

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
8:30am, Tuesday, March 26, 2013
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 January 9, 2013

Recess at 8:45am to view site

Reconvene at 1:00pm

Consider the following applications:

- DAN ARNDT requests a Special Exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on a slope of 20% or greater. Property affected is: 1728 Woods Ct, Lot 1, CSM Vol 2/Pg 43, Sec 1/T34N/R17W, town of Balsam Lake, Balsam Lake (class 1).
 - Findings of Fact
 - Conclusions of Law

- GARY SKAAR requests a variance to Article 5C of the Polk County Shoreland Protection Zoning Ordinance to add a roof over an existing accessory structure that will exceed 25' in height. Property affected is: 1201 County Rd I, Lot 13, CSM Vol 7/Pg 93, Sec 1/T34N/R17W, town of Balsam Lake and Sec 6/T34N/R16W, town of Apple River, Balsam Lake (class 1).
 - Findings of Fact
 - Conclusions of Law

- MARK & THERESA SMITH request a variance to Article 11F2(b)(1) of the Polk County Shoreland Protection Zoning Ordinance to exceed the 1100 sq ft footprint with dwelling. Property affected is: 1841 Pine Island Park Ct, Lots 10+11, Pine Island Park, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1).
 - Findings of Fact
 - Conclusions of Law

- BIG ROCK CREEK FARMS, LLP request a Special Exception to Article 8D1-8D4 of the Polk County Shoreland Protection Zoning Ordinance to establish a tourist rooming house, along with a transient lodge. The applicant also wishes to create a campground as well as establish an institution for environmental educational purposes. They further request to hold events such as, but not limited to: weddings, retreats, social gatherings and fundraisers. The property affected is the shoreland corridors located in sections 4-10 in the town of St Croix Falls. Property address is: 1674 State Hwy 87, Rock Creek (class 2), ponds (class 3).
 - Findings of Fact
 - Conclusions of Law

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: March 26, 2013

Present: Gene Sollman, Chair; Marilynn Nehring, Vice Chair; Jeff Peterson, Secretary; Curtis Schmidt; Wayne Shirley (alt. for Art Gillitzer)

Also Present: Brian Hobbs, Health Department; Gary Spanel, Zoning Administrator

Chair Sollman called the meeting to order at 8:30 a.m. with a quorum present.

Motion (Nehring/Shirley) to approve the agenda as published. Carried.

Motion (Schmidt/Nehring) to approve minutes of 1/09/13. Carried.

The board discussed the need to bring board elections into the same time frame as board appointments. Elections are set in the Polk County Board of Adjustment Procedures Ordinance for April, while board appointments are made in July.

The board recessed at 8:45 a.m. for site visits:

- Arndt @ 9:01
- Skaar @ 9:19
- Smith @ 9:45
- Big Rock Creek Farm @ 10:30

The board reconvened at 1:00 p.m. to consider the following application:

- DAN ARNDT requests a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on a slope of 20% or greater. Property affected is: 1728 Woods Ct, Lot 1, CSM Vol 2/Pg 43, Sec 1/T34N/R17W, town of Balsam Lake, Balsam Lake (class 1).
 - Exhibits read into record.
 - Testimony / those sworn in: Dan Arndt, Chris Nelson
 - **Motion (Nehring/Schmidt)** to grant with condition that existing buffer strip be maintained.
 - Motion carried on unanimous voice vote.
- GARY SKAAR requests a variance to Article 5C of the Polk County Shoreland Protection Zoning Ordinance to add a roof over an existing accessory structure that will exceed 25' in height. Property affected is: 1201 County Rd I, Lot 13, CSM Vol 7/Pg 93, Sec 1/T34N/R17W, town of Balsam Lake, Balsam Lake (class 1).
 - Exhibits read into record.
 - Testimony / those sworn in: Robert Skaar, Chris Nelson
 - Gary Spanel was asked for clarification on requirements for a variance.
 - **Motion (Nehring/Peterson)** to refer this application back to Zoning Administrator.
 - Motion carried on unanimous voice vote.
- MARK & THERESA SMITH request a variance to Article 11F2(b)(1) of the Polk County Shoreland Protection Zoning Ordinance to exceed the 1100 sq ft footprint with dwelling. Property affected is: 1841

Pine Island Park Ct, Lots 10+11, Pine Island Park, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1).

- Exhibits read into record.
 - Testimony / those sworn in: Mark Smith, Roger Markus
 - Artist's rendering entered into file as Exhibit 5.
 - **Motion (Nehring/Shirley)** to grant with conditions:
 - Permit not to be issued until applicant obtains approval from Land & Water Resources Department for plan to control rainwater runoff from dwelling.
 - Permit not to be issued until applicant obtains approval from Land & Water Resources Department for plan for full buffer restoration along shoreline.
 - No further construction is allowed on lake side of dwelling beyond that described in this application.
 - Motion carried on 4-1 voice vote with Schmidt opposed.
- BIG ROCK CREEK FARM, LLP requests a special exception to Article 8D1-4 of the Polk County Shoreland Protection Zoning Ordinance to establish a tourist rooming house, along with a transient lodge. The applicant also wishes to create a campground as well as establish an institution for environmental educational purposes. They further request to hold events such as, but not limited to: weddings, retreats, social gatherings and fundraisers. The property affected is the shoreland corridors located in sections 4-10 in the town of St. Croix Falls. Property address is: 1647 State Hwy 87, Rock Creek (class 2), ponds (class 3).
 - Exhibits read into record.
 - Testimony / those sworn in: Allan Klein, Scott Hanson
 - **Motion (Nehring/Schmidt)** to grant transient lodging permit with the following conditions:
 - Sleeping accommodations only in three buildings designated "Clubhouse", "Cabin" and "Wilderness Cabin".
 - No RVs, campers, tents or other means of overnight stay allowed except in designated campsites.
 - All parking must be contained on the property.
 - Applicant must obtain all proper licensing.
 - All fires and embers are to be extinguished by 12 a.m. and no unattended fires are allowed.
 - Applicant must have 24-hour contact number available to the public.
 - Property must remain free from citation and charges for nuisance, disorderly conduct, or any other illegal activity.
 - Property must remain in compliance with any changes or modifications to the Shoreland Protection Zoning Ordinance.
 - Applicant and renters must comply with ALL applicable laws and regulations, including those relating to the use of fireworks.
 - All pets must be contained on the property.
 - Property boundaries must be clearly marked.
 - All conditions that apply to renters shall be included in rental information.
 - Motion carried on unanimous voice vote.
 - **Motion (Sollman/Nehring)** to grant campground permit for up to five separate campsites.
 - Motion carried on unanimous voice vote.
 - **Motion (Sollman/Schmidt)** to grant permit for social and recreational events/activities as per 8D4 of the Shoreland Protection Zoning Ordinance subject to compliance with all county and state regulations.

- Motion carried on unanimous voice vote.

Motion (Shirley/Peterson) to adjourn. Carried. Meeting adjourned at 4:28 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary

*THESE MINUTES ARE PENDING APPROVAL AT THE 4/23/13 BOA MEETING.