

# LA CROSSE COUNTY NOTICE OF MEETING

**COMMITTEE OR BOARD:** PLANNING, RESOURCES AND DEVELOPMENT

**DATE OF MEETING:** Tuesday May 31, 2022

**MEETING TIME/PLACE** **5:00 P.M. – 6:00 P.M. Regular Committee Business Meeting**  
**Administrative Center/ County Board Room (RM 1700)**  
**212 6<sup>th</sup> St. N., La Crosse WI 54601**

**6:00 P.M. Public Hearing**  
**Administrative Center/ County Board Room (RM 1700)**  
**212 6<sup>th</sup> St. N., La Crosse WI 54601**

**PURPOSE OF MEETING:** See Agenda – Page 2

## NOTICES FAXED/MAILED TO:

### NEWS MEDIA

*La Crosse Tribune*  
Coulee News  
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Onalaska Community Life  
Holmen Courier

### COUNTY DEPARTMENTS

County Board Chair  
County Administrator  
County Clerk  
Corporation Counsel  
Facilities  
  
Affected Property Owners  
Affected Town Boards

### COMMITTEE MEMBERS

Kevin Hoyer - Chair  
Rick Cornforth  
David Hundt  
Randy Erickson  
Joe Konradt  
Patrick Scheller  
Ken Schlimgen  
Louisa Peterson

### OTHER

Aaron Lacher  
Adam Hady  
Angel Much  
Brian Fukuda  
Bryan Meyer  
Charles Handy  
Dale Hewitt  
Kathleen Stewart  
Matt Hanewall  
Megan DeVore  
Peter Fletcher  
Robin Kadrmas

### OTHER

Adam Hady – UW Ext. Area Director  
Adam Steffen - FSA  
Bryan Jostad  
Cindy Koperski  
City Inspector  
Cody Caulum, DNR Forester  
Coreen Fallat - DATCP  
Jeffrey Schroeder  
Katy Vosburg - DATCP  
La Crosse Area Builders Assn.  
Matt Hanson  
Matthew Bauer, DNR Forester  
Maureen Freedland  
Michelle Komiskey - NRCS  
Randall R Urich – U.S. Army Corp.  
Randy Erickson  
Randy Turtenwald, City Engineer  
Tim Miller – US Fish & Wildlife  
Vicki Twinde-Javner

Brock Tokach (Recorder)

**MEMBERS:** If unable to attend, please contact the Zoning, Planning, and Land Information Department at (608) 785-9722.

**\*\*PUBLIC COMMENT: \*PUBLIC COMMENT:** The Committee may receive information from the public, but the Committee reserves the right to limit the time that the public may comment and the degree to which members of the public may participate in the meeting.

**PERSONS WITH DISABILITY:** If you need accommodation to attend this meeting, please contact the: Zoning, Planning and Land Information Department at (608) 785-9722 as soon as possible.

**DATE NOTICE FAXED/MAILED/E-MAILED AND POSTED: May 19, 2022**

**This meeting may be recorded, and any such recording is subject to  
Disclosure under the Wisconsin Open Records Law**

**LA CROSSE COUNTY NOTICE OF MEETING  
PLANNING, RESOURCES AND DEVELOPMENT AGENDA**

<b>Date:</b>	<b>Tuesday, May 31, 2022</b>
<b>Time:</b>	<b>5:00 P.M. – 6:00 P.M. Regular Committee Business Meeting</b>
<b>Place:</b>	<b>Administrative Center/ County Board Room (RM 1700) 212 6<sup>th</sup> St. N., La Crosse WI 54601</b> <a href="#">Click here to join the meeting</a>
1.	Call to order/Roll Call
2.	Approval of Minutes from May 2 <sup>nd</sup> , 2022
3.	Public Comment **Please see above on how to sign up for making public comment**
4.	Supervisor Conference Reports
5.	Consent Agenda –
	a. None
6.	Discussion of Meeting Times – Kathleen Stewart
7.	Community Development Educator Update – Adam Hady
8.	Agricultural Waiver 2022-02 for Betty Schmitz – Aaron Lacher
9.	Agricultural Waiver 2022-03 for Chase Miller – Aaron Lacher
10.	Comprehensive Plan Update – Charlie Handy
11.	Next meeting – July 5 <sup>th</sup> , 2022
12.	Future Agenda Items
13.	Recess

**Date:** Tuesday, May 31, 2022  
**Time:** 6:00 P.M. Public Hearing –  
**Place:** **Administrative Center/County Board Room (RM 1700) and via Microsoft Teams**  
**PLEASE NOTE:** Applicants or those speaking on their behalf must attend the public hearing in person.

**ZONING ORDINANCE MAP AMENDMENTS, CONDITIONAL USE AND SPECIAL EXCEPTION PERMITS**

<b>CONDITIONAL USE PERMIT NO. 1186</b>	<b>Maureen Mooney</b>	Town of Farmington
<b>CONDITIONAL USE PERMIT NO. 1189</b>	<b>Andrew T. &amp; Trudi M. Lefebre</b>	Town of Onalaska

**DATE NOTICE FAXED/MAILED/E-MAILED AND POSTED:** **May 19<sup>th</sup>, 2022**

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**La Crosse County Planning, Resources and Development**  
**May 31<sup>st</sup>, 2022 Meeting - Staff Report**

**#6 Set Future Viewing Tour Meeting Dates and Times**

Kathleen will update you on the Doodle Poll

**#7 Community Development Educator Update – Adam Hady**

Adam will introduce new staff and discuss changes in positions affecting the committee.

**Agricultural Waivers**

La Crosse County Ordinance Chapter 17.05(5)(e)2 provides that the PRD may waive dimensional standards (i.e., maximum accessory building count, area, and height standards) for existing agricultural buildings being transition from agricultural to residential:

*17.05(5)(e)2. Accessory Buildings. Residential accessory buildings shall meet the dimensional standards as provided by the Table in s. 17.14(1) unless this requirement is waived for an existing rural accessory building by the Committee. Upon waiver by the Committee, the square footage and number of buildings of all accessory structures, including the rural accessory building on said parcel, shall be included in future determinations by the department as provided by the Table in s.17.14(1).*

**#8 Agricultural Waiver 2022-02 – Aaron Lacher** - The Estate of Betty Schmitz seeks a waiver to facilitate a parcel division that will result in an 8.74-acre parcel with 8 detached accessory buildings totaling 5,660 square feet. Many of the buildings are in poor condition and the applicant has indicated they will eventually be removed. Upon removal, accessory dimensional standards allotments will revert to Ordinance standards.

**#9 Agricultural Waiver 2022-03 – Aaron Lacher** - Chase Miller seeks a waiver to facilitate a property line adjustment that will result in a 1.33-acre parcel with 2 detached accessory buildings totaling 2,572 square feet. Existing parcel 7-1061-2 will be expanded to include area with an existing barn.

**#10 Comprehensive Plan Update – Charlie Handy**

Committee will be given a review of the plan and updated on the current timeline for the completion of this project.

**ZONING ORDINANCE MAP AMENDMENTS, CONDITIONAL USE AND SPECIAL EXCEPTION PERMITS SUMMARY**

**CONDITIONAL USE PERMIT NO. 1186** Maureen Mooney, 1930 Adams St, La Crosse, WI 54601, apply(ies) for a CONDITIONAL USE PERMIT on land zoned Exclusive Agricultural District in accordance with La Crosse County Ordinance section 17.05(5)(d)1.d. Recreational vehicle for use as a temporary residence. Property described as Pt NW-NE, Sec. 20, T.18N, R.6W. Tax parcel 5-855-2. Property address County Road T. Town of Farmington.

**CONDITIONAL USE PERMIT NO. 1189** Andrew T. & Trudi M. Lefebre, W5616 County Road W, Holmen, WI 54636, apply(ies) for a CONDITIONAL USE PERMIT on land zoned Exclusive Agricultural District in accordance with La Crosse County Ordinance section 17.05(5)(d)2.g. Agriculture accessory uses that meet the requirements of §91.01(1)(d), Wis. Stats. for a wedding and event venue. Property described as NW-SW & Pt SW-SW, Sec. 2, T.17N, R.7W. Tax parcel 10-68-0. Property address W5616 County Road W. Town of Onalaska.

## **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Monday, May 5, 2022

Administrative Center – County Board Room (1700)

5:00 p.m. – 5:39 p.m.

**MEMBERS PRESENT:** Kevin Hoyer, Dave Hundt, Randy Erickson, Joe Konradt, Patrick Scheller, Ken Schlimgen, Louisa Peterson

**MEMBERS EXCUSED:** Rick Cornforth

**MEMBERS ABSENT:** None

**STAFF & GUESTS:** Kathleen Stewart, Bryan Meyer, Steve O'Malley, Matt Hanewall, Jacob Schweitzer, Angel Much, Aaron Lacher, Charlie Handy, Adam Hady, Jack Zabrowski, Dale Hewitt  
Charlotte Peters (Recorder)

### **APPROVAL OF MINUTES FROM April 4<sup>th</sup>, 2022 MEETING**

**MOTION** by Hundt/Scheller to approve the April 4<sup>th</sup>, 2022 meeting minutes.

**4 Aye, 0 No, 1 excused (Cornforth), 2 abstain (Erikson, Schlimgen) 0 absent, Motion carried.**

### **PUBLIC COMMENT**

None.

### **SUPERVISOR CONFERENCE REPORTS**

None.

### **CONSENT AGENDA (INFORMATIONAL)**

None.

### **SET FUTURE MEETING DATES AND TIMES FOR 2022 – KATHLEEN STEWART**

A short discussion was had regarding meeting times due to the changes to the committee after the elections. Each member was asked to take a survey and the results will be discussed at the next meeting and any adjustments will be made at the time.

### **APPROVAL OF LINSE AND DROGSETH STREAMBANK PROJECTS – JAKE SCHWEITZER**

A short description of the Bostwick Project and the Trim Grant was given. Schweitzer let the committee know that he will give more details on this at a future meeting to get the new supervisors up to speed on everything that this project entails. Schweitzer explained that Land Conservation will be cost sharing two streambank projects for the 2022 Construction season. These two projects exceed the \$25,000 dollar threshold for requiring committee approval. Schweitzer did explain the bidding process. Greg and Jane Drogseth's project have a low bid of \$70,040.00 and Eugene Linse's project has a low bid of \$54,330.00.

Questions were answered by Schweitzer

**MOTION** by Schlimgen/Konradt to approve lowest bids on these projects.

**6 Aye, 0 No, 1 excused (Cornforth), 0 absent, Motion carried.**

### **REVIEW OF PRD RESPONSIBILITIES – KATHLEEN STEWART**

Staff introduced themselves and recapped what their areas of expertise were. Stewart then went on to explain the departments that answer to the PR&D committee. The committee was presented with organizational charts that showed staff and what ordinances each department was responsible for enforcing. This was just an overview and each department as well as corporate council will give more detailed presentations at later dates to the committee. Stewart did cover the structure of the meetings and informed the committee what they can expect to see and what their roles are.

There were no questions.

### **CPAC UPDATE – CHARLIE HANDY**

Handy informed the committee that the comprehensive plan draft has been completed. The advisory committee will be meeting on May 26<sup>th</sup>, 2022, to review the edited draft and will consider the adoption of the resolution to move the document forward or to schedule an additional meeting. After the resolution is adopted, the plan will then be presented to the PR&D committee since the plan will influence decisions made by the PR&D committee. The committee will then have the opportunity to review it before the document is sent to public hearing. This committee will have to opportunity to comment on the plan at their meeting on May 31, 2022. After this there will a 30-day period for public comment and then it will be presented to the County Board tentatively in July 2022.

Questions were answered by Handy.

#### **FUTURE AGENDA ITEMS**

Schlimgen made a suggestion, but it was inaudible on the recording.

Scheller suggested a presentation on the overall affect of septic systems on ground water.

#### **RECESS**

**MOTION** by Scheller/Schlimgen to recess.

**6 Aye, 0 No, 1 excused (Cornforth), 0 absent, Motion carried.**

**Committee recessed at 05:39pm**

*Drafted 05/10/2022*

## **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

### **PUBLIC HEARING**

Monday, May 5, 2022

County Board Room (1700) – Administrative Center

6:00 p.m. – 6:50 p.m.

**MEMBERS PRESENT:** Kevin Hoyer, Dave Hundt, Joe Konradt, Patrick Scheller, Ken Schlimgen  
**MEMBERS EXCUSED:** Rick Cornforth, Randy Erickson  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Kathleen Stewart, Aaron Lacher, Bryan Meyer, Angel Much, Richard Jun, Louisa Peterson  
Charlotte Peters (Recorder)

### **CALL TO ORDER**

The Public Hearing of the Planning, Resources and Development Committee was called to order by Kevin Hoyer, Chair, at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of the Wisconsin Open Meetings Law. The procedures for tonight's meeting were explained to those gathered. This meeting is being recorded.

**Hoyer:** In front of first is conditional use permit 1183 for Richard Jun, Town of Shelby.

**Lacher:** Thank you Mr. Chair. Prior to reading this into the record, I'll ask the County planner to talk us through the procedure for re-introducing this one. If you recall this was tabled at our last meeting. It was readvertised and we had understood that the committee's intent was to conduct another hearing. However, at the point at which it was tabled there was a motion that had been made and was on the table at that point. Charlie, could you touch on how that would be properly handled.

**Handy:** So, we'll need someone to make a motion to take this off the table and second, and then you vote on that. That will bring it off the table which then makes the motion to deny that was made and seconded the active motion. I don't believe any of that has to happen prior to the public hearing, that can happen after the public hearing, but it has to happen before you take any action.

**Hoyer:** So, we are open for public comment. Public comment hearing on this conditional use permit first then, am I understanding that correctly.

**Lacher:** That was my understanding. Correct. So, I will read the notice in.

**CONDITIONAL USE PERMIT NO. 1183** To the County Board of La Crosse County: The undersigned hereby petitions the County Board for a Conditional Use Permit as provided for in the La Crosse County Zoning Ordinance to Operate a vacation rental by owner under section 17.05(4)(b)1. via 17.05(1)(b)14 - Transient residential uses on land that is zoned Rural District and is described as follows: CSM No. 129 Vol 2 Lot 1, Sec. 3, T.15N, R. 7W. Town of Shelby.

**Jun:** Hi, my name is Richard Jun, 1910 E. Main St., Madison, WI. I'm applying for a transient conditional use permit for this home. My girlfriend and I, we spend a lot of time up here hiking, cross country skiing. We found a really great property and we want to be able to use it when ever we are here and also our friends and families, etc. We want to be able to use it also as a vacation rental when we're not here. We have a fare amount of friends who do this and it helps kind of finance the home. Since we are not going to be here on a full-time basis. Based on my conversations with some of my neighbors from the last meeting. I made an addendum. There were some concerns about, they didn't really know me, so I put a presentation introducing myself and my girlfriend and how we intend to use the property and our house. In addition to the impact statement, I've also put an addendum, so I'm just going to go through this. We definitely have heard and respect our neighbor's concerns and I hope the following changes will address their concerns during the last county meeting so can move the permit forward. The following will be put

into place once the conditional use permit is approved, and we can also apply for the state tourist and rooming house license. I plan to have a property manager who lives pretty much 15 minutes away. I have a friend who lives in La Crosse city. He actually manages multiple properties and duplexes. So, he said he'd be available by phone 24 hours a day. Secondary property manager would be my cleaning lady Roxanne, who's here also. She lives in Holmen so she's about half-an-hour away. And then I will also be available, but since I'm in Madison I'm 2 hours away. So, there is going to be people to help address if there is any, if there happen to be any concerns. There's also concerns about possibly security and parties, so there's a lot of ways we can kind of dissuade and discourage those things from happening. If you are familiar with the AirB&B booking process, you can either do something called an instant book or you can request. When you request, any host can screen all of the guests that want to be at your place. So, I would screen all of these things. The AirB&B official stance is to prohibit parties anyway. So, these would be the following book requirements. One, you have to be 25 years or older in order to even be considered a guest at my home. You also need verified identity. Which means you have to have a government issued ID that's been scanned and approved by the platform. It could be a driver's license ID. It could also be like a passport. I'm also going to require that there be a minimum of three peer reviews of an average 4.5 stars out of 5 stars. So, anytime someone does use the platform and stays at a property, there is a peer review process, if they were a good guest, a bad guest, if there were problems or complications. In addition, I'm going to ask for a two-night minimum stay and there will also be a 500-dollar deposit, which will be held unless there's any complications. I'm also prepared to put security cameras at the front door to monitor the driveway, which can house up to about four cars and one in the back yard to help monitor outside activities. We're going to limit parking to only in the driveway, there will be no street parking and that will be, I have a big enough drive where I can accommodate those four cars. I be also happy to install privacy fences for additional security for adjacent neighbors. The neighbors to the south, there is a privacy fence. It's almost complete, there is a bit of a gap, so I finish that. I can talk to my neighbors to the north and if they wanted a privacy fence, I would be happy to install that as well. My personal cell phone number, both my neighbors already have that and if other neighbors want it, I'll be happy to give it to them. We have quiet hours from 10pm to 8am, and I would be happy to install noise sensors in the house. Basically, these noise sensors are kind of like Wi-Fi enabled. I can put them on the perimeter of the property and should they go above a certain decibel amount. You know 50 to 55 decibels is kind of like conversational loudness. So, if does exceed that then we can do a warning for the first one. If it's during quiet hours, and if there is a second trigger then I can have Andy the property manager go on site and handle the noise issues. I'm also working with some friends and people I know who have experience with AirB&B, that operated them, that haven't had any noise complaints, and put a lot of these things in to place to help prevent any bad things from happening and more or less just to reassure the neighbors that its going to be a safe and healthy place for people to visit. There are about 174 AirB&B's in La Crosse County and many more across Wisconsin. I think by implementing these standards and protections they go above and beyond AirB&B requirements and having multiple local people to address any issues promptly. I believe I have adequate mitigation to address any concerns that any neighbors may have. I will continue to work with my neighbors and community to ensure that all of their concerns are, will be addressed. I believe this transient rental is consistent with public health, safety and general well-fare of the county. It allows other families to visit and enjoy all the great things in La Crosse. I employ local cleaners, landscapers, plumbers, handymen and handywomen and pest control for general upkeep and maintenance of the home; and I believe that this will have little to no impact on surrounding home values. And if anything, there's been a steady increase in home values in the area. I'm an optometrist and healthcare professional at Isthmus Eye Care which is an established private practice in Madison. I'm a big brother with Big Brothers and Big Sisters of Dane County, I was nominated Big Brother of the year in 2021. I'm the captain for the Cycle for Sight team that raises money for the McPherson Eye Institute at UW Research to help cure blinding diseases, I volunteered at Special Olympics, I've traveled to remote access medical missions in Virginia. I had a One Sight Mission trip canceled in Tanzania due to COVID, which is a bummer. My partners also an optometrist, Megan, and she works with Amish communities in Cashton, Viroqua and Gays Mills, and she'll also be utilizing the home when she goes out and does charitable work for them. This is my second home, I look forward to staying in it whenever I can, so do my friends and family. The rental income from the transient occupancy will allow us to do that. I'm just a person, I'm just one guy, I'm not a large company, I'm not anything like that, but I have friends who do this, and I would like to be able to do it as well.

**Hoyer:** Thank you Mr. Jun.

**Jun:** Thanks. Any questions?

**Hoyer:** Did you happen to give the addendum to our staff?

**Jun:** Yes, they have the addendum as well as my presentation, two-character references and a CV as well.

**Hoyer:** Thank you. Is there any questions from the committee?

**Scheller:** It may be buried in there, and I apologize if it is. What's your maximum number of guests?

**Jun:** I can sleep 8 comfortably, and if we need to we can add two more for a total of ten, but their going to be on like pull out couches basically.

**Scheller:** Thank you

**Hoyer:** Any other questions?

**Schlimgen:** Just a statement you made that you called, no children as a guest, does that mean there will be no one under 25?

**Jun:** Ya, that's a very good point. So, no one under 25 can make the reservation. So, say for instance there is, like a graduation party, like there was a bunch of 21-year olds I would refuse the request for the reservation. But certainly this is...we furnished the house to be very family friendly and have like a retro arcade in the basement, there are reading areas for small children. We have lots of nephews and nieces. So, no one under 25 can actually make the booking.

**Schlimgen:** And then the second question, does the county have, you had send during the thing that privacy fences, you will install as requested.

**Jun:** Correct

**Schlimgen:** Is that in there as a condition?

**Lacher:** There is not currently a condition proposed, but to your point, I guess I was also looking to clarify. Are you saying that you will do these fencings or that you could?

**Jun:** These are all things that I'm happy and willing to do. If this permit doesn't go through and I don't get the tourism rooming board, I don't know if I'm going to keep the house.

**Lacher:** Ok, so when you say that the cameras, the fencing and noise sensors; those are all things you will do if your permits approved.

**Jun:** Correct

**Hoyer:** Is that all Supervisor Schlimgen?

**Schlimgen:** Yes

**Hundt:** What kind of price are you getting per night? I mean that kind of limits who's going rent your house.

**Jun:** Yes, you're exactly right. Looking at other comparable short-term rentals in that area, the average daily rate would be about 300-dollars per night. It changes based on season and demand, but average is about 300-dollars a night. If you say for instance there is a minimum 2 night stay that's 600-dollars, there is a 200-dollar cleaning fee, as well as the AirB&B fee, as well as the 500-dollar deposit. So, that adds up pretty quickly fi you're looking for a, it's not a cheep place to have a party basically.

**Hundt:** Thank you.

**Scheller:** Do you have a base nightly fee and that ramps up based on the number of adults? I mean 250 for a couple, 25-dollars per person for every person thereafter. Just curious.

**Jun:** That's a good question. I haven't thought about that. The average daily rate will sleep basically between 8 to 10 people. I know that there are some homes that will have additional fees for additional people, so that is something that I could implement, but I don't have that currently.

**Hoyer:** Any other questions from the committee. Seeing none, thank you Mr. Jun.

**Jun:** Thank you. I appreciate your time.

**Hoyer:** I'll ask now for anybody that would like to come forward and speak in favor of this conditional use permit. Please state your name and address.

**In Favor:** Hello, my name is Roxanne Jaderston, address N8415 County Rd DD, Holmen. I'd like to say that Richard Jun did not ask me to come. I came because I've worked for him for 2 months and I see a good man in front of me and it's hard to determine what is a good man and say what that is but you know one when you see one. He talks about hiking in the butterfly area up above. This would be his home. He



has high standards for himself, for his friends, and for his home. I bring experience to the table. I would be his cleaner. I've worked my grandfather's estate for four years, I ran 10 trusts for the grandchildren, and I was his power of health power attorney if need be, and my grandfather was a veteran and saved his life, when we went to Europe together. Got him the medical attention that he needed. I'm a mother of six, and this affects me and my finances. He's given me a wonderful job. This is a potential income of 7 to 900-dollars for myself monthly. I saw him give lots of jobs to the community, college students, women, retired older guy. He cares about people. And he has clean friends. You know he has a nurse friend that came. Mostly he works. Hard working people. He would not want low standards in his home. I saw a man that felt a little disheartened, I felt strongly to come because he was looking forward to being a member of this neighborhood and wanting to be accepted by this community. To make it his home. I'm a 30-year homeowner, and it's important to have good neighbors and this is the kind of neighbor that everybody wishes that they had. I'm a farm owner, started a farm myself with my husband. I have six heads of cattle, now 8, I have some newborns. I'm a business owner. This man has family and the thing he was most excited about, is he has a large family, and to be able to bring them in for the holidays and get together. He could have hired someone at half of my rate, but he wants excellent standards, he wants a place to bring children. I have cribs being set up, I have high-chairs being set up, and a place that higher-end clientele, that would bring business and bring their money to this area. He wants it kept clean and neat and safe for children. I see him setting up young kid's game rooms, kids exercise equipment for fun. Kids reading room, adult reading provided too and reading rooms, kid's toy and playrooms. Everything he said up here was true about himself and I thought it was important to come. He cares about people, and I bring service experience to the table, and he expects that safety for small children. You guys would be lucky to have him in this community. Thank you.

**Hoyer:** Thank you. Anybody else here to speak in favor? Remember please state your name and address.

**In Favor:** Amy Bryant, N5785 Lake Park Dr., Onalaska, WI. Richard and I got in contact a couple months ago when he was starting to figure out what to do with this and last month, we really started talking about it. I met him through a mutual friend that we know, that got in contact with me because I've run an AirB&B for the last year and a half in Onalaska, at 1118 Monroe St. We recently just sold it a little bit ago because we are actually looking to get an AirB&B in Necedah, WI; and I looked at lots of properties to figure out what works for AirB&B in residential neighborhoods. How it can work with other neighbors and I understand as a neighbor when you are hearing about AirB&B you get nervous because you always think of the party situation. That is concerning, I think sometimes when you don't necessarily know how the platform has changed over time. A lot of the people that are hosting now are people that are using it as a second home that just need that little bit of extra income, but they love them home themselves and their dedicated hosts on the site and that's what Richard is. We've had extensive conversations as to how he is going to set up his house. I've agreed to help consult in any way possible because we've seen a lot of the different things that happen, and I guess I just want to speak to the type of guest that we've had over the last year and a half that come to La Crosse. We've had people that come just to hike. Richard's not allowing pets as far as I know, so he's not going to have dogs. We did allow dogs in our house which was a little bit scary, but it worked out even great for that. You have people coming that want to hike the bluffs, explore nature, they come in a group because especially during COVID they couldn't get together outside of a hotel room to even see each other much so they liked the idea of being under one roof together. We've had people come for weddings. We've actually even had people contact us and say hey the groomsmen would all like here the night before the wedding, their really good guys, we'll take care of your house. We've had groomsmen, 6 or 7 groomsmen, and it looks spotless when they leave. Our neighbors have said it was awesome having them there. We've had people in town for funerals from California, that are just in town that have written us letters after saying thank you for having an AirB&B we could all stay in. When we've come to town for a funeral it's amazing to be able to be together. Weddings. We have people come fore graduations for Viterbo and for UWL, even Western. We have families come that just want to be able to have a place that Sunday afternoon to be able to make a little bit of food and have the graduate come over and all be able to sit and talk together without feeling like they don't have a place to go. And everybody is so excited to be in the area, there is so many things you can do on the app now to make sure that you're really just getting those people that are just excited to be tourists of this awesome city. When you have somebody like Richard who is ready to be a really good host these are the kind of people, we want doing AirB&B, that we want doing this kind of stuff because it really does show off this wonderful area. It's great platform that people can use. We've stayed, my husband is here as well, we've stayed at AirB&Bs all over the world, he's a pilot for Delta Airlines, so we've been to AirB&Bs in France and Ireland and it's a really neat way to see a different part of the county and the area

that you're in besides just being in a hotel downtown. I just can't speak highly enough that having a good host, which it sounds like Richard's going to be amazing at what he does, this is home. He doesn't want anybody in it that his neighbors wouldn't want in it, probably more so than they even I would think. These are the type of people that you want doing this. It's a really good thing for the area. I have been an AirB&B ambassador for the last year, so I really think highly of the platform and they are cracking down on trying to get people that are just there for parties to not even be a part of it because it's really just a home share for people that want to experience a different area in a different way. The way that he is setting the prices, everything that he's doing is just going to be an amazing way to be able to do that. That's all I have to say, unless anyone has any questions about it.

