

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING/AGENDA**

10:00am, Tuesday, October 29, 2013

Polk County Government Center, County Board Room
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 1, 2013

Recess at 10:15am to view sites

Reconvene at 1:00pm

Reconsider the decision made 10/1/2013 of the AMERY FREE LUTHERAN variance request to Sec XVIII B2 of the Polk County Comprehensive Land Use Ordinance to place a sign in the right-of-way of County Rd F. Property affected is: 647 113th St, part of NW ¼ of the SE ¼, Sec 31/T33N/R16W, town of Lincoln.

- Findings of Fact
- Conclusions of Law

Consider the following applications:

- ROBERT JOSEPH HAGER ESTATE requests a variance to Article 11C, Table 1 and 11E3 of the Polk County Shoreland Protection Zoning Ordinance to construct a dwelling closer than 100' of the ordinary high water mark and closer than 63' from centerline of a town road. Property affected is: Lot 3, CSM Vol 4/Pg 116, Sec 26/T35N/R15W, town of Johnstown, Long Lake (class 2).
 - Findings of Fact
 - Conclusions of Law
- ROBERT & KRISTINE RUMINSKY request a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on slopes of 20% or greater. Property affected is: 698 Bear Trap Ln, Lot 1, CSM Vol 12/Pg 19, located in lots 32+33, Manitou Point, Sec 31/T33N/R16W, town of Lincoln, Bear Trap Lake (class 1).
 - Findings of Fact
 - Conclusions of Law
- KATHRYN J VIOLA REVOCABLE TRUST requests a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on slopes of 20% or greater. Property affected is: 2074 Pipe Lake Ln, Lot 11, Nessen's Pipe Lake Shores, Sec 22/T35N/R15W, town of Johnstown, Pipe Lake (class 1).
 - 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: October 29, 2013

Present: Gene Sollman, Chair; Marilyn Nehring, Vice Chair; Jeff Peterson, Secretary; Curtis Schmidt; Harlen Hegdal

Also Present: Lori Bodenner, Zoning Secretary

Chair Sollman called the meeting to order at 10:00 a.m. with a quorum present.

Motion (Hegdal/Schmidt) to approve the agenda as published. Carried.

Motion (Peterson/Hegdal) to approve minutes of 10/01/13. Carried.

Motion (Hegdal/Sollman) to reconsider Amery Free Lutheran variance request from 10/01. Carried on unanimous voice vote. **Motion (Peterson/Schmidt)** to allow decision to stand but amend decision form to remove language suggesting it should have been a special exception. Carried on unanimous voice vote.

The board recessed at 10:15 a.m. for site visits:

- Ruminsky @ 10:43
- Hager @ 11:40
- Viola @ 12:00

The board reconvened at 1:05 p.m. for public hearings on the following applications:

- ROBERT JOSEPH HAGER ESTATE requests a variance to Article 11C, Table 1 and 11E3 of the Polk County Shoreland Protection Zoning Ordinance to construct a dwelling closer than 100' from the ordinary high water mark and closer than 63' from the centerline of a town road. Property affected is: Lot 3, CSM Vol 4/Pg 116, Sec 26/T35N/R15W, town of Johnstown, Long Lake (class 2).
 - Testimony: Jeff Cook, Gil Gragert
 - Exhibits read into record.
 - **Motion (Hegdal/Nehring)** to approve for 26' X 38' (including eaves) dwelling with conditions that downspouts and gutters be installed to direct water away from lake and 35' buffer be maintained along shoreline.
 - Motion carried on unanimous voice vote.
- ROBERT & KRISTINE RUMINSKY request a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on slopes of 20% or greater. Property affected is: 698 Bear Trap Ln, Lot 1, CSM Vol 12/Pg 19, located in lots 32+33, Manitou Point, Sec 31/T33N/R16W, town of Lincoln, Bear Trap Lake (class 1).
 - Testimony: Dave Andersen, Robert Ruminsky, Kristine Ruminsky
 - Exhibits read into record.
 - **Motion (Sollman/Peterson)** to grant with conditions found in Article 15D1-4 of the Shoreland Protection Zoning Ordinance:
 - Ground shall be exposed for as short a time as feasible.
 - Temporary ground cover (mulch or jute netting, etc.) shall be used and permanent vegetative cover shall be established.

- Diversion berms, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
 - Fill shall be stabilized according to accepted engineering standards.
 - Motion carried on unanimous voice vote.
- KATHRYN J VIOLA REVOCABLE TRUST requests a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on slopes of 20% or greater. Property affected is: 2074 Pipe Lake Ln, Lot 11, Nessen's Pipe Lake Shores, Sec 22/T35N/R15W, town of Johnstown, Pipe Lake (class 1).
 - Testimony: Boyd Aarestad, Mark Johnson
 - Exhibits read into record.
 - **Motion (Sollman/Schmidt)** to approve with conditions found in Shoreland Protection Zoning Ordinance Article 15D1-4:
 - Ground shall be exposed for as short a time as feasible.
 - Temporary ground cover (mulch or jute netting, etc.) shall be used and permanent vegetative cover shall be established.
 - Diversion berms, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
 - Additional condition that work performed shall not increase runoff rating for property.
 - Motion carried on unanimous voice vote.

Chair Sollman adjourned the meeting at 3:10 p.m. on a Sollman/Nehring motion.

Respectfully Submitted,

Jeff Peterson, Secretary

*THESE MINUTES ARE PENDING APPROVAL AT THE NEXT BOA MEETING.