

BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, November 14, 2011
Administrative Center – 3rd Floor, Room 3220
6:00 p.m. – 6:31 p.m.

MEMBERS PRESENT: Dave Eilertson (Vice Chair), Terry Houlihan (1st Alternate),
Barbara Frank (2nd Alternate)
MEMBERS EXCUSED: Howard Raymer, Jr.
MEMBERS ABSENT: None
OTHERS PRESENT: Jonathan Kaatz, Chad VandenLangenberg(minutes)

CALL TO ORDER

Dave Eilertson, Committee Vice-Chair, called the meeting to order at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

APPEAL NO. 2011-53 Daniel & Karen Powell, W2561 County Road I, La Crosse, WI 54601. Permit denied to retain three (3) previously constructed detached accessory buildings and additions to said buildings for a total area of approximately 3,260 sq. ft., exceeding the 1,500 sq. ft. area limit for such buildings on this 3.34 acre lot. Property described as part of the SE-NE, Section 36, T16N, R6W. Property location W2561 County Road I. Tax Parcel 2-522-3. Town of Barre.

Appearing in favor: Ryan Powell, W2565 County Road I, La Crosse, WI 54601. Basically, this started with a neighbor complaint. The buildings have been there for 12 years. One is a carport and the other he puts wood in.

QUESTION Eilertson: So, these buildings were there prior to you buying the property?

ANSWER Powell: Yup.

QUESTION Eilertson: So, when you bought it, they were already there?

ANSWER Powell: No, not me. I live next door.

QUESTION Eilertson: You are not the property owner?

ANSWER Powell: No, my father is.

Appearing in favor: Daniel Powell, W2561 County Road I, La Crosse, WI 54601. I built those buildings because I needed the additional storage. One is the woodshed, I have a boiler and I burn wood. I wanted it covered. The other is a carport. Then there is the lean-to on the larger building. I enclosed it to keep out the mice. I put the carport up for storage.

QUESTION Eilertson: And you didn't know that you needed to get a permit first?

ANSWER Powell: Not for that stuff, no. I did get a permit for the other stuff. I really didn't think that I needed one for that. Chad says anything with a roof needs one.

QUESTION Eilertson: These structures went up about 12 years ago.

ANSWER Powell: Yes, about that. The carport I enclosed because it didn't do me any good without the sides on it. It would just fill up with snow.

QUESTION Houlihan: All of these buildings are strictly for storage?

ANSWER Powell: Yes. As you were out there...I work on Chevy Trucks. I needed storage rather than having stuff laying around.

QUESTION Frank: You said that you did get some permits?

ANSWER Powell: I got permits for my house, then an addition to my house. Also, for the first garage then I added on to that garage and got a permit for that. The rest of the stuff I did not.

Appearing in favor: Ryan Powell, W2565 County Road I, La Crosse, WI 54601. Basically, it is a woodshed for his wood and a carport for his truck. He is retired from the railroad and this is his hobby.

QUESTION Frank: What was the other building?

ANSWER Powell: It isn't a building. He built it a bunch of years ago. The aerial view, the building has been there forever. It was a lean to off the back with concrete under it. All he did was put some tin on it. He keeps garden stuff, miscellaneous stuff, wood, etc. in there.

Appearing in opposition: None.

Correspondence: None

REMARKS Kaatz: Regarding the permits that had been previously issued. In 1985 there was a permit for the 30' x 42' detached accessory garage. In 1996 there was a permit for the 21' x 30' addition to that same building. No other permits were on file for the other buildings or the lean-to addition.

Discussion:

QUESTION Frank: So, is there a neighbor that is in objection?

ANSWER Eilertson: There have been no objections filed with the county. He is using this for storage. The yard is pretty clean. It's after the fact, but doesn't appear to be any issues with the waterway, as we had previously thought.

Motion Houlihan/Frank to approve.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-54 Neal & Denise Roland, 3507 Lakeshore Dr, La Crosse, WI 54603. Variance requested to raze an existing single family residence and construct a replacement residence with an engineered foundation in lieu of providing the required 15-ft perimeter fill to an elevation of at least 1-ft. above base flood elevation. Property described as Part of the SE¼ of the fractional NE¼, Section 1, T16N, R8W. Property location 3507 Lakeshore Dr. Tax Parcel 4-1438-0. Town of Campbell.

Appearing in favor: Denise Roland, 3507 Lakeshore Dr, La Crosse, WI 54603. We want to replace our home, one of the older homes out there. It does need a lot of repair. We came down to get our permits and found out that FEMA was changing its floodway lines. We are trying to utilize as much of the lot that is left. It is 85 or 86 feet from the road and we brought it up to the floodplain line. I am also trying to save as many of the trees on the property as well. I had a certified arborist come out to the house to give us his determination. The best position for the house was to put it right up to that line. We had our engineer do some engineered foundations for us to allow us to put the house right up to the floodway line in lieu of the required 15 foot perimeter fill. That would have required us moving the house closer to the road and we also would have needed to remove most of the trees from the property. I have been working with Chad and we believe that we have everything in line. Erosion control people were out there. I also brought in the diagram for the engineered walls. Coulee Region Land Surveyors have done a full survey and site plan including an elevation certificate on the current house. I did consult with the arborist as well. I did meet with the Town of Campbell to get their approvals as well.

QUESTION Eilertson: You have met with them already?

ANSWER Roland: Yes, November 1st actually. They granted/passed this unanimously.

QUESTION Houlihan: Do you have the plan for the wall?

ANSWER Roland: Yes, I do. If you have any questions about that, my engineer, Mr. Holstrom is here tonight.

QUESTION Eilertson: Is it your plan to remove the existing detached garage from the property as well?

ANSWER Roland: Not the detached garage.

QUESTION Eilertson: You will put the house up and the garage will be between the lake and the house?

ANSWER Roland: That garage is there and will stay there for now.

Appearing in favor: Neal Roland, 3507 Lakeshore Dr, La Crosse, WI 54603. At this point, we are trying to chase all of the permits down for this. Everything is good to go and the neighbors are all on board. Our engineer is here and I don't see this project hurting anyone or anything.

Appearing in favor: Dave Holstrom, 21316 Quarry Rd, Caledonia, MN 55921. I am just here to answer any questions and can make some comments on the engineered wall. I have been doing these for about 15 years and the rules have changed over the years. Basically, it is a retaining wall that takes care of the flood forces and the uplift calculations, buoyancy forces, that occur during flooding. The calculations indicate the dead and live loads and then I did a buoyancy calculation. Of course, there is none because the weight is above the flood elevation. I did do a water velocity force and used one of the higher numbers for the sliding resistance calculation, just in case there is a high flood. We would have 10 or 20 times more load than what we need. I can assure you, even though it is only 4 feet up, it is more than adequate for this house in this location. It has ample steel and ample toe and heel.

QUESTION Eilertson: And the debris that comes down with the flooding?

ANSWER Holstrom: Absolutely. If you have any other questions, I would be happy to answer them.

Appearing in opposition: None.

Correspondence: There are four pieces of correspondence...

- 1.) From the Department of Land Conservation, the initial site notes from a site visit dated on 10/24/11 and signed by Mary Jo Webster.
- 2.) A fax, dated and received on 11/10/11 from the Town of Campbell. The Town Board met on 11/9/11 and did not have any objections to this variance.
- 3.) An email dated and received today from Mike Wenholtz with the WDNR. The department has no comment and will defer to the county departments' recommendations. These comments are only in regards to shoreland and wetland zoning.
- 4.) An email dated and received today from Gary Heinrichs with the WDNR. The grade elevation outside the wall will be 646.5, which is the regional flood elevation. The basement will be completely filled and the plan meets the counties requirements. If the board determines that the loss of the pine trees poses a hardship and grants the variance, the department will not oppose this variance.

Discussion: None

Motion Houlihan/Frank to approve.

3 Aye, 0 No. Motion carried unanimously.

Motion Houlihan/Frank to adjourn at 6:31.

3 Aye, 0 No. Motion carried unanimously.