

**POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING  
Tuesday, February 8, 2011, 8:30am  
Polk County Government Center  
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 10/29/10 & 11/9/10

Recess at 8:45am to view sites

Reconvene at 12:00pm

- NINA UTNE requests a Special Exception from Article 8D1+3 of the Polk County Shoreland Protection Zoning Ordinance to operate a private club, recreational camps and campgrounds. Property affected is: 1930 60<sup>th</sup> Ave/County Rd K, N FR ½, NE, Exc Lot 1, CSM Vol 16/Pg 180, Sec 2/T32N/R18W, town of Alden, Mud Lake (class 3).
  - Findings of Fact
  - Conclusions of Law
  
- THE RIVER BANK/BRENIZER MOTORSPORTS, INC/HAYWOOD KLAS requests a Special Exception from Sec XC1 of the Polk County Comprehensive Land Use Ordinance to operate a similar compatible commercial business. Property affected is: 2964 150<sup>th</sup> St, SW 14, NW ¼, exc Vol 724/199 for Hwy ROW & exc that part N & W of State Hwy 35, Sec 3/T36N/R17W, town of Luck.
  - Findings of Fact
  - Conclusions of Law
  
- MICHAEL FLANIGAN requests a Special Exception from Sec XC1 of the Polk County Comprehensive Land Use Ordinance to operate a similar compatible commercial business. Property affected is: 267 100<sup>th</sup> Ave/County Rd D, Lot 1, CSM #3778, Vol 17/Pg 41, Pt of SE ¼, SW ¼, Sec 10/T33N/R15W, town of Clayton.
  - Findings of Fact
  - Conclusions of Law

Adjourn

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

Date: February 8, 2011

Present: Marilyn Nehring, Acting Chair; Jeff Peterson, Secretary; Curtis Schmidt; Tim Laux (alt. for Art Gillitzer); Wayne Shirley (alt. for Gene Sollman)

Also Present: Roxann Moltzer (for site visits), Lori Bodenner, Patty Lombardo, members of the public

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

**Motion (Shirley/Schmidt)** to approve the agenda. Carried.

**Motion (Peterson/Schmidt)** to approve minutes of October 29 and November 9 meeting. Carried.

**Motion (Shirley/Peterson)** to recess for site visits. Carried. The board recessed at 8:45 a.m. for site visits and reconvened at 12:27 p.m.

- RiverBank/Brenizer Motorsports site visit @ 9:05 a.m.
- Utne site visit @ 9:56 a.m.
- Flanigan site visit @ 10:40 a.m.

The following applications were considered:

- NINA UTNE requests a Special Exception from Article 8D1+3 of the Polk County Shoreland Protection Zoning Ordinance to operate a private club, recreational camps and campgrounds. Property affected is: 1930 60<sup>th</sup> Ave/County Rd K, N FR ½, NE, Exc Lot 1, CSM Vol 16/Pg 180, Sec 2/T32N/R18W, town of Alden, Mud Lake (class 3).
  - Exhibits read into record
  - Testimony / those sworn in: Nina Utne, Maggie McKenna, Christine Rasmussen, Bruce Foss, Annie Foss, Richard Quist, Arlene Hagland, David Becker, Eugene Gray
  - Findings of fact
  - Conclusions of law
  - **Motion (Peterson/Laux)** to grant permit for tourist rooming house (8D1) and recreational campground (8D3) with conditions:
    - Accessory building must not have sleeping accommodations.
    - All parking must be contained on the property.
    - Applicant must obtain all proper licensing.
    - Maximum of two campfires burning at any time.
    - All fires and embers must be extinguished by 11 p.m. with no unattended fire. No fires during burning bans.
    - Applicant must have 24-hour contact phone number available to the public. Renters to have all local emergency numbers, including town officials.
    - Property must remain free from citation and charges for nuisance, disorderly conduct, or any other illegal activity.
    - Quiet hours shall be imposed from 11 p.m. to 7 a.m.
    - Property must remain in compliance with any changes or modifications to the Shoreland Protection Zoning Ordinance.
    - Applicant and renters must comply with all applicable laws and regulations; Department of Natural Resources lake regulations to be included in rental information.
    - The use of fireworks by renters is prohibited.

- All pets must be contained on the property.
  - Property lines must be clearly delineated.
  - All conditions that apply to renters shall be included in rental information.
  - Maximum of 30 campers per night.
  - Campground must abide by all rules in Chapter 175, Wisconsin Administrative Code.
  - No sanitary facilities to be installed in granary building.
- Motion carried on unanimous roll call vote.
  
- THE RIVERBANK/BRENIZER MOTORSPORTS, INC/HAYWOOD KLAS request a Special Exception from Sec XC1 of the Polk County Comprehensive Land Use Ordinance to operate a similar compatible commercial business. Property affected is: 2964 150<sup>th</sup> St, SW 14, NW ¼, exc Vol 724/199 for Hwy ROW & exc that part N & W of State Hwy 35, Sec 3/T36N/R17W, town of Luck.
  - Exhibits read into record
  - Testimony / those sworn in: Lance Brenizer
  - Findings of fact
  - Conclusions of law
  - **Motion (Laux/Schmidt)** to grant with conditions:
    - Permit granted to buyer of property upon completion of sale.
    - All scrap material on premises to be removed within 90 days of sale.
    - Equipment waiting for repair to be stored in building marked C1 on Exhibit 2.
    - Equipment brought in for repair to be inspected for fluid leaks. All leaking and drained fluids must be contained and disposed of according to law.
  - Motion carried on unanimous voice vote.
  
- MICHAEL FLANIGAN requests a Special Exception from Sec XC1 of the Polk County Comprehensive Land Use Ordinance to operate a similar compatible commercial business. Property affected is: 267 100<sup>th</sup> Ave/County Rd D, Lot 1, CSM #3778, Vol 17/Pg 41, Pt of SE ¼, SW ¼, Sec 10/T33N/R15W, town of Clayton.
  - Staff report read into the record
  - Testimony / those sworn in: Mike Flanigan
  - Findings of fact
  - Conclusions of law
  - **Motion (Shirley/Peterson)** to grant. Carried on unanimous voice vote.

**Motion (Schmidt/Peterson)** to adjourn. Carried. Meeting adjourned at 4:10 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary