

Polk County Board of Adjustment Minutes  
Tuesday, March 27, 2018; Start: 8:30am  
Polk County Government Center, West Conference Room, 2<sup>nd</sup> Floor  
100 Polk County Plaza; Balsam Lake, Wisconsin

Present: Eugene Sollman, Chair; Marilyn Nehring, Vice Chair; Steve Arduser, Secretary;  
Curtis Schmidt; Timothy Laux

Also Present: Jason Kjeseth, Zoning Administrator; Jeff Fuge, Interim County Administrator/ Corporation  
Counsel

Sollman called the meeting to order at 8:30 am.

Motion (Arduser/Schmidt) to approve the agenda as published, carried by unanimous voice vote.

Motion (Laux/Schmidt) to approve and amend the minutes of 12/12//17 -- carried by unanimous voice vote.  
The Wagner application from 12/12/17 is amended to read:

- William & Tina Wagner – reduced road setback for storage shed.

Motion (Laux/Nehring) to go into closed session, carried by unanimous voice vote at 8:45 am. No action was taken during closed session. Motion (Nehring/Laux) to go into open session at 9:05 am, carried by unanimous voice vote.

The board recessed at 9:10am for site visits and reconvened at 1:00pm for public hearings on the following applications:

- Alan & Martina Johnson – to create a lot less than 1 acre & less than 100' minimum width
  - Testimony/discussion; exhibits read into record.
  - Motion (Laux/Nehring) to deny conditional use to divide property.
  - Motion carried by unanimous voice vote.
- Harold Wolvert – mini storage buildings
  - Testimony/discussion; exhibits read into record.
  - Motion (Arduser/Laux) to approve application with conditions.
  - Motion carried by unanimous voice vote.
- George & Christine Cody – reduced water setback for deck, patio, bar/shed, retaining wall & tree house
  - Testimony/discussion; exhibits read into record.
  - Motion (Laux/Nehring) to approve deck/patio, bar/storage & tree house.
  - Motion failed by unanimous voice vote.
  - Motion (Arduser/Laux) to approve retaining wall as built.
  - Motion carried by unanimous voice vote.
- Chad Christensen – reduced water setback for dwelling addition & deck
  - Testimony/discussion; exhibits read into record.
  - Motion (Arduser/Laux) to deny application.
  - Motion carried by unanimous voice vote.

Motion (Nehring/Arduser) to adjourn at 5:47pm – carried by unanimous voice vote.

POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING/MEETING NOTICE  
Tuesday, March 27, 2018 Start: 8:30 A.M.  
Polk County Government Center, West Conference Room, 2<sup>nd</sup> Floor  
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)

Call to order and roll call

Approve agenda

Approve minutes from 12/12/17

Discussion and Development of Litigation Strategy in Pending Circuit Court Case of Frigo, et. al, v. Board of Adjustments\_  
Closed Session:

Pursuant to Section 19.85(1)(g), the Board of Adjustment will convene in closed session to confer with Corporation Counsel and to receive a legal opinion concerning strategy to be adopted by the Board with respect to the noted pending litigation.

Following the closed session, the Board will convene in open session to take up, consider and act on, as appropriate, subject matters noticed herein, including those matters noticed for open and closed session.

Site Visit(s) by Board on Properties noticed herein (Recess to Site Visits – 8:45am)

Reconvene at Polk County Government Center, West Conference Room – located on 2nd floor (top floor), 1:00pm

Public Hearing(s) And Determinations on Applications for variance/conditional use, previously noticed, pursuant to Wisconsin Statute Section 985.07(2), and further described as follows:

- ALAN & MARTINA JOHNSON request a conditional use via Article 11.J. of the Polk County Shoreland Protection Zoning Ordinance & Section 18.16(F)(7) of the Polk County Chapter 18 Subdivision Ordinance to create a lot less than 1 acre and less than 100' minimum width. Property affected is: 1356 Hungerford Pt, Lot 2 Baker's subdivision of Hungerford Point, Sec 25/T34N/R18W, Town of St Croix Falls, Deer Lake, approx. 1.78 acres, parcel #044-01056-0000.
- HAROLD WOLVERT requests a conditional use via Article 8.E.5. of the Polk County Shoreland Protection Zoning Ordinance for mini storage buildings. Property affected is: 485 State Hwy 46, Lot 2, CSM #4318, V19/PG 99 & part of the S ½ of the NE ¼ of the NE ¼ Sec 8/T32N/R16W, Town of Black Brook, parcel #010-00184-0200 & 010-00189-0000.
- GEORGE & CHRISTINE CODY request a variance to Article 11.C., Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a deck, patio, bar/shed, retaining wall and tree house within 75' of the ordinary high water mark. Property affected is: 215 State Hwy 65, part of the SE ¼, SW ¼ in Sec 20 & part of the NE ¼, NW ¼, Sec 29/T32N/R17W, Town of Alden, Apple River, parcel #002-00535-0000 & 002-00744-0000.
- CHAD CHRISTENSEN requests a variance to Article 11.C. Table 1 & 11.F. of the Polk County Shoreland Protection Zoning Ordinance for dwelling addition & deck less than 75' from the ordinary high water mark. Property affected is: 1731A S Deer Lake Circle, Lot 30+31, White Birch Beach; Sec 30/T34N/R17W, Town of Balsam Lake, Deer Lake, parcel #006-01560-0000.

The Board may conduct one public hearing on such noticed applications or hold separate public hearings 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.

Adjourn