

**POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING  
9:00am, Tuesday, July 31, 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 June 26, 2012

Election of Officers

Recess at 9:15am to view sites

Reconvene at 1:00pm

Consider the following applications:

- SUSAN GROTHE requests a variance to Article 11C, Table 1 and Article 11E2 of the Polk County Shoreland Protection Zoning Ordinance to build a garage less than 75' from the ordinary high water mark, less than 75' from centerline of County Rd G and less than 42' from right-of-way. An alternate plan requires only a variance to the 75' setback from the ordinary high water mark. Property affected is: 1278 County Rd G, Lot 1, CSM Vol 5/Pg 109, Pt of Gov't lot 3, Sec 24/T35N/R17W, town of Milltown, Half Moon Lake (class 1).
  - Findings of Fact
  - Conclusions of Law
  
- THEODORE OLSON requests a Special Exception to Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to establish a tourist rooming house. Property affected is: 1851 US Hwy 8, Lot 23, Assessor's Plat, Pt of Gov't Lot 7, Sec 25/T34N/R18W, town of St Croix Falls, Deer Lake (class 1).
  - Findings of Fact
  - Conclusions of Law
  
- ROGER NEEDELS requests a Special Exception to Article 8D1/8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to establish a transient lodge/tourist rooming house. Property affected is: 1881D 60<sup>th</sup> Ave/County Rd K, Lot 1, Blk 3, Big Lake Beach, Sec 1/T32N/R18W, town of Alden, Big Lake (class 1).
  - Findings of Fact
  - Conclusions of Law
  
- DUSTIN BOOTH requests a Special Exception to Article 8D4 of the Polk County Shoreland Protection Zoning Ordinance to establish a business found in recreational areas. Proposed is an outdoor Pizza Picnic, offering pizza made in a wood-fired oven. Property affected is: 785 30<sup>th</sup> Ave, Lot 2, CSM Vol 10/Pg 193, SW ¼ of the SW ¼, Sec 23/T32N/R16W, town of Black Brook.
  - 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: July 31, 2012

Present: Gene Sollman, Chair; Marilynn Nehring, Vice Chair; Jeff Peterson, Secretary; Curtis Schmidt;  
Art Gillitzer

Also Present: Gary Spanel, Lori Bodenner, members of the public

Chair Sollman called the meeting to order at 9:00 a.m. with a quorum present.

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

**Motion (Gillitzer/Schmidt)** to approve minutes of 6/26/12 as written. Carried.

**Motion (Gillitzer/Schmidt)** to reelect by unanimous acclamation Gene Sollman, Marilynn Nehring and Jeff Peterson to the offices of Chair, Vice-Chair and Secretary respectively. Carried.

The board recessed at 9:10 a.m. for site visits:

- Grothe @ 9:18
- Booth @ 10:02
- Needels @ 10:50
- Olson @ 11:20

The board reconvened at 1:00 p.m. to consider the following applications:

- SUSAN GROTHE requests a variance to Article 11C, Table 1 and Article 11E2 of the Polk County Shoreland Protection Zoning Ordinance to build a garage less than 75' from the ordinary high water mark, less than 75' from centerline of County Rd G and less than 42' from right-of-way. An alternate plan requires only a variance to the 75' setback from the ordinary high water mark. Property affected is: 1278 County Rd G, Lot 1, CSM Vol 5/Pg 109, Pt of Gov't lot 3, Sec 24/T35N/R17W, town of Milltown, Half Moon Lake (class 1).
  - Exhibits read into record.
  - Testimony / those sworn in: Susan Grothe, Chris Nelson
  - **Motion (Gillitzer/Nehring)** to grant in part for Plan B with maximum size of 24' by 24' and installation of rain garden to collect runoff.
  - Roll call vote: Schmidt-nay; Peterson-nay; Sollman-nay; Nehring-aye; Gillitzer-aye
  - Chair Sollman declared the request denied.
- THEODORE OLSON requests a Special Exception to Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to establish a tourist rooming house. Property affected is: 1851 US Hwy 8, Lot 23, Assessor's Plat, Pt of Gov't Lot 7, Sec 25/T34N/R18W, town of St. Croix Falls, Deer Lake (class 1).
  - Exhibits read into record and photographic evidence shared.
  - Testimony / those sworn in: Ted Olson, Barbara Lear
  - **Motion (Gillitzer/Nehring)** to deny.
  - Motion carried on unanimous voice vote.

- ROGER NEEDELS requests a special exception to Article 8D1/8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to establish a transient lodge/tourist rooming house. Property affected is: 1881D 60th Ave/County Rd K, Lot 1, Blk 3, Big Lake Beach, Sec 1/T32N/R18W, town of Alden, Big Lake (class 1).
  - Zoning Administrator Gary Spanel appeared before the board to clarify the request.
  - Exhibits read into record.
  - Testimony / those sworn in: Roger Needels
  - **Motion (Peterson/Gillitzer)** to grant tourist rooming house permits for cabins 2, 3 and 4 with the following conditions:
    - Accessory building must not have sleeping quarters.
    - 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 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 p.m. to 7 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.
    - No fireworks allowed to be used by renters.
    - 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 systems to be inspected and approved.
  - Motion carried on unanimous voice vote.
  
- DUSTIN BOOTH requests a special exception to Article 8D4 of the Polk County Shoreland Protection Zoning Ordinance to establish a business found in recreational areas. Proposed is an outdoor pizza picnic, offering pizza made in a wood-fired oven. Property affected is: 785 30th Ave, Lot 2, CSM Vol 10/Pg 193, SW 1/4 of the SW 1/4, Sec 23/T32N/R16W, town of Black Brook, unnamed pond (class 3).
  - Exhibits read into record.
  - Testimony / those sworn in: Dustin Booth, Emily Fradenburgh
  - **Motion (Nehring/Schmidt)** to grant.
  - Motion carried on unanimous voice vote.

Chair Sollman adjourned the meeting at 4:38 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary

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