

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF HEARING AND MEETING
Tuesday, June 30, 2009, 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

Recess at 8:45am. to view sites on today's Hearing Notice.

Reconvene at 1:00pm

Approve minutes from June 9th, 2009 meeting

Public Hearings

The Board may go into closed session under Wisconsin State Statutes, s.19.85(1)(a)(g), deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body and may reconvene in open session to consider or act upon any matter identified on this notice, including those matters noticed for consideration or action in closed session.

- DICK RUPERT requests a variance from Article 11F1 of the Polk County Shoreland Protection Zoning Ordinance to replace block walls in boathouse. Property affected is: 1836 120th St, Pt of Gov't Lot 3, Pt of NW ¼, SW ¼, Sec 31/T35N/R16W, town of Georgetown, Balsam Lake – class 1.
- MARY C & CRAIG E SCHAFFER request a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to replace existing deck and to extend a new deck which will be closer than 75' from the ordinary high water mark. Property affected is: 1060 Indian Point Ln, Lot 2, CSM Vol 5/Pg 160, Sec 20/T35N/R16W, town of Georgetown, Bone Lake – class 1.
- JOSEPH & MARY BETH WALDO request a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to build a new dwelling which will be closer than 75' from the ordinary high water mark and closer than 25' from the rear lot line. Property affected is: 85-A South Horseshoe Lake Dr, Desc as Lot "H" of unrecorded South Shore Park, Pt of Gov't Lot 3, Sec 13/T34N/R15W, town of Beaver, Horseshoe Lake – class 1.
- THOMAS STORMONT requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to build retaining walls which will be closer than 75' from the ordinary high water mark. Property affected is: 2165 E Pipe Lake Ln, Lot 8, CSM #1925, Vol 9/Pg 72, located in pt of Gov't Lot 3, Sec 15/T35N/R15W, town of Johnstown, Pipe Lake – class 1.

Findings of Facts

Deliberations and Decisions

Adjourn

James H. Beistle, Chairperson

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: June 30th, 2009

Present: James Beistle, Chairman; Gene Sollman, Vice-Chairman; Curtis Schmidt, Secretary; Jeff Peterson; Art Gillitzer

Also Present: Roxann Moltzer, Assistant Zoning Administrator – for site visits; Marilyn Nehring (Board of Adjustment member, effective 7/1/09), Lori Bodenner (zoning secretary) & others sworn in – when Board reconvened.

Chair Beistle called the meeting to order at 8:39am. Proper notice was made of the hearing. **Motion (Sollman/Gillitzer)** to approve the agenda – motion carried. The board recessed at 8:45am to view sites and reconvened at 1:00pm. **Motion (Sollman/Peterson)** to approve minutes from June 9th, 2009 – motion carried. The following applications were considered:

- DICK RUPERT requests a variance from Article 11F1 of the Polk County Shoreland Protection Zoning Ordinance to replace block walls in boathouse. Property affected is: 1836 120th St, Pt of Gov't Lot 3, Pt of NW ¼, SW ¼, Sec 31/T35N/R16W, town of Georgetown, Balsam Lake – class 1.
 - Those sworn in: Dick Rupert, Chris Nelson
 - Testimony Commenced at 1:03pm and closed at 1:25pm.
 - **Motion (Gillitzer/Peterson)** to grant on condition: Roof slants away from lake; height of building be no higher than present; Rain garden or pond to collect rainwater from roof of boathouse.
 - Motion carried with unanimous voice vote.

- MARY C & CRAIG E SCHAFFER request a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to replace existing deck and to extend a new deck which will be closer than 75' from the ordinary high water mark. Property affected is: 1060 Indian Point Ln, Lot 2, CSM Vol 5/Pg 160, Sec 20/T35N/R16W, town of Georgetown, Bone Lake – class 1.
 - Those sworn in: Mary Schaffer; Brian Schaffer
 - Testimony: Commenced at 1:30pm and closed at 1:47pm.
 - **Motion (Sollman/Schmidt)** to grant on condition: Gutters to be installed on house with water directed to rear of property; runoff from impervious area of deck to run to rear (away from lake), not to accumulate in area behind storage room wall.
 - Motion carried with unanimous voice vote.

- JOSEPH & MARY BETH WALDO request a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to build a new dwelling which will be closer than 75' from the ordinary high water mark and closer than 25' from the rear lot line. Property affected is: 85-A South Horseshoe Lake Dr, Desc as Lot "H" of unrecorded South Shore Park, Pt of Gov't Lot 3, Sec 13/T34N/R15W, town of Beaver, Horseshoe Lake – class 1.
 - Those sworn in: Joseph Waldo
 - Testimony: Commenced at 1:53pm and closed at 2:15pm.
 - **Motion (Sollman/Peterson)** to grant on condition: That the east lot line represent the side lot line and the south lot line represent the back lot line – house with deck to be placed no closer than 74' at any point to the ordinary high water mark; shoreline restoration plan; gutters on house to divert water to not enter lake directly.
 - The Board requested the owner to have project area and lot lines flagged for re-inspection.
 - **Motion (Sollman/Peterson)** to table until next scheduled meeting.
 - Motion carried with unanimous voice vote.

- THOMAS STORMONT requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to build retaining walls which will be closer than 75' from the ordinary high water mark. Property affected is: 2165 E Pipe Lake Ln, Lot 8, CSM #1925, Vol 9/Pg 72, located in part of Gov't Lot 3, Sec 15/T35N/R15W, town of Johnstown, Pipe Lake – class 1.
 - Those sworn in: Boyd Aarestad
 - Testimony: Commenced at 2:32pm and closed at 3:07pm.
 - **Motion (Gillitzer/Sollman)** to grant on condition: Owner letter for contractor to be his agent or representative; Land & Water Resource Department to review property and come up with interim plan for erosion control.
 - Motion carried with unanimous voice vote.

Motion (Gillitzer/Schmidt) to adjourn -- carried. Meeting adjourned at 3:37pm

Respectfully submitted,

Curtis Schmidt, Secretary