BOARD OF ADJUSTMENT PUBLIC HEARING

Monday November 16, 2015
Administrative Center – Basement – County Board Room
6:00 p.m. – 6:43 p.m.

MEMBERS PRESENT: Howard Raymer, Dave Eilertson, Thomas Thompson
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Scott Custer (reader), Dale Hewitt (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 the Wisconsin Open Meetings Law.

APPEAL NO. 2015-23 Daniel Nelson, d/b/a Star of the Sea, LLC, 136 Clinton Street La Crosse, WI, 54603, o/b/o Park Bank, 700 State St, La Crosse, WI 54601. Permit denied to construct an approximately 1,950 sq. ft. crushed rock lot area, a 12,200 sq. ft. parking lot, a 32-ft x 45 inch ramp with a 5-ft x 10-ft landing, a 30-ft x 45 inch ramp with 4-ft x 5-ft and 5-ft x 5-ft landings, a 1-ft x 25-ft infiltration trench, and to replace an existing covered patio and deck with an expanded 18-ft x 48-ft open deck, all within the required 75-ft setback from the Ordinary High Water Mark of the Black River. Property is described as Part of Gov’t Lot 5 in Section 19, T16N, R7W. Tax parcel 4-859-1. Property address 136 Clinton Street, Town of Campbell.

Appearing in favor: John Schlichenmeyer, 1407 Richmond Bay Court, La Crosse, WI 54603.

Question Raymer: Are you speaking on your own behalf or are you speaking on behalf for Dan Nelson?
Answer Schlichenmeyer: Both. I work for Dan part-time and am a resident of the Town of Campbell.

Remarks Schlichenmeyer: The property right now is run down and is an eye sore. The proposals we have made, which are mostly cosmetic, like the crushed rock, are not going to change the elevation much. It will look a lot nicer than weeds and small shrubs. We are proposing a restaurant on the site that will be seasonal with a family type environment. We would eventually like to have boat slips for small boats and pontoons. The decking is almost identical to the foot print that was there. On the north end of the deck we are asking for a little bit more because we will exceed what was there due to the previous deck shape. This will allow us to have a walkway and we will be able to accommodate people with disabilities and it will act as an emergency exit. The deck on the west side of the building will be our main entrance. We added a second deck because of fire safety. We will be using recycled asphalt for our parking lot. We will be adding an infiltration trench to collect all dirty water that will run off of the parking lot. As a resident, I live across from this property. This has been an eye sore for the entire time I have lived at my current address. To see this property cleaned up and turned into something useful for French Island will be a great thing.

Question Thompson: Are the ramps wood or concrete?
Answer Schlichenmeyer: They would be made of wood.

Question Raymer: Is it my understanding that the business would be seasonal?
Answer Schlichenmeyer: Yes. The current plan is to operate from mid-April till mid-October, with the exception of parties.

Appearing in Opposition: None

Correspondence: E-mail correspondence dated and received November 13, 2015 from Wisconsin Department of Natural Resources, Regional Shoreland Specialist, Mike Wenholz was read into the record stating opposition to the granting of the appeal unless it meets the standards for a variance.

Discussion: Board members discussed the appeal in regards to the correspondence from the Wisconsin Department of Natural Resources. Questions from the Board were answered by Custer and Schlichenmeyer.
Motion by Warzynski/Thompson to Approve this variance because a hardship has been proven that is unique to this property and not self-created. Construction must be completed within 12 months of the approval of this variance and subject to conditions set forth from the Wisconsin Department of Natural Resources and the County of La Crosse, Wisconsin Land Conservation Department.

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

APPEAL NO. 2015-26 Kurt T and Renee L Knutson, 2231 Hiawatha Ave, La Crosse, WI, 54601. Permit denied to construct an approximately 14-ft x 21-ft two story addition to an existing single family residence that will lie 7-ft from a side lot line including a 2-ft overhang extending into the required side yard; project to exceed 50% of the fair market value of said residence and not considered repair, maintenance, renovation, or remodeling. Property is described as Lot 1, Block 6 Wedgewood Terrace Addition. Tax parcel 11-847-0. Property address 2231 Hiawatha Ave. Town of Shelby.

