

Polk County Board of Adjustment Minutes  
Tuesday, August 28, 2018; Start: 8:30am  
Polk County Government Center, North & West Conference Room, 2<sup>nd</sup> Floor  
100 Polk County Plaza; Balsam Lake, Wisconsin

Present: Eugene Sollman, Chair; Steve Arduser, Secretary; Curtis Schmidt; Timothy Laux;  
James Andersen, Alternate Member

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

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

Motion (Arduser/Schmidt) to amend the agenda by moving closed session to 1:00pm -- carried by unanimous voice vote. Motion (Sollman/Andersen) to reconsider agenda for today – carried by 4-1 voice vote, Arduser with dissenting vote. Motion (Laux/Schmidt) to postpone Wayne Boe’s application and refer application to the Environmental Services Committee (ES) because authority to hear conditional use applications has changed to the ES Committee effective tomorrow. Motion carried by 4-1 voice vote, Arduser with dissenting vote. Motion (Laux/Andersen) to approve agenda as amended – carried by unanimous voice vote.

Motion (Andersen/Schmidt) to approve the minutes of 8/7/2018 -- carried by unanimous voice vote.

The board recessed at 8:30am for site visits and reconvened at 1:00pm.

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

Public hearings were held on the following applications:

- Kaye Leaman – reduced water setback for deck addition to dwelling
  - Testimony/discussion; exhibits read into record.
  - Motion (Arduser/Laux) to deny application.
  - Motion carried by unanimous voice vote.
- Eleanor Ryman – Reduced water setback for patio and deck
  - Testimony/discussion; exhibits read into record.
  - Motion (Andersen/Laux) to deny application.
  - Motion carried by unanimous voice vote.
- Brett Ethier – reduced water & side property line setback for garage
  - Testimony/discussion; exhibit read into record.
  - Motion (Laux/Schmidt) to deny application.
  - Motion carried by unanimous voice vote.
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- Steven Peterson – reduced private road setback for garage
  - Testimony/discussion; exhibits read into record.
  - Motion (Arduser/Schmidt) to approve application as submitted.
  - Motion carried by 4-1 voice vote, Laux with dissenting vote.

Motion (Andersen/Laux) to adjourn at 4:54pm – carried by unanimous voice vote.

POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING/MEETING NOTICE  
Tuesday, August 28, 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.

ORDER OF BUSINESS: \*AMENDED  
AGENDA  
Call to order and roll call (Open Session)

Approve agenda

Approve minutes from 8/7/18

Staff Update

\*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:

- WAYNE BOE requests a conditional use via Article 8E.3 & 4. Of the Polk County Shoreland Protection Zoning Ordinance to have a recreational camp/campground and mud bog events. Property affected is: 1113 55th St County Rd D, Gov't Lot 8 & N ½ Gov't Lot 9, Sec 6/T33N/R15W, Town of Clayton, pond, parcel #016-00121-0000 & 016-00122-0000.
- KAYE LEAMAN requests a variance to Article 11.C. Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a deck addition to dwelling less than 75' from the ordinary high water mark. Property affected is: 1550 10th St County Rd T, part of Gov't Lots 2+3, Part of Lot 46, Morningside Park, Sec 14/T34N/R15W, Town of Beaver, Horseshoe Lake, parcel #008—00420-0000.
- ELEANOR RYMAN requests a variance to Article 11.C. Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a patio & deck less than 75' from the ordinary high water mark. Property affected is: 1952 Baker Rd, Lot 15, Maplewood, Sec 27/T35N/R16W, Blake Lake, Town of Georgetown, parcel #026-01647-0000.
- BRET ETHIER requests a variance to Article 11.C. Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a garage less than 75' from the ordinary high water mark and less than 25' from a side property line. Property affected is 526 180th Street, Sec1/T32N/R18W, Town of Alden, parcel #002-01038-0000.
- STEVEN PETERSON requests a variance to Article 11.E.4 of the Polk County Shoreland Protection Zoning Ordinance for a garage less than 35 feet from the centerline of a private road. Property affected is Lot 1 CSM# 547 V3 PG39, Sec 17/T35N/R16W, Bone Lake, Town of Georgetown, parcel #026-00642-0000.

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

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\*Amended 8/23/18 This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.