BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, July 13, 2015
Administrative Center – Basement – County Board Room
6:00 p.m. – 6:28 p.m.

MEMBERS PRESENT: Howard Raymer, Dave Eilertson, Tom Thompson
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Nathan Sampson (reader), April Ammann (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. 2015-15 Donald C and Cheryl E Brenengen, 3151 Edgewater Dr, La Crosse, WI, 54603-1093. Permit denied to construct a 24-ft x 30-ft three season porch addition to an existing residence that will partially lie within the required 75-ft setback from the Ordinary High Water Mark (OHWM) of Lake Onalaska, and an approximately 90-ft long retaining wall with a maximum height of 6-ft that will lie within the required 4-ft sideyard setback for a detached accessory structure. Property described as Outlots 37, 38, 39 and part of an unnamed unimproved road all part of Assessors Plat of the NE ¼ of Section 12, T16N, R8W. Tax parcels 4-1659-0 and 4-1660-0. Property addresses 3151 and 3147 Edgewater Dr. Town of Campbell.

Remarks Raymer: We have been informed that the Brenengen appeal has been withdrawn, so that will not be heard tonight.

APPEAL NO. 2015-16 Douglas J and Barbara A Ramsey, W5900 Valley Parkway, La Crosse, WI, 54601. Permit denied to reconstruct a non-conforming residence outside of the original structural foundation where the reconstructed residence will partially lie within the required 60-ft setbacks from Wedgewood Drive and Valley Parkway, within the required vision clearance triangle, and within the required rear & side yards. Property is described as Lot 71 and the East 14.8-ft of Lot 72 of Wedgewood Valley Addition. Tax parcel 11-753-0. Property address W5900 Valley Parkway. Town of Shelby.

Appearing in favor: Douglas Ramsey, W5900 Valley Parkway, La Crosse, WI 54601. I am the homeowner, my wife and I would like to exceed the setbacks that we feel are extremely burdensome on the building of our new home. We feel the eastern setback of 60’ from Wedgewood Drive and 60’ from Valley Parkway along with 150’ Vision Clearance setback are making the replacement of our house not possible. We would like to build a single story structure, slab on grade, because of some of the unique soil conditions under the property such as springs and clay soils. So we are trying to recapture some of the space we had in our basement on a single story. We are also turning it and moving it back on the site to get away from the major intersection that was constructed last year. We feel that it is not a burden on our neighbors and we would not infringe on any of their living spaces. (shows diagrams) Vision clearance on the corner will not be hampered by our new structure. Some of the setback requirements are as if we are living on Hwy 33, however, we live on a frontage road. We would like to make our house a nicer place again. It’s been in my wife’s family since 1963. We haven’t moved forward with any finalized plans pending the outcome of this.

Question Eilertson: You said that you are unable to put in a basement because of the soils and springs, do you have any soil borings or letters?
Answer Ramsey: We have a basement, there has been water problems in it for 50 years. We even had a Beaver System installed but still had instances of leakages. Barb’s brother, Tom Newmeister, will be building the new home. He stated he will not be doing a basement because he feels that we would lose the foundation during construction if inclement weather occurs.

Appearing in Favor: Tom Schmitz, W5906 Valley Parkway, La Crosse, WI 54601. I am the next door neighbor, facing the Ramseys, to the left. My wife Svetlana and I live there. She would have liked to have
been here to express her support, but she is a quadraplegec and with the rain, we did not want to risk it. We have seen the plans for the new construction and are in favor of granting the required permit. I would like to speak on the water issue, it is common knowledge that there is a water problem in that neighborhood. I have a water problem in my basement and my house is higher than Barb and Doug’s, and the house next to us is higher than ours. The water flows down to the bottom of hill which is Ramsey’s. I don’t have a technical expertise, but I can tell you from living there that it is a problem. I see the water folks at Ramsey’s frequently. They know what they’re doing, let them build a nice house where they had their old house.

Appearing in Favor: Barb Engh, W5911 Apple Orchard Lane, La Crosse, WI 54601. We are neighbors to the back. We have no problem at all with them building the house and think it will be a nice addition to the area. We have been in the neighborhood for 39 years and think it will be very nice.

