

**OBJECTION TO
AMENDMENT OF ZONING DISTRICT BOUNDARIES**
(rev. 8/2020)




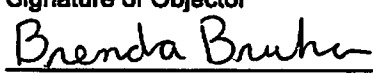
I/We hereby object to the amendment to the Zoning Code by the transfer of the following described land
(include address and tax parcel number from Notice of Hearing): _____
811 Monitor Street, Tax Parcel ID 17-10294-120

from the Light Industrial District to the Multiple Dwelling District.

I/We object for the following reason(s): See attached.

I/We further certify that I am/we are the owner of the following described lands (include address and tax parcel number from tax bill): _____
204 Avon Street, La Crosse, WI 54603
Tax Parcel ID No.: 17-10294-130

125 (est.) ft. frontage on Avon Street
_____ ft. frontage on _____ Street


Signature of Objector Douglas T. Bruha
printed name

Signature of Objector Brenda Bruha
printed name

204 Avon Street, La Crosse, WI 54603

Address

NOTE: In order for the entire parcel to count toward the protest percentage, all owners must sign this objection. For example, if only the husband signs for a property that both husband and wife own, only one-half (1/2) of the parcel is counted in the protest percentage.

Completed forms should be submitted to the City Clerk prior to final action by the Common Council.
Forms can be mailed to the address below or deposited in the green drop box on the north side of City Hall.
Forms can also be emailed to cityclerk@cityoflacrosse.org.
City Clerk, 400 La Crosse Street, La Crosse, WI 54601. Questions? 608-789-7510 (press 5).

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September 28, 2022

La Crosse City Clerk
400 La Crosse Street
La Crosse, WI 54601

**Re: Written Objection to Ordinance Change
811 Monitor Street**

Dear Clerk & Members of the Common Council:

This firm represents Douglas Bruha, president and owner of Prizm Print & Label. Mr. Bruha submits this letter and the accompanying Objection to Amendment of Zoning District Boundaries form as his formal written objection to the proposed ordinance change which will change the zoning of 811 Monitor Street from "Light Industrial" to "Multiple Dwelling District."

Mr. Bruha's business and property is located at 204 Avon Street. This is directly adjacent to 811 Monitor Street. When viewing La Crosse County zoning maps, it is clear to the viewer that Mr. Bruha's property begins the demarcation between a residential area and an industrial area.

Mr. Bruha operates an industrial business. There is a reason that La Crosse City's zoning keeps industrial activities separate from residential areas. He is running heavy machinery, which produces noise. He has semi-trucks coming and going from his property. He has fork lifts unloading and loading materials. Again, this traffic creates noise and has the potential to pose a safety hazard to inattentive pedestrians. He intends to expand his business and add additional shifts. This will mean that his business will be creating noise and traffic at all hours.

Currently, Mr. Bruha's trucks exit and enter through the 811 Monitor Street property and parking lot. Trucks enter from Avon Street and exit through 811 Monitor Street's parking lot to Monitor Street. Mr. Bruha holds a partial easement to give him access from Avon Street, however, he does not have a formal easement agreement for his trucks to cross the Monitor Street parking lot. Currently this is permitted by the owners of 811 Monitor Street. Thus the change in ownership and the change in the nature and use of the 811

September 28, 2022

Monitor Street property has the potential to cut off traffic to Mr. Bruha's business; completely stifling it. Mr. Bruha's only other option would be to load and unload trucks on Monitor Street or on Avon Street and his workers would have to drive fork lifts a significant distance back to his business. This could potentially block traffic in Monitor Street or Avon Street and could potentially pose hazards to pedestrians.

Mr. Bruha asserts that the City is engaging in illegal spot zoning with this action. Rezoning should be consistent with long-term planning and based on considerations that effect the *entire* community. *Bell v. City of Elkhorn*, 364 N.W.2d 144, 148 (1985). Spot zoning should only be conducted when it is the larger public interest. *Cushman v. City of Racine*, 159 N.W.2d 67, 69 (1968). Mr. Bruha believes that this zoning is convenient only to the City of La Crosse and its Council as a short-term patchwork solution to the City's long-standing homelessness situation.

Zoning 811 Monitor Street from Light Industrial to Multiple Dwelling District is arbitrary and unreasonable and does not consider the effects on Mr. Bruha or the surrounding neighborhood. Further, when the City purchases this property and hands it over to a non-profit, it will no longer provide valuable property taxes to the City.

This zoning change will decrease the value of Mr. Bruha's property and potentially make it unsuitable to industrial buyers. The City is not proposing to compensate Mr. Bruha for his lost property value; which Mr. Bruha considers to be a governmental taking without just compensation.

For these reasons and others, Mr. Bruha opposes the ordinance change. Mr. Bruha established this business in La Crosse in 1993 and has been at this location since 1999. Mr. Bruha has been a valuable small business owner to the community and contributes valuable taxes to the community.

Very truly yours,

MOEN SHEEHAN MEYER, LTD.



Sarah E. Korte

skorte@msm-law.com

SEK/ms

cc: Client