

BOARD OF ZONING APPEALS

La Crosse, WI
DECISION UPON APPEAL

Water Place One, LLC / Wieser Brothers having appealed from an order of the Building Inspector denying a permit with regard to the requirement that all structures be set back at least 75 feet or the average of the buildings on each side from the Ordinary High Water Mark

at parcels known as 529, 601, and 621 Park Plaza Dr., La Crosse, Wisconsin

and described as:

See Attached Parcel Descriptions

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 21st of September, 2016

Date Filed: September 23, 2016

ATTEST

Teri Lehrke
Teri Lehrke, Secretary

Phil Nohr

Phil Nohr, Chairman

Concurring:

Tom Knothe

Phil Nohr

Carol Heys

Masias Kentry
Douglas Tamm

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

File 2568 – Water Place One LLC - An appeal regarding the requirement that all structures be set back at least 75 feet or the average of the buildings on each side from the Ordinary High Water Mark at 529, 601, and 621 Park Plaza Drive, La Crosse, Wisconsin.

Farmer states that his wife works for Mr. Addis on a very part-time basis. He will not abstain, but he wants to disclose this fact.

Mover/motion: Knothe: with regard to File 2568, regarding the property located on Park Plaza Drive in the City of La Crosse, I hereby move that we grant the requested variance from the ordinary high-water mark setback of 75 feet; in specific, a variance of 50.94 feet for building A, 28.24 feet for building B, 42.18 for building C, 47.78 feet for building D, and 47.55 feet for building E. The proposed variance is not contrary to the public interest. We have heard testimony that it will make the TIF District repayment possible and faster. The property has a special unique condition in that the developer bought the property with the understanding that the City owned the drive into the setback on the eastern side of the property and it turned out differently after the State said the at the road was not properly installed. The special condition of the property creates an unnecessary hardship for the developer in that the development would not be viable if these variances are not granted. For these reasons I move that we grant all of the variances as proposed.

Secunder: Haefs

Motion carried

CONCURRING: Anastasia Gentry
 Carol Haefs
 Phil Nohr
 Doug Farmer
 Tom Knothe

DISSENTING: none

Date Filed: September 23, 2016

ATTEST: Teri Lehrke, City Clerk