

POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING/MEETING NOTICE
Tuesday, September 16, 2014, Start: 8:30 A.M.
Polk County Government Center, West Conference Room
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:

(Open Session)

1. Call to order and roll call
2. Approve agenda
3. Approve minutes from September 9, 2014
4. Site Visit(s) by Board on Properties noticed herein (Recess to Site Visits – 8:45 a.m.)
5. Reconvene at Polk County Government Center, West Conference Room (1:00 p.m.)
6. Public Hearing(s) And Determinations on Applications for Variances/Special Exception Permits, previously noticed, pursuant to Wisconsin Statute Section 985.07(2), and further described as follows:
 - STEVEN & ALICE BERESTKA request a variance to Article 11F2(b) and 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to replace deck (2 levels) on dwelling less than 75' from the ordinary high water mark. Property affected is: 1344 Hungerford Pt, part of lot 10, Baker's Hungerford Pt, Sec 25/T34N/R18W, town of St Croix Falls, Deer Lake (class 1).
 - DICK LODERMEIER requests a variance to Article 11C, Table 1 and 12B2 and a special exception to Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to have a retaining wall, patio and patio replacement less than 75' from the ordinary high water mark, a third lake access and excavate on slopes of 20% or greater. Property affected is: 722 South Shore Dr, Lot 34 & part of Lot 33, Rivard Park, Sec 25/T33N/R17W, town of Lincoln, Bear Trap Lake (class 1).
 - MARK SMITH requests a variance to Article 11E3 of the Polk County Shoreland Protection Zoning Ordinance to have a garage less than 63' from centerline of a town road. Property affected is: 1841 Pine Island Park Ct, Lot 10-11, Pine Island Park, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1).
 - JAMES & KAREN PETERSON TRUST request a variance to Article 11C, Table 1 & 11F2(b) of the Polk County Shoreland Protection Zoning Ordinance to have a porch and deck addition less than 75' from the ordinary high water mark and a dwelling addition which exceeds the 1100 sq ft footprint. Property affected is: 1609 South Loveless Lake Ln, Lot 19, Ahlquist, Sec 17/T34N/R17W, town of Balsam Lake, Loveless Lake (class 1).

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

7. Adjourn

Polk County Board of Adjustment Minutes*
Tuesday, September 16, 2014; Start: 8:30am
Polk County Government Center, West Conference Room
100 Polk County Plaza; Balsam Lake, Wisconsin

Present: Gene Sollman, Chair; Marilyn Nehring, Vice Chair; Harlen Hegdal, Secretary; Curtis Schmidt; Tim Laux

Also Present: Jason Kjeseth, Zoning Administrator; Malia Malone, Assistant Corporation Counsel

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

Motion (Nehring/Hegdal) to approve the agenda as published – carried.

Motion (Nehring/Laux) to approve minutes of 9/9/2014 -- carried.

The board recessed at 8:43am for site visits and reconvened at 1:00pm for public hearings on the following applications:

- Lodermeier
 - Testimony/discussion; exhibits read into record.
 - Motion (Nehring/Schmidt) to approve the request for a special exception to construct a retaining wall and 20% grade with condition that the Land and Water Resources Dept approve the plan prior to the granting of the permit -- carried by unanimous vote.
 - Motions (Hegdal/Schmidt) – carried, Laux with dissenting votes
 - Approve variance for replace/repair of the patio.
 - Approve variance to remove and repair stone steps going towards the lake that would have more than one pedestrian access and to deny the portion that would be built new.
 - Motion (Laux/Hegdal) to approve the variance to Article 11C1 for construction (retaining wall) within the setback – carried by unanimous vote.
 - Motion (Hegdal/Schmidt) to deny request to have variance -- an impervious surface (additional patio) – carried by unanimous vote.
- Berestka
 - Testimony/discussion; exhibits read into record.
 - Motion (Hegdal/Schmidt) to approve application including the 14 conditions generally used for tourist rooming house applications with the one change in #2 to read, “no RVs/Campers as a means of overnight stay allowed”. Further, the applicant agrees to the condition precedent to obtaining the special exception permit, specifically, they must get the appropriate licensing from the county health department – carried by unanimous vote.
- Smith
 - Testimony/discussion; exhibits read into record.
 - Sollman tabled application until 9/30/14.
- Peterson
 - Testimony/discussion; exhibits read into record.
 - Motion (Hegdal/Sollman) to grant addition on road side – carried by unanimous vote
 - Motion (Laux/Schmidt) to deny deck expansion; can maintain/repair – carried by unanimous vote.
 - Motion (Sollman/Hegdal) to deny addition to front (porch extension) – carried by unanimous vote.

Motion (Nehring/Laux) to adjourn at 5:06pm – carried.