

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC MEETING
Friday, October 29, 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 is not necessarily presented in this order.

***AMENDED AGENDA**

Call to order and roll call

Approve agenda

*Approve minutes from 10/26/2010

Reconsideration

- JACK WIES requested a Special Exception Permit to Section 5B of the Polk County Small Wind Energy Systems Ordinance to build a small wind energy turbine. This request was heard by the Board of Adjustment on October 26, 2010. Property affected is: 2362 190th St, SW ¼, NW ¼, Sec 1/T35N/R18W, town of Eureka, pond (class 3).
 - Findings of Fact
 - Conclusions of Law

Adjourn

***Amended 10/27/2010**

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.

BOARD OF ADJUSTMENT - POLK COUNTY, WISCONSIN

OCTOBER 29, 2010

The Chair, Eugene Sollman, called to order a duly noticed meeting of the Polk County Board of Adjustment at 8:36 a.m. on Friday, October 29, 2010.

Present were Mr. Sollman, Vice Chair Marilyn Nehring, members Curtis Schmidt and Art Gillitzer, and 2nd Alternate Tim Laux. Mr. Laux was directed to act in the capacity of secretary of the meeting.

Also present were Lori Bodenner, Zoning Department Secretary, Jack Wies, the applicant, and Evan Downey with Mr. Wies. Sara McCurdy was present for a portion of the meeting but did not participate in the discussion.

On motion by Nehring and second by Schmidt, the board unanimously approved the proposed agenda on a voice vote.

On motion by Nehring and second by Gillitzer, the board approved the minutes of the October 26, 2010 meeting as amended on the record correcting the office of Vice Chair from Schmidt to Nehring. The board suggested to the office staff that a change consistent with the correction be made on the county website.

On motion by Nehring, second by Sollman, and after discussion regarding the board's authority to grant a special exception permit under the small wind energy systems ordinance and whether the county is empowered to regulate small wind energy systems such as that applied for by Mr. Wies, the board by voice vote approved a motion to reconsider its decision to dismiss the Wies application for a special exception permit at the October 26 meeting.

Thereupon, on motion by Gillitzer and second by Nehring, the board discussed whether authority to grant a special exception permit for a small wind energy system exists under the shoreland protection zoning ordinance.

Thereupon, the chair called for the question and the board voted by roll call to grant Mr. Wies a special exception permit for his small wind energy system.

Vote: Aye: Gillitzer, Nehring, Sollman

NO: Laux, Schmidt

The meeting adjourned at 9:11 a.m.

Date

Timothy J Laux, Acting Secretary