

**POLK COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING AND MEETING
Tuesday, May 4, 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 4/27/10

Recess at 8:45am to view sites

Reconvene at 10:00am

- JACK & RHONDA GROTKIN request a Special Exception from Article 15B1 of the Polk County Shoreland Protection Zoning Ordinance to excavate on 20% slopes or greater. Property affected is: 1818 Kemah Park Ln, Pt of Lot 19, Plat of Kemah Park, V455/737, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1).
 - Findings of Facts
 - Deliberation & Decision

- JAMES LAUNDERVILLE 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: 1653 US Hwy 8, Lot 28, Plat of Mirror Waters, Pt of Gov't Lot 3, Sec 29/T34N/R17W, town of Balsam Lake, Deer Lake (class 1).
 - Findings of Facts
 - Deliberation & Decision

Staff Report

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: May 4, 2010

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

Also Present: Roxann Moltzer, Gary Spanel, Brian Hobbs, Patty Lombardo, members of the public

Chair Sollman called the meeting to order at 8:35 a.m. with a quorum present.

Motion (Schmidt/Nehring) to approve agenda. Carried.

Motion (Nehring/Gillitzer) to approve minutes for April 27 meeting. Carried.

The board recessed at 8:45 a.m. for site visits and reconvened at 10:00 a.m.

The following applications were considered:

- JACK & RHONDA GROTKIN request a Special Exception from Article 15(B)(1) of the Polk County Shoreland Protection Zoning Ordinance to excavate on 20% or greater slope. Property affected is: 1818 Kemah Park Ln, Pt of Lot 19, Plat of Kemah Park, V455/737, Sec 35/T35N/R17W, town of Milltown, Balsam Lake (class 1).
 - Site visit: 9:00 a.m.
 - Exhibits read into the record
 - Testimony / those sworn in: Richard Donlin, Jack Grotkin
 - Findings of fact
 - Conclusions of law
 - **Motion (Nehring/Gillitzer)** to grant special exception request.
 - **Motion (Schmidt/Gillitzer)** to amend by adding the following conditions:
 - Ground shall be exposed for as short a time as feasible.
 - Temporary ground cover (mulch or jute netting, etc.) shall be used and permanent vegetation cover shall be established.
 - Diversion berms, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
 - Fill shall be stabilized according to accepted engineering standards.
 - Amendment passed on unanimous voice vote.
 - Main motion passed on unanimous voice vote.

- JAMES LAUNDERVILLE requests a Special Exception from Article 8(D)(1)(a) of the Polk County Shoreland Protection Zoning Ordinance to operate a Tourist Rooming House. Property affected is: 1653 US Hwy 8, Lot 28, Plat of Mirror Waters, Pt of Gov't Lot 3, Sec 29/T34N/R17W, town of Balsam Lake, Deer Lake (class 1).
 - Site visit: 9:25 a.m.
 - Exhibits read into the record
 - Testimony / those sworn in: James Launderville, Donald Koster
 - Findings of fact
 - Conclusions of law
 - **Motion (Gillitzer/Nehring)** to grant special exception request with the following conditions:
 - Accessory buildings must not have sleeping accommodations.
 - No RVs, pop-up campers, tents, or other means of overnight stay allowed.

- All parking must be contained on the property. Vehicles shall not be allowed to block driveway easement for property to the west.
 - Applicant must obtain all proper licensing.
 - All fires and embers to be extinguished by 11 p.m., with no unattended fires.
 - Must have 24-hour contact telephone number available to the public.
 - Property must remain free from citation 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 modifications to the Ordinance.
 - Property owner and renters must comply with ALL applicable laws and regulations, with the following to be included in rental information:
 - a. Department of Natural Resources lake regulations
 - b. Lake Association rules
 - c. Wisconsin statutes regarding firework regulations
 - All pets must be contained on the property.
 - Property line delineation that is agreeable to both neighbors.
- Motion passed on unanimous voice vote.

Motion (Peterson/Gillitzer) to adjourn. Motion carried. Meeting adjourned at 11:50 a.m.

Respectfully Submitted,

Jeff Peterson, Secretary