

Resolution No. 25-07

**Amendment to the Polk County Board of Adjustment Procedures Ordinance**

WHEREAS Polk County has enacted the Polk County Board of Adjustment Procedures Ordinance which, among other things, establishes how the Board selects its officers and who shall receive notice of hearings and decisions of the Board, and;

WHEREAS said ordinance does not currently provided for regularly scheduled election of officers of the Board of Adjustments, and;

WHEREAS said ordinance does not currently include Lake Associations and Lake Protection & Rehabilitation Districts in its listing of recipients of notices, and;

WHEREAS said ordinance requires the Board of Adjustment to submit an annual report but is not specific as to when such report shall be due, therefore;

BE IT RESOLVED, that the Polk County Board of Supervisors hereby amends SECTION 2.0 OFFICERS AND DUTIES of the Polk County Board of Adjustment Procedures Ordinance with regard to election of officers as follows:

**2.1 Officers**

*The Board shall elect a Chairperson, Vice-chairperson, and Secretary from among its members. These officers shall ~~hold office until their successors are elected~~ serve a two (2) year term. Elections shall be held in April of even-numbered years. The Board may, at any meeting or hearing, elect from among the membership the replacement for an officer, who for whatever reason is unable to perform the duties of his or her office.*

BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors hereby amends SECTION 5.0 APPLICATION AND APPEAL PROCEDURES of the same ordinance as follows:

**5.2 Copies to be Sent**

*The Zoning Administrator shall transmit copies of the application or appeal as follows: Original to the Board of Adjustment; a copy to the applicant; a copy to the Zoning Administrator's files; a copy to the Clerk of the Town Board or Village Council, where applicable as to variances. In the case of applications or appeals affecting property within the wetland/shorelands, one copy shall also be sent to the Department of Natural Resources and to any affected lake association or lake protection & rehabilitation district.*

**5.8 Notice of Hearing**

*5.81 The Secretary of the Board shall give, or cause to be given, notice of each hearing as required by law and these rules. This shall include at least the following: (1) publication of a Class 2 hearing notice in the official County newspaper; (2)*

Approved as to Form: Jeffrey B. Fuge  
Jeffrey B. Fuge, Corporation Counsel

Date Submitted to County Board: 10/16/07

County Board Action: Adopted

Submitted by the Land Information Committee:

[Signature]  
[Signature]  
[Signature]  
[Signature]