



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Board of Zoning Appeals

Wednesday, March 21, 2018

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.

Present: 5 - Douglas Farmer, James Cherf, Charles Clemence, Anastasia Gentry, Lu Selover

Excused: 2 - Carol Haefs, Philip Nohr

Variance appeals:

Vice Chair Farmer explained the meeting procedure and opened the public hearing session.

2604

An appeal regarding the requirement to provide 7,200 square feet of lot area for a lot created after 1966 at 1925 Avon St., La Crosse, Wisconsin.

Eddie Young, representing Fire Prevention & Building Safety, 400 La Crosse Street, is sworn in to speak. The owner has proposed to relocate an existing property line creating two new lots. Currently, existing Lot A has 3,198 square feet and the existing Lot B is currently 10,852 square feet. The owner is proposing to moving the lot lines to create two new lots - with Lot A having an area of 6,850 square feet and Lot B having an area of 7,200 square feet. Municipal Code 115-142 (c) (2) states that every lot in the single-family residence created after September 15, 1966 shall have an area of not less than 7,200 square feet. For this project to proceed as proposed, a variance of 350 square feet to the 7,200 square feet lot area requirement will be needed for Lot A.

Farmer asks when this was originally platted and recorded – it must've been back to 1938 or something. Young states that he does not know, but the new lots will be after 1966 so they need 7,200 square feet. Young adds that the granting of this variance will be contingent upon the property owner moving the home currently at 1925 Avon Street to the newly created 6,850 square foot Lot A.

Young points out the current situation on a parcel map; he points out both lots and shows the lot line that is at an angle between the two. Farmer asks if the house is only on the larger lot and Young responds that there is a smaller house on the smaller lot with the lot line going right through it. He shows the a plan of the layout of the new lots and says the proposed splitting will take the diagonal lot line and place it more toward the middle of the two lots; Lot B will be conforming at 7,200 square feet and Lot A will be the parcel that would need the variance. This is contingent on moving the smaller house to Lot A. Farmer states that the railroad right-of-way may have artificially created the smaller lot. Young says that at some time there was probably railroad coming through there, but that was before my time.

Clemence asks who the vacated portion is owned by and Young states that it is now

private property – he points it out on the plan where the old railroad right-of-way used to be and says that at some point in time it became the property line of the smaller parcel, both owned by the same person. Young shows an aerial photo of the property. Farmer asks if they could build on the smaller lot and Young states that they could not; Farmer adds that they would have to come in for variances. Young again shows on the aerial view of where the lot line will go and the location where the smaller house will be moved. Farmer asks if this is the principle residence of the owner and Young states that he does not know which one is the principle residence. He then shows a photo of the two houses, which was taken from Livingston Street. He points out which one will be moved for Clemence; he adds that the smaller lot will be what is closer in the photo.

Speaking in favor:

Karla Doolittle, 1927 Avon St., is sworn in to speak. Doolittle says she has goofy plots of land that was a challenge to purchase back in 1997. Her goal is to actually raise them to get them out of the floodplain; she has enough land to raise and grade it without having to build a large retaining wall. She has had problems getting the descriptions through because part of house is on two lots. The CLOMR (Conditional Letter of Map Revision) FEMA thing it is very hard to describe all of that so she decided to try and get the property line moved in between the two with the conforming lot having the big house on it and the nonconforming house with the smaller house on it. Doolittle says she can't do anything now to try and get it out of the floodplain until she moves the lot lines.

Doolittle says she has to bring in fill and raise the land to the proper floodplain elevation. Doolittle says that there is an alley behind the house and there's an empty lot next to the two houses. Farmer asks if the alley is to the back side of the properties and Doolittle responds that he is correct. Doolittle says the neighbors to the south don't want to sell her any of their property because it would make theirs short on lot size, so there's nowhere to come up with the 341 feet for that nonconforming parcel. By moving the lot lines it to where it is proposed would at least get it a lot closer to conforming than the nightmare that it is now.

Farmer asks if she is in the big house and she responds that he is correct; she adds that she usually has a renter in the smaller house. Farmer states that the smaller one is what is commonly referred to as the mother-in-law house; Doolittle agrees and says it was not a fun buy-in when she bought it, but because of the nice open land it was a nice parcel. Doolittle says there are only three houses on her block. Farmer asks if she will continue living there and she responds that she will. She says she likes the area, the neighborhood, the neighbors – she knows her neighbors and they like each other. It is one of those kinds of things where a lot of don't know their neighbors, but she does.

If she can't move the lot lines, Doolittle says she can't do the raising and without going forward it is like... Farmer asks how far she has to raise it and Doolittle responds that she needs four feet; the house is in a hole, but she is well aware of that. Farmer asks if she has enough space so she can do that and Doolittle says she does, but the problem will be right where the big house sticks out a bit there's not enough so that will probably have to have a retaining wall. Farmer says she may be back for another variance. Doolittle says that is true and she is taking this one step at a time though.

Cherf asks why she is splitting the lot in the direction she has planned instead of the other way with one house having frontage on Livingston. Doolittle responds that she is

doing it that way because the two houses are pretty close to each other and if she ever wanted to sell one property without the other, you would have to go through the back house property to get to the alley, so it doesn't make sense now. Farmer says if the alley was shown in the proposal it would be easier to tell. Clemence asks if she tried to buy the part that is listed is vacated and Doolittle responds that she tried to purchase part of Lot 5 that is vacant. Clemence asks if she has explored buying a portion of the vacated land and Doolittle says that side is the alley.

Doolittle says hopefully someday the neighbors will raise their property as well. Seloover asks if she is only raising the part where she is moving the house and Doolittle says she is raising it all; it is a big project. Doolittle adds that if she ever wants to sell off the big one and go move into the small one. Doing this just makes the future options are better. Farmer says when it comes time to sell, from personal experience, two single single-family lots will sell better than if they were sold as one lot with two houses. Doolittle says she doesn't know how anyone could get a loan today because it wasn't easy in 1997. Farmer adds that not many people would want it. Doolittle says the City would probably prefer not to have mother-in-law houses as well; it is the tone I get from here and there.

Andrea Richmond, 1312 Cunningham St., is sworn in to speak. Richmond is the Council Member for and Chair of the Floodplain Committee and states that their goal is to get homes out of the floodplain. She says that Doolittle has a great project going forward here and she has been working with City and Planning Department and the Floodplain Committee to make changes and get them out of the floodplain. It adds to the value of the homes and she encourages the board to take a look at it as it is a good opportunity.

Speaking in opposition: none

Cherf: on the matter of the appeal 2604 at 1927 and 1925 Avon St., I would recommend a variance of 350 square feet for the new Parcel A. The reason for that is this is not contrary to the public interest. The unique and special condition currently is that you have a grossly undersized triangle of land which the house partially exists on and it is in the floodplain. In order to raise it out of the floodplain, making these more conforming lots makes sense. Lastly, the current configuration of the lots does create an unnecessary hardship, by making this a more conforming shape that rectifies that. Once again this is for a variance of 350 square feet.

Farmer adds that the odd shaped lot was created by an abandonment of the railroad right-of-way and thus, the petitioner had nothing to do with the odd shape. Cherf accepts that as a friendly amendment.

Clemence seconds and the motion carried by the following vote:

Yes: 5 - Farmer, Cherf, Clemence, Gentry, Seloover

Excused: 2 - Nohr, Haefs

Adjournment

Meeting adjourned at approximately 7:20 p.m.