ADJOINING PROPERTY OWNERS:

TOWN CHAIRPERSON:

LAKE ASSOCIATION:

This is to advise you that there will be a Board of Adjustment Hearing and that all interested parties have a right to either support or oppose the request(s) by appearing in person or by writing a letter (if opposed, be specific as to why opposed) to the Board for the hearing. If we do not receive a response from you, it will be regarded as a "no objection".

> Steven R. Dubois Revocable Trust is requesting a variance from Section 42-301(c)(1) of the Polk County Code of Ordinances to construct an addition to an existing garage that will encroach within the 10' minimum side yard setback area. Property affected is 1883 138th St, Sec35/T35N/R17W, Town of Milltown, Parcel #040-01495-0800. 0.6 acres.

The Polk County Board of Adjustment will hold the public hearings above starting at 9:00am on Thursday, November 21st, 2024 in the West Conference Room in the Government Center in Balsam Lake, WI. At that time, the applicant must appear before the Board and inform the Board of their request. Please send any written public comments regarding these requests to the Polk County Board of Adjustment, c/o: Logan Hacker, Zoning Administrator, 100 Polk County Plaza, Suite #130, Balsam Lake, WI 54810 or by e-mail at logan.hacker@polkcountywi.gov.

Board of Adjustment members will receive information regarding the applicant's request before the scheduled hearing date.

For any other information regarding this hearing, you may contact:

Polk County Zoning Administration • Monday thru Friday, 8:30 am - 4:30 pm

100 Polk County Plaza, Suite 130 • Balsam Lake, WI 54810

Ph: (715) 485-9111

POLK COUNTY VARIANCE APPLICATION

Receipt Number 2024-0892	Fee: $800.00

COMPLETE ALL UNSHADED AREAS
INCOMPLETE APPLICATIONS MAY BE RETURNED
PLEASE PRINT – USE BLACK INK AND RETURN ORIGINAL FORM

MAKE CHECKS (black ink) PAYABLE TO:
Polk County Land Information Department
100 Polk County Plaza, Suite 130
Balsam Lake, WI 54810
715-485-9111, Mon- Fri, 8:30am-4:30pm

Property Address (Number & Street or Ave): 1883- 138th Street BL WI 54810

Property Owner: Steven R DuBois Revocable Trust

Mailing Address: 1883-138th ST

City: Balsam Lake State: WI Zip: 54810

Email (optional): sdubois188@aol.com

Phone Number: 715-554-0666

Previous Owner: Roy UTNY Deceased Date Purchased:

Contractor, agent, builder, dealership, OR Self:

Address:

City: State: Zip:

Phone Number:

Mail permit to Contractor: ☐ Yes ☐ No

LEGAL DESCRIPTION OF PROPERTY – SEE TAX BILL

Parcel # / Computer #	Lot #	Subdivision/CSM #	Gov't Lot
040-01495-0800	8	Lot 8 Little Narrows Plat #1	Lot 8

___ ¼ ___ ¼, Sec 35 / T 35 N / R 17 W Town of Milltown

Size of Parcel	Name of Lake/Pond/River/Flowage	Lake Classification
X = SQ FT OR .6 Acres	Balsam Lake	☒ 1 ☐ 2 ☐ 3

I request a variance from Section 42-301 (C)(1) of the Polk County Code of Ordinances.

Why: Existing wood retaining wall is deteriorating and tilting into pathway. Wish to replace with cement wall. Incorporating new wall cost into adding garage and additional driveway.

The applicant, as witnessed by the applicant's signature on this application hereby attests that the information contained therein is accurate and true. Any assistance by County staff was at the applicant's request. I agree to permit county officials charged with administering county ordinances or other authorized person to have access to the above-described premises at any reasonable time for site review.

Sign Here: Steven R DuBois Date: 10-7-2024 ☐ Cash ☐ Credit ☒ Check #2013

COMMENTS:

Receipted by: Date: 10/7/24 Fee: $800

Flood Plain	District	Date Received	Hearing Date/Time	Decision
☐ Yes ☐ No	R-1		11-21-2024 9:00AM	☐ Granted ☐ Denied

Revised 1/1/2024

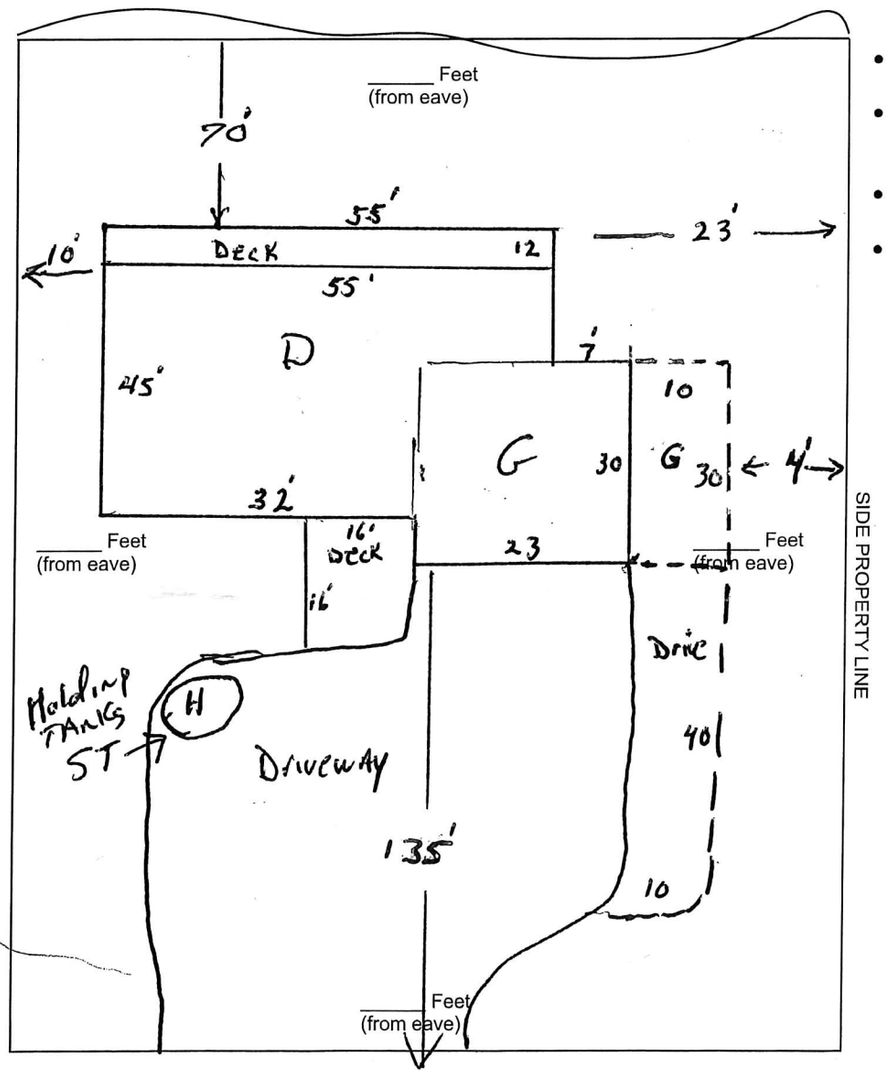
PERMIT REQUESTED FOR: Fill in appropriate line(s) (BE SPECIFIC)

☐ New Dwelling	☐ Stick Built ☐ Manufactured ☐ Modular ☐ Seasonal Cabin	Walk out ☐ Yes ☐ No	Attached Garage ☐ Yes ☐ No	Size of Proposed Structure X = SF	Height	Number of Bedrooms	
☒ Addition to Dwelling	Deck, Garage, Bedrooms, Vertical expansion, etc... Extend Garage			Size of Proposed Structure 10 x 30 = 300 SF	Height	Existing Bedrooms	Additional Bedrooms
☐ Accessory Building	Garage, Boathouse, Shed, Farm Bldg., etc...			Size of Proposed Structure X = SF	Height	STORAGE ONLY NO HUMAN HABITATION	
☒ Other	Landscaping, Retaining wall, Stairway, Sign, Commercial, Bunkhouse, Tower, etc... rebuild retaining wall			Size of Proposed Structure 10 x 40 = 400 SF	Height	Cost of Project $ 110,000	

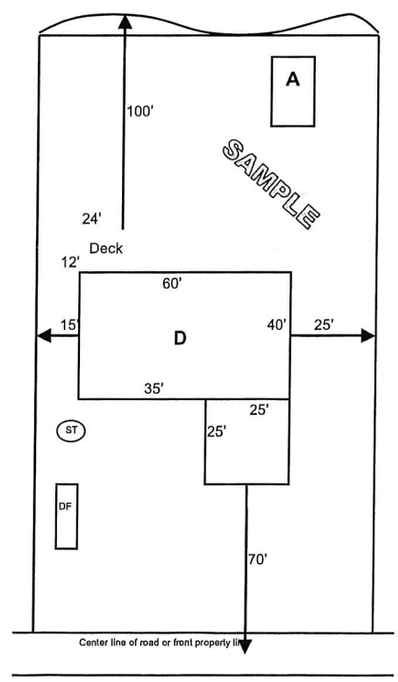
ADDITIONAL INFORMATION

Sanitary Permit #	Type of road your driveway is off of: ☐ US or State Hwy ☐ County Rd ☒ Town Rd ☐ Private Rd	Town letter received ☐ Yes ☐ No ☐ Not applicable
Is project within 300' of the ordinary high-water mark? ☒ Yes ☐ No If yes, please indicate total impervious area within 300' of water: 5,695 sq. ft. and divide by lot size within 300' : 26 571.6 sq. ft. = 21.4 %		Letter of Representation ☐ Yes ☐ No ☐ Not applicable

LOT LAYOUT
NORMAL HIGH WATER LINE or LOT LINE



- Show location of **ALL EXISTING STRUCTURES** in **SOLID LINES**
- Show dimensions, location and setbacks of **PROPOSED STRUCTURE** in **DOTTED LINES**
- Eave of structure must meet the minimum setbacks
- Indicate: "D" dwelling, "A" accessory building, "C" Commercial, "ST" septic tank, "DF" drainfield,



POLK COUNTY VARIANCE APPLICATION

Owner: Steven R Dubois Revocable Trust

Describe your need for a variance and why the request meets the criteria below

Need for variance:
Current Wood retaining wall is tilting & Deteriorating need to replace. Decided to replace with Concrete wall And Add garage extension above area.

#1) Unnecessary hardship:
need to replace retaining wall and to incorporate cost into extending garage on side of House. NARROWNESS of Lot From house.

#2) Physical property limitations:

The variance required due to infringement into 10' clearance from Lot Line

#3) Not contrary to public interest:

Garage extension would not be visible From Lake side Hence no estetic diminishmeat — Addition would add to estetic Velve From Road side.

THE FOLLOWING THREE CRITERIA MUST BE MET:

#1) UNNECESSARY HARDSHIP:

- In the absence of an area variance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions as to be unnecessarily burdensome.
- ✓ Reasonable use relates to whole property.
- Owner has a duty to investigate options for use of property.
- No self-imposed hardship (commenced beforehand).
- Personal preference/convenience or financial hardship is NOT a hardship that justifies granting of a variance. A variance runs with property, not owners.

#2) PHYSICAL PROPERTY LIMITATIONS:

- ✓ The hardship is due to physical limitations of the property, not circumstances of the applicants.
- Violations & nearby variances do not justify a variance.
- Physical limitations of the property itself refer to dimensions and topographic features, such as slope, wetland, etc. Location of existing structures on the property is NOT a physical limitation of the property.

#3) NOT CONTRARY TO PUBLIC INTEREST

- ✓ Purpose statement of ordinance outlines public interest factors.
- The effect of a variance on general public must be determined.
- Conditions to preserve ordinance objectives may be imposed.

Please list all names and **complete mailing addresses** of all adjoining property owners within **300 feet** (including across the road). Provide property address if known.

Name JOSH & LISA McCarthy Mailing Address 6340 Goodview Bay South Cottage Grove MN 55016	Curt & Kathy Gobeli 952 Irving CT N, Lake Elmo, MN. 55042	DAVE & Terry WAGNER 962 W. Hoyt Ave St. Paul, MN. 55117
Property Address 1885 - 138th ST	1887 138th ST	1889 138th ST
Name Donavan & Jeri Berg Mailing Address 1035 70th Ave Roberts WI 54023 (612-363-4246)	Steve & Sherry Voltz 1879 138th ST Balsam Lake WI 54810 (715-554-4918)	Tom & Jody Leach ~~189~~ 6760 Arkansas Ave, Inver Grove Heights MN 55077
Property Address 1891 138th ST	1879 138th ST	1829 A 138th ST
Name Mailing Address		
Property Address		

Name Steven R DuBois Mailing Address 1883 - 138th ST BALSAM Lake WI 54810		
Property Address SAme		

PLEASE STAKE OUT PROJECT AND FLAG PROPERTY LINES

✓

NOTE: This application will not be processed until all information required has been provided. Once we receive your application, it takes at least 4-6 weeks to process your application. Board of Adjustment members will receive information regarding your request before the scheduled hearing date. You will receive a notice by mail indicating when the hearing will take place. The applicant or a representative should attend the hearing. Decisions by the Board are generally made immediately following the applicant's hearing. On occasions, the Board may table requests for more information. If the Board approves your project, you will then need to obtain a land use permit.

CHECK WITH TOWNSHIP AND OTHER REGULATING AGENCIES FOR ADDITIONAL REGULATIONS OR PERMITS THAT MAY BE REQUIRED

ParcelId	OwnerName	OwnerAddress1	OwnerAd	OwnerCityStZip
040-01495-0600	STEVEN R & SHERRIE ANN VOLTZ	16790 CARMEN AVE		FORT MYERS, FL 33908
040-01495-1000	CURTIS L GOBELI AND KATHLEEN A GOBELI LIVING TRUST	952 IRVING CT N		LAKE ELMO, MN 55042
040-01495-0500	KURT J FISCHER, KIMBERLY A FISCHER	12598 ETHAN AVE N		WHITE BEAR LAKE, MN 55110
040-01495-0000	LEACH FAMILY PARTNERSHIP LLP	6760 ARKANSAS AVE		INVER GROVE HEIGHTS, MN 55077
040-01495-0900	JOSHUA D MCCARTHY, LISA K MCCARTHY	6340 GOODVIEW BAY S		COTTAGE GROVE, MN 55016
040-01495-0800	STEVEN R DUBOIS REVOCABLE TRUST	1883 138TH ST		BALSAM LAKE, WI 54810
040-01225-0050	TOWN OF MILLTOWN	PO BOX 475		MILLTOWN, WI 54858
040-01495-1100	DAVID D & THERESA M WAGNER	962 HOYT AVE W		SAINT PAUL, MN 55117
040-01227-0000	BENNY J PATTERSON AND JOYCE M PATTERSON TRUST, MICHAEL AND JOLENE REVOCABLE LIVING TRUST	750 HWY 95 NORTH	APT 209	BAYPORT, MN 55003
040-01235-0700	DANIEL T LEACH REVOCABLE TRUST	5230 132ND ST W		APPLE VALLEY, MN 55124
040-01225-0000	MARY ANN ARNOLD	3906 RANDOLPH RD		JANESVILLE, WI 53546
040-01495-0700	DONAVIN A BERG, JERI L BERG	1035 70TH AVE		ROBERTS, WI 54023
040-01495-1200	GERALD J SHAUGHNESSY (TTEE), MARY J SHAUGHNESSY (TTEE)	1893 138TH ST		BALSAM LAKE, WI 54810

Hearing Date:_____

Notices sent_____ by

Signature:_____

Print Name:_____

Subscribed and sworn to before me this

____day of _____

_____

Notary Public, Polk County, Wisconsin

My commission expires:_____