

BOARD OF ZONING APPEALS

La Crosse, WI
DECISION UPON APPEAL

David & Catherine Thurston having appealed from an order of the Building Inspector denying a permit with regard to the regulation limiting the number of garages to one, and the requirements that an accessory structure cannot exceed 17 feet in height from the finished floor, the accessory structure wall height cannot exceed 10 feet in height, and the garage door height cannot exceed 8 feet in height

at a property known as: 1524 Island St., La Crosse, Wisconsin

and described as:

LOOMIS AND HARVEY'S ADDN E1/2 LOTS 1, 2 & 3 & ALL LOTS 4 & 5 BLOCK 10

and due notice having been given by mail to all City of La Crosse property owners and lessees within 100 feet of the property which is the subject of this appeal, and similar notice having been published in the La Crosse Tribune more than five (5) days prior to the time of the hearing hereon, and testimony having been received and heard by said Board in respect thereto, and having been duly considered, and being fully advised in the premises,

WHEREFORE, IT IS ORDERED: That the decision of the Building Inspector be: Affirmed ☒ Reversed ☐

(See attached)

Dated this 19th of April, 2021

Date Filed: 4/23/2021

ATTEST

Nikki Elsen
Nikki Elsen, Secretary

James Cherf
James Cherf, Chair

Concurring:

Christina Rentry
Blous M. Spies

Douglas R. Farmer
Cherf

GEORGE KALMET ON COMPUTER

Dissenting:

The decision of the Board may be appealed to circuit court within 30 days of the decision being filed pursuant to Wisconsin Statute sec. 62.23(7)(e)10.

NOTE: WORK SHALL BEGIN WITHIN 180 DAYS AFTER THE DATE OF THIS DETERMINATION

DECISION UPON APPEAL

2656 – David & Catherine Thurston - An appeal regarding the regulation limiting the number of garages to one, and the requirements that an accessory structure cannot exceed 17 feet in height from the finished floor, the accessory structure wall height cannot exceed 10 feet in height, and the garage door height cannot exceed 8 feet in height at a property known as 1524 Island Street, La Crosse, Wisconsin.

Motion by Farmer, second by Spies to deny the variance request. All in favor.

Motion by Farmer, second by Spies to add that the motion is for file 2656 at 1524 Island Street and that his notes should be incorporated into the motion. All in favor.

Farmer's notes:

The excess real estate does not create the same "unique limitation" as a lot of extremely small lot or a lot that is on the edge of a cliff, or it's unbuildable or has unusual setback requirements. There possibly not harm to the public interest outside of the concern expressed regarding nesting turtles. Whether nesting turtles are an interest is left to parties better able to judge that issue. There may have been commitments made at the time of purchase about preserving various aspects of the property. This has not been further researched and it isn't the board's job to find that; that belongs to the applicant. The unnecessary hardship is difficult to quantify and denial will probably make any other use unlikely.

Concurring: George Kimmet
 Delores Spies
 Douglas Farmer
 Anastasia Gentry
 James Cherf

Dissenting: None

Date Filed: April 23, 2021

Attest: Nikki Elsen, City Clerk