

POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF HEARING AND MEETING
Tuesday, October 20, 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
Approve minutes from September 22, 2009 meeting
Recess at 8:45am to view site
Reconvene at 10:30am
Public Hearing:

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.

- ALLEN L. BRINGEWATT requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a fire pit patio 38' from the ordinary high water mark. Property affected is: 516 Round Lake Ln, Pt of SE ¼, SW ¼, Sec 1/T32N/R18W, town of Alden, Church Pine Lake (class 1).
 - Findings of Facts
 - Deliberation & Decision

Adjourn

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

Date: October 20, 2009

Present: Curtis Schmidt, Vice-Chair; Jeff Peterson, Secretary; Art Gillitzer; Marilyn Nehring; Wayne Shirley

Also Present: Roxann Moltzer, Assistant Zoning Administrator (for site visits); Lori Bodenner, Zoning Secretary; and others sworn in.

Vice-Chair Schmidt called the meeting to order at 8:32 a.m. and declared that a quorum was present.

Motion (Peterson/Shirley) to approve agenda as presented – motion carried. **Motion (Nehring/Peterson)** to approve minutes from September 22, 2009 – motion carried. The board recessed at 8:34 a.m. for a site visit and reconvened at 10:34 a.m. The following application was considered:

- ALLEN L. BRINGEWATT requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a fire pit patio 38' from the ordinary high water mark. Property affected is: 516 Round Lake Ln., Pt of SE ¼, SW ¼, Sec 1/T32N/R18W, Town of Alden, Church Pine Lake (Class 1).
 - Site visit: 9:09 a.m.
 - Determination by chair that variance is properly from Article 13, "Open Structures in Shoreland Setback Area"
 - Testimony / those sworn in: Allen & Sharon Bringewatt, Tom LaRoux, Doug Thompson
 - Committee's questions / discussion
 - **Motion (Peterson/Nehring)** to grant on condition: 1) Applicant to fully comply with Article 13.A.6 regarding establishing/preserving a buffer zone, such plan to be implemented by June 30, 2010.
 - **Motion (Peterson/Nehring)** to amend by adding condition: 2) Applicant to be assessed \$500 penalty for after-the-fact variance request. Carried on a voice vote with Gillitzer voting "nay".
 - **Motion (Peterson/Nehring)** to amend by adding condition: 3) Applicant to obtain proper land use permit for construction of fire pit patio. Carried on a voice vote with Gillitzer voting "nay".
 - Main motion carried on a voice vote with Gillitzer voting "nay".

Motion (Shirley/Nehring) to adjourn – Meeting adjourned at 11:43 a.m.

Respectfully Submitted,

Jeff Peterson, Secretary