

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
Tuesday, August 3, 2010, 8:30am
Polk County Government Center
100 Polk County Plaza; Balsam Lake, WI 54810**

Notice is hereby given to the press and public that a meeting of the Polk County Board of Adjustment will be held at the above listed date, time, and location to transact business indicated on the agenda below. A quorum of the Board of Adjustment will be present. (Agenda not necessarily presented in this order)

AGENDA

Call to order and roll call

Approve agenda

Approve minutes from 7/20/2010

Recess at 8:45am to view sites

Reconvene at 12:00pm

- RODNEY & JACKLYN MOODY request a Special Exception from Article 8D7 of the Polk County Shoreland Protection Zoning Ordinance to operate a Travel Trailer Park. Property affected is: 628 335th Av, Pt of SE ¼, SE ¼, Sec 13/T37N/R16W, town of Clam Falls, Clam Falls flowage (class 2).
 - Findings of Fact
 - Conclusions of Law

- MICHAEL NOREEN requests a variance from Article 4, Definitions “Lot” of the Polk County Shoreland Protection Zoning Ordinance to keep three (3) additional structures used for human habitation on a single lot. Property affected is: 1125 Clam Falls Dr, SW ¼, NE ¼, Sec 19/T37N/R16W, town of Clam Falls, ponds (class 3).
 - Findings of Fact
 - Conclusions of Law

- TOM & KATHY DELWICHE requests a variance from Article 11C, Table 1 & 11F2(a)(1)+(2) of the Polk County Shoreland Protection Zoning Ordinance to build an addition closer than 75’ from lake and 100’ from pond, which will exceed 750 sq ft footprint and be off to the side. Property affected is: 1364 Kemah Park Dr, Lot 35, Plat of Kemah Park, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1), pond (class 3).
 - Findings of Fact
 - Conclusions of Law

Sanitary systems -- transient dwellings

Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk’s office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Polk County Board of Adjustment Minutes
Government Center; Balsam Lake, WI 54810

Date: August 3, 2010

Present: Gene Sollman, Chair; Marilyn Nehring, Vice-Chair; Curtis Schmidt; Tim Laux (alternate for Jeff Peterson); Wayne Shirley (alternate for Art Gillitzer)
Note: Marilyn Nehring (Acting Secretary for Jeff Peterson)

Also Present: Roxann Moltzer, Lori Bodenner, Gary Spanel, members of the public

Chair Sollman called the meeting to order at 8:31 a.m. with a quorum present.

Chair Sollman announced change in agenda-Delwiche property postponed until a later date.

Gary Spanel explained that the Town of Clam Falls has requested that the decision on the two Clam Falls properties (Moody and Noreen) be postponed until August 24, 2010. This will allow their Board to meet and make recommendations, (if needed) and submit to the BOA. It was requested of the two alternates (Tim Laux and Wayne Shirley) to attend the meeting on August 24, 2010 at 12:00 noon, and to vote on the Moody and Noreen requests.

Motion (Schmidt/Shirley) to approve the agenda with the above changes. Carried.

Motion (Nehring/Shirley) to approve minutes of July 20 meeting. Carried.

The board recessed at 8:45 a.m. for site visits and reconvened at 12:05 p.m.

The following applications were considered:

- RODNEY G. & JACKLYN S. MOODY - request a Special Exception from Article 8D7, of the Polk County Shoreland Protection Zoning Ordinance to operate a Travel Trailer Park. Property affected is: 628 335th Ave. Pt of SE ¼, SE ¼, Sec 13/T37N/R16W, Town of Clam Falls, Clam Falls flowage (class 2).

Chair announced that only testimony will be heard, no decision will be made until the BOA meets on 8-24-2010. The Town of Clam Falls (Betty Knutson, clerk) has requested that the decision on this Clam Falls property be postponed until August 24, 2010. This will allow their Board to meet and make recommendations, (if needed) and submit to the BOA.

- Site visit: 9:28 a.m.
- Testimony / those sworn in: RODNEY G. & JACKLYN S. MOODY; RICHARD L. COOK
- Exhibits read into record

No findings of fact, conclusions of law or motions due to decision being postponed until 8-24-2010

- MICHAEL NOREEN requests a variance from Article 4, Definition "Lot" of the Polk County Shoreland Protection Zoning Ordinance to keep three (3) additional structures used for human habitation on a single lot. Property affected is: 1125 Clam Falls Drive, SW ¼, NE ¼, Sec 19/T37N/R16W, Town of Clam Falls, ponds (class 3).

Chair announced that only testimony will be heard, no decision will be made until the BOA meets on 8-24-2010. The Town of Clam Falls (Betty Knutson, clerk) has requested that the decision of this Clam Falls property (Noreen) be postponed until August 24, 2010. This will allow their Board to meet and make recommendations, (if needed) and submit to the BOA.

- Site visit: 9:50 a.m.
- Testimony / those sworn in: MICHAEL NOREEN
- Exhibits read into the record.

No findings of fact, conclusions of law or motions due to decision being postponed until 8-24-2010

- TOM & KATHY DELWICHE request a VARIANCE from Article 11C, Table 1 & 11F2 (a) (1) + (2) of the Polk County Shoreland Protection Zoning Ordinance to build an addition closer than 75' from lake and 100' from pond, which will exceed 750 sq. ft/ footprint and be off to the side. Property affected is: 1364 Kemah Park Dr., Lot 35, Plat of Kemah Park, Sec 35/T35N/R17W, Town of Milltown, Balsam Lake (class 1), pond (class 3).
 - Site visit: 10:31 a.m.
 - Testimony / those sworn in: Kathy Delwiche, David Peterson
 - Exhibits read into record.
 - Findings of fact
 - Conclusions of law
 - **Motion (LAUX/SCHMIDT)** to deny the application.
 - Roll call vote: Schmidt-yes, Laux-yes, Nehring-no, Shirley-no, Sollman-yes. Motion carried.

Septic update by Gary Spanel. This will again be presented to full Board on 8-24-2010.

Motion (LAUX/SHIRLEY) to adjourn the meeting.

Chair Sollman adjourned the meeting at 3:06 p.m.

Respectfully Submitted,

Marilynn Nehring
Acting Secretary