

## **BOARD OF ADJUSTMENT PUBLIC HEARING**

Thursday, June 25, 2015  
Campbell Town Hall  
6:00 P.M.

**MEMBERS PRESENT:** Mike Solberg, Travis Suiter, Alternate Timothy Dahl  
**MEMBERS EXCUSED:** None  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Zoning Administrator Chad Hawkins

### **CALL TO ORDER**

Acting Chairman Mike Solberg called the meeting to order at 6:00P.M. Let the record show that this meeting was called in full compliance with the requirements of the Wisconsin Open Meetings Law.

**APPEAL NO. 8-2015** Stuart & Tamara Hyttinen, 2545 1<sup>st</sup> Ave. E., La Crosse, WI 54603. After-the-fact appeal to construct an addition attaching a detached accessory building to the main structure. The main structure now lies within the required 25' setback from the rear yard lot line and within the required 8' setback from the side yard lot line. Property is described as: ISLAND PARK ADDITION LOT 28 & N 23FT LOT 27 BLOCK 3 in Section 18, T16N, R7W. Tax Parcel #4-255-0. Property Address: 2545 1<sup>ST</sup> Ave. E.

*(This appeal was first heard at the May 28, 2015 Board of Adjustment meeting)*

**Appearing In favor:** Nick Passe, representing Stuart and Tamara Hyttinen, 2545 1<sup>st</sup> Ave. E. Mr. Passe explained that the Hyttinens had done their best to follow the rules. They obtained both zoning and building permits at the time of construction. They invested money into this project. He asked that the structure as it stands now be allowed to stay. Forcing the Hyttinens to tear down the addition would constitute a hardship. They should have been notified of the need for a variance prior to construction.

Travis Suiter stated that this was the second time the Hyttinens had to obtain an after fact variance. Mrs. Hyttinen explained that when the cement was poured for the garage 18 years ago, it was placed too close to the property line and they had to obtain a side yard variance at that time.

Mike Solberg asked Zoning Administrator Hawkins if the original building permit was for the attachment of the house to the garage. Hawkins replied that it was. Mr. Hawkins explained that a variance meeting should have been held prior to the issuance of the zoning and building permits. The permits were issued in error.

**Appearing in opposition:** Steve Hockenbery, 2904 Pierce Ave., made comments about building codes.

Tamara Hyttinen stated that she had spoken with a structural engineer regarding the project. He stated that because the land was mostly sand and the garage was heated, he had no concerns.

Mike Solberg stated that they had a letter from the Building Inspector stating that everything was to code.

Eileen Peterson, 2540 1<sup>st</sup> Ave. E. spoke about building codes. She was concerned about the structural integrity of the addition and garage.

Travis Suiter stated that he had to look at the variance as if the addition had not yet been built.

Tamara Hyttinen stated that if they had known they needed the variance, they would have applied for a variance prior to construction.

Robert Wuensch, 2543 1<sup>st</sup> Ave. E., stated that the Hyttinen's started building without a permit.

Tamara Hyttinen replied that the first contractor they hired started digging without any permits. He did not pour any cement. They are pursuing legal action against the first contractor.

**Correspondence: Letter from City of Onalaska Building Inspector Alan Paulson.**

**Motion by Dahl to APPROVE APPEAL #8-2015, seconded by Suiter. Motion carried 3-0.**

**APPEAL NO. 14-2015** Charles Gates, 810 Kelly Pl. La Crosse, WI 54603. Permit denied to construct a 16'x8' detached storage shed that together with an existing pool will exceed the limit for detached accessory buildings AND will exceed the allowable 25% lot coverage on this .23 acre lot. Property is described as: BREEZY POINT ADDITION LOT 7 in Section 12, T16N, R8W. Tax Parcel #4-2010-0. Property Address: 810 Kelly Pl.

**Appearing in favor:** Charles Gates, 810 Kelly Pl. Mr. Gates stated that he had a large tree in that corner of his yard that went down in a storm last year. Once it was removed, he decided it would be a good place for storage. He would like a shed to keep items out of his yard. Since the pool is considered a structure, he needs a variance.

Travis Suiter stated that he is in support of the variance.

Mr. Gates stated that the neighbors have similar properties and structures. The land is sandy so drainage should not be an issue.

Mike Solberg stated that all of the neighbors have a shed. He was concerned about setting a precedent allowing two detached accessory structures.

**Appearing in opposition: None**

**Correspondence: None**

**Motion by to APPROVE APPEAL NO. 14-2015 by Suiter, seconded by Dahl. Motion carried 2-1.**

**APPEAL NO. 15-2015** Melissa Fischer, 1717 Lakeshore Dr., La Crosse, WI 54603. Permit denied to construct a 8'x6' covered entry that would lie within the required 80' setback from the centerline of Lakeshore Drive. Property is described as: PRT GOVT LOT 9 COM NE COR OF L11 B1 LAWRENCE & HANSON ADD N18D30MW 400FT TO POB S71D 30MW 150FT TH N18D30MW 150FT N71D30ME 150FT TO W LN HWY S ALG W LN TO POB EX BEG ON WLY R/W LN LAKESHORE DR N18D30MW 400FT FROM NE COR L11 LAWRENCE & HANSONS ADDN S71D30MW 20FT NELY TO W R/W LN RD S18D30ME 20FT TO POB & EX BEG ON WLY R/W LN LAKESHORE DR N18D30MW 400FT FROM NE COR LOT 11 LAWRENCE & HANSONS ADDN S71D30MW 150FT N18D30MW 20FT N71D30ME 150FT TO W R/W LN RD S18D 30ME 20FT TO POB in Section 19, T16N, R7W. Tax Parcel #4-718-0. Property Address: 1717 Lakeshore Dr.

**Appearing in favor:** Mike Fischer, , representing Melissa Fischer, 1717 Lakeshore Dr. Mr. Fischer stated that Ms. Fischer would like to construct a covered entry to the home. This would eliminate ice buildup on the stairs and keep water away from the entrance. Mr. Fischer stated that they may reduce it to 4 feet rather than six feet. He explained that the structure is simple and could be removed fairly easily if needed in the future.

Carter Broer, 1717 Lakeshore Dr., stated that the structure would be built within the existing stoop area.

Travis Suiter stated that the step is already there and this construction would fall within the same footprint.

Mike Solberg stated that he thinks it would be a nice addition to the home and would help with water runoff. His biggest concern would be with the highway setbacks.

Mr. Broer stated that he had spoken with the neighbors and they had no concerns.

Mr. Fischer stated that it is a unique lot with the setbacks from the water and the setbacks from the County highway.

**Correspondence: Letter from La Crosse County Highway Commissioner Ron Chamberlain opposing the variance.**

**Motion by Suiter to APPROVE APPEAL NO. 15-2015 with the condition that if the County decides to widen the highway in the future, the overhang will be torn down at the homeowner's expense AND the covered entry is to stay within the footprint of the existing concrete stoop in relation to the distance from the centerline of Lakeshore Dr. made by Travis Suiter, seconded by Dahl. Motion carried 3-0.**

Motion by Suiter to adjourn, seconded by Dahl. Motion carried 3-0.