

BOARD OF ZONING APPEALS

La Crosse, WI
DECISION UPON APPEAL

Bradley Wickersham having appealed from an order of the Building Inspector denying a permit with regard to the regulation limiting a residential accessory structures to a maximum of 35 percent of the rear yard square footage

at a property known as: 727 22nd St. N., La Crosse, Wisconsin

and described as:

CERTIFIED SURVEY MAP NO. 27 VOL 9 LOT 1 LOT SZ: 55.4 X 132

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 6/19/19

Date Filed: 6/20/19

ATTEST Teri Lehrke
Teri Lehrke, Secretary

Phil Nohr
Phil Nohr, Chairman

Concurring:
Carol Haess
Phil Nohr
Cheryl Omerod

Anastasia Szentog
Douglas L. Larmer

Dissenting:

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

2624 – Brad Wickersham - An appeal regarding the regulation limiting a residential accessory structure to a maximum of 35 percent of the rear yard square footage at 727 22nd St. N., La Crosse, Wisconsin.

Farmer: This one, Mr. Chairman, has a very obvious unique property limitation with the garage being seven feet lower than the rest of the property and then all the unusual circumstances go from that. If the garage had never been built this wouldn't be here because the garage being built with a staircase going down with a roof over it to keep water out of it and run to the garage is the three square feet that they need right there. And I can't say it is the wrong thing putting a roof over the stairs; it's the first garage we've ever seen with a roof over the stairs. So the variance would be required. It is difficult to concede an interest where there is a harm to the public interest because this is here in a sense because of a technicality of the stairs going down to the garage and then when they're all said and done, they want stairs coming off the house which is again three square feet. So it is two technicalities; with the absence of either one we would not have it here. Then finally, my point that I always make, is if the back staircase was concrete, that is an extension of sidewalk and would not require a variance at all. And so the unnecessary hardship is you'll end up with a deck with no staircase coming down; no back steps. So I would move for approval.

Secunder: Haefs.

CONCURRING: Anastasia Gentry
 Charles Clemence
 Phil Nohr
 Carol Haefs
 Douglas Farmer

DISSENTING: None

Date Filed: June 20, 2019

ATTEST: Teri Lehrke, City Clerk