



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final Board of Zoning Appeals

Monday, June 19, 2023

4:00 PM

Council Chambers
City Hall, First Floor

Call to Order

Cherf called the meeting to order and explained the meeting procedure.

Roll Call

Present: 5 - Anastasia Gentry, Douglas Farmer, James Cherf, Ryan Haug, William Raven

Variance appeals:

2668

An appeal regarding the requirement to provide a 25 foot setback from the front property line at 2330 Mississippi St., La Crosse, Wisconsin.

Mike Suntken and David Reinhart, representing the Community Risk Management Department, were sworn in to speak. Suntken went over the three standards for granting a variance: unnecessary hardship, unique property limitation, and no harm to the public interest. He stated that the applicant has applied for a permit to construct a new attached garage at this address. Municipal Code 115-143(c)(1) for Area Regulations, states that there shall be a front yard having a depth of not less than 25 feet. The required front yard setback for this property is 25 feet; the owner proposes a front yard setback of 19 feet. A variance of 6 feet to the required 25 foot setback will be needed for this project to proceed as proposed.

Suntken showed a site plan with the front yard depth and the proposed depth noted. He showed an aerial and a street view of the property as well as some additional renderings of the project by the applicant. Suntken said that the applicant did not note a hardship in their application, but there is a unique property limitation because there is no alley access, and there is no harm to the public interest.

Speaking in favor:

Jim & Sylvia Trowbridge, 2330 Mississippi St, were sworn in to speak. Mr. Trowbridge said they submitted additional information and visited several neighbors who signed a statement that they did not have a problem with the garage that is being proposed. He also stated that his wife did some additional drawings of the structure. Cherf confirmed that the additional information was provided to the Board and stated that four of the signatures were from legal objectors.

Speaking in Opposition: none.

A motion was made by Raven, seconded by Haug, to GRANT the variance. The motion failed on the vote shown below and was therefore not granted.

Yes: 3 - Gentry, Haug, Raven

No: 2 - Farmer, Cherf

[2669](#)

An appeal regarding the requirement that wall signs may be placed on no more than two separate walls of a building and signs must face a street or principal parking lot at 700 West Ave S, La Crosse, Wisconsin.

Suntken, still sworn stated that the applicant has applied for a permit to add a wall sign to a third wall of the building that does not face the building's principal off-street parking. Municipal Code 111-94 states that wall signs may be placed on no more than two separate walls of a building. Such signs may be placed on walls facing a public street or the principal off-street parking area serving the building. Wall signs are only allowed on two separate walls of a building and the walls must face a street or principal parking for that building. The applicant is proposing to install a wall sign, located on a third wall, which does not face the building's primary off-street parking or a public street. Two variances will be required for this proposal to proceed as submitted, one variance to allow a wall sign on a third wall of the building and a second to allow for that sign to not face the building's primary off-street parking or a public street.

Suntken showed an aerial view of the location with the applicant's proposed signs noted, a drawing of the proposed sign appearance as it would be on the wall of the building, a street view of the existing property, and an aerial view of the property. Suntken stated that this is a self-created hardship, there is no unique property limitation as the commercial lot is bigger than more lots in the City, but there would be no harm to the public interest.

Speaking in favor:

Kyle Sanger, La Crosse Sign Group 1450 Oak Forest Drive, was sworn in to speak. Sanger stated that they are requesting this on behalf of Mayo because of the unique situation of the layout and how the property is parceled out. As far as not facing the primary parking for this facility it is because on this parcel, the expansion of this building is taking up all of that, so the primary parking for the hospital is the one that is already there toward Viterbo on the west side. What they are proposing on that side is the face-lit channel style lettering sign and there is a south-facing channel that aims toward the West Avenue and Jackson Street intersection. He added that visibility to the hospital is of utmost importance so they want get as much direction as possible.

Speaking in Opposition: none.

Farmer: The unique property limitation here is usually the lot is too small, in this case the lot is so big; it is an extraordinary size. Having been there when the sign ordinance was adopted it was intended that you wouldn't have a little bar putting signs on all four sides, but this is a massive structure and so the size of the property becomes the unique property limitation. I think there would be a harm to the public interest if not granted because it is confusing enough when you are going there figuring out where you are going and how to park and all of that. The unnecessary hardship would fall on the general public in terms of wayfinding signs; that kind of thing is very important because most people do not make visits to the hospital when they are relaxed, it is usually a very trying time. So, the wayfinding signs are appropriate and reduce the hardship on the general public.

Gentry seconded.

The motion carried by the following vote:

Yes: 5 - Gentry, Farmer, Cherf, Haug, Raven

[2670](#)

An appeal regarding the requirement that only one shed is permitted on a lot at 1521 Main St., La Crosse, Wisconsin.

Suntken stated that the applicant has applied for a permit to have a second yard shed installed on the property in addition to the existing yard shed and detached garage. Municipal Code 115-390(2)(c) states for purposes of this section a shed no larger than 120 square feet is permitted as an accessory structure but shall also count toward the 35 percent coverage allotment and the 1,000 square foot maximum building footprint. Only a single yard shed is allowed on a parcel; the applicant is proposing to install a second yard shed on the property. A variance allowing two yard sheds on a parcel will be needed for this project to proceed as proposed.

Suntken showed a drawing made by the applicant that includes the garage existing yard shed and the proposed yard shed. Farmer asked if the shed was already there and Suntken confirmed that there is one there, but the permit is for a new shed to replace that one because it was put up without a permit. He showed an aerial view of the property and a view from the alley depicting the two yard sheds. Suntken stated that this is a self-created hardship; a second shed was built without a permit. There are no unique property limitations; the lot is similar in size to all lots in the City. There would be harm to the public interest as this would set a precedence to allow multiple sheds in rear yards.

Speaking in favor:

Richie Johnson, 1521 Main Street, was sworn in to speak. Johnson stated that the shed is about 5 by 6 and has been there since 2017. They got a letter from the City notifying them of the situation with the shed after the applicant's wife called in to report an issue with a neighboring property. Cherf stated that the Board is bound by a set of standards and asked the applicant to give them information regarding the evidence of this not being contrary to the public interest, the special or unique condition, and the special or unique condition creating an unnecessary hardship. Johnson stated they have had antiques stored in the shed since 2017 and it would be a hardship because they'd need to move or sell the antiques inside.

Farmer asked if the applicant has a garage; Johnson responded that they have a garage, but it can't handle the antiques that they have. Farmer asked how big the other shed is; Johnson responded that he could stand in it and possibly touch the sides with both hands. Farmer asked if it was about 6 or 7 feet and Johnson confirmed that it is square and about that length and width. Johnson added that the only reason that they put up the shed is because they had gotten antiques in 2017. Gentry asked Johnson if he was unaware that they needed a building permit for the shed. Johnson responded that they never knew it because there was something there when they moved in; they removed it because it was hazardous, and put in the current shed in 2017 when they got the antiques. Johnson stated that neighbors have commented that they didn't even know the shed was there and added that it is 5 by 6.

Cherf asked what the construction of the shed is and if it is attached; Johnson responded that it is not attached, but it is sitting on concrete where the previous shed

was located, and it is much smaller and made of plastic. Farmer asked the representatives from Community Risk Management when the shed regulations came into effect; Reinhart responded that he has been with the City for 20 years and it has been here since he started. Farmer asked what the maximum square footage could be if the applicant only had one shed; Suntken responded that it could be a maximum of 120 square feet. Farmer asked if the aggregate of the two sheds that the applicant currently has would be under that amount; Suntken confirmed that it would be under the 120.

Gentry asked if the plastic shed is a permanent structure; Suntken responded that it would be if it was anchored to the ground and a requirement to obtain a permit for a shed is that it is anchored to the ground and can withstand the snow and wind load in the building code. Cherf stated that in his mind, plastic sheds are a temporary structure, like rabbit hutches and dog houses that don't last very long; he asked about the rules regarding rabbit hutches and dog houses. Reinhart responded that those are not for human habitation, so they do not require a permit, similar to a playhouse and things of that nature.

Speaking in Opposition: none.

A motion was made by Farmer, seconded by Raven to grant the variance; motion was withdrawn, and no vote was taken because the Board did not find a unique property limitation.

A motion was made by Farmer, to Deny; motion failed for lack of second.

A motion was made by Farmer, seconded by Raven to TABLE.

The motion carried by the following vote:

Yes: 5 - Gentry, Farmer, Cherf, Haug, Raven

Adjournment

Meeting adjourned at 5:06 p.m.