BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, December 15, 2014
Administrative Center – Basement – County Board Room
6:00 p.m. – 6:41 p.m.

MEMBERS PRESENT: Howard Raymer, Larry Warzynski, Dave Eilertson
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Nathan Sampson, Scott Custer (reader/minutes)

CALL TO ORDER
Howard Raymer, Jr., Chair, called the meeting to order at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

APPEAL NO. 2014-32 Herbert G and Linda K Miller, W6626 County Rd T, Holmen, WI 54636. After-the-fact appeal to retain an existing 30-ft x 60-ft lean-to lying within the required 8-ft side yard to be removed as approved under Appeal No. 2006-13, to retain a previously constructed 12-ft x 14-ft attached deck with landings and stairway, and to construct a new 4-ft x 4-ft open entry roof, all resulting in further exceeding the limit for additions of 50% of the assessed value of a non-conforming structure as authorized under Appeal No. 2006-13. Property described as Lot 1 of Certified Survey Map No. 154 in Volume 4. Tax parcel 8-114-2. Property address W6626 County Rd T. Town of Holland.

Appearing in favor: Herbert Miller W6626 County Rd T, Holmen, WI 54636 appeared before the Board to testify in favor of the appeal. He stated the deck was originally put up in 1994. It was originally a 12’ X 14’ structure, and the stairs ran parallel to the side of the barn. He indicated that the metal roof they have now, directs the entire snow load down on the stairs, and him and his carpenter have slipped causing injury. He said the 6’ X 6’ posts have started to rot and he moved the stairs away from the building on the front side of the deck, and replaced the posts. The deck footprint remained the same. He explained he wanted to retain the lean-to on the other side of the house because it blocks wind coming in from the north. He thought this prevented the pipes from freezing last year. He stated he wanted to put the 4’ X 4’ awning over the deck to stop snow/ice from accumulating on the deck, and by the front door.

Question Eilertson: Part of the 2006 appeal was to raze the house?
Answer Miller: Yes. We are in the process of having it removed. It was an economic thing as to why it has not been removed yet.

Question Eilertson: Will the proposed roof over the deck be enclosed?
Answer Miller: No, It will just be the roof.

Question Eilertson: Have you had an independent appraisal of your property?
Answer Miller: No I haven’t.

Comment Warzynski: I am concerned with the lean-to. It was ordered to be removed in the 2006 appeal.

Appearing in opposition: None

Correspondence: E-mail correspondence dated December 10, 2014 and received December 11, 2014 from Marilyn Pedretti Clerk for the Town of Holland in regards to a Town Board meeting held December 10th. No recommendation was made by the Town Board.

Discussion: Board members discussed that the lean-to and house need to be removed as stated in Appeal 2006-13. The deck was also ordered to be removed in the 2006 appeal. The Board agreed to let him keep the deck.
Motion Eilertson/Warzynski to Approve with the following conditions: 1.) The existing house that is no longer used for human occupancy shall be razed or removed from the parcel. 2.) The 30-ft x 60-ft lean-to on the east side of the converted barn shall be razed or removed from the parcel. 3.) All proposed construction is completed within 12 months of the date of the Board’s decision. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.

**APPEAL NO. 2014-33** Michael J and Joan M Weissenberger, 4210 Frank Ct, La Crosse, WI 54601, permit denied to construct a 20-ft x 26-ft addition with a 1.5-ft roof overhang to an existing residence where the addition will lie within the required 25-ft rear yard. Property described as Lot 2 of Leisgangs Addition. Tax parcel 11-2396-0. Property address 4210 Frank Ct. Town of Shelby.

Appearing in favor: Michael Weissenberger, 4210 Frank Ct, La Crosse, WI 54601. Michael stated he was just looking for the waiver of the appeal unless the Board has any questions.

Question Raymer: Did you have the house built or buy it that way?

Answer Weissenberger: I had the house built, there was a variance I believe in 1977 for the rear setback, and another in the 1980’s for the porch.

Question Eilertson: What is the addition going to be for? What is the timeline to get this done?

Answer Weissenberger: Part kitchen and part living room. Within a year.

Appearing in opposition: None.

Correspondence: None

Question Sampson: Did you have a chance to meet with the Town of Shelby?

Answer Weissenberger: No I did not.

Discussion: The Board discussed the appeal.

Motion Warzynski/Eilertson to Approve with the condition that all proposed construction be completed within 12 months of the date of the Board’s decision. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.

**APPEAL NO. 2014-34** Richard M Gillette, 1922 Maplewood Pl, Onalaska, WI 54650, o/b/o Nicholas A and Nicole B Howe, W7628 W Olson Rd, Holmen, WI 54636, permit denied to construct a 100-ft x 200-ft detached accessory building, exceeding the 5,000 sq. ft. area limit for such buildings on said lot. Property described as Part of the Fractional SW/NW of Section 30, T18N, R7W. Tax parcel 8-338-0. Property address W7268 W Olson Rd. Town of Holland.

Appearing in favor: Richard M Gillette, 1922 Maplewood Pl, Onalaska, WI 54650 appeared at public hearing to speak in favor of Appeal 2014-34. He stated he had nine cars and trucks, two motorcycles, three snowmobiles, four motor homes, six enclosed trailers, six utility quads, two skid loaders, and one tractor. He said he needed such a large building so he could keep everything in one location. He indicated he had so much equipment because he has an ATV race team that he competes in. He will purchase the property if this appeal is approved. He stated all the existing buildings on the property would be razed prior to the new shop being constructed. He also indicated he intends to replace the existing home in the future. The time frame for completing the new shop is to have it done this spring.

Question Eilertson: According to the narrative, there are three buildings coming down and the map shows four. Which is it?

Answer Gillette: The fourth one on the map isn’t actually on my property. And the fourth building is razed anyway.
**Appearing in opposition:** Parker Kelley, W7129 W Olson Rd, Holmen, WI 54636. Parker stated his comments may not necessarily be in opposition, but rather concern. Kelley indicated his house is on the parcel to the south of the parcel where the proposed building would be going. They would use the same road and expressed his concern for increased traffic and safety. He also questioned how the County would be able to ensure that the building would not be used for the applicant’s ATV business.

**Comment Sampson:** The applicant can store and maintain personal vehicles on his property. He cannot do any sort of commercial or light industrial use. We rely on complaints to commence any enforcement action. Otherwise, we have no reason to start an enforcement case. We don’t drive around the county looking for violations.

**Correspondence:** None.

**Question Raymer:** Did anyone go to the Town Board?

**Answer Gillette:** I did not.

**Discussion:** The Board members discussed the appeal. Eilertson asked if any of the uses the applicant proposed would violate the ordinance. Sampson indicated it was all authorized.

**Motion Eilertson/Warzynski** to **Approve** with the following conditions 1.) All existing detached accessory buildings shall be razed upon completion of the proposed building. 2.) All proposed construction be completed within 12 months of the date of the Board’s decision. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.

**Motion Eilertson/Warzynski** to adjourn at 6:41 pm. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.