

# Board of Zoning Appeals

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SEPTEMBER 18TH, 2023

4:00 PM

# Requirements for granting a variance

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These three criteria all need to be proven in order to grant a variance.

- Unnecessary Hardship
- Unique Property Limitations
- No Harm to Public Interest

1521 Main St.

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# 1521 Main St.

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- The applicant has applied for a permit a yard shed that has already been placed on the property.
- Municipal code Sec. 115-390 (2) (c) states that
  - *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% coverage allotment and 100 square foot maximum building footprint.*
  - There are currently two sheds located in the rear yard of this property.
  - A variance allowing a second shed to be placed in the rear yard will need to be granted for this shed to remain on the property

MAIN ST

Driveway

→ House

→ Garage (14 x 28)

→ Fence

\* The Plastic bin has been up since 2017, replacing the previous metal shed.

→ Brick Storage (6 x 8)

→ 3ft. from property line

Fence ←

4ft  
Roof Drop

→ Plastic Bin (6 x 6)

→ Property Line



20229-40

20229-30

20229-20

20229-90

1513-15

20229-100

1521

20229-110

1525

MAIN ST



La Crosse, Wisconsin

[View on Google Maps](#)





# 1521 Main St.

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Installing a second shed without a permit is a self created hardship.

There is no unique property limitation because the zonings of the lots surrounding the property are the same and lot is the same size of most lots in the City of La Crosse.

There is no harm to the public interest.



3001 State Rd.

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# 3001 State Rd.

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- The owner desires to use a portion of this building as a retail store for a woodworking business.
- The property is zoned R-1 which allows for residential uses only. A legal non-conforming cosmetology salon was previously in this space and was granted approval from the Board of Zoning Appeals in 1985.
- Municipal Code 115-33 (1)(c) states that a nonconforming use shall not be changed to a new non-conforming use without approval from the BOZA.
- A variance to change the use from a cosmetology salon to a retail store would need to be granted for this use to remain at this property.

## BOARD OF APPEALS

La Crosse, Wisconsin

## DECISION UPON APPEAL

..... Fletcher Estate ..... having appealed  
 from an order of the Building Inspector denying an application for Certificate  
 of Occupancy to change the use from a Barber shop to a Cosmetology  
 salon (both nonconforming) at 3001 State Road, and described as  
 Lot 10, Block 4, of Plt. of Bluffview Gardens Addition to the City  
 of La Crosse

and due notice having been given by mail to all property owners and lessees within 300  
 feet of the property which is the subject of this appeal, and similar notice having been pub-  
 lished in the La Crosse Tribune more than five (5) days prior to the time of 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,

And it appearing to said Board that the order of the building inspector ~~is~~ contrary to the  
 zoning ordinance,  
 is not

motion was made to grant the variance to the Fletcher Estate  
 at 3001 State Road to change the nonconforming use from a  
 barber shop to a cosmetology salon and to be limited to the  
 area previously used as a barber shop and to include only  
 two chairs. The restriction being placed on this variance  
 reflects the concern of surrounding property owners and the  
 limited availability of parking space at this location. The  
 previous use of this structure as a barber shop and the  
 recognition of the current size of the structure was deemed  
 the reason to grant the variance as it would not represent  
 a significant change in the use or damage to surrounding  
 property owners.

(Note: Work shall be begun with 180 days after the date of this determination.)

WHEREFORE, IT IS ORDERED: That the decision of the Building Inspector be ~~reversed~~  
 reversed.

Dated this 20th day of November, 1985

ATTEST:

*Anthony J. Jones*  
 Secretary

Concurring:

*James E. Smith*  
*Donald W. Ostling*  
*Arthur J. ...*

Dissenting:



1739

40114-20

40113-120

1808

40114-10

3007

40113-130

1814

40113-140

320





1739

40114-20

40113-

40113-

40114-10

3001

33

30TH ST S

STATE RD

50130-10







## 3001 State Rd.

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This is a self created hardship because this use was started without going through the proper procedure prior to starting the use.

There is no unique property limitation.

There is harm to the public interest because there will be a woodworking shop in a residential neighborhood.

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- This presentation shall be added to the minutes of this meeting.