

# BOARD OF ZONING APPEALS

La Crosse, WI  
DECISION UPON APPEAL

City of La Crosse – Parks & Recreation having appealed from an order of the Building Inspector denying a permit with regard to the requirement that all development and building construction be set back at least 50 feet from the Ordinary High Water Mark

at a parcel known as: 17-50264-70 (1402 Marco Drive)

and described as:

GOVERNMENT LOT 4 EX COM NE COR SEC 7 W 1625.5FT TO C/L MARCO DR S 717.46FT W 30FT TO POB S ALG W LN MARCO DR 221.62FT W 819.98FT S 678.38FT W 270.47FT N2D28ME 151.30FT N12D48M20SE 270.1FT N2D31M20SW 252.2FT N2D44ME 233.77FT E 1024.02FT TO POB & INCL PRT GOVERNMENT LOT 5 SEC 6-15-7 INCL IN FOLL DESC COM NE COR SEC 7-15-7 W ALG N LN SEC 7 1625.5FT TO C/L MARCO DR S ALG C/L 717.46FT W 30FT TO W R/W LN MARCO DR & POB W 1024.02FT N2D44ME 243.73FT N7D29ME 697.95FT TO S R/W LN JOSEPH HOUSKA DR E ALG S LN 921.52FT TO W R/W LN MARCO DR S ALG W R/W 935.46FT TO POB & EX PRT TAKEN FOR MARCO DR IN V833 P500 SUBJ TO ESMT IN V1395 P273

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 15<sup>th</sup> of May, 2019

Date Filed: 16<sup>th</sup> of May, 2019

ATTEST

Teri Lehrke  
Teri Lehrke, Secretary

Phil Nohr  
Phil Nohr, Chairman

Concurring:

Carol Haefl  
Phil Nohr

Douglas Tamm

Chris

Dissenting:

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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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**2621 – City of La Crosse** - An appeal regarding the requirement that all development and building construction be set back at least 50 feet from the Ordinary High Water Mark at parcel number 17-50264-70 (1402 Marco Drive).

Cherf: motion for File 2621 at 1402 Marco Drive, requesting a variance of seven feet to the required fifty foot setback. The unique property limitation is that it is situated between a dump and high water. There is no harm to the public interest in that there is no other neighboring structure and this serves the public and it is a facility that serves the public interest. The unnecessary hardship would be to greatly increase the cost and difficulty of the project because of the unstable ground of the dump.

Nohr confirms that Cherf is moving to approve.

Seconder: Farmer.

CONCURRING:       Anastasia Gentry  
                          James Cherf  
                          Phil Nohr  
                          Carol Haefs  
                          Doug Famer

DISSENTING:       None

Date Filed:         May 16, 2019

ATTEST:             Teri Lehrke, City Clerk