



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Board of Zoning Appeals

Wednesday, April 19, 2017

7:00 PM

3rd Floor Conference Room

Call to Order, Roll Call

Vice Chair Farmer called the meeting to order at 7:00 p.m. and explained the Board of Zoning Appeals meeting procedure.

Present: 5 - Douglas Farmer, Charles Clemence, Carol Haefs, Anastasia Gentry, Joe Konradt

Excused: 1 - Philip Nohr

Absent: 1 - Tom Knothe

Variance appeals:

Vice Chair Farmer opened the public hearing.

2578

An appeal regarding the requirement to provide a 6 foot side yard setback and a 20 foot rear yard setback at 1248 Redfield St., La Crosse, Wisconsin.

Brent Thielen, 400 La Crosse Street, representing the Fire Prevention and Building Safety, is sworn in to speak. Thielen states that the owner is proposing to replace a detached accessory building with a larger detached accessory building. Municipal Code Section 115-149 Local Business (c) (1) (b) states: where a lot abuts upon the side of a lot in the Residence District or Multiple Dwelling District, there shall be a side yard of not less than six feet in width. Municipal Code Section 115-149 Local Business (c) (2) states: on every lot in the Local Business District, there shall be a rear yard having a depth of not less than 20 feet. The owner proposes a detached accessory building of 1,140 square feet with a side yard setback of 3 feet and a rear yard setback of 4 feet. For this project to proceed as proposed, the Board would have to grant two variances: 1) a variance of 3 feet for the side yard setback, and 2) a variance of 16 feet for the rear yard setback.

Farmer asks about the Residence District and Local business District. Thielen states that this property is zoned Local Business and abuts a lot that is Residential; when you abut a Residential lot you have to have a 6 foot side yard and every Local Business lot has to have a 20 foot rear yard setback. Farmer asks what the setback would be if it abuts a Local Business and Thielen states that they can right up to the property line or 6 feet, but anything in between that needs Fire Department approval. Farmer states that the 20 feet in back must be for parking of cars and that type of thing.

Thielen shows the proposed location of the new accessory structure. He shows the side and rear yard setback and shows alley and 13th Street. Thielen points out the Residential zoned to left of the property. He states that it is the existing Bubba's Meats on 13th and Redfield St. He states that the new accessory building is a storage

garage. Farmer states that he has to abstain because he knows the appellant.

Thielen shows the lot from an aerial view and points out the cooler building and the accessory structure that would be replaced. Farmer asks what clearance the existing building has and Thielen states that he is not sure, but it is roughly the same. Farmer states that it is ironic that if it burned down they could replace it with the same footprint. Haefs asks how far the neighbor's garage is from the existing lot line and Thielen responds that he does not know for sure, but the appellant will know. Clemence asks if a spot on the aerial view is part of the building and Thielen states it is concrete pad.

Speaking in Favor of the Request:

Lee Tabbert, owner of Bubba's Meats, W7273 Northshore Lane, Onalaska, is sworn in to speak. Tabbert states that they are proposing a four foot setback in the rear with a two foot overhang and six feet on the sides. They had three feet on the side now. They will be moving the new building north to make the footprint offset. Tabbert states that the hardship they are having is if they move the building 20 feet in they would not be able to have the same size garage, it would be a 4 foot by 30 foot garage.

Farmer asks what it was before they occupied it and Tabbert responds that it was another meat market. They will be moving the 13th Ave. side from 2 feet off the lot line right now to six feet, in order to get a more level approach and better vision clearance. Haefs asks how far the neighbor's building is from the lot line. Tabbert responds that it is eight feet between the two buildings.

Konradt asks if there is a driveway there now and Tabbert responds that they do have a driveway between the buildings. Tabbert says that the garage next door is 3 stalls wide and serves a duplex on the property. Tabbert adds that they approve of it; the neighbor just built the 3-car garage a year ago. Konradt asks if the roof off the back of the garage goes to the lot line and Tabbert responds that it does. Konradt asks if they will be keeping the fence. Tabbert states that they will leave the fence because with the problems they are having in the neighborhood, he doesn't want any blind spots back there. It is hidden right now; they would still have the fence running right there and extend it back out to the corner. Konradt asks if it is within code. Farmer states that the Inspection Department can figure that one out.