**Hoyer:** Thank you very much.

**Schlimgen:** Did you have the proper permit?

**Bryant:** I did. Yes.

**Schlimgen:** And it came from?

**Bryant:** It came from the city of Onalaska, because ours was a mixed-use area. But it had neighbors around it, but it was just close enough to a business that it qualified.

There were no others speaking in favor.

**In Opposition:** Bill Spietz, N2025 Orchard Valley Dr., in Wedgewood Valley. I'm a Vietnam veteran, and I served as an engineer at Trane Company for 37 years. My wife and I, we live right here, I'm right directly below them.

**Hoyer:** Can I have you stay at the podium. We've all had maps here so. If I could just keep you at the podium, because then everyone can hear you.

**Spietz:** I apologize. I'm reading this letter, this first letter that I'm reading is on behalf of my neighbor, Mr. Gene Gassere and his wife Alice. Our house is about a half a block from the property in question. That's right below me. My wife Alice who is 87 and Gene who is 91 moved in shortly before the pandemic. We hated leaving our place in the country but could no longer do even the essential driving to town. We offered above asking for the house the moment it went on the market. It wasn't ideal but had amazingly good privacy for a house in the city and we were spoiled by 28 years with 18 acres. We could continue to live independently in our old age. We expected it to be our last home on earth. We love our neighborhood and feel very lucky to have found it. In contrast the applicant appears to have no intention of every living in it. The house is just an investment, in the hope of making a profit, partly at our expense, either on resale or on renting it out. As a veteran, I am eternally grateful to my country for the help it has given me in obtaining housing and higher education. These valuable benefits stand in sharp contrast to handing over a home owners' privacy to spectacular without compensation. It makes absolutely no sense to grant this application, and I would expect to retain council and appeal if it were granted and I believe a number of my neighbors will join me. Signed, Gene Gassere. Now I'm reading my letter. My wife and I are located directly below the residence on Joy Lane that is being considered at this hearing. Any disturbance for this residence would directly affect us. In the past this residence has been very quiet, and normal noise, cars going up and down the driveway. Sounds above us on Joy Lane carry much louder than from any other roads in our valley. We are against this business venture. And that's what this is, this is a business venture. Happening in our family-owned neighborhood. My wife and I have lived in Wedgewood Valley in the same house for over 30-years and enjoy the quiet solitude and friendly neighbors around us. What exactly does, and I'm quoting, what does "transient residential uses for a vacation rental property" mean? In the meeting notices says vacation rental and the other notice does not specify vacation rental only the word transient. If approved, in this context, transient, definition of transient includes, person's living, working in a place for a short time. And I might say that I did hear the words that people could stay for a minimum of two days. Well theoretically if you divide 2 into 365 days, you get over 180 people that could be living in this place. I know that's an extreme case, but that's a potential possibility. This could result in people moving in and out on a daily, weekly or monthly basis. In summary, this is a family dwelling, not a business. Please deny the petition from approval. Thank you.

**Hoyer:** Thank you very much.

**In Opposition:** My name is Mark Anderson. I live at 20, N2024 Orchard Valley Drive. Across the street from Mr. Spietz and directly next door to Mr. Gassere. I am here tonight to inform you of our strong opposition to the approval of conditional use permit number 1183. My wife Candy and I have enjoyed living in this delightful neighborhood for the past 34-years. It is not only scenic and friendly, it is peaceful,

quiet, cohesive, and stable. Property turnover in our neighborhood has been infrequent and several current residents here, were here when we moved in 34-years ago. Traffic is light. We appreciate that very much. Vehicular, and foot traffic and other forms of business traffic is relatively light. This is an owner-occupied residential neighborhood and not a vacation destination for transients wanting to rent. Or for business people to make too much money if that's the case. We feel there's potential for the change in property values with this type of property going into the neighborhood. The nature, make-up and integrity of our neighborhood would be negatively with the approval of permit number 1183 and set an unfortunate precedent. And I want to emphasize the word precedent. I appreciate the opportunity to make this statement. Thank you folks.

**Hoyer:** Thank you very much.

There were no others speaking in opposition.

**Hoyer:** That will close the public hearing portion and I will turn it over to staff for their recommendations.

**Handy:** I think we should probably take it off the table

**Hoyer:** Do we need to take it off the table now? Is that the procedure?

Unintelligible answer.

**Hoyer:** Ok, we need a motion to take this issue off the table to be discussed.

**MOTION** by Schlimgen /Konradt to take CUP 1183 off the table.

**5 Aye, 0 No, 2 excused (Cornforth, Erickson), 0 absent, Motion carried.**

**Lacher:** I think you can leave it on the table now and we can go through the rest of our report.

**Hoyer:** He'd like to hear what the motion was originally

**Handy:** He wanted us to read the motion.

**Hoyer:** He wants us to repeat the motion that was put in place at our last meeting to put this on the table.

**Lacher:** I don't have the text of it. It was a motion to deny. Staff recommends approval based on the following findings, which are provided for consideration and adoption by the Board. 1. The Board is empowered act on conditional use permit applications. 2. The application was properly made and noticed. 3. The proposal is consistent with La Crosse County Comprehensive Plan: 31.04(5)(c)(12) Encourage opportunities to enable family businesses, cottage industries, home-based occupations, and agricultural related businesses. Proposed Conditions Should the Board make a favorable recommendation, staff recommend the following conditions: 1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Committee, in accordance with all conditions to the conditional use permit, taken as a whole, as approved by the Planning Resource and Development Committee and the County Board. 2. The permittee shall contact environmental health and implement any requirements per their ordinances. 3. The permittee shall contact the Town Building Inspector and implement any requirements per their ordinances. 4. This permit is nontransferable and shall automatically terminate upon transfer of ownership. 5. Transient guests shall not park vehicles on public roads when occupying the property. 6. Household garbage shall not be allowed to accumulate on the property.