Appearing in Favor: Sharon Beyer W5912 Valley Parkway. I’m here with my husband, Rich, and we live just on the other side of the Schmitz. We are fully in favor of them rebuilding especially in the style that they intend. We’ve lived there for five years, they have always been great neighbors. We are actually excited to see something that will be an improvement to the area. We have no issues with what they are proposing.

Correspondence: Email attachment, draft minutes from July 22, 2015, Town of Shelby Board Meeting. Item 5 motion by Ehler/Wichelt to recommend the approval of the setback variance for Doug and Barb Ramsey for a property at W5900 Valley Parkway, Parcel Number 11-753-0, for a home that was destroyed by fire. Setback variances are as follows: 20’ sideyard, 15’ frontyard, 20’ rearyard. Motion carried. Tom and Sveta Schmitz also appeared and had concerns about rotation of home and size. Discussion held on a sidewalk for Valley Parkway to crosswalk onto Hwy 33 off Wedgewood Valley.

Discussion: Position of the Board has been over the last 10, 11, 12 years that appeals like this have been denied where people have come before us and asked to build a house that doesn’t fit. The zoning requirements for that particular lot to buy a site and have an architect or contractor draft a plan and it doesn’t fit. And that’s in the clearest sense a self imposed hardship, which we can’t approve. This is a little different because instead of building a basement he’s putting it on the first level to create the same amount of square footage. So that’s a unique problem and that he’s lost a home for fire.

Motion by Eilertson/Thompson to Approve this variance because hardship has been proven that is unique to this property and not self created. Construction must be completed within a 12 months of the approval of this variance.

3 Aye, 0 No, and 0 excused. Motion carried unanimously.

APPEAL NO. 2015-17 Charles F and Beth A Willms, W4665 County Rd D, Mindoro, WI, 54644. Permit denied to construct a 30-ft x 48-ft detached accessory building 22-ft in height that will exceed the area and height limits for such buildings on a 2.6 acre lot. Property described as part of the NW/SE of Section 19, T18N, R6W. Tax parcel 5-851-2. Property address W4665 County Rd D. Town of Farmington.

Appearing in favor: Beth Willms, W4665 County Road D, Mindoro, WI 54644. We are looking at building a garage. It’s actually going to look like a barn to stay with the aesthetics of the area. We have barns, three that I can see from my house. It’s all agricultural area where we live. My nearest neighbor is, we say up the hill, approximately 200 yards from us. Are yard slopes about 30 feet from top to bottom. Because of the slope of the yard the neighbors will still be able to see over it and be able to see the roads around us. IT’s not near any intersections. The reason we wanted such a big one is you have the cares, the truck, the boat, having almost three acres you have the two riding lawn mowers, the push mower, the motorcycle. My husband’s a carpenter and he does carpentry work on the side. Instead of the basement I want the dust out of the house. Previously when we bought the house, this is a 1980’s shot (shows photo), there were 5 outbuildings on the property. We have torn down 3 of these, 2 were down before we moved in. The last one we tore down last weekend. Our proposal has changed from adding the garage to the end of the driveway to where the existing building was and we would like to turn the building 90 degrees. The reason for the turn, the way the winds come, the snow would have piled up on the building. By turning it 90 degrees the snow will blow right through. We are going with the traditional barn shape,
It will not be a pole barn. The Town of Farmington was thrilled with that idea. We just need the room.

**Question Eilertson:** Are you keeping all of those items that you mentioned in the accessory building? Nothing was out in the yard that we could see.

**Answer Willms:** It was tucked in the patio. We are trying to keep it away from the road so people don’t see it. We have had equipment stolen out of our yard because we don’t have storage. Sitting in our yard, it disappears.

**Correspondence:** Correspondence from Town of Farmington Clerk, Betty Sacia. States variance request. Town Board and Planning Commission approved the variance request for a garage larger than and taller than allowed by county restrictions. The Willms have removed the building and plan to construct the new building in the same location. The height of the building will not be a hindrance to the neighborhood and the building is of the same style as would be appropriate for the location.

**Discussion:** The zoning district is Rural District.

**Motion by Thompson/Eilertson to Approve** with the following condition that construction must be completed within 12 months of approval of this variance.

_3 Aye, 0 No, and 0 excused. Motion carried unanimously._

**Motion by Eilertson/Thompson to Adjourn** (6:28pm).

_3 Aye, 0 No, and 0 excused. Motion carried unanimously._