Tabbert states that they needed to do something because it is getting bad. He didn't want to stick a bunch of money into an existing building if the building was just going to be torn down. Konradt asks for confirmation that the side will be setback further from the street and Tabbert responds that it will be another four feet off and it will be three feet from the left lot line and it will be two feet further north. Clemence asks for confirmation that Tabbert wouldn't be able to build anything bigger if the Board were to deny the request. Tabbert states that he could redo the roof, but it would just be putting more money into a bad building.

Gentry asks the size of the current building and Tabbert responds that it is 24 by 30 right now; 720 square feet. Konradt asks if a bathroom is planned and Tabbert responds in the affirmative. Gentry asks if there is an upstairs and Tabbert responds that it will be a lofted storage room upstairs. The building will be used for storage of packaging and spices; the current building is not climate controlled and they need an area that is waterproofed and climate controlled. Konradt asks what they are going to do with the lumber that is outside; Tabbert states that they will take it inside the new building. The lumber is hickory and is used for smoking.

Speaking in Opposition: none

Clemence states the unique characteristic is that it is a small lot and there is nowhere to move it if they don't approve it. Farmer adds that it borders a residential lot. Clemence states that there is no harm to the public interest because the neighbors have no problem with it. Clemence adds that the hardship would be that they couldn't use the property to make their necessary improvements.

Haefs moves to grant the variance for the reasons stated by Clemence. Konradt seconds.

The motion carried by the following vote:

Yes: 4 - Clemence, Haefs, Gentry, Konradt

Excused: 1 - Nohr

Absent: 1 - Knothe

Abstain: 1 - Farmer

[2579](#)

An appeal regarding the regulation to have a wall sign not facing the principal parking lot or street at 1223-1229 Caledonia St., La Crosse, Wisconsin.

Brent Thielen, still sworn, states that the owner has applied for a permit to install three wall signs, all of which are located on walls that do not face the street or principle off-street parking. Municipal Code 111-94 states that wall signs may be placed on no more than two walls facing a public street or the principle off-street parking. For this project to proceed as proposed, the board will have to grant a variance to allow wall signs on walls not facing a public street or principle off-street parking.

Thielen shows a photo of the first sign that will be on the west facing wall of one structure. He shows the south facing wall of the same structure and the sign that will go there; he states that even though the sign on this side does not have the name of the winery, it is still advertising, so it is considered a sign. Thielen shows the third sign that will be placed on an accessory building; it will go on the garage door of that building.

Konradt asks about the size of the last sign and Thielen responds that the door is 24 square feet and the sign will be 3 by 8. On an aerial view of the property, Thielen again points out the three signs. He also points out the alley that the south-facing wall and garage door face. Thielen also points out Clinton Street, Rose Street, and Riverbank across the alley. Farmer states that because they are on an alley, that is what is causing the variance request; Thielen agrees. Konradt asks if a portion is a parking lot and Thielen responds that it is a driveway.

Thielen show a building next to Riverbank along Rose Street that is now torn down. Farmer states that it is a disability that they don't have street access. Haefs asks Thielen to point out the sign locations on the aerial view photo. He points out each. Farmer states that the customers in the Riverbank drive-up will definitely see the signs facing them. Konradt asks if it is an 8 foot door. Thielen states that it is 10 feet wide. Farmer states that the only access for them is from the alley; you'd have to look through the drive-up to see the signs. Konradt states that they have a small sign on the garage now, and Thielen states that it may be only 1.5 square feet.

Speaking in Favor of the Request:

Diana Hobson, 420 15th St. S., is sworn in to speak. Hobson asks if they have seen the pictures of all of the signs. Hobson states that she has been in a part of the north side of La Crosse and the Business Association. She gives the board a letter from Nick Roush, President of the North La Crosse Business Association. Hobson states that it is a bigger picture than just her facility in that this is on one of the main entryways into the new uptown. They had a summit over the summer and during that summit the business and public got together to begin rebranding the uptown of La Crosse.

