

## Land Information Committee

The Polk County Land Information Committee met in the West Conference Room- 2<sup>nd</sup> floor, Polk County Government Center at 8:00 a.m., on December 17, 2008.

**Present:** Supervisors O'Connell, Rediske, and Sample

**Absent** Supervisors Messicci

**Also Present:** Sara McCurdy, Land Information Director; Gary Spanel, Zoning Administrator; Malia Malone, Assistant Corporation Counsel

Chairman O'Connell called the meeting to order at 8:14 a.m. Proper notice was made of the meeting.

**Motion (Sample/Rediske)** to approve the agenda – **Motion carried.**

**Motion (Rediske/Sample)** to approve the minutes of December 3<sup>rd</sup>, 2008 with the amendment to include roll call votes of the Ziegler hearing; O'Connell – Yes, Messicci – Yes, Sample – No, Rediske – Yes. -- **Motion carried.**

**Public Comment:** None

Election of Officers – Chairman O'Connell opened nominations for Vice-Chair. Motion (Sample/O'Connell) to nominate Supervisor Rediske for Vice-Chair; Chairman O'Connell closed nominations. Roll Call vote: Sample – Yes, Rediske – Yes, O'Connell – Yes. **Motion carried.** Supervisor Rediske was declared Vice-Chair.

### Director Report

- **Update on applicability of two Zoning Ordinances on the same property** – Malia Malone presented requested information to the Land Information Committee. Discussion. Mrs. Malone will be preparing a draft legal brief to place her legal opinion and legal arguments in document form.

### PUBLIC HEARING:

Chairman O'Connell called a Public Hearing to order on Wednesday, December 3<sup>rd</sup>, 2008 at 8:30 a.m. in the Government Center (2nd Floor, WEST Conference Room), Balsam Lake, Wisconsin. Chairman O'Connell called the meeting to recess at 8:50 a.m. to view the sites. Chairman O'Connell called the Public Hearing back to order at 12:30 a.m. at the Government Center in Balsam Lake, Wisconsin, to consider the following and other agenda items:

- TROY LEE -- On November 5<sup>th</sup>, 2008 the Polk County Land Information Committee voted to conduct a new public hearing. They will reconsider the Special Exception Permit granted to Troy Lee. The permit allowed him to open a sporting goods store on his property located at 134 206<sup>th</sup> St & 10<sup>th</sup> Av. The legal description is: Pt of Gov't Lot 3, Sec 27/T32N/R18W, town of Alden, Horse Creek. The Committee will limit its evidence at the hearing to the Comprehensive Plan for the town of Alden. Discussion.
  - Chairman O'Connell closed the public hearing at 1:14 p.m.
  - **Motion (O'Connell/Sample)** to deny Lee's request for a Special Exception Permit to open a sporting goods store. Discussion. Roll call vote: Sample – Yes, Rediske – No, O'Connell – Yes. **Motion Carried.**

Chairman O'Connell called public hearing to order at 1:32 p.m. to hear the following:

- Alltel Communications, Inc/Jose & Joan Melendez, land owners, request a Conditional Use Permit for a wireless telecommunication facility (monopole tower, within the 200' maximum height allowance). Property affected is: 71 St Hwy 46, Pt of the SE ¼, NE ¼, Sec 31/T32N/R16W, town of Black Brook. Discussion.
  - Chairman O'Connell closed the public hearing at 1:40 p.m.
  - **Motion (Rediske/Sample)** to approve Alltel Communication's request for a Conditional Use Permit for a wireless telecommunication facility with the condition that they confirm meeting the EIA-222 standard. Discussion. Roll call vote: Sample – Yes, Rediske – Yes, O'Connell – Yes. **Motion Carried.**

Chairman O'Connell called public hearing to order at 1:43 p.m. to hear the following:

- SCOTT LOFGREN requests a Special Exception from Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a tourist rooming house. Property affected is: 2043 231<sup>st</sup> St, Lot 3, CSM #2949, Vol 13/Pg 203, NE ¼, SE ¼, & NW ¼, SE ¼, Sec 19/T35N/R18W, town of Eureka, Big/Center Lake. Discussion.

- Chairman O'Connell closed the public hearing at 1:50 p.m.
- **Motion (Rediske/O'Connell)** to grant Lofgren's request for a Special Exception from Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a tourist rooming house with the following conditions:
  1. No RV, Pop-Up Campers, tents or other means of overnight stay allowed.
  2. All parking must be contained on the property.
  3. Must obtain all proper licensing.
  4. Must have a 24 hour contact number for tourist rooming house management available to the public.
  5. Property must remain free from citation and charges for nuisance, disorderly conduct, or any other illegal activity.
  6. Property must remain in compliance with any changes or modification to the Ordinance.
  7. Comply with ALL applicable laws and regulations.
  8. All pets must be contained on the property.
- Discussion. Roll call vote: Sample – No, Rediske - Yes, O'Connell – Yes. **Motion Carried.**

Chairman O'Connell called public hearing to order at 2:00 p.m. to hear the following:

- WAPO RENTALS, LLC request a Special Exception from Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a tourist rooming house. Property affected is: 764 130<sup>th</sup> St, Pt Lot 11, Blk 9 & Pt vacated Prospect Av, Wapogasset Beach, Sec 26/T33N/R17W, town of Garfield, Lake Wapogasset. Discussion.
  - Chairman O'Connell closed the public hearing at 2:35 p.m.
  - **Motion (Rediske/O'Connell)** to grant Wapo Rentals their request a Special Exception from Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a tourist rooming house with the following conditions:
    1. Accessory building must not have sleeping accommodations.
    2. No RV, Pop-Up Campers, tents or other means of overnight stay allowed.
    3. All parking must be contained on the property.
    4. Must obtain all proper licensing.
    5. All fires are to be extinguished by 11:00 p.m., with no unattended fires.
    6. Must have a 24 hour contact number for tourist rooming house management available to the public.
    7. Property must remain free from citation and charges for nuisance, disorderly conduct, or any other illegal activity.
    8. Quiet hours from 11:00 p.m. to 7:00 a.m.
    9. Property must remain in compliance with any changes or modification to the Ordinance.
    10. Comply with ALL applicable laws and regulations.
    11. All pets must be contained on the property.
    12. There will be a property line delineation that is acceptable to both parties, between the house and the property to the north (example: fence, or shrubs).
  - Discussion. Roll call vote: Sample – No, Rediske – Yes, O'Connell – Yes. **Motion Carried.**

### Director Report

- **Office Update** – McCurdy discussed upcoming January Committee project including Director's performance evaluation.

**Committee Observances** – Discussion.

**Motion (Rediske/Sample)** to adjourn. **Motion carried.** Meeting adjourned at 3:10 p.m.

Next regular meeting is scheduled for Wednesday, January 7th, 2008 at 8:00 a.m. in the West Conference Room – 2<sup>nd</sup> floor, Polk County Government Center, Balsam Lake, WI.

\*THESE MINUTES ARE PENDING APPROVAL AT JANUARY 7th LAND INFORMATION COMMITTEE MEETING