

**POLK COUNTY BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND MEETING  
8:30am, Tuesday, June 7, 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 5/10/2011  
Recess at 8:45am to view sites  
Reconvene at 12:00pm

TOM AASMUNDRUD requested a Special Exception from Sec XC1 of the Polk County Comprehensive Land Use Ordinance and a hearing was held on February 22, 2011. The Board granted his request with 4 conditions. The Board will reconsider the number of vehicles left on property. Property affected is: 420 45<sup>th</sup> Ave, Lot 1, CSM #4823, V21/Pg 150, located in NW ¼, SE ¼ & NE ¼, SE ¼, N & W of RR, Sec 8/T32N/R15W, town of Clear Lake.

- o Findings of Fact
- o Conclusions of Law

GERALD & TRISHA SZYKULSKI request a variance from Article 8C3(b) of the Polk County Shoreland Protection Zoning Ordinance to have more than 2 accessory buildings within 300' of the ordinary high water mark. Property affected is: 1845 Pine Island Park Ct, Lots 4-7, Plat of Pine Island Park, Sec 35/T35N/R17W, town of Milltown, Balsam Lake, (class 1).

- o Findings of Fact
- o Conclusions of Law

RICHARD & DAWN WALKER request a variance from Article 11F2(a)(2) & 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to build a deck off to the side of pre-existing dwelling which will be closer than 75' from the ordinary high water mark. Property affected is: 1734A Sunny Vale Ln, Lot 8, Plat of Sunny Vale, Sec 6/T34N/R17W, town of Balsam Lake, Long Lake (class 1).

- o Findings of Fact
- o Conclusions of Law

CHRIS HINIKER requests 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: 1950 75<sup>th</sup> Ave/County Rd Y, pt of SE ¼, NW ¼ & pt of NE ¼, SW ¼, Sec 26/T33N/R18W, town of Osceola, Round Lake (class 1).

- o Findings of Fact
- o Conclusions of Law

LEHMAN CARLSON requests a Special Exception from Sec 5B of the Polk County Small Wind Energy Systems Ordinance to build a small wind energy system within 1000' of two ponds. Property affected is: 134 220<sup>th</sup> St, NE ¼, SE ¼, Sec 29/T32N/R18W, town of Farmington, ponds (class 3).

- o Findings of Fact
- o Conclusions of Law

Review sample conditions for transient dwellings  
Adjourn

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

Date: June 7, 2011

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

Also Present: Roxann Moltzer (for site visits); Lori Bodenner

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

**Motion (Shirley/Gillitzer)** to approve the agenda with the understanding that the Aasmunrud hearing is only for reconsideration of one of the conditions imposed in the Board's decision of 2/22/11. Carried.

**Motion (Nehring/Shirley)** to approve minutes of 5/10/11. Carried.

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

- Szykulski site visit @ 9:01 a.m.
- Walker site visit @ 9:24 a.m.
- Hiniker site visit @ 10:02 a.m.
- Carlson site visit @ 10:40 a.m.
- Aasmundrud site visit @ 11:16 a.m.

The board reconvened at 12:26 p.m. to consider the following applications:

- TOM AASMUNDRUD requested a Special Exception from Sec XC1 of the Polk County Comprehensive Land Use Ordinance and a hearing was held on February 22, 2011. The Board granted his request with four conditions. The Board will reconsider the number of vehicles left on property. Property affected is: 420 45<sup>th</sup> Ave, Lot 1, CSM #4823, V21/Pg 150, located in NW ¼, SE ¼, & NE ¼, SE ¼, N & W of RR, Sec 8/T32N/R15W, town of Clear Lake.
  - Exhibits read into record
  - Testimony / those sworn in: Tom Aasmundrud, Jeff Kuhn
  - Findings of fact
  - Conclusions of law
  - **Motion (Gillitzer/Shirley)** to repeal original Condition #2 and replace with condition that a maximum of 10 vehicles may be left outdoors overnight, and that these vehicles must be parked behind vegetative screening already in place.
  - **Motion (Nehring)** to amend by changing maximum number to six. Motion died for lack of a second.
  - Main motion carried on a 4-1 voice vote with Nehring opposed.
- GERALD & TRISHA SZYKULSKI request a variance from Article 8C3(b) of the Polk County Shoreland Protection Zoning Ordinance to have more than two accessory buildings within 300' of the ordinary high water mark. Property affected is: 1845 Pine Island Park Ct, Lots 4-7, Plat of Pine Island Park, Sec 35/T35N/R17W, town of Milltown.
  - Exhibits read into record
  - Testimony / those sworn in: Gerald Szykulski, Chris Nelson
  - Findings of fact
  - Conclusions of law
  - **Motion (Nehring/Peterson)** to approve with conditions:

- New boathouse to maintain same footprint as existing boathouse.
    - New boathouse to be no taller than existing boathouse.
    - New boathouse to be set back 10' from OHWM.
  - **Motion (Gillitzer)** to amend by adding condition that two existing accessory buildings be removed to beyond 300' from OHWM. Motion died for lack of a second.
  - Main motion carried on 4-1 voice vote with Gillitzer opposed.
- RICHARD & DAWN WALKER request a variance from Article 11F2(a)(2) & 11C, Table 1 of the Polk County Shoreland Protection Zoning Ordinance to build a deck off to the side of a pre-existing dwelling which will be closer than 75' from the ordinary high water mark. Property affected is: 1734A Sunny Vale Ln, Lot 8, Plat of Sunny Vale, Sec 6/T34N/R17W, town of Balsam Lake, Long Lake (class 1).
    - Exhibits read into record
    - Testimony / those sworn in: Richard Walker, Dawn Walker
    - Findings of fact
    - Conclusions of law
    - **Motion (Gillitzer/Shirley)** to approve with conditions:
      - Deck to extend a maximum of 14' out from the house and a maximum of 16' along the house wall.
      - A Land & Water Resources-approved shoreland restoration plan is to be implemented.
    - Motion carried on a unanimous voice vote.
  - CHRIS HINIKER requests 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: 1950 75<sup>th</sup> Ave/Co Rd Y, pt of SE ¼, NW ¼ & pt of NE ¼, SW ¼, Sec 26/T33N/R18W, town of Osceola, Round Lake (class 1).
    - Exhibits read into record
    - Testimony / those sworn in: Chris Hiniker, Dan Foust
    - Findings of fact
    - Conclusions of law
    - **Motion (Sollman/Nehring)** to approve with conditions:
      - Construction of driveway must conform to storm water management and erosion control plans submitted with application.
      - Scott Geddes to supervise construction.
    - Motion carried on a unanimous voice vote.

Art Gillitzer excused himself from the meeting at 3:00 p.m.

- LEHMAN CARLSON requests a Special Exception from Sec 5B of the Polk County Small Wind Energy Systems Ordinance to build a small wind energy system within 1000' of two ponds. Property affected is: 134 220<sup>th</sup> St, NE ¼, SE ¼, Sec 29/T32N/R18W, town of Farmington, ponds (class 3).
  - Exhibits read into record
  - Testimony / those sworn in: Scott Carlson, Casey Bailey, Lehman Carlson
  - Findings of fact
  - Conclusions of law
  - **Motion (Shirley/Nehring)** to approve.
  - Motion carried on a unanimous voice vote.

Review of sample conditions for tourist rooming houses was postponed to July 5 meeting.

Meeting adjourned at 3:26 p.m.

Respectfully Submitted,

Jeff Peterson, Secretary