

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
8:30am, Tuesday, August 9, 2011
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 7/12/2011

Recess at 8:45am to view sites

Reconvene at 1:00pm

Christian and Dawn Hiniker

- Consider Recommendation of Corporation Counsel to Reinstate Decision to Grant Special Exception decided on June 7, 2011, to, decided June 7, 2011, and to vacate motion and vote on motion for reconsideration, made on July 5, 2011.
- Action to Reinstate Special Exception granted June 7, 2011, including action to Vacate Motion and Vote of Reconsideration, made on July 5, 2011.
- Schedule Application of Christian and Dawn for Special Exception for future public hearing, if needed.

Consider the following applications:

- NANCY D RIEGEL requests a Special Exception from Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a Tourist Rooming House. Property affected is: 1384 Hungerford Pt, Pt of Lot 3, Bakers Hungerford Pt, Pt of NW ¼, NE ¼, Sec 25/T34N/R18W, town of St Croix Falls, Deer Lake (class 1).
 - Findings of Fact
 - Conclusions of Law
- CURTIS REISO requests a variance from Article 8C4(g) of the Polk County Shoreland Protection Zoning Ordinance to construct a boathouse closer than 10' from ordinary high water mark. Property affected is: 1733 S Deer Lake Cir, Lots 28+29, White Birch Beach, Sec 30/T34N/R17W, town of Balsam Lake, Deer Lake (class 1).
 - Findings of Fact
 - Conclusions of Law
- GREGG GRANSTROM requests a variance from Article 11F2(c)(1) of the Polk County Shoreland Protection Zoning Ordinance to build an addition off to side of dwelling. Property affected is: 1387 Kemah Park Trail, Lot 2, CSM #490, Vol 2/Pg 219, Pt of Gov't Lot 8, Sec 35/T35N/R17W, town of Milltown, pond (class 3).
 - Findings of Fact
 - Conclusions of Law
- RICHARD L. COOK requests a variance from Article 11E2+3 of the Polk County Shoreland Protection Zoning Ordinance to build structures closer than 63' from centerline of town roads and closer than 75' from centerline of 335th Ave/County Rd I. Units affected are: 1-8, 18, 19, 26-40, 54-56, 64-70, 78, 79+91. Property affected is: 642 & 648 335th Ave/County Rd I, Lots 1,6,7,9+10, Nelsons Clam Falls Park Add, Pt of NW ¼, SE ¼, Sec 13/T37N/R16W, town of Clam Falls, Clam Falls Flowage (class 2).
 - 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: August 9, 2011

Present: Gene Sollman, Chair; Marilynn Nehring, Vice Chair; Jeff Peterson, Secretary; Curtis Schmidt; Wayne Shirley (alt. for Art Gillitzer)

Also Present: Lori Bodenner; Roxann Moltzer; members of the public

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 (Gillitzer/Shirley) to approve minutes of 7/12/11 as written. Carried.

Discussion of Corporation Counsel's recommendation to reinstate June 7 decision to grant special exception to Christian and Dawn Hiniker and to rescind July 5 decision to reconsider same. Consensus to postpone action until next meeting so Art Gillitzer can participate.

The board recessed at 8:50 a.m. for site visits:

- Reiso site visit @ 9:08 a.m.
- Riegel site visit @ 9:29 a.m.
- Granstrom site visit @ 10:03 a.m.
- Cook site visit @ 10:56 a.m.

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

- RIEGEL FAMILY LIMITED PARTNERSHIP requests a special exception from Article 8D1(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a Tourist Rooming House. Property affected is: 1384 Hungerford Pt, Pt of Lot 3, Bakers Hungerford Pt, Pt of NW ¼, NE ¼, Sec 25/T34N/R18W, town of St Croix Falls, Deer Lake (class1).
 - Exhibits read into record.
 - Testimony / those sworn in: Nancy Riegel
 - **Motion (Nehring/Schmidt)** to grant with 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 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.

- 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.
 - Motion carried on unanimous voice vote.
- CURTIS REISO requests a variance from Article 8C4(g) of the Polk County Shoreland Protection Ordinance to construct a boathouse closer than 10' from ordinary high water mark. Property affected is: 1733 S Deer Lake Cir, Lots 28+29, White Birch Beach, Sec 30/T34N/R17W, town of Balsam Lake, Deer Lake (class 1).
 - Exhibits read into record.
 - Testimony / those sworn in: Curtis Reiso, Brent Friendshuh
 - **Motion (Schmidt/Shirley)** to deny.
 - Motion carried on unanimous voice vote.
 - GREGG GRANSTROM requests a variance from Article 11F2(c)(1) of the Polk County Shoreland Protection Zoning Ordinance to build an addition off the side of a dwelling. Property affected is: 1387 Kemah Park Trail, Lot 2, CSM #490, Vol 2/Pg 219, Pt of Gov't Lot 8, Sec 35/T35N/R17W, town of Milltown, pond (class 3).
 - Exhibits read into record.
 - Testimony / those sworn in: Gregg Granstrom, Gordon Palmer, Tom Russell
 - **Motion (Peterson/Nehring)** to grant with conditions:
 - Gutters to be installed on all eaves to direct water to rain gardens or catch basins.
 - Addition to be no larger than 30' X 38'.
 - New porch to be no larger than 10' X 38'.
 - Motion carried on unanimous voice vote.
 - RICHARD L. COOK requests a variance from Article 11E2+3 of the Polk County Shoreland Protection Zoning Ordinance to build structures closer than 63' from centerline of town roads and closer than 75' from centerline of 335th Ave/County Rd I. Units affected are: 1-8, 18, 19, 26-40, 54-56, 64-70, 78, 79 and 91. Property affected is: 642 & 648 335th Ave/County Rd I, Lots 1,6,7,9&10, Nelsons Clam Falls Park Add, Pt of NW ¼, SE ¼, Sec 13/T37N/R16W, town of Clam Falls, Clam Falls Flowage (class 2).
 - Exhibits read into record.
 - Testimony / those sworn in: Richard Cook
 - Chair Sollman postponed a decision until next scheduled meeting, at which time additional testimony will be taken.

Motion (Shirley/Nehring) to adjourn. Carried. Meeting adjourned at 4:02 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary

*THESE MINUTES ARE PENDING APPROVAL AT THE AUGUST 30, 2011 BOA MEETING