

Minutes

HARVEY COUNTY PLANNING AND ZONING ADVISORY BOARD

BOARD OF ZONING APPEALS

Harvey County Court House – Community Room

Sept. 5, 2017

- **Meeting Called to Order at 7 p.m. by Chair Lynne Vigil.** Members present were Lynne Vigil, Phil Kimerer, Jack Bender, Duane Miles, Mike Koehn, Pat Wendling. Wayne Alison, Trinity Muth and Carol Buller were not present. Also attending were Zoning Director Gina Bell and Secretary Karen Jacobs. Alison came in at 7:20 p.m.
- Guests:, Dan Andrew, Sedgwick Township – Min. Maint. Roads
- **Agenda was approved with a motion by Bender and second by Koehn. Voting was unanimous 5-0.** Voting in favor of agenda approval was Koehn, Bender, Kimerer, Wendling and Miles. Chair Vigil did not vote- choosing to vote only if needed to break a tie.
- **Chair Vigil called for a motion to approve the minutes from Aug. 8, 2017. Miles made the motion to approve the minutes of the Aug. 8, 2017 meetings. Wendling seconded the motion. The motion carried with a 5-0 vote.** Voting Aye were Koehn, Wendling, Bender, Kimerer and Miles.
- **Administrator Update-** Bell will be attending a FEMA Conference this week. She also reported that they are working on preparation for the Community Rating System Audit which rates and community on their efforts to protect their citizens from flooding and provides discounts on Flood Insurance if county qualifies. She reported that the website had been updated to reflect some of the activities for the CRS qualifications. Kimerer asked what the website address was and was told it is www.harveycounty.com. Department is planning and zoning, the flood information is on the floodplain management page. Bell also gave an update on the Decker property and the efforts being made to save his buildings. Bell said the DWR thinks Decker will be able to save the buildings but he will have a lot of work to do. He will need to raise all utilities above the BFE and get a sewer system that will be approved for the shop. The buildings will all need to be wet flood proofed. Bender said Decker has been there for a long time? Bell said yes but he built the buildings in a flood hazard area without permits.
- **Minimum Maintenance Roads-** Bell explained that Sedgwick Township had asked to declare some of their roads Minimum Maintenance roads so that they could sign the roads and keep people off those roads. When she started to look for a map of what minimum maintenance roads were in Harvey County she found there was no map. That information is something that would be useful to the planning and zoning office when issuing building permits. Andrew explained that two of the roads they are wanting to declare are now Class D roads, which means one car roads with grass growing. He would like to see all a Class C road where at least two cars and meet and pass. He said the roads in question are torn up by people such as kids four-wheeling down them. The portion of Essex Heights is the worst of the roads (known by locals as Hangman's Curve). It has deep ruts and consistently has vehicles getting stuck in the road. They are trying to discourage the four-wheeling by putting in ditches to detour recreational driving. He said instead of losing control and driving into a field they

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now go into a ditch and have to call for help. Andrew said they want to put up signs but he said he found out they have to be declared a minimum maintenance road first. Wendling asked if letters have been sent out to landowners along the roads and that may use the roads? He was told no. Kimerer also stated that landowners needed to have input on what is to be done with those roads. Discussion on what it meant to be minimum maintenance was discussed. Andrew said he agreed minimum maintenance did not mean no maintenance as is the case sometimes when roads are declared. He said this recommendation was from his township board. The importance of posting a warning on “hookman’s curve” was discussed and how important it could be to fire and EMS crews to know where those are in the county. Also for safety reason, those roads need to have signs posted. Closing the road was also a discussed option. The board all felt they needed input from property owners and the school district to see what they would like to see happen to those roads. Chairperson Vigil said no formal action would be made. They would send the item back to the commissioners to send letters to the landowners and discuss it at a future meeting after they have the input.

- **Exception to quarter/quarter rule** – Kimerer gave a report on the subcommittees work on coming up with a way people can build on smaller acreage in Harvey County and still maintain farm ground. The proposal they subcommittee has come up with would allow one split for each 40 acre lot. That would help to clean up many of the non-conforming parcels that are there now and would allow for small (3 to 5 acre minimum) parcels to be split off with remainder of property kept as one parcel. The subcommittee wanted to keep it simple, yet give Harvey County the opportunity to get new residents or maintain those who wish to build on family farms a chance to do so. The board was told to take the information home and look it over. The next step will be to invite the county commissioners to come to a meeting and present it to them for revue. “This is a big deal, I need you all to think about this,” Wendling said. He said he would like everyone to write down the pros and cons and bring it back in October. Bell said she would make sure that Buller and Muth received a copy of the plan. Bender said the plan did not address building codes. Wendling told him that building codes were not going to happen in Harvey County. It is too expensive to enforce them.
- **There was no new or old business to discuss.**
- **Chair Vigil called for a motion to adjourn. Miles made the motion to adjourn. Koehn seconded the motion. Motion passed 6-0.** Voting in favor is Miles, Alison, Wendling, Kimerer, Bender and Koehn.