

POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING/MEETING NOTICE
Tuesday, November 3, 2015, Start: 8:30 A.M.
Polk County Government Center, Upstairs West Conference Room
100 Polk County Plaza; Balsam Lake, Wisconsin

NOTICE IS HEREBY given that a meeting of the Polk County Board of Adjustment will be held at the above listed date, time, and place to consider and act on the subject matters and business noticed herein. The Board may take up noticed subject matters in a manner as it deems appropriate, regardless of the order presented on this meeting notice.

AGENDA

ORDER OF BUSINESS:

(Open Session)

1. Call to order and roll call
2. Approve agenda
3. Approve minutes from October 13, 2015
4. Site Visit(s) by Board on Properties noticed herein (Recess to Site Visits – 8:45am)
5. Reconvene at Polk County Government Center, Upstairs West Conference Room (12:45pm)
6. Public Hearing(s) And Determinations on Applications for Variance/Special Exception Permits, previously noticed, pursuant to Wisconsin Statute Section 985.07(2), and further described as follows:
 - JOSEPH & MARABETH TIMMERS TRUST request a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate slopes of 20% or greater. Property affected is Lot 9, CSM #402, part of Gov't Lot 2, Sec 14/T35N/R16W, town of Georgetown, Big Round Lake, parcel #026-00554-0000.
 - SCOTT WHITEHEAD/SW INVESTMENTS requests a variance/special exception to Article 11C Table 1, 12B2 and 15B1 of the Polk County Shoreland Protection Zoning Ordinance for two retaining walls less than 75' from the ordinary high water mark, a second pedestrian access to lake and excavate slopes of 20% or greater. Property affected is: 1266B Leeland Ln, part of Gov't Lot 2, Sec 1/T34N/R17W, town of Balsam Lake, Balsam Lake, parcel #006-00018-0000.
 - MICHAEL & CHRISTINE HEMENWAY request a variance to Article 11C Table 1 & 11E1+4 of the Polk County Shoreland Protection Zoning Ordinance for a dwelling less than 75' from the ordinary high water mark, less than 10' from side lot line, less than 110'/50' from centerline/R-O-W of a US Hwy and less than 35' from centerline of a private road. Property affected is: Part of Gov't Lot 1, Sec 32/T34N/R17W, town of Balsam Lake, Deer Lake, parcel #006-00958-0000.
 - DENNIS & JASON VESTWEBER request a variance to Article 11C Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a dwelling addition less than 75' from the ordinary high water mark and less than 10' from side lot line. Property affected is: 814 Wapogasset Lake Ln, Lot 16, Breezy Point, Sec 23/T33N/R17W, town of Garfield, Lake Wapogasset, parcel #024-01008-1000.

The Board may conduct one public hearing on such noticed applications or hold separate public hearing on each of the noted applications. Following the close of each such public hearing, the Board will deliberate on the determination of each such application, develop a written decision, containing Findings of Fact, Conclusions of Law and Determination and issue said determination with respect to each application noticed herein.

7. Adjourn

Polk County Board of Adjustment Minutes*
Tuesday, November 3, 2015; Start: 8:30am
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100 Polk County Plaza; Balsam Lake, Wisconsin

Present: Gene Sollman, Chair; Marilynn Nehring, Vice Chair; Tim Laux, Acting Secretary; Curtis Schmidt & Gail Tessman (alternate for Harlen Hegdal), members

Also Present: Jason Kjeseth, Zoning Administrator

Sollman called the meeting to order at 8:33am.

Motion (Schmidt/Sollman) to approve the agenda as published – carried.

Motion (Schmidt/Sollman) to approve the minutes of 10/13/2015 with amendment to “reconsider” [Vik] application, verses “consider” – carried.

The board recessed at 8:45am for site visits and reconvened at 12:58pm for public hearings on the following applications:

- JOSEPH & MARABETH TIMMERS TRUST
 - Testimony/discussion; exhibits read into record.
 - Motion (Laux/Tessman) to approve application with conditions.
 - Motion carried by unanimous voice vote.

- SCOTT WHITEHEAD/SW INVESTMENTS
 - Testimony/discussion; exhibits read into record.
 - Motion (Laux/Tessman) to deny application – failed with a vote of 2 to 3.
 - Motions (Sollman/Schmidt)
 - To approve excavation – carried, Laux with dissenting vote.
 - To approve pedestrian access – carried, Nehring and Laux with dissenting votes.
 - To approve retaining walls – carried, Nehring and Laux with dissenting votes.

- DENNIS & JASON VESTWEBER
 - Testimony/discussion; exhibits read into record.
 - Motion (Laux/Schmidt) to deny application.
 - Motion carried by unanimous voice vote.

- MICHAEL & CHRISTINE HEMENWAY
 - Testimony/discussion; exhibits read into record.
 - Motion (Laux/Nehring) to table application until next meeting.
 - Motion carried by unanimous voice vote.

Motion (Laux/Nehring) to adjourn; meeting adjourned at 4:50pm.