

Village of Balsam Lake
Public Works Committee
Tuesday March 15, 2016 5:00 pm – 6:00 pm

Meeting called to order by Geno D'Agostino.

Members present: Geno D'Agostino, Kathy Poirier. Members absent: Jeff Reed
Others present: Cody Korsan DPW, Attorney Dunst, Steve Williams, Steve Biza

Discussion was held with Attorney Dunst regarding the zoning district regulation change request at 820 West Main Street by William Powell. Chapter 300-23 Nonconforming uses, structures and lots address the issue with a non-conforming use and structure such as William Powell's duplex. The zoning ordinance states: A(1) The legal, conforming use of a structure of land use existing at adoption or amendment of this chapter may be continued although the use does not conform to the provisions of this chapter. A(2) The structure occupied by a nonconforming use cannot be extended, enlarged, reconstructed, substituted, moved or structurally altered unless required to do so by law or unless the structure is concurrently brought into compliance with this chapter. A(3) Total lifetime structural repairs or alterations to a nonconforming structure cannot exceed 50% of the fair market value of the structure at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this chapter.

As long as there is no change in use of the property it is considered a legal non-conforming use and is grandfathered. Even if the property is sold the new owner can continue the same use of the property and it is still considered a legal non-conforming use. This applies to all the residential homes within the zoning Highway Commercial.

The ordinance also states B(1) If a nonconforming use is discontinued for a period of 12 months, any future use must conform to this chapter B(2) If a nonconforming structure is damaged by calamity requiring over 50% of its current fair market value to restore, it shall be restored in compliance with this chapter.

The property at 820 West Main Street will remain zoned Highway Commercial. William Powell or a new owner may continue to operate a duplex at 820 West Main Street as long as they meet the requirements of 300-23 Nonconforming uses, structures and lots.

Discussion was held with Steve Williams regarding an 8 foot crosswalk addition be added on State Road 46 N by Lakeview Park. The existing crosswalk was repaved over and never replaced. The committee is also in favor of a crosswalk on Main Street/46 by Royal Credit Union Bank/Ledger Office and by the Polk County Highway Department/Third Ave W. **Motion by Kathy Poirier to recommend to the Village Board to approve three crosswalks as stated. Seconded by Geno D'Agostino. All in favor. Carried.**

Regarding a generator repair Cody Korsan, DPW requests approval of hiring a technician visit to repair the generator that will not start. It is possible that the repair could cost \$2500.00 with parts and labor. **Motion by Geno D'Agostino to approve a visit from the technician to repair the generator. Seconded by Kathy Poirier. All in favor. Carried.**

Motion by to adjourn Kathy Poirier. Seconded by Geno D'Agostino. Carried.

Lori Duncan, Clerk Treasurer