**Hoyer:** Is there any questions of the committee to staff?

**Hundt:** How many AirB&Bs do we have in the area? I heard a number but I'm not sure that that number is correct. Is there a number that we can...

**Lacher:** We do not have that information for you in terms of the county as a whole. You could look at it two ways. The county as a whole, many of those would likely be in municipalities, and then the county unincorporated areas, those would be the AirB&Bs that might have come through this committee, but I have, I'm not aware of the number that have done so in either of those two cases.

**Scheller:** unintelligible

**Handy:** Just to help to answer that question a little bit too. When somebody who is a professional that works with AirB&Bs, they know how many have licenses through their organization, whether that be AirB&B, what are some of the other ones, VRBO, but that doesn't indicate the number that have received permits from us. That indicates the number that are operating, which typically a fairly different number.

The second is that transient residential use is a fairly new occurrence and also fairly new to our ordinance. So, we don't have a significant number. It's actually a quite small number that have received permits to do this, to operate this way. I don't know the total, but I believe it's less than 25 that we have received in the entire county.

**Hundt:** and in what period of time is that since we've...

**Handy:** Our ordinance was adopted or amended in 2012. And I believe this amendment was done since then. It's less than 10-years.

**Scheller:** I'm not sure if I know how to ask this question properly, but a lot of things that come before this committee, if the applicant files the proper paperwork, submits the proper information, we don't really have a reason to deny. Is that a correct statement?

**Lacher:** If you look at your board packets, I've tried to outline the applicable statutory and ordinance language, that might inform on that question. But I wouldn't be able to answer your question beyond that.

**Scheller:** And perhaps Chair Hoyer was going to go here, but the town itself has recommended approval and we recommended approval. Correct?

**Lacher:** That is correct. Your packets for this evening have an updated correspondence from the town, reaffirming their original position.

**Hoyer:** Would it be prudent to read correspondence in at this point or are we still looking, asking for questions?

**Lacher:** I'm available to do so if the committee would like.

**Schlimgen:** Unintelligible

**Lacher:** The application is made under ordinance chapter 17, and you'll see at the top of your packets the citation for that. So, that is a, it's listed as a conditional use. That is for the jurisdiction of this committee and it's an enumerated conditional use in the zoning district. The rural zoning district in which this property is located.

There were no further questions.

New correspondence was read in by staff.

Past correspondence was not read in since as it is part of the record from the prior meeting.

**Hoyer:** So, before us right now is a motion on the floor, and I believe it was to deny this request. With clarification from staff, if I could this motion needs to come forward to be voted up or down, correct? And depending upon the outcome of a motion a new motion could be entertained, but we have to vote on this the way it's written and not with new conditional uses put in. Am I correct in that understanding?

A silent affirmative was given.

**Hoyer:** So, any further questions?

**Scheller:** Not a question, I guess a statement. In full disclosure and transparency. I will vote against the denial. I've owned an AirB&B for 5-years, one of the first ones in the City of La Crosse. We've hosted 2 to 300 guests. We are continuing to be astonished by the curtesy, the cleanliness, the way these people behave. I go into the houses after they visit and I can't even tell that anybody's been there, but the thing that...I sit on the Economic Development Board for the city and what we talk about, we have a program going with hotel vouchers and every person that comes into this city, every couple that comes into the cities spends an astonishing amount of money. And they come back and they bring more people back. So, I mean it's a big economic driver for the City of La Crosse. I can tell you my neighbors had a bit of trepidation when we started this but none of them have a concern any longer. We don't know their there, the neighbors don't know their there, they're quiet and respectful. So, I understand your fears but I think you don't really need to have them. The site itself screens your potential guests. We can look to see how many times they've rented. If they've ever had a complaint, we're not going to rent to them. And they then in turn have a chance to rate the petitioner's AirB&B. If there are 174 AirB&Bs out there, and I believe there probably are, I don't think I've read an article in the Tribune or heard anything on a news report about a disturbance or a problem at any of them. So, I think the track record speaks for itself. It's a good endeavor and brings a lot to the City of La Crosse and the County of La Crosse in the form of tourism and dollars. I definitely vote not to deny. You're correct, this is a little bit tricky of a vote, you have to understand that if you vote for it you're voting to deny so you have to vote against it if you want to approve this permit.

**Hoyer:** Thank you Supervisor Scheller and great explanation. We did hear more information this time around than we did the first time and did definitely answer some questions. Any other questions from the committee?

**Schlimgen:** Unintelligible – after turning mic on – I empathize with the parties who spoke and I would not want one, but on the legal side I have to look at the County does not have an ordinance against it, so even if the County turns it down, the party coming to us could just go to court and get it overturned, and there isn't a whole lot we can do. So, I will be voting against it, but I will be making a motion if it's denied to put additional conditions on this so hopefully, we can address some of these things.

**MOTION** to deny Conditional Use Permit No. 1183.

**0 Aye, 5 No, 2 excused (Cornforth, Erickson), 0 absent, Motion failed.**

**MOTION** by Scheller / Hundt to approve Conditional Use Permit No. 1183 with Six (6) conditions as proposed by staff.

There was some discussion about adding a 7<sup>th</sup> condition and ways in which a conditional use permit can be terminated between committee members and staff.

**MOTION** by Schlimgen / Konradt to add a term limit to Conditional Use Permit No. 1183

**2 Aye, 3 No, 2 excused (Cornforth, Erickson), 0 absent, Motion failed.**

**MOTION** by Scheller / Hundt to approve Conditional Use Permit No. 1183 with Six (6) conditions as proposed by staff.

**5 Aye, 0 No, 2 excused (Cornforth, Erickson), 0 absent, Motion passed.**

**CONDITIONAL USE PERMIT NO. 1184** James P Shurson o/b/o A-1 Advanced Pumping Services INC., N4314 County Road M, West Salem, WI 54669, apply(ies) for a Conditional Use Permit on land zoned Exclusive Agriculture District under section 17.05(5)(d)(2)f – Agriculturally related business uses that meet the requirements of s. 91.01(3), Wis. Stats. for the expansion of an existing pumping service business. Property described as part of the NE/SW, Sec. 9, T16N, R6W. Tax parcel 7-264-0. Property address: N4314 County Road M, Town of Hamilton.

**IN FAVOR:** James Shurson, N4314 County Road M, West Salem. I'm here tonight to get permission to get permission to build a building for storage of equipment used for farming and liquid waste business. I've been at my present location for 30-years and we just had some recent growth and I need to build a shed that's compliant with state codes.

**Hoyer:** Thank you very much. Any questions?

**Schlimgen:** Your building that you're proposing, for storage, I'm looking at it, are the doors of it facing the valley or

**Shurson:** They're going to be East and West, so they would be facing out to Elm.

**Schlimgen:** unintelligible

**In Favor:** Blain Lee, N6304 Burgen Coulee Road. I'm also the Chairman for the Town of Hamilton. Just to start out, a little bit about Jimmy. We had Jimmy down here before for permits when he put a slurry system in and we've never had a problem with Jim. In fact Jimmy Shurson donated 649 yards of black top to go on the road because he didn't want to wreck our road. That's a lot of black top. The slurry systems that he installed only once did a neighbor have trouble with the smell and Jimmy was right out there and powdered it because the guy that was delivering forgot to. So, this is the kind of guy Jimmy is. We've never had any issues out there with Jimmy and with his business getting bigger he needs a place to put this equipment and it goes along good with the facility he has there right now and I would ask this committee to approve highly approve this. Thank you.

**Hoyer:** Thank you.

No others appeared to speak in favor.

No one spoke in opposition.

Public comment was closed.

Correspondence was read in by staff.

There was some discussion about the history of this property and how the permitting process would be handled for this property in the future.

**MOTION** by Schlimgen / Konradt to approve Conditional Use Permit No. 1184.

**5 Aye, 0 No, 2 excused (Cornforth, Erickson), 0 absent, Motion carried.**

**CONDITIONAL USE PERMIT NO. 1185** Nate Loeffelholz, 617 Hanson Court, Onalaska, WI, 54650 o/b/o Paul & Michael Schwarz, W3279 Old Highway 16, West Salem, WI 54669, apply(ies) for a Conditional Use Permit on land zoned Rural District under Zoning Ordinance section 17.05(4)(b)1 via 17.05(1)(b)11 - One detached accessory residential dwelling unit on the same parcel or lot subject to the Table in s. 17.14(1). Property described as CSM No. 11 Vol 5 Lot 2, Sec 26, T17N, R7W. Tax parcel 7-936-11. Property address: W3279 Old Highway 16, Town of Hamilton.

**Appering in Favor:** My name is Nate Loeffelholz, that's how you pronounce that, 617 Hanson Court, Onalaska, WI; AKA grandson of this granny apartment. I'm representing my aunt and uncle, who are the daughter and son-in-law of the grandma. Grandma couldn't be here tonight, she took a fall and got diagnosed with COVID, so hence the whole reason for this project to begin with. My name is Nate Loeffelholz as I mentioned, I'm an architect, I live in Onalaska, WI and what we're proposing is adding on to back of the current detached garage. The maximum amount of square footage is 1500 square feet we're going to be just underneath that. The maximum height from the curb lane is 17 feet and we're going to be below that. We provided a preliminary set of plans kind of showing what we're proposing to do. The idea for the project is to get my grandma out of her current house. She lives in a twindo and get then with Michael and Paul so their right there as she ages. She's currently 81. She's doing great, she's a tough old bird. We all know this, but things happen and we want to have her close to family. We're within all the setbacks as you can see. I think the big sticking point maybe for neighbors is that this is not a rental, it's not an AirB&B, I sat through the first one so, just to make that clear, it was passed that way at the Township meeting. They're not allowing that to be the case in the future. So this is just getting my grandma as close to Michael and Paul. In terms of extra traffic, from a traffic impact, she drives a car and we don't know for how long, so that would be the only vehicle in addition coming from that road. But they've also dumped a few kids so you know it could even out on that one. So, that's the project, and that's it, that's all the statement that I have.

**Hoyer:** Any questions from the committee?

There were no questions from the committee

**In Favor:** Blain Lee, N6304 Burgen Coulee Road, Chairman for the Town of Hamilton. I went and viewed this property, and it's a very nice well taken care of property. The lots not real big, and you'll see when you read our minutes that we chose not to ever have this subdivided, and we classified this as a guest house. The reason we did that is to make sure that this is never going to turn into a rental and I'm 100% sure knowing these people now, that that's not ever going to be an issue. They had a good architect doing this, they are doing everything right. Just trying to get grandma in a nicer place next to home. That's why we approved it and I would recommend the board here to approve. Thank you.

No others appeared to speak in favor.

No one spoke in oposition.

Public comment was closed.

Correspondence was read in