

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
Tuesday, January 12th, 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 11/17/09 mtg & 12/2/09 joint mtg with Land Information Committee

Recess at 8:45am to view sites

Reconvene at 11:30am

- D SCOTT GRILL requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a deck and patio closer than 75' from the ordinary high water mark. Property affected is: 1833 Neibel Ln, Lot 29, Plat of Camp Neibel, Sec 31/T35N/R16W, town of Georgetown, Balsam Lake (class 1)
 - Findings of Facts
 - Deliberation & Decision

- JAMES ANDERSON & RONALD URNESS request a variance from Article 11F2(a)(1)+(2) of the Polk County Shoreland Protection Zoning Ordinance to build an addition onto existing structure which will exceed the 750 sq ft footprint and be off to the side. Property affected is: 1850 Kemah Park Ln, Pt of Gov't Lot 6, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1)
 - Findings of Facts
 - Deliberation & Decision

Review Polk County Board of Adjustment Procedures Ordinance

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: January 12, 2010

Present: Eugene Sollman, Chair, Curtis Schmidt, Vice-Chair; Jeff Peterson, Secretary; Marilyn Nehring; Wayne Shirley (Alt. for Art Gillitzer)

Also Present: Lori Bodenner, Zoning Technician (for public hearing); Roxann Moltzer, Assistant Zoning Administrator (for site visits and application process/BOA Ordinance discussion); Zoning Administrator Gary Spanel (for application process/BOA Ordinance discussion); Tim Laux, BOA Alternate (for application process/BOA Ordinance discussion); and others sworn in.

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

Motion (Shirley/Schmidt) to approve agenda with deletion of "Review Gregg Peterson's letters". Motion carried on voice vote.

Motion (Nehring/Schmidt) to approve minutes from November 17, 2009. Motion carried on voice vote.

Motion (Nehring/Shirley) to approve portion of minutes from December 12, 2009 joint Land Information Committee/Board of Adjustment meeting pertaining to the BOA. Motion carried on voice vote.

The board recessed at 8:39 a.m. for site visits and reconvened at 11:30 a.m. The following applications were considered:

- D. Scott Grill requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a deck and patio closer than 75' from the ordinary high water mark. Property affected is: 1833 Neibel Ln., Lot 29, Plat of Camp Neibel, Sec. 31/T35N/R16W, Town of Georgetown, Balsam Lake (Class 1).
 - Site visit: 9:01 a.m.
 - Testimony / those sworn in: D. Scott Grill
 - Board's questions / deliberation
 - **Motion (Peterson/Schmidt)** to grant variance request with conditions:
 - Applicant to obtain Land & Water Dept. approval of runoff mitigation measures, including buffer zone.
 - Applicant to obtain all required land use permits.
 - Applicant to complete installation of gutters on dwelling and accessory building.
 - Applicant subject to \$500 penalty for after-the-fact variance.
 - **Motion (Shirley/Schmidt)** to amend by adding condition:
 - Applicant prohibited from using accessory building for human habitation.
 - Amendment carried on voice vote.
 - Main motion carried on voice vote.

- James Anderson & Ronald Urness request a variance from Article 11F2(a)(1)+(2) of the Polk County Shoreland Protection Zoning Ordinance to build an addition onto an existing structure which will exceed the 750 sq. ft. footprint and be off to the side. Property affected is: 1850 Kemah Park Ln., Pt. of Gov't. Lot 6, Sec. 35/T35N/R17W, Town of Milltown, Balsam Lake (Class 1).
 - Site visit: 9:26 a.m.
 - Testimony / those sworn in: James Anderson
 - Board's questions / deliberation
 - **Motion (Shirley/Nehring)** to approve variance request. Motion failed on voice vote.
 - Chair Sollman ruled the application denied.

Discussion of variance application and hearing process and proposed amendments to BOA Procedures Ordinance.

Motion (Shirley/Schmidt) to adjourn – meeting adjourned at 4:01 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary