



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes - Final

### Board of Zoning Appeals

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Wednesday, February 19, 2020

7:00 PM

3rd Floor Conference Room

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#### Call to Order, Roll Call

*Chair Cherf called the meeting to order at 7:00 p.m., explained the meeting procedure, and opened the public hearing.*

**Present:** 4 - James Cherf, Anastasia Gentry, Delores Spies, George Kimmet

#### Variance Appeals:

[2640](#)

An appeal regarding the requirement that fill around the perimeter of a building shall be not less than one foot below the flood protection elevation and shall extend at least 15 feet beyond the limits of any structure at 710 George Street, La Crosse, Wisconsin.

*Representation from Fire Prevention & Building Safety was not needed since the appeal had been before the Board previously; the appellant needed to reapply for the variances because they missed the 180 day deadline to begin their project once the variances had been granted.*

*No one was present to speak in favor or against the appeal.*

**Cherf:** may I have a motion which would grant the same variances previously granted on February 22, 2018, November 21, 2018, and June 19, 2019?

**Spies:** I make the motion. (see below)

**Gentry:** Second.

#### Previous motions granted:

**2/22/2018 - Cherf:** The unique property limitation is that it is located in the flood fringe and requires fill that requires larger setbacks of 15 feet around the perimeter. There is no harm to the public interest; this will be improving the location as well. The unnecessary hardship is the size of the lot and this is not a self-created hardship. We need to grant two variances and the first one would be a variance of a 9 foot setback on the north side and a 4 foot setback on the west side to the 15 foot requirement of elevated fill beyond the limits of the structure. Farmer adds that the building is a smaller size than their normal, so they've already made some accommodations. Haefs adds that the number of the appeal should be stated and Farmer adds that this is for file 2601. Haefs seconds the motion. All in favor; motion carried.

**11/21/2018 - Farmer:** the motion for File 2616 at 710 George Street; there's a request for two variances, one for nine feet on the north side and one for four feet on the west side. This would be a variance to the fifteen foot requirement for elevated fill beyond the limits of the structure. The unique property

limitation is that the property is configured or bound by street to make the use of the loading docks and the flood fill extremely difficult if both were to be honored. You could have the fifteen foot flood fill, but the loading docks would become immaterial and that would severely compromise the utility of the building. There's no harm to the public interest; the main floor of the building would be above the flood level and thus no direct harm to the public interest. And then finally the unnecessary hardship – compliance with the flood requirement would result in a substantially smaller building which wasn't what they were thinking they were buying when they bought it. So that being the case I would move for the approval of the two variances. Cherf seconded the motion. All in favor; motion carried.

6/19/2019 - Clemence: Using Mr. Cherf's previous motion, I will move to approve this again. The unique property limitation is that the lot is in the floodplain making it impossible to comply and still have enough useable property for the development. There is no harm to the public interest, in fact, this will be improving the location by having a better business there. The unnecessary hardship is they can't develop this without the variance and there wouldn't be enough developable property. For those reasons I move to approve. Farmer seconded. All in favor; motion carried.

The motion carried by the following vote:

Yes: 4 - Cherf, Gentry, Spies, Kimmet

## Adjournment

Motion by Spies, second by Kimmet to adjourn at approximately 7:03 p.m.