



# FOWLER VILLAGE COUNCIL ZONING BOARD OF APPEALS PUBLIC HEARING AND REGULAR MEETING

President  
Vernon J. Thelen  
President Pro-Tem  
David Klein  
Trustees  
Codi Schrauben  
Brad Rhynard  
Mike Porter  
Rick Fink  
Greg Halfmann

Treasurer  
John C. Rademacher  
Clerk  
Rhonda Feldpausch  
DPW Employees  
Vern Feldpausch  
Brad Smith

## PUBLIC HEARING

DATE: OCTOBER 8, 2018

The Fowler Village Zoning Board of Appeals met on Monday, October 8, 2018 at 7:00 PM with President Vern Thelen presiding.

ROLL CALL

Roll was called and a quorum reported. Present were Codi Fink, Greg Halfmann, Mike Porter, Rick Fink, Brad Rhynard, David Klein, and Rhonda Feldpausch. Absent: John Rademacher.

VILLAGE PERSONNEL

Vern Feldpausch.

VISITORS

Abbie Becker, Ken & Kathy Farley, St. Scott Clarke, and Adam Evans (along with Caleb, Dominic and Anastasia).

TAYLER AND ABBIE BECKER –  
VARIANCE APPLICATION

The Zoning Board of Appeals was presented with documentation regarding a Variance Application submitted by Tayler and Abbie Becker whose address is 11368 West Kent Street, Fowler. Abbie Becker was present to answer questions.

**BOARD ACTION:** Trustee Klein moved, supported by Trustee Fink, to close the Public Hearing at 7:11 PM

## REGULAR ZONING BOARD OF APPEALS MEETING

TAYLER AND ABBIE BECKER-  
VARIANCE APPLICATION

### PROPOSED VARIANCE REQUEST:

A variance to Section 3.2(B)(1) (Accessory Buildings and Structures) which requires a detached accessory building be located entirely in the rear yard. The applicant asks to construct an accessory building in a yard other than the rear yard.

### STANDARDS FOR VARIANCE APPLICATION REVIEW BY THE BOARD OF APPEALS:

1. Exceptional or Extraordinary Circumstances – appears to be met
2. Variance Request Common to Other Properties – does appear to have been met
3. Variance Characteristics Are a Property Right Possessed by Other Properties – does appear to have been met

4. Is Variance Detrimental to Adjacent Property Owners – does not appear to be detrimental
5. Variance Will Not Impair the Intent and Purpose of the Ordinance – does appear that all conditions listed in Section 16.4 C. can be met
6. Practical Difficulty Cannot Be Created By the Applicant – has been met

**RECOMMENDATION BY TAMMY FOSTER - ZIEMNICK FOSTER ENGINEERING, LLC:**

Subject to the results of the public hearing and based on the requirements of the Village of Fowler Zoning Ordinance, it is recommended that the Zoning Board of Appeals grant the non-use variance request based, in part, on the following findings. The property, which has a unique geometric shape, is surrounded by vacant farm land, a single-family home and public school property. An existing accessory structure, which will be removed, is located in the general vicinity of the proposed location of the new accessory building. Granting the variance would allow the construction of a common structure type located on a unique property within the Village at a location that can still preserve the intent of the Ordinance. The variance application has met all the conditions of Section 16.4 C (a. through f.) as required by the Village of Fowler Zoning Ordinance.

**BOARD ACTION:** Trustee Klein, supported by Trustee Rhynard, to approve the request for a variance by Tayler and Abbie Becker, whose address is 11368 West Kent Street, Fowler, because the variance application has met all the conditions of Section 16.4 C. (a. through f.) as required by Village of Fowler Zoning Ordinance. Motion carried.

ADJOURN

**BOARD ACTION:** Trustee Fink moved, supported by Trustee Rhynard, to adjourn. Motion carried.

Adjournment: 7:11 PM

---

Rhonda Feldpausch, Village Clerk