



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Board of Zoning Appeals

Monday, April 21, 2025

4:00 PM

Council Chambers
City Hall, First Floor

Call to Order

Chair Cherf called the meeting to order at 4 p.m. and explained the meeting procedure.

Roll Call

Present: 5 - Anastasia Gentry, Douglas Farmer, Jai Johnson, James Cherf, James Szymalak

Annual Code of Ethics Certification

Chair Cherf confirmed that the committee members reviewed the Code of Ethics.

Election of Vice Chair

Johnson nominated Farmer; no other nominations. Johnson, Cherf, Gentry, and Szymalak were in favor; Farmer abstained.

Variance Appeals:

[2690](#)

An appeal regarding the requirement to provide fill 15 feet beyond the structure at one foot or more above the regional flood elevation, and an appeal of the required front yard setback at 1806 Caledonia Street, La Crosse, Wisconsin.

Andrew Berzinski, representing Building and Inspections, was sworn in to speak. Berzinski went over the three requirements to grant a variance and stated that the applicant applied for a permit to construct a new single-family dwelling that does not meet the 15 feet of fill requirement for construction in the floodfringe district and the required 17.5-foot front yard setback. Municipal Code Section 115-281(1), states that the fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. Municipal Code Section 115-143(c)(2) states that on every lot in the Residence District, there shall be a front yard having a depth of not less than 25 feet, provided that where lots comprising 40 percent or more of the frontage on one side of a block are developed with buildings, the required front yard depth shall be the average of the front yard depths of the two adjacent main buildings. Berzinski added that two separate variances would be needed for the new Single-Family Dwelling to proceed as proposed: a variance of 9 feet for the fill requirement and 2.75 feet for the required front yard setback.

Berzinski showed an aerial view and a street view of the property, as well as a photo from the alley showing the existing detached garage in the back. Cherf asked if one of the neighboring lots are higher or lower than the subject property and Berzinski stated

that they're fairly even with the subject property. Farmer asked for the dimensions of lot and Berzinski responded that it is 50 by 140. Berzinski then showed rendering and proposed layout, which shows setbacks of adjacent properties for the average. He showed a survey of the lot as well as renderings of the new house with the interior layout of the floorplan.

For the front yard setback, Berzinski stated that there is no unnecessary hardship as the dwelling could be moved back to meet the setback and still meet all other municipal code requirements. There are no unique property limitations as this lot is the same size as the other lots in this area. There is no harm to the public interest. Because of these reasons, the variance for the front yard setback should not be granted. For the fill variance, Berzinski stated that for the unnecessary hardship, the property cannot be developed if the proper fill cannot be provided. for the hardship due to unique property limitations, the size of the lot doesn't allow for the required fill and there is no harm to the public interest. For these reasons, the variance should be granted.

Johnson asked Berzinski for the depth of fill will be added; he responded that it will be approximately 2 feet.

John Friemel, 1806 Caledonia Street, was sworn in to speak. Friemel stated that the reason for the setback on the north is the size of the lot. They will gain a little bit of yardage at the back because the size of the home. They're getting it out of the floodplain which all are interested in. Regarding the setback average, one house is 10.5 feet back and the other is 25 feet because it was designed to have a semi backed up to it. Friemel showed pictures showing where the new house would sit and pointed out where the steps are. Cherf asked if they are addressing the fill with a retaining wall and Friemel responded that they will have a retaining wall and rain gutters on their own property. Farmer asked what is across the street and Friemel responded that it is Central States Warehouse and that they are adjacent to an industrial area. Szymalak asked why this applies for a property that is being replaced when the entire lot is being brought out of the floodplain; Berzinski responded that 15 feet is required per municipal code regardless it is the whole lot is being brought out and added that the house will become floodplain compliant; they are keeping the detached garage, which will be in the floodplain. Johnson confirmed that the edge of the 15 feet will also be in the floodplain because the fill is tapered; Berzinski responded that the fill will still be one foot above the base flood elevation and the fill will taper as it goes outward the 15 feet. Farmer confirmed that they applicant doesn't have the ability to put 15 feet outward because they'd be putting it onto the neighboring properties. Berzinski confirms that the applicant will get the 15 feet of fill needed on the front of the property and rear of the property.

Brent Thielen, 1239 Cliffwood Lane, was sworn in to speak. Thielen stated that they are seeking the front yard setback variance because where the house would sit on the lot, it would prevent them from having much of a backyard and would push a lot of water toward the detached garage. He added that with the variance they will be able to slope the fill more with a shorter setback in the front.

A motion was made by Farmer, seconded by Johnson, to DIVIDE THE QUESTION (to move on the two variance appeals separately). The motion carried unanimously.

2690

An appeal regarding the requirement to provide fill 15 feet beyond the structure at one foot or more above the regional flood elevation, and an appeal of the required front yard setback at 1806 Caledonia Street, La Crosse, Wisconsin.

A motion was made by Farmer, seconded by Johnson, to GRANT a variance of 9 feet for the required fill. Farmer stated that the fill is the easiest part of this to grant because the board can't authorize somebody to put fill on someone else's property. That is both the unique property limitation and the unnecessary hardship. The property being raised up isn't going to damage anything (public interest). The motion carried by the following vote:

Yes: 5 - Gentry, Farmer, Johnson, Cherf, Szymalak

A motion was made by Farmer, seconded by Johnson, to GRANT the variance of 2.75 feet for the required front yard setback. Farmer stated that the solution would be to raise the garage to prevent water draining toward it, which would make access from the alley problematic, which is a catch-22. The saving grace is that it is across the street from a commercial property. The motion carried by the following vote:

Yes: 4 - Gentry, Farmer, Johnson, Szymalak

No: 1 - Cherf

2691

An appeal regarding the requirement to provide a 25-foot front yard setback at 2546 7th St. S, La Crosse, Wisconsin.

Berzinski, still sworn, stated that the applicant has applied for a permit to put an addition onto a Single-Family Dwelling that does not meet the required front yard setback. Municipal Code Section 115-143(2), Front Yards, states that on every lot in the Residence District, there shall be a front yard having a depth of not less than 25 feet. In this case the average setbacks of the two adjacent buildings cannot be used because they are set back over 25 feet, so the required front yard setback for the property is 25 feet. A variance of 12.5 feet would need to be granted for this project to proceed as proposed.

Berzinski showed an aerial view of the lot, a street view of the current house, and noted that there is a 14.5-foot right-of-way on this property so that is a little bit unique; the addition would be 12.5 feet back from the right-of-way and 27 feet from the back of the curb. Berzinski then showed renderings of the proposed addition. Cherf asked for clarification on the right-of-way, and Berzinski went back to the slide showing the notations. Berzinski went over the three requirements to grant a variance. Berzinski stated that there is no unnecessary hardship as the property can continue to be used as a dwelling without the proposed addition. There are no unique property limitations as the lot is larger than most lots in the city. There is no harm to the public interest. Because of these reasons, a variance should not be granted. Farmer asked for the dimensions of the lot and Berzinski responded that it is 160 by 143.

Doug Buchner, 2546 7th Street S, was sworn in to speak. Buchner stated that he's building the addition because he collects cars and wants to have them in one location; as of right now, they are in multiple locations. He stated that the hardship is to have many cars in multiple locations; this allows in one location. He stated that the garage belonging to the neighbor that is to the south is 12 feet closer to the road than what he proposes, so it would look out of place to be much farther back. He added that the view may be blocked if he puts the garage farther back toward the river and the

neighbor was very concerned about this. Farmer asked about the unnecessary hardship as it is difficult to argue that having many cars is a hardship. Buchner responded that the visibility along the river is a hardship, especially when the neighbors were concerned. Buchner stated that they got a variance to build their garage closer to the road for the same reason. Gentry asked Buchner if he is keeping the current garage; he responded that he is keeping the original garage for personal vehicles and is a two-car garage. Buchner agreed that it would look like one big garage, but he is breaking it up with the breezeway and is making it look more like a house than a warehouse garage by putting stone and on the front of the garage with shakes and gables to make it appealing.

Szymalak if Buchner explored an option without having the breezeway, since there is concern regarding the view; Buchner responded that he did, but the breezeway will break it up and make it not look so much like a garage. The breezeway will make it look nice, and he will be able to park outside it and they can drive through it to get to the back of the house to do things. Farmer asked Berzinski if there are restrictions on how many garages you can have on a parcel; Berzinski stated that there is not a restriction for attached garages, but a detached garage would be limited in size. Cherf asked Buchner for the setback he's proposing for the side yard; Buchner responded that it would be six feet like a normal house which is more than the two feet that are required for a garage. He added that the back side facing the river will have windows and a concrete patio. Szymalak asked about the documentation provided in the PowerPoint that they were not provided in advance and Berzinski responded that they were not available at the time the packets were sent to the Board. Farmer asked how many vehicle stalls the applicant would have if this would be granted; Berzinski stated they would technically; two current, one in the breezeway, and two in the new garage.

A motion was made by Gentry, seconded by Farmer, that the Request for Variance be REFERRED to the May 19 meeting with direction that the Inspections department provide the board with schematics and topography and the applicant provide the hardship if the appeal is not granted. The motion carried by the following vote:

Yes: 4 - Gentry, Farmer, Johnson, Cherf

No: 1 - Szymalak

Adjournment

The meeting was adjourned at 4:58 p.m.