

Polk County Board of Adjustment Minutes
Tuesday, July 10, 2018; Start: 8:30am
Polk County Government Center, West Conference Room, 2nd Floor
100 Polk County Plaza; Balsam Lake, Wisconsin

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

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

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

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

Motion (Laux/Schmidt) to approve the minutes of 6/12/2018 -- carried by unanimous voice vote.

Motion (Nehring/Laux) to go into closed session -- carried by unanimous voice vote.

Board received information and recommendation from counsel concerning pending circuit court case: Frigo, et. al, v. Board of Adjustments.

Motion (Laux/Nehring) to go back into open session -- carried by unanimous voice vote.

Staff Report – Kathleen Maraden withdrew her application before the meeting.

The board recessed at 9:33am for site visits and reconvened at 1:22pm for public hearings on the following applications:

- Michael McFarland – reduced water setback for dwelling addition (porch)
 - Testimony/discussion; exhibits read into record.
 - Motion (Nehring) to approve application – failed for lack of second.
 - Motion (Laux/Arduser) to deny application – carried by 4 to 1 voice vote, Nehring with dissenting vote.
- Michael Ficocello – small engine repair
 - Testimony/discussion
 - Motion (Laux/Schmidt) to approve application with conditions.
 - Motion carried by unanimous voice vote.
- Scott & Teresa Doherty – reduced water setback for dwelling addition (porch/deck)
 - Testimony/discussion; exhibits read into record.
 - Motion (Arduser/Laux) to deny application.
 - Motion carried by unanimous voice vote.

Motion (Nehring/Laux) to adjourn at 4:02pm – carried by unanimous voice vote.

POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING/MEETING NOTICE
Tuesday, July 10, 2018 Start: 8:30 A.M.
Polk County Government Center, West Conference Room, 2nd 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 6/12/18

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.

Staff Update

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:

- MICHAEL McFARLAND requests a variance to Article 11.C., Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a dwelling addition (porch) closer than 75' from the ordinary high water mark. Location: 2028A 10th Ave, part of Lot 29, Cedar Bend, Sec 27/T32N/R18W, Town of Alden, Horse Creek, parcel #002-02205-0000.
- MICHAEL FICOCELLO requests a conditional use via Article 8.E.5. of the Polk County Shoreland Protection Zoning Ordinance for a small engine repair. Location: 2155 190th Ave, part of the SE ¼ of the SW ¼, Sec 28/T35N/R18W, Town of Eureka, parcel #020-00721-0000.
- KATHLEEN MARADEN requests a variance to Article 11.E.3. of the Polk County Shoreland Protection Zoning Ordinance for a dwelling closer than 63' from centerline of a town road. Location: 2077 Bystrom Ln, Lot 12, Blake Lake Shore, Sec 22/T35N/R16W, Town of Georgetown, Big Blake Lake, parcel #026-1577-0000.
- SCOTT & TERESA DOHERTY request a variance to Article 11.C., Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a dwelling addition (porch/deck) closer than 75' from the ordinary high water mark. Location: 16 N Horseshoe Ln, Lot 4, CSM Vol 1/Pg 85, part of Gov't Lot 2, Sec 12/T34N/R15W, Horseshoe Lake, parcel #008-00240-0000.

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