

**POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING/AGENDA**

8:30am, Tuesday, October 1, 2013

Polk County Government Center, County Board Room  
100 Polk County Plaza; Balsam Lake, WI 54810

Notice is hereby given to the press and public that a meeting of the Polk County Board of Adjustment will be held at the above listed date, time, and location to transact business indicated on the agenda below. A quorum of the Board of Adjustment will be present. (Agenda not necessarily presented in this order)

**AGENDA**

Call to order and roll call

Approve agenda

Approve minutes from September 17, 2013

Recess at 8:45am to view sites

Reconvene at 1:00pm

Consider the following applications:

- AMERY FREE LUTHERAN requests a variance to Sec XVIII B2 of the Polk County Comprehensive Land Use Ordinance to place a sign in the right-of-way of County Rd F. Property affected is: 647 113<sup>th</sup> St, part of NW ¼ of the SE ¼, Sec 31/T33N/R16W, town of Lincoln.
  - Findings of Fact
  - Conclusions of Law
  
- THOMAS & LORA O'HERN request a variance to Articles 11F2(b)(1)+(2) & 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to exceed an 1100 sq ft footprint with an addition to side of dwelling and replace a patio, less than 75' from the ordinary high water mark. Property affected is: 242 220<sup>th</sup> Ave, Lot 3, CSM Vol 2/Pg 181, part of Gov't lot 5 & Outlot A, CSM Vol 6/Pg 72, Sec 10/T35N/R15W, town of Johnstown, Pipe Lake (class 1).
  - Findings of Fact
  - Conclusions of Law
  
- DAVID & LISA SPOTT request a variance to Article 11E3 of the Polk County Shoreland Protection Zoning Ordinance to construct a garage less than 63' from centerline of a town road. Property affected is: 2067 Bystrom Ln, Lot 1, CSM Vol 19/Pg 76, Sec 22/T35N/R16W, town of Georgetown, Big Blake Lake (class 1).
  - Findings of Fact
  - Conclusions of Law
  
- JO A & CHERYL J DeGEER request a variance to Articles 11C, Table 1 & 11E3 of the Polk County Shoreland Protection Zoning Ordinance to construct a garage less than 100' from the normal high water mark and less than 63' from centerline of a town road. Property affected is: 968 353<sup>rd</sup> Ave, Lot 2, CSM Vol 16/Pg 5, part of NE ¼ of SW ¼ and SE ¼ of SW ¼, Sec 4/T37N/R16W, town of Clam Falls, Knapp Creek (class 2).
  - Findings of Fact
  - Conclusions of Law

Adjourn

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.

Polk County Board of Adjustment Minutes\*  
Government Center; Balsam Lake, WI 54810

Date: October 1, 2013

Present: Gene Sollman, Chair; Marilynn Nehring, Vice Chair; Jeff Peterson, Secretary; Curtis Schmidt; Harlen Hegdal

Also Present: Lori Bodenner, Zoning Secretary

Chair Sollman called the meeting to order at 8:30 a.m. with a quorum present.

**Motion (Hegdal/Peterson)** to approve the agenda as published. Carried.

**Motion (Nehring/Peterson)** to approve minutes of 9/17/13. Carried.

The board recessed at 8:45 a.m. for site visits:

- Amery Free Lutheran @ 9:21
- Spott @ 10:10
- O'Hern @ 10:35
- DeGeer @ 11:24

The board reconvened at 1:10 p.m. for public hearings on the following applications:

- AMERY FREE LUTHERAN requests a variance to Sec XVIII B2 of the Polk County Comprehensive Land Use Ordinance to place a sign in the right-of-way of County Rd F. Property affected is: 647 113<sup>th</sup> St, part of NW ¼ of the SE ¼, Sec 31/T33N/R16W, town of Lincoln.
  - Testimony: Charles Hansen
  - Exhibits read into record.
  - **Motion (Nehring/Hegdal)** to grant on condition that new sign be no closer to centerline than existing sign and that no additional signs or other obstructions be attached.
  - Motion carried on unanimous voice vote.
- THOMAS & LORA O'HERN request a variance to Articles 11F2(b)(1)+(2) & 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to exceed 1100 sq ft footprint with an addition to side of dwelling and replace a patio less than 75' from the ordinary high water mark. Property affected is: 242 220<sup>th</sup> Ave, Lot 3, CSM Vol 2/Pg 181, part of Gov't lot 5 & Outlot A, CSM Vol 6/Pg 72, Sec 10/T35N/R15W, town of Johnstown, Pipe Lake (class 1).
  - Testimony: Thomas and Lora O'Hern
  - Exhibits read into record.
  - **Motion (Sollman/Nehring)** to grant with the following conditions:
    - Existing carport to be removed and new addition to be placed 75+' from ordinary high water mark.
    - Patio to be replaced in same footprint as original.
    - All runoff from house and new addition to be directed by gutters and downspouts to one or more rain gardens.
    - Land & Water Resources Department-approved shoreland restoration plan shall be submitted to Zoning office prior to issuance of permit.

- Area of native vegetation on north side of property to be maintained as such.
    - New addition to be no larger than 682 sq ft.
  - Motion carried on unanimous voice vote.
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- DAVID & LISA SPOTT request a variance to Article 11E3 of the Polk County Shoreland Protection Zoning Ordinance to construct a garage less than 63' from centerline of a town road. Property affected is: 2067 Bystrom Ln, Lot 1, CSM Vol 19/Pg 76, Sec 22/T35N/R16W, town of Georgetown, Big Blake Lake (class 1).
    - Testimony: David and Lisa Spott
    - Exhibits read into record.
    - **Motion (Schmidt/Nehring)** to grant on condition that existing shed and outhouse on property be removed.
    - Motion carried on unanimous voice vote with Peterson abstaining.
  
  - JO A & CHERYL J DEGEER request a variance to Articles 11C, Table 1 & 11E3 of the Polk County Shoreland Protection Zoning Ordinance to construct a garage less than 100' from the ordinary high water mark and less than 63' from centerline of a town road. Property affected is: 968 353<sup>rd</sup> Ave, Lot 2, CSM Vol 16/Pg 5, part of NE ¼ of SW ¼ and SE ¼ of SW ¼, Sec 4/T37N/R16W, town of Clam Falls, Knapp Creek (class 3).
    - Testimony: Jo and Cheryl DeGeer, Perry Karl
    - Exhibits read into record.
    - **Motion (Hegdal/Schmidt)** to grant with the following conditions:
      - Driveway to slope toward road.
      - Garage to be guttered with water directed to roadside ditch.
      - Existing shed and inoperable Chevy Suburban to be removed from property.
    - Motion carried on 3-2 voice vote with Peterson and Nehring voting no.

Chair Sollman adjourned the meeting at 5:10 p.m. on a Schmidt/Nehring motion.

Respectfully Submitted,

Jeff Peterson, Secretary

\*THESE MINUTES ARE PENDING APPROVAL AT THE NEXT BOA MEETING.