

Polk County Board of Adjustment Minutes*
Tuesday, October 10, 2017; 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;
Curtis Schmidt; James Andersen, Alternate for Timothy Laux

Also Present for open/closed sessions: Jason Kjeseth, Zoning Administrator; Jeff Fuge, Corporation Counsel

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

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

Motion (Nehring/Schmidt) to approve the minutes of 9/26/17 -- carried by unanimous voice vote.

Motion (Nehring/Andersen) to go into closed session, carried by unanimous voice vote at 8:33am. No action was taken during closed session. Motion (Nehring/Andersen) to go into open session at 8:59am, 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:

- William & Tina Wagner – reduced water setback for shed
 - Testimony/discussion; exhibits read into record.
 - Motion (Schmidt) to deny application; motion failed for lack of second.
 - Motion (Arduser/Andersen) to postpone application for up to one year.
 - Motion carried by unanimous voice vote.
- Kay & Joy Friberg – exceed height limit for accessory building
 - Testimony/discussion.
 - Motion (Andersen) to approve application on condition that all other necessary State, County and Town regulations are met; motion failed for lack of second.
 - Motion (Arduser/Sollman) to deny application.
 - Motion carried by a 4 to 1 voice vote; Andersen with dissenting vote.
- Dean Museus – reduced private road & side lot line setback for garage
 - Testimony/discussion.
 - Motion (Arduser/Andersen) to deny application as submitted.
 - Motion carried by unanimous voice vote.
- David Evenson – reduced property line setback for travel trailer & deck
 - Testimony/discussion.
 - Motion (Nehring/Andersen) to approve on condition.
 - Motion carried by unanimous voice vote.

Motion (Nehring/Andersen) to adjourn – carried; meeting adjourned at 3:42pm.

POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING/MEETING NOTICE
Tuesday, October 10, 2017 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 9/26/17

Pending Litigation Challenging Conditional Use Permit Granted to Keith and Cheryl Johnson

Closed Session: Pursuant to Wisconsin Statute Section 19.85(1)(g), the Board of Adjustment will convene in closed session for the purposes of receiving an oral legal opinion from its attorney and developing litigation strategy concerning pending litigation.

Following closed session, the Board of Adjustment will reconvene in open session to consider or act upon, as appropriate, subject matters noticed herein for consideration or action in open or 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:

- WILLIAM & TINA WAGNER request a variance to Article 11.C., Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a shed less than 75' from the ordinary high water mark. Property affected is: Lot 10, Wycoff Sandy Point Park, Sec 13/T34N/R15W, Town of Beaver, Horseshoe Lake, parcel #008-00959-0000.
- KAY & JOY FRIBERG request a variance to Article 10.4.4(D)(2) of the Polk County Comprehensive Land Use Ordinance to exceed the 25' height limit for an accessory building. Property affected is: SE ¼ of the NE ¼, Sec 4/T36N/R17W, Town of Luck, parcel #036-00081-0000.
- DEAN MUSEUS requests a variance to Article 11.C., Table 1 & 11.E.4 of the Polk County Shoreland Protection Zoning Ordinance for a garage less than 25' from side lot line and less than 35' from centerline of a private road. Property affected is: 2132 236th St, Lot 2 & Outlot 1 CSM #2813, Sec 18/T35N/R18W, Town of Eureka, Twin Lake, parcel #020-00435-2000.
- DAVID EVENSON requests a variance to Article 11.C., Table 1 of the Polk County Shoreland Protection Zoning Ordinance for a travel trailer and deck less than 5' from property lines. Property affected is: 822 138th St, Unit 50, Hanson Condominium Resort, Sec 23/T33N/R17W, Town of Garfield, parcel #024-01068-0000.

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