRP, but they want to get the approval in case they decide they want to excavate that area as well.

Board Member Reints inquired about whether it would be for the Mulders personal use and it was determined that they would sell the sand but use for their primary use as well. There is no intention of dredging, there will be no scales installed and it will be sold on a per load basis. Richard Neal was present and expressed concerns about sand being dumped into the river, causing shifts in the water flow, and what the status of the area will be after it is excavated. It was determined that the

excavation areas would become ponds when it was all said and done and they will not be stockpiling any sand by the river, it is quite a distance away. Discussion was had regarding the driveway and traffic and it was determined that they would utilize the existing driveway and the DOT may have some input about load trucks turning into their driveway, but they don't foresee a high volume of traffic.

Discussion was had about what conditions should be considered and Administrator Day stated that the Corps of Engineers did identify a wetlands area that they are not to disturb, but the Mulders were well aware of that and had no intention of excavating that area. The Board inquired about whether the special exception would go with the land if it was sold and it was determined that it would.

Public Hearing was closed.

A motion was made to approve the special exception permit by Jeff Reints and was seconded by Paul Leerhoff. Motion was unanimously approved.

New Business:

None

A motion to adjourn the meeting was made by Jeff Reints and seconded by Carla Mulder. Meeting adjourned.

Misty Day, Zoning Administrator

A handwritten signature in blue ink that reads "Misty Day". The signature is written in a cursive, flowing style.