Appearing in favor: Kurt Knutson, 2231 Hiawatha Ave, La Crosse, WI, 54601.

We have been residents of the town of Shelby since 1983 and have made previous improvements to our home. This is going to be our last improvement. The original home was built 7 feet off of the lot line and we understand that there is now an 8 foot setback off of the property line. In order to keep the wall lines the same, we are asking for this variance. We have talked to our neighbors and to the best of my knowledge there has been no opposition to this project by them. I have a letter in favor of this project from Ruth Wallace.

Question Eilertson: Do you know what the fair market value of the home is?
Answer Knutson: I believe that the most recent assessment was $195,000.

Question Eilertson: What is your investment in this project going to be?
Answer Knutson: Our investment will be $90,000 to $95,000.

Remark Custer: The fair market value of the home, which was received from the Town of Shelby Assessor, is $179,300 for the single family home.

Appearing in favor: Fredrick Pitch, 4080 Terrace Drive, La Crosse, WI, 54601.

I have no objection to this project. They are good neighbors and have always been. The value this project will add to his house (Knutson’s) will be a benefit to the rest of the neighbors.

Appearing in Opposition: None

Correspondence: E-mail correspondence dated and received October 19, 2015 from the Town of Shelby. The email indicates that the Town of Shelby has recommended approval of this appeal.

Discussion: Board members discussed the appeal.

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

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

APPEAL NO. 2015-27 Daniel T St. Clair, W7008 Pineview Drive, Onalaska, WI, 54650. After-the-fact appeal to retain an existing closed fence that partially lies within the required 60-ft setback from the centerline of Pineview Drive. Property described as Lots 7 and 8, Block 1, Pines Addition. Tax Parcel 10-566-0 and 10-567-0. Property address W7008 Pineview Dr. Town of Onalaska.

Appearing in favor: Daniel St. Clair, W7008 Pineview Drive, Onalaska, WI, 54650.

I have several neighbors that have signed this paper agreeing with the project as well as a letter from Shana Culbert. You can’t see the fence because it is hidden by the trees. I have lived with the neighbor’s dogs who have harassed myself and my dog. The fence that was put up to keep his dogs away from my dog. There have been no problems since the fence has been put up.

Note: Both letters have been made part of the file.
**Question Eilertson:** You can’t accomplish what you’re trying to do with the neighbors dogs and yet remove this portion of fence that is within the setback.

**Answer St. Clair:** That would open it up for his dogs to see right into my yard and they would come around the fence and be in the yard and come after my dog.

**Question Eilertson:** Why can’t they come out on the street and around the fence?

**Answer St. Clair:** He doesn’t let them out on the street.

**Question Raymer:** You could put an open fence that they couldn’t get through in that area? If he doesn’t let them out on the street, they are still not going to get through there.

**Answer St. Clair:** It would create a hardship of having to fear his dogs coming over. Right now you can’t see the fence because of the trees.

**Remarks St. Clair:** If we were in the Village of Holmen or the City of Onalaska or when we become the Village of Midway, this code wouldn’t apply.

**Remarks Raymer:** Every municipality has codes about setbacks from their roads, but they may not be worded the way this one is. (La Crosse County)

**Remarks St. Clair:** I am appealing the ordinance because it would cause a hardship for me to have that open. It is not a safety concern to leave it the way it is.

**Appearing in Opposition:** None

**Correspondence:** E-mail correspondence dated and received November 9, 2015 from the Town of Onalaska Clerk, Melissa Erdman. The email indicates that the Town of Onalaska has not come before the Town Plan Commission or the Town Board.

**Discussion:** Board members discussed the appeal.

**Motion by Thompson/Warzynski** to Approve this variance because a hardship has been proven that is unique to this property and not self-created.

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

**Motion by Thompson/Warzynski** to Adjourn (6:43pm).

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