

BOARD OF ZONING APPEALS

La Crosse, WI
DECISION UPON APPEAL

Michael Peterson having appealed from an order of the Building Inspector denying a permit with regard to allowing a 5 foot fence to be constructed in the front yard

at a property known as 324 10th St. S., La Crosse, Wisconsin

and described as:

CLINTON & RUBLEES ADDITION LOTS 7 & 8 & ALL LOT 9 EX W 30FT BLOCK 1 SUBJ TO ESMT IN DOC NO. 1575110 LOT SZ: 140 X 134'3

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 20th of September, 2017

Date Filed: September 21, 2017

ATTEST

Nikki Elsen
Nikki Elsen, Deputy Clerk

Concurring:

Phil Nohr
Carol Haess
Phil Nohr

Dissenting:

Phil Nohr
Phil Nohr, Chairman

Nastasia Senty
Douglas L. Tamm

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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Farmer: The unique property limitation here is, on File 2593 with an address of 324 10th St. S., in my opinion, the three foot rise immediately adjacent to the sidewalk and behind it in that it lessens the size of the fence. The fence ordinance was drafted with the idea that everything was on a flat plane. Additionally, helping us here is the fact that this is not a solid fence; it is an open fence that further moderates the impact of a five-foot fence. It is of no harm to the public interest, in fact, one would hope that we would see more fences like this one in the city and fewer solid panel fences because this basically does nothing to curb the view and does nothing to fence people out, so-to-speak optically. The public interest is benefited by this fence. The unnecessary hardship is that the applicant does feel that it would improve security and did testify that the fence would lessen what I would call "cut-throughs." Corner lots have that problem and a modest "cut-through" just leaves a little barren path, but an aggressive "cut-through" has them passing right under your window. The house next to me used to get so bad they were going behind the house and through the fence. I'll move for approval, a variance allowing a fence height of more than four feet in the front yard as necessary.

Nohr moves to amend to allow a variance of five feet, specifically.

Gentry seconds.

Motion carried.

CONCURRING:	Anastasia Gentry Doug Farmer Phil Nohr Carol Haefs
DISSENTING:	None

Date Filed:	September 21, 2017
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ATTEST:	Nikki Elsen, Deputy Clerk
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