

**CITY OF MERRILL
ZONING BOARD OF APPEALS
TUESDAY, AUGUST 4, 2026 MINUTES
REGULAR MEETING CITY HALL COUNCIL CHAMBERS 6:00 PM**

- I. **Call to Order** The meeting was called to order at 6:00 pm by Ryan Schwartzmann, filling in for Chair Thompson.
Present: James Koebe, Ryan Schwartzman, Ron Burrow, Eric Dayton, Mark Scott
Present Not Voting: Building/Zoning Administrator Darin Pagel, Nancy Arndorfer, Benjamin Cadwallader, and others
Excused: Jeremy Thompson
- II. **Public Comment** Nancy Arndorfer - introduced a former exchange student that is visiting the area with his family.
- III. **Minutes from Previous Meeting**
 1. **Consider placing the minutes from the June 2nd meeting on file.**
- (Burrow/Dayton) motion/second to place minutes on file. Motion passed.
- IV. **Public Hearing**
 1. **Benjamin Cadwallader, 800 E 6th Street, requesting a variance to M.M.C. Sec. 113-38, minimum rear yard setback in a Residential District. Legally described in PIN # 251-3106-122-0035.**
- (Burrow/Koebe) motion/second to open the public hearing. Mr. Cadwallader, explained from his research, that he did not believe he needed a permit for a deck that was close to the ground. ZA Pagel asked where he had gotten his information, he answered online. ZA Pagel explained he was incorrect, that permits are required for all decks per the City Code and the code was readily available on the City website. Mr. Scott asked why he had not contacted ZA Pagel prior to starting his project, he said he wasn't sure. A discussion ensued with the Board on different options and requirements. Nancy Arndorfer, the neighboring property owner, spoke in favor of the variance, stating she had gotten a variance several years ago for her deck. Her variance was granted prior to construction and she had gotten the proper permits. ZA Pagel explained the statutory requirements for granting a variance, and in this case the hardship is self-imposed. (Dayton/Burrow) motion/second to close the public hearing. Burrow motioned to grant the variance. The motion died for a lack of a second. (Schwartzman/Koebe) motion/second to deny the variance. The motion passed with one no-vote.
- V. **Adjournment** (Schwartzman/Koebe) motion/second to adjourn. Motion passed.
The meeting adjourned at 6:35 pm.
Minutes recorded by ZA Pagel and published by City Clerk Anderson-Malm

Minutes respectfully submitted by