

Adopted as Amended, Resolution 32-13 states as follows:

“POLK COUNTY BOARD OF SUPERVISORS
RESOLUTION 32-13”

RESOLUTION REGARDING INTERPRETATION AND APPLICATION OF SHORELAND
ZONING ORDINANCE

WHEREAS, the Polk County Board of Supervisors adopted its current Shoreland Zoning Ordinance on or about April 1, 2010 (“Shoreland Ordinance”);

WHEREAS, as is the case with most ordinances, in many instances, provisions of the Shoreland Ordinance could fairly have more than one interpretation;

WHEREAS, it has come to the attention of the Board of Supervisors, through a number of citizen complaints that the manner in which the Shoreland Ordinance is applied, enforced and interpreted is often times unnecessarily restrictive and unfair;

WHEREAS, as a result of the economic importance of tourism related to Polk County’s lakes and rivers, an overly-restrictive or unnecessarily burdensome interpretation or application of the Shoreland Ordinance, when a less restrictive or burdensome interpretation is available under the Shoreland Ordinance, can cause serious and harmful consequences to the property owner and can cause negative consequences for the local economy, local businesses, jobs, economic growth and the prosperity of the citizens of Polk County;

WHEREAS, the ultimate goal of all of Polk County’s ordinances should effectuate life, liberty and happiness of the citizens of Polk County;

WHEREAS, a vibrant economy and good jobs are critical to any notion of life, liberty and happiness;

WHEREAS, the public policy of land use regulation favors the free and unrestricted use of private property such that provisions of land use ordinances that restrict the use of property must be in clear, unambiguous and peremptory terms.

NOW, THEREFORE, BE IT RESOLVED, that the public policy of Polk County shall favor the free and unrestricted use of private property, a natural result of which policy will lead to economic development and job creation. In order to carry out this public policy, the Shoreland Ordinance shall be strictly construed in favor of the property owner and ambiguities in the Shoreland Ordinance shall be resolved in favor of the free use of private property.

BE IT FURTHER RESOLVED, that to accomplish the forgoing resolution, those charged with administering, interpreting and enforcing the Shoreland Ordinance (including without limitation, the Zoning Administrator and Board of Adjustment) shall strive to do so in a manner that most effectuates the policy set forth herein; and

BE IT FURTHER RESOLVED that, pursuant to and consistent with Wisconsin Statute Section 59.69(6), this resolution is adopted as a recitation of the fundamental principles which govern the interpretation of land use ordinances and this resolution shall not be considered to conflict with or as amendment to the Polk County Shoreland Protection Zoning Ordinance.

Done and Adopted this 17th day of September, 2013 by the Polk County Board of Supervisors.”

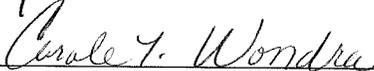
County Board Action

At its regular business meeting on September 17, 2013, the Polk County Board of Supervisors adopted the above-entitled resolution, as amended, Resolution No. 32-13: RESOLUTION REGARDING INTERPRETATION AND APPLICATION OF SHORELAND ZONING ORDINANCE, by a simple majority vote of 14 in favor and 5 against.



William Johnson, IV, County Board Chair

Dated: 09.19.2013

Attest: 

Carole Wondra, Polk County Clerk

Dated: 9-19-2013

