

BOARD OF ZONING APPEALS

La Crosse, WI
DECISION UPON APPEAL

Acre Four LLC having appealed from an order of the Building Inspector denying a permit with regard to regulations for the size and height of a monument sign, the size of an EMU sign, having two monument signs without having 200 lineal feet of street frontage, and seeing the EMU from a residentially zoned property

at a property known as 3332 Commerce St., La Crosse, Wisconsin

and described as:

FRUIT ACRES ADDITION LOTS 1 2 3 BLOCK 4 LYG SELY OF I-90 EX PRT FOR ST SUBJ TO ELEC ESMTS IN V1314 P633 & V1314 P635 (ANNEXED 10/21/88 - #3100) LOT SZ: IRR 602/9

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 15th of March, 2017

Date Filed: 3/16/2017

ATTEST Teri Lehrke
Teri Lehrke, Secretary

Concurring:

Tom Kyrle
Charles Omerod

Jim Korman
Dissenting:

Douglas L. Farmer
-Phil Nohr, Chairman-
Doug Farmer, Vice Chair

Douglas L. Farmer

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

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File 2576 – Acre Four LLC - An appeal regarding the regulations for the size and height of a monument sign, the size of an EMU sign, having two monument signs without having 200 lineal feet of street frontage, and seeing the EMU from a residentially zoned property at 3332 Commerce St., La Crosse, Wisconsin.

Knothe: with regard to File 2576 regarding the property currently located at 3332 Commerce Street, I hereby move that we grant the five variances requested by the petitioner. Namely, 1) a variance of 11 feet to the 14 foot height limitation, 2) a variance of 136 square feet to the 60 square foot size limitation, 3) a variance of 24 square feet to the 22 square foot size limitation for EMU signs, 4) a variance to allow the EMU sign to be seen from a residence or residentially zoned property, and 5) a variance to allow an additional monument sign on a lot not having over 200 lineal feet of street frontage.

The evidence in the case suggested and proved that the property had a unique condition in that its odd shape and location next to the interstate which is somewhere between 10 and 15 feet above it in height. There is no public interest that is being harmed; in fact, this may create a more usable and valuable piece of real estate. Lastly, it creates a hardship if we do not grant these five variances in that the petitioner's business and use of the property would be diminished. For these reasons I move that we grant the variances in total.

Konradt seconded.

Motion carried.

CONCURRING: Joe Konradt
 Doug Farmer
 Charles Clemence
 Tom Knothe

DISSENTING: None

Date Filed: March 16, 2017

ATTEST: Teri Lehrke, City Clerk