

**BOARD OF ZONING APPEALS**

La Crosse, WI  
DECISION UPON APPEAL

La Crosse PR, Inc. having appealed from an order of the Building Inspector denying a permit with regard to the requirement that all development, building construction, and land disturbances be set back at least 50 feet from all wetlands depicted on the Wetland Inventory Map

at a property known as 3119 State Road 16, La Crosse, Wisconsin

and described as:

PRT GOVERNMENT LOTS 4 & 5 SE-NW SW-NW NW-SW COM N1/4 COR SEC 15 S17D1M30SE 136.69FT S39D59MW 1559.86FT S23D5M30SW 495.39FT POB S23D5M30SW 71.21FT N88D58MW 172.26FT ALG CURV S46D2MW 21.21FT S1D2MW 145FT S12D12M18SW 93FT S79D34ME 6.02FT S12D25MW 1309.5FT N77D35MW 360FT N44D53M30SW 166.36FT N71D58MW 441.76FT N74D11MW 16.46FT M/L N0D7M8SE 170FT N21D50M3SE 910.56FT N4D18M36SW 340.42FT S36D13M52SE 365.87FT S51D55M58SE 234.09FT S77D44ME 172.77FT S88D58ME 39.75FT ALG CURV N46D2ME 246.07FT N1D22ME 226FT S88D58ME 280FT TO POB EX CSM NO. 31 VOL 16 DOC NO. 1640620 & EX PRT TAKEN FOR R/W IN DOC NO. 1430650 SUBJ TO NSP ESMT IN V1522 P226 SUBJ TO ACCESS RESTR IN DOC NO. 1430650 & SUBJ TO ESMT IN DOC NO. 1446731

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 17<sup>th</sup> of April, 2019

Date Filed: 18<sup>th</sup> of April, 2019

ATTEST

Teri Lehrke  
Teri Lehrke, Secretary

Douglas L. Farnum  
Phil Nohr, Chairman  
D. Farnum

Concurring:

Corey Omerel  
James Chung

Douglas L. Farnum  
Lu Selover

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***

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**2619 – La Crosse PR, Inc.** - An appeal regarding the requirement that all development, building construction, and land disturbances be set back at least 50 feet from all wetlands depicted on the Wetland Inventory Map at 3119 State Road 16, La Crosse, Wisconsin.

Cherf: The unique property limitation would be that easements need to be respected, in that this may well have been a “created” low-quality wetland, in other words, manmade. The unnecessary hardship would be that the parking lot flow would be restricted and as far as no harm to the public interest, there have been no objections to this. Given those three bullet-points of information, the requested variance would be to allow land disturbing activities within 50 feet of a wetland. And I’ll make that motion on 2619 at 3119 State Road 16.

Seconder: Clemence

CONCURRING:       Lu Seloover  
                          James Cherf  
                          Douglas Farmer  
                          Charles Clemence

DISSENTING:       None

Date Filed:         April 18, 2019

ATTEST:            Teri Lehrke, City Clerk