

**POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING  
8:30am, Tuesday, September 13, 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 8/30/2011

Approve proposal by Land & Water Resource Department regarding shoreland restoration

Recess at 8:45am to view sites

Reconvene at 12:00pm

Consider the following applications:

- MARK & DEBORAH STOJEVICH request a Special Exception from Article 15B1-3 of the Polk County Shoreland Protection Zoning Ordinance to excavate on 0-20% slopes and slopes greater than 20%. Property affected is: Lot 6, CSM #3050, Vol 14/Pg 72, loc in Gov't lot 4, Sec 34/T36N/R18W, town of Laketown, Sandhill Lake (class 2).
  - Findings of Fact
  - Conclusions of Law
  
- THOMAS & JANE BEAN request a variance from Article H2d1i)j. of the Polk County Lower St Croix Riverway Ordinance to expand and replace a portion of a nonconforming principal structure that is less than 40' from the bluffline. Property affected is: 1039 County Rd S, NE ¼ of SW ¼ exc V348/122 & exc S 300' and 388/102 desc 494/Pg 343, Sec 11/T33N/R19W, town of Osceola, St Croix River (class 2).
  - Findings of Fact
  - Conclusions of Law
  
- MAX BAY requests a variance from Article 11C, Table 1& 8C3(b) of the Polk County Shoreland Protection Zoning Ordinance to build a new home and two retaining walls closer than 75' from the ordinary high water mark and construct a fourth accessory building. Property affected is: 1952 S Baker Rd, Lot 15, Plat of Maplewood on Blake's Lake, Sec 27/T35N/R16W, town of Georgetown, Big Blake Lake (class 1).
  - Findings of Fact
  - Conclusions of Law

Adjourn

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

Date: September 13, 2011

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

Absent: Curtis Schmidt

Also Present: Lori Bodenner; Tim Ritten; Gary Spanel; members of the public

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

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

**Motion (Nehring/Peterson)** to approve minutes of 8/30/11 as written. Carried.

Land & Water Resources Department Director Tim Ritten appeared before the board to recommend a procedure regarding the preparation and approval of shoreland restoration and/or erosion mitigation plans. The board agreed by consensus to adopt Ritten's recommendation.

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

- Bay site visit @ 9:05 a.m.
- Stojevich site visit @ 9:45 a.m.
- Bean site visit @ 10:31 a.m.

The board reconvened at 12:05 p.m. to consider the following applications:

- MARK & DEBORAH STOJEVICH request a special exception from Article 15B1-3 of the Polk County Shoreland Protection Zoning Ordinance to excavate on 0-20% slopes and slopes greater than 20%. Property affected is: Lot 6, CSM #3050, Vol 14/Pg 72, loc in Gov't lot 4, Sec 34/T36N/R18W, town of Laketown, Sandhill Lake (class 2).
  - Exhibits read into record.
  - Testimony / those sworn in: Don Grover
  - **Motion (Nehring/Shirley)** to grant with conditions:
    - Rain gardens to be installed on either end of silt fence location.
    - Erosion matting (instead of straw) to be used for erosion control.
    - Land & Water Dept. to approve revised erosion control plan (with rain gardens and matting).
    - Two rows of silt fence to be installed during excavation as per submitted plans.
  - Motion passed on unanimous voice vote.
- THOMAS & JANE BEAN request a variance from Article H2d1)i) of the Polk County Lower St Croix Riverway Ordinance to expand and replace a portion of a nonconforming principal structure that is less than 40' from the bluffline. Property affected is: 1039 County Rd S, NE ¼ of SW ¼ exc V348/122 & exc S 300' and 388/102 desc 494/Pg 343, Sec 11/T33N/R19W, town of Osceola, St Croix River (class 2).
  - Exhibits read into record.
  - Testimony / those sworn in: Tom, Jane & Jackson Bean
  - **Motion (Peterson)** to deny. Motion died for lack of a second.

- **Motion (Nehring/Shirley)** to grant in part:
  - Replacement of portion of existing structure is approved.
  - Addition of garage to side of dwelling is denied.
- Motion carried on unanimous voice vote.
- MAX BAY requests a variance from Article 11C, Table 1 & 8C3(b) of the Polk County Shoreland Protection Zoning Ordinance to build a new home and two retaining walls closer than 75' from the ordinary high water mark and construct a fourth accessory building. Property affected is: 1952 S Baker Rd, Lot 15, Plat of Maplewood on Blake's Lake, Sec 27/T35N/R16W, town of Georgetown, Big Blake Lake (class 1).
  - Exhibits read into record.
  - Testimony / those sworn in: Max Bay, Chris Nelson
  - **Motion (Sollman/Nehring)** to grant with conditions:
    - New dwelling to be no closer than 54' from OHWM.
    - New dwelling to be no larger than 32' wide by 34' long.
    - Two retaining walls are approved as requested.
    - A viewing corridor shall be established as per Article 12A of the Shoreland Protection Zoning Ordinance.
    - A Land & Water Dept.-approved shoreland restoration plan shall be implemented.
    - All but two accessory buildings shall be removed.
  - Motion carried on 3-1 voice vote with Peterson opposed.

**Motion (Shirley/Nehring)** to adjourn. Carried. Meeting adjourned at 3:57 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary

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