

**POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING  
8:30am, Tuesday, May 15, 2012  
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 March 27, 2012

Recess at 8:45am to view sites

Reconvene at 12:30pm

Consider the following applications:

- KEVIN LINDUS (LINDUS PROPERTIES) requests a Special Exception Permit to Section XC1 of the Polk County Comprehensive Land Use Ordinance to sell fireworks in a retail store. The property affected is located at: 945 131<sup>st</sup> Ave, Pt of SW ¼ of the SE ¼, Section 28/T34N/R16W, town of Apple River.
  - Findings of Fact
  - Conclusions of Law
  
- QUENTIN & FAITH KAHLER request a Special Exception to Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to establish a Tourist Rooming House. The property affected is located at: 2251B 60<sup>th</sup> St/County Rd E, Lot 2, CSM Vol 1/Pg 118, Pt of Gov't Lot 3, Section 12/T35N/R16W, town of Georgetown, Big Round (a class 1 lake).
  - Findings of Fact
  - Conclusions of Law
  
- DANIEL BEECROFT requests a Special Exception Permit to Article 8D4 of the Polk County Shoreland Protection Zoning Ordinance to operate a small sport shop. The property affected is located at: 181 305<sup>th</sup> Ave, Pt of the SW ¼ of the NW 14/, Section 35/AT37N/R15W, town of Lorain, class 3 pond.
  - Findings of Fact
  - Conclusions of Law
  
- ANDREW & DENISE MILLIS request a variance to Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a garage 7 inches from a side yard lot line. The Property affected is: 1084 239<sup>th</sup> Ave, Lot 1, CSM Vol 24/Pg 193 and Pt of Lot 3, CSM Vol 2 Pg 12, all in Section 5/T35N/R16W, town of Georgetown, Bone Lake (a class 1 lake).
  - Findings of Fact
  - Conclusions of Law

Adjourn

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

Date: May 15, 2012

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

Also Present: Kevin Lindus, Quentin & Faith Kahler, Daniel Beecroft, Andrew & Denise Millis, James Remington (Attorney), Roxanne Shaide, Dominic Rio, Gary Spanel (Zoning Administrator), Brian Hobbs (Environmental Health Specialist), Lori Bodenner (Zoning Secretary)

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

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

**Motion (Nehring/Gillitzer)** to approve minutes of 3/27/12 as written. Carried.

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

- Kevin Lindus (Lindus Properties) site visit @ 8:56 a.m.
- Quentin & Faith Kahler site visit @ 9:22 a.m.
- Daniel Beecroft site visit @ 9:51 a.m.
- Andrew & Denise Millis site visit @ 10:31 a.m.

The board reconvened at 12:30 p.m. to consider the following applications:

- KEVIN LINDUS (LINDUS PROPERTIES) requests a Special Exception Permit to Section XC1 of the Polk County Comprehensive Land Use Ordinance to sell fireworks in a retail store. The property affected is located at: 945 131<sup>st</sup> Ave, Pt of SW ¼ of the SE ¼, Section 28/T34N/R16W, town of Apple River.
  - Exhibits read into record.
  - Testimony / those sworn in: Kevin Lindus
  - Zoning Administrator Gary Spanel appeared before the board to answer questions.
  - **Motion (Laux/Nehring)** to approve
  - Carried on unanimous voice vote.
- QUENTIN & FAITH KAHLER request a Special Exception to Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to establish a Tourist Rooming House. The property affected is located at: 2251B 60<sup>th</sup> St/County Rd E, Lot 2, CSM Vol 1/Pg 118, Pt of Gov't Lot 3, Section 12/T35N/R16W, town of Georgetown, Big Round (a class 1 lake).
  - Exhibits read into record.
  - Testimony / those sworn in: Quentin & Faith Kahler
  - **Motion (Gillitzer/Laux)** to approve with the following conditions:
    - Accessory building must not have sleeping accommodations.
    - No RVs, campers, tents or other means of overnight stay allowed.
    - All parking must be contained on the property.
    - Applicant must obtain all proper licensing.

- All fires & embers are to be extinguished by 11:00 p.m., with no unattended fires.
  - Applicant must have 24-hour contact number available to the public.
  - Property must remain free from citation and charges for nuisance, disorderly conduct, or any other illegal activity.
  - Quiet hours shall be imposed from 11:00 p.m. to 7:00 a.m.
  - Property must remain in compliance with any changes or modification 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.
    - Lake association rules to be included in rental information.
    - Owner is responsible to state and local jurisdictions for compliance with firework regulations.
  - 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.
  - Existing septic system to be inspected and approved (2-bdrm; maximum of 6 people)
  - Carried on unanimous voice vote.
- DANIEL BEECROFT requests a Special Exception Permit to Article 8D4 of the Polk County Shoreland Protection Zoning Ordinance to operate a small sport shop. The property affected is located at: 181 305<sup>th</sup> Ave, Pt of the SW ¼ of the NW 1/4, Section 35/T37N/R15W, town of Lorain, class 3 pond.
    - Exhibits read into record.
    - Testimony / those sworn in: Daniel Beecroft
    - **Motion (Laux/Schmidt)** to approve
    - Carried on unanimous voice vote.
  - ANDREW & DENISE MILLIS request a variance to Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to keep a garage 7 inches from a side yard lot line. The Property affected is: 1084 239<sup>th</sup> Ave, Lot 1, CSM Vol 24/Pg 193 and Pt of Lot 3, CSM Vol 2 Pg 12, all in Section 5/T35N/R16W, town of Georgetown, Bone Lake (a class 1 lake).
    - Testimony / those sworn in: Andrew & Denise Millis, Attorney James Remington, Roxanne Shaide, Dominic Rio, Gary Spanel
    - Exhibits read into record.
    - **Motion (Gillitzer/Nehring)** to deny
    - Carried on unanimous voice vote.

Meeting adjourned approximately 3:20 p.m.

Respectfully Submitted,

Lori Bodenner, Zoning Secretary

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