Hobson states that the intersection there is one of the three main intersections on Highway 53. Hobson says that having the building that the bank took out, there is visibility from Rose Street. She states that you can see a bit when you are coming through the intersection. She also states that you can see it when you are coming by the alley. Even though you can see it a bit she is not on the street. Hobson says that as a part of the summit they want to emphasize that the uptown contains hidden treasures, parklets and alleyways that can be transformed into welcoming areas.

Hobson states that the signage is quite unique and the artist is here to talk about it. She has done paintings similar to the one on the back of the Pump House where it looks three-dimensional. The pictures that are going to be painted are going to be 3-D, but you can't really tell from the rough drawings. She says that it will be a draw into the area for people where they can get picture taken by the sign. Hobson says that her hours of operation aren't going to affect the bank and they are not going to get a lot of traffic. Small wineries typically have hours on weekends. Hobson says that they have worked with the bank in using the alley for the benefit of both.

Farmer asks how long she's been there; Hobson responds that they began in 2013 and started renovating in 2014. In late December of that year they opened and started producing wine out the location. Farmer asks if she can sell out of there and Hobson responds that they have a retail license to sell out of there. Farmer asks if she sells wine to other establishments in the area and Hobson responds that she does.

Hobson says that the wine is made from local cranberries from Habelman Brothers the Tomah-Warrens area. Hobson states that she goes from marsh to table; all of her wines are made from scratch versus other places that make their wine from concentrated kits. She buys 16,000 pounds of cranberries in the fall and freezes them so she can make wine all year long. They are now starting into pear and rhubarb. She states that she is primarily a manufacturing place, but she does have a small tasting area. Clemence asks what percentage is retail and Hobson responds that it is very small right now, but for all of the wineries in the area, she produces and sells more wholesale than anyone.

Konradt asks Hobson which buildings she owns. Hobson points out the buildings she owns and states that the one on the north side was an old garage that was converted to a manufacturing area and there is space to have small groups. Hobson also states that she owns the building to the south which is a warehouse and she owns the office building along the street; the Loggers use it as an office. Haefs asks what the brand name is and Hobson responds that their brand is DNA Vintners. Hobson states that her partner is Arvid; he has a full-time job, but helps as much as he can.

Farmer asks for the measurements of the painting that is going on the south wall and

Hobson responds that it is not huge. Konradt says that there is something about the percentage of space and Hobson responds that the percentage of space is less than 25 percent. Sarah did all of the measuring so that they would be within the 25 percent. Farmer states that they are just here because they are not on the main street. Konradt states that a concern of his would be causing additional retail traffic because of the signage. Hobson states that she wouldn't because her open hours are ones that do not conflict with the bank. Konradt asks if they are aware of it if she allowed to use the area for parking. Hobson responds that she would have to talk to them about it but BMO Bank to the north allows Root Down yoga studio to use spaces and she anticipates that it may be the same situation for them.

Sarah Pederson, 309 Anderson St., Coon Valley, is sworn in to speak. Pederson states that she also painted some art in a school in La Crosse which will be similar to what is going to be on Diana's building. She shows the Board some examples of her work and states that her most recent mural was at First Evangelic Lutheran. It is painted to look like it comes out of the wall. She has a business degree. The business degree is the most important part of being an artist.

Speaking in Opposition: none

Clemence states that the hardship is that they cannot make full use of the property if their customers cannot see them. He states that the unique characteristic is that they do not face a street. Gentry adds that they are landlocked. Farmer states that there is no harm to the public interest because it doesn't impact anyone, being that they are on an alley. Haefs adds that no one objected to the request.

Konradt moves to grant the variance for the reasons stated by the Board. Gentry seconds.

The motion carried by the following vote:

Yes: 5 - Farmer, Clemence, Haefs, Gentry, Konradt

Excused: 1 - Nohr

Absent: 1 - Knothe

Adjournment

Meeting adjourned at approximately 7:40 p.m.