

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
Tuesday, September 14, 2010, 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 8/31/2010

Recess at 8:45am to view sites

Reconvene at 1:00pm

- ROMOSER LIVING TRUST requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to replace a deck closer than 75' from the ordinary high water mark. Property affected is: 2073 Bystrom Ln, Lot 10, Plat of Blake Lake Shores, Sec 22/T35N/R16W, town of Georgetown, Blake Lake (class 1).
 - Findings of Fact
 - Conclusions of Law

- JEAN E HUBER requests a variance from Article 11F2(b)(2) of the Polk County Shoreland Protection Zoning Ordinance to add an addition off to the side of the dwelling. Property affected is: 465 Lakeview Ln, Lot 21, Paulson Addition, Sec 12/T32N/R18W, town of Alden, Church Pine Lake (class 1).
 - Findings of Fact
 - Conclusions of Law

- CHAD BOYD requests a Special Exception from Section VIB12 of the Polk County Comprehensive Land Use Ordinance to operate a junkyard/salvage. Property affected is: 1002 130th St, Pt of SW ¼, SW ¼, Sec 12/T33N/R17W, town of Lincoln.
 - Findings of Fact
 - Conclusions of Law

- AGUSTIN/RENE BENITEZ request a Special Exception from Section VIB6 of the Polk County Comprehensive Land Use Ordinance to establish a slaughterhouse. Property affected is: 728 143rd Av, Pt of NW ¼, SE ¼, Sec 23/T34N/R16W, town of Apple River.
 - Findings of Fact
 - Conclusions of Law

Brian Hobbs, Environmental Health Specialist, role

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: September 14, 2010

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

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

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

Motion (Gillitzer/Schmidt) to approve the agenda with one change – moving Brian Hobbs' appearance to after approval of minutes. Carried.

Motion (Nehring/Schmidt) to approve minutes of August 31 meeting. Carried.

Environmental Health Specialist Brian Hobbs appeared before the board with information regarding his role in monitoring private septic systems.

The board recessed at 8:48 a.m. for site visits and reconvened at 1:00 p.m.

The following applications were considered:

- ROMOSER LIVING TRUST requests a variance from Article 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to replace a deck closer than 75' from the ordinary high water mark. Property affected is: 2073 Bystrom Ln, Lot 10, Plat of Blake Lake Shores, Sec 22/T35N/R16W, town of Georgetown, Blake Lake (class 1).
 - Exhibits read into record
 - Testimony / those sworn in: William & Dorothy Romoser
 - Findings of fact
 - Conclusions of law
 - **Motion (Gillitzer/Schmidt)** to grant carried on unanimous voice vote.
- JEAN E HUBER requests a variance from Article 11F2(b)(2) of the Polk County Shoreland Protection Zoning Ordinance to add an addition to the side of a dwelling. Property affected is: 465 Lakeview Ln, Lot 21, Paulson Addition, Sec 12/T32N/R18W, town of Alden, Church Pine Lake (class 1).
 - Exhibits read into record.
 - Testimony / those sworn in: Mark & Marsha Huber
 - Findings of fact
 - Conclusions of law
 - **Motion (Nehring)** to grant. Motion died for lack of a second.
 - **Motion (Peterson/Gillitzer)** to deny. Motion carried on 3-2 voice vote: Schmidt-no; Peterson-yes; Sollman-yes; Nehring-no; Gillitzer-yes.
- CHAD BOYD requests a special exception from Section VIB12 of the Polk County Comprehensive Land Use Ordinance to operate a junkyard/salvage. Property affected is: 1002 130th St, Pt of SW ¼, SW ¼, Sec 12/T33N/R17W, town of Lincoln.
 - Exhibits read into record. Letters of opposition noted and summarized by chair.
 - Testimony / those sworn in: Chad Boyd, Jay Luke, Ed Gullickson, David Nelson, Mickey Nasseff, Diane Stoneking, Gail Tessman

- Findings of fact
- Conclusions of law
- **Motion (Nehring/Gillitzer)** to grant with conditions:
 - Scrap material along south property line to be removed by 12-31-10 and not be replaced.
 - All but one inoperable vehicle to be removed from property by 12-31-13.
 - No more than one inoperable vehicle allowed on property after 12-31-13.
 - Special exception expires 12-31-13; does not run with property.
 - Fluids from all inoperable vehicles to be removed and disposed of in a safe and legal manner.
 - Inventory of all inoperable vehicles currently on property – including year, make, and model – to be submitted to zoning administrator.
 - Applicant to allow unrestricted access by zoning department for inspections.
- Motion carried on 4-1 voice vote with Schmidt voting no.
- AGUSTIN/RENE BENITEZ request a Special Exception from Section VIB6 of the Polk County Comprehensive Land Use Ordinance to establish a slaughterhouse. Property affected is: 728 143rd Av, Pt of NW ¼, SE ¼, Sec 23/T34N/R16W, town of Apple River.
 - Exhibits read into record.
 - Testimony / those sworn in: Rene & Shay Benitez, Fritz Coulter, Kori Nelson
 - Chair Sollman set aside a decision on this case requesting the applicants to provide more information. This public hearing will continue at the board's 9-28 meeting, with additional testimony to be taken at that time.

Motion (Nehring/Schmidt) to adjourn. Carried. Meeting adjourned at 5:37 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary