

**BOARD OF APPEALS  
TOWN OF BUFFALO  
June 6<sup>th</sup>, 2019  
BUFFALO TOWN HALL**

The Chairman Ryan McReath called the meeting to order at 7:00 p.m. with the Pledge of Allegiance

Present: Ryan McReath, Shane Dedrick, Kyle Kidney, Tom Wilson & Laurie Beahm  
Others in attendance were 6

**Agenda Approval**

Shane Dedrick made a motion to approve the agenda as read. Second by Tom Wilson  
Motion carried.

**Variance request report**

**Board reading of request from Mark & Lori Murphy**, N712 16<sup>th</sup> Rd, Pardeeville, WI 53954 are requesting Variances under Sections 16.05(2)(C) and 16.13(3) of the Town of Buffalo Zoning Ordinance for construction of a garage to replace an existing legal non-conforming garage at a reduced setback to a lot line and the centerline of a town road on Lot 1 and part of Lot 2, CSM 1783, in the SW1/4-NE1/4, Section 27, T14N R10E, **Town of Buffalo. Fire # N712 16<sup>th</sup> Rd.**

**Mark Murphy** stated reasoning for the variance request. Due to the natural water flow through the property and the bad shape of the building they would like to rebuild at a reduced setback with a larger footprint than the existing building. Also they feel this would make it easier to have the septic pumped due to the current location.

**Tom Onofrey** stated they could rebuild in the exact location with the same footprint as the existing garage without the variance request.

**Public Response**

Chairman asked if there was any public input regarding the request. The chairman asked 3 times and there were no comments from the citizens.

Public Response period closed

**Board of Appeals Questions to Applicants**

Tom Wilson asked if it could be rezoned to Ag 3 instead of Ag 1 to help with the issue. Which would only have 25 foot setback. Tom Onofrey stated that for what they are asking they still wouldn't meet the setback requirements.

Shane Dedrick stated that from what he has read in the Towns zoning ordinances that there is not proper cause for a variance. Shane asked if they had anyone from the County come out to look at the waterway issue.

Kyle Kidney stated that he had talked to Murphys neighbor about a 16 foot restriction. They have no issues with this. He also stated that there is a hidden driveway, he stated that there should be a hidden driveway sign before their driveway.

Ryan McReath asked if they had an engineer look at the property regarding the redirection of the waterway. He was told no by the applicant. They just knew where the waterway was.

Ryan McReath Read the Recommendation by the Town board Motion by Jan Banicki was that they can rebuild in the same footprint at the legal setback.

Ryan McReath stated that he agrees with the Town board's recommendation that the variance request does not meet the Requirements.

Shane Dedrick agrees with the Town board recommendation-he feels that it does not qualify for a variance.

Ryan McReath votes no to the variance request.

Tom Wilson votes no to the variance request.

Shane Dedrick votes no to the variance request.

Kyle Kidney votes no to the variance request.

In Favor - 0 Not in favor – 5  
Variance request failed to pass.