

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
Tuesday, August 24, 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 8/3/2010

Review sample conditions for transient dwellings

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
- RICHARD GREGORY requests a Special Exception from Section XC1 of the Polk County Comprehensive Land Use Ordinance to build two more mini storage units. Property affected is: Lot 1, CSM #1913, Vol 9/Pg 60, Pt of NE ¼, SW ¼, Sec 18/T33N/R18W, town of Osceola.
 - Findings of Fact
 - Conclusions of Law
- NORTH VALLEY LUTHERAN CHURCH requests a variance from Article 11E2 of the Polk County Shoreland Protection Zoning Ordinance and Sec IVB3 of the Polk County Comprehensive Land Use Ordinance to build an addition onto existing church which will be closer than 75' from centerline of County Road G and exceed the 50% assessed value. Property affected is: 1988 220th Av, Lot 1, CSM #5780, Vol 26/Pg 46, Sec 14/T35N/R18W, town of Eureka, pond (class 3).
 - Findings of Fact
 - Conclusions of Law
- NORTH LUCK RENTALS, CHRISTI HENDRICKS requests a variance from Sec IVB3 of the Polk County Comprehensive Land Use Ordinance to rebuild existing dwelling which was destroyed by fire and will exceed 50% assessed value. Property affected is: 2597 St Hwy 35, Lot 2, CSM #2639, Vol 12/Pg 126, Sec 29/T36N/R17W, town of Luck.
 - Findings of Fact
 - Conclusions of Law

Sanitary systems -- transient dwellings

Adjourn

(*Moved forward from 8/3/2010 hearing) 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 24, 2010

Present: Gene Sollman, Chair; Curtis Schmidt, Vice-Chair; Jeff Peterson, Secretary; Marilyn Nehring; Art Gillitzer. Alternate Wayne Shirley joined the meeting at 12:00 p.m. Alternate Tim Laux joined the meeting at 12:55 p.m.

Also Present: Roxann Moltzer (for site visits), Lori Bodenner, Gary Spanel, members of the public

Chair Sollman called the meeting to order at 8:30 a.m. with a quorum present.

Motion (Schmidt/Gillitzer) to approve the agenda. Carried.

Motion (Gillitzer/Schmidt) to approve minutes of August 3 meeting with one correction: Minutes approved were of July 20, not July 6. Carried.

The board recessed at 8:45 a.m. for site visits and reconvened at 12:00 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 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) – continued from August 3.
 - Exhibits read into record
 - Testimony / those sworn in: Rodney & Jacklyn Moody
 - Findings of fact
 - Conclusions of law
 - **Motion (Shirley/Schmidt)** to approve.
 - **Motion (Sollman/Nehring)** to amend by adding condition: Exhibit 5 (campground rules) to be enforced for all users. Carried.
 - **Motion (Sollman/Nehring)** to amend by adding condition: Campground approach road to meet town standards and be sufficiently wide for emergency vehicles. Carried.
 - Main motion carried on unanimous voice vote.

- MICHAEL NOREEN requests a variance from Article 4, Definition of “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) – continued from August 3.
 - Exhibits read into the record.
 - Testimony / those sworn in: Michael Noreen
 - Findings of fact
 - Conclusions of law
 - **Motion (Nehring/Shirley)** to grant with conditions:
 - Approval of county environment health specialist for adequacy of sanitary and food preparation facilities.
 - Three structures in question not to be used as rental properties.
 - Roll call vote: Shirley-yes, Nehring-yes, Sollman-yes, Laux-no, Schmidt-no. Motion carried.

- RICHARD GREGORY requests a special exception from Section XC1 of the Polk County Comprehensive Land Use Ordinance to build two additional mini storage units. Property affected is Lot 1, CSM #1913, Vol 9/Pg 60, Pt of NE ¼, SW ¼, Sec 18/T33N/R18W, town of Osceola.
 - Site visit: 9:15
 - Exhibits read into record.
 - Testimony / those sworn in: Richard Gregory, Boyd Dosch
 - Findings of fact
 - Conclusions of law
 - **Motion (Nehring/Gillitzer)** to grant with condition:
 - Permit shall not be issued until trees are planted as per 2003 BOA decision but with 10' tall trees as opposed to 2', and along entire south property line. Carried.
 - **Motion (Peterson/Nehring)** to add condition:
 - Rental agreements shall hereafter contain language directing renters to access all storage buildings from 90th Ave. Carried.
 - Main motion carried on 4-1 voice with Schmidt voting no.

- NORTH VALLEY LUTHERAN CHURCH requests a variance from Article 11E2 of the Polk County Shoreland Protection Zoning Ordinance and Sec IVB3 of the Polk County Comprehensive Land Use Ordinance to build an addition onto existing church which will be closer than 75' from centerline of County Road G and exceed the 50% assessed value. Property affected is 1988-220th Ave., Lot 1, CSM #5780, Vol 26/Pg 46, Sec 14/T35N/R18W, town of Eureka, pond (class 3).
 - Site visit: 9:52
 - Exhibits read into record.
 - Testimony / those sworn in: David Lunde
 - Findings of fact
 - Conclusions of law
 - **Motion (Schmidt/Nehring)** to grant variance. Carried on unanimous voice vote.

- NORTH LUCK RENTALS, CHRISTI HENDRICKS requests a variance from Sec IVB3 of the Polk County Comprehensive Land Use Ordinance to rebuild existing building that was destroyed by fire and will exceed 50% of assessed value. Property affected is 2597 St. Hwy. 35, Lot 2, CSM #2639, Vol 12/Pg 126, Sec 29/T36N/R17W, town of Luck.
 - Site visit: 10:09
 - Exhibits read into record.
 - Testimony / those sworn in: Bruce Hendricks
 - Findings of fact
 - Conclusions of law
 - **Motion (Peterson/Schmidt)** to grant variance. Carried on unanimous voice vote.

Zoning Administrator Gary Spanel joined the board to discuss issues related to septic systems and tourist rooming houses.

Chair Sollman adjourned the meeting at 3:58 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary