

## BOARD OF ADJUSTMENT PUBLIC HEARING

Tuesday, January 19, 2010

Administrative Center – County Board Room

7:00 p.m. – 7:19 p.m.

**MEMBERS PRESENT:** Howard Raymer, Jr., George Hammes, Terry Houlihan  
**MEMBERS EXCUSED:** None  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Mike Weibel, Chad VandenLangenberg (minutes)

### CALL TO ORDER

Howard Raymer, Jr., Committee Chair, called the meeting to order at 7:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

**APPEAL NO. 2010-01** Jerry Zeroth, N7994 Sullivan Rd, Mindoro, WI 54644; on behalf of Federal Home Loan Mortgage Corporation, 7255 Baymeadows Way, Jacksonville, FL 32245. Permit denied to construct an 8-ft X 14-ft covered deck addition to the existing residence that will lie within the required 50-ft building setback from the right-of-way of State Road 108. The property is described as: Lot 5 and the East 40-ft of the South 8-ft of Lot 4, Blk 3, Plat of Newton, now Mindoro. The property is located at W3894 County Road DE. Town of Farmington.

**Appearing in favor:** Lucas Johnsrud, N7996 Sullivan Rd., Mindoro, Wi 54644.

REMARK Johnsrud: Basically, the house which was purchased there, the lot line has been changed at some point in time on the north side. One of the exits from the building has the lot line 4 feet away from it. So, we are closing that exit. The line also cuts the garage and without a variance to access the garage, it is unaccessable. The door faces to the west. We want to renovate that garage for alley access. The porch will go on the front and will provide another entrance/exit to the house, facing Highway 108. The way the building sits with the 50-foot setback, there is a concrete retaining wall which runs along 108 and County Road D. The house is elevated above that and there should not be any visual problems with the new porch.

QUESTION Raymer: Who actually owns this property, is it Jerry Zeroth?

ANSWER Johnsrud: Jerry Zeroth actually owns it at this time. When we filed this, there were issues with the title which have now been cleared up. Which is why it was filed under Federal Home Loan Mortgage Corporation. That is all cleared up now.

REMARKS Weibel: Mr. Chairman, there is a document in the file showing that the property has been transferred to Mr. Zeroth by deed.

REMARKS Johnsrud: This is pretty strait forward. The porch which we are proposing should better the property.

REMARKS Hammes: My main concern was the view. There are no problems with blocking any vision issues.

REMARKS Raymer: Since the corner is a state and county highways, you want to make sure that there aren't issues.

**Opposition:** None.

**Correspondence:** None.

### Discussion:

REMARK Houlihan: I don't see any problems with this.

**Motion Hammes/Houlihan to approve. Motion carried unanimously.**

**APPEAL NO. 2010-02** Harold Dean & Diane Uhls, 1350 Nakomis Ave, La Crosse, WI 54603. Permit denied to construct a 3-ft X 14.5-ft addition to an existing sunroom addition that will lie within the required 48.6-ft average building setback from the ordinary high-water mark of the Black River. A 43.5-ft setback is proposed. The property is described as: Lot 2, Terpstra Addition to Hiawatha Island Addition. Town of Campbell.

**Appearing in favor:** Darrin Blomquist, 1009 Windhill St., Onalaska, WI, 54650.

REMARKS Blomquist: I am representing Dean and Diane Uhls who are present.

QUESTION Raymer: So, you have an existing project going on here and now you want to move the wall out to square it up?

ANSWER Blomquist: Yes, there is an existing sunroom on the east side of the building and it has a wraparound deck to the north and the south with a three foot walkway providing access to the north and south portions of the deck. We would like to remove the northern portion of that deck. We would then use the remaining three foot portion of that deck and enclose it with the existing sunroom. The roofline would be extended out two feet beyond the existing deck. The structure itself will not protrude any further, but the roofline will.

QUESTION Raymer: What is now a deck will become part of the sunroom?

ANSWER Blomquist: Correct.

QUESTION Raymer: And that odd shaped piece of deck would be gone?

ANSWER Blomquist: Correct. Whether or not this is granted, we will still be removing that portion of the deck. We would like to use that three feet of space to make the sunroom more usable. As it stands, the depth of that room, east and west, is only about 8 ½ feet. Three feet doesn't seem like a lot, but in this case, it will provide much more functional use of the room. The deck on the north side of the sunroom is virtually useless. We have questioned why they built that as is. It is really of little value.

REMARKS Raymer: Yes, it is on the north side, so it would not get much sun.

REMARKS Blomquist: Correct, it is totally blocked by the existing structure. The usable portion is the south end of the deck. We would just like to extend the room out three feet to make it more functional.

QUESTION Houlihan: Would it be possible to do this without the 2-foot proposed overhang?

ANSWER Blomquist: Yes, but it would alter the roofline such that it would make it visually unpleasing. We need some venting of the soffit on that eastern side. It would be possible. The current eave around the remainder of the house is 2-feet and we would like to maintain that look. We do need some type of overhang and ventilation along there.

QUESTION Weibel: I just wanted to ask if you were able to talk to the Town Board about this?

ANSWER Blomquist: I was not able to get a hold of the town. I did speak to someone from the WDNR.

REMARK: Weibel: You have spoken to Carrie from the WDNR and we do have some correspondence from her.

REMARK Blomquist: I spoke with her earlier today and spoke to her more in depth about the project. I think that she had already submitted something to you and then also gotten back to you later today. I did make a call to the town, but did not get a return phone call.

**Appearing in favor:** Harold Dean Uhls, 2723 Turnberry Ct., Onalaska, WI, 54650.

QUESTION Raymer: You would like to go on record in support of this?

ANSWER Uhls: Yes.

QUESTION Raymer: Anything else?

ANSWER Uhls: No.

**Appearing in favor:** Diane Uhls, 2723 Turnberry Ct., Onalaska, WI, 54650.

REMARKS UHls: We have spoken to the neighbors on the north and south of us. They both see no problem with the addition or the changes which we would like to make.

**Opposition:** None.

**Correspondence:** Email from Carrie Olson with the WDNR received today at 1:42pm. The WDNR has no objections and feels that the encroachment in this case is minimal.

**Discussion:**

REMARKS Raymer: You had mentioned and questioned that two foot overhang, but I can certainly understand the reasoning behind keeping the same two foot overhang around the house.

**Motion Houlihan/Hammes to approve.**

QUESTION Weibel: The setback then would be measured to the overhang, as proposed?

QUESTION Raymer: That 43.5 measurement is to the overhang, correct?

ANSWER Weibel: Yes, the variance is measured to the overhang.

QUESTION: Is that because it is normally considered a one foot?

ANSWER Weibel: In a Shoreland District, there really is no one foot "credit" and this is an exception to that rule. It is measured to the overhang.

REMARKS Raymer: Then the motion will be that the variance be granted to the 43.5-foot to the overhang.

**Motion Carried unanimously.**

**Motion to adjourn Hammes/Houlihan at 7:19pm. Motion carried unanimously.**