

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
Tuesday, November 17th, 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 October 20th, 2009 meeting
Application requirements
Recess at 8:45am to view site
Reconvene at 10:00am

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.

- TOM SCHMIDT requests a variance from Article 11F2(c)(1) of the Polk County Shoreland Protection Zoning Ordinance to build an addition which will be off to the side of the existing dwelling. Property affected is: 1846 80th Av, Pt of the NW ¼, NE ¼, Sec 25/T33N/R18W, town of Garfield, Duck Lake (class 3).
 - Findings of Facts
 - Deliberation & Decision

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: November 17, 2009

Present: Gene Sollman, Chair, Curtis Schmidt, Vice-Chair; Jeff Peterson, Secretary; Art Gillitzer; Marilynn Nehring

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

Chair Sollman called the meeting to order at 8:33 a.m. with all members present.

Motion (Gillitzer/Schmidt) to approve agenda as presented – motion carried. **Motion (Peterson/Gillitzer)** to approve minutes from October 20, 2009 with correction that the main motion in the Bringewatt hearing was made by Nehring/Shirley – motion carried. The board recessed at 8:45 a.m. for a site visit and reconvened at 10:00 a.m. The following application was considered:

- TOM SCHMIDT requests a variance from Article 11F2(c)(1) of the Polk County Shoreland Protection Zoning Ordinance to build an addition which will be off to the side of the existing dwelling. Property affected is: 1846 80th Ave., Pt of the NW ¼, NE ¼, Sec 25/T33N/R18W, Town of Garfield, Duck Lake (Class 3).
 - Site visit: 9:12 a.m.
 - Testimony / those sworn in: Thomas & Shirley Schmidt; Michael Derrick
 - Committee's questions / discussion
 - **Motion (Nehring/Schmidt)** to grant variance request.
 - **Motion (Sollman/Nehring)** to amend by adding condition: Applicant to establish buffer zone as per ordinance with assistance and approval from Land & Water Resources Department. Carried on unanimous voice vote.
 - Main motion carried on unanimous voice vote.

Discussion of variance application and hearing process.

Motion (Gillitzer/Schmidt) to adjourn – meeting adjourned at 11:59 a.m.

Respectfully Submitted,

Jeff Peterson, Secretary