

ORDINANCE

Resolution No. 12-10

Amendments to the Polk County Shoreland Protection Zoning Ordinance

Whereas, on September 16, 2008 the Polk County Board of Supervisors amended said ordinance by Resolution 59-08; and,

Whereas, the Land Information Committee held a public hearing on February 17th, 2010 to amend the Polk County Shoreland Protection Zoning Ordinance; and,

Therefore, the Polk County Board of Supervisors does ordain that the Polk County Shoreland Protection Zoning Ordinance is amended as follows, along with subsequent reenumeration & revised/effective dates (strike-outs are omissions and italics are additions):

4 Definitions

"UNNECESSARY HARDSHIP" means present only where, in the absence of a variance no reasonable use can be made of the property. *for area variances, compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. An unnecessary hardship must be based on conditions unique to the property rather than considerations personal to the property owner when reviewing a variance application.*

"VARIANCE" means an authorization granted by the Board of Adjustment to construct, alter, or use a building or structure in a manner that deviates from the requirements of this ordinance. *an action, which authorizes the construction or maintenance of a building in a manner inconsistent with the dimensional requirements of a zoning ordinance. A variance may only be granted in cases of unnecessary hardship and when the spirit of the ordinance is not violated.*

4 Definitions, 15D, 17D1-4 Special Exception: Zoning Committee/Committee/Board **Board of Adjustment**

11J2+K: Planning and Zoning Committee **Board of Adjustment**

11J3: Committee **Board of Adjustment** ... and signed by the Committee chair *members of the Board of Adjustment.*

8C3(c)(1), 17A6: Zoning **Land Information** Committee

47D **17D2** Special Exception Permits

17D3: zoning **Special Exception** Permit

47E1(c)(2): For the purpose of this section, an "unnecessary hardship" is present only where, in the absence of a variance, no reasonable use can be made of the property.

17E2: Appeals to the board **Board of Adjustment...**rules of the Board **Board of Adjustment...**transmit to the Board **Board of Adjustment**

17F: Planning and Zoning **Land Information** Committee; Additional fee: **Appeals to the Board of Adjustment**

19C: The Zoning Department or the Board of Adjustment may issue an on-site stop work order

Funding amount: N/A Funding source: N/A Date Finance Committee Advised: N/A

Effective data: Upon Passage and Publication as provided by law.

Approved as to form: *Jeffrey B. Tugel*

Date Submitted to County Board: 3-16-10 County Board action: adopted

Respectfully Submitted by the Land Information Committee:

[Signatures]

Craig Morab _____ *[Signature]* _____ *[Signature]*

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the
attached is a true and correct copy of ^{Ordinance} ~~Resolution~~ No. 12-10 that was adopted
by the Polk County Board of Supervisors on March 16, 2010.

Carole T. Wondra 3-24-10
Carole T. Wondra Date
Polk County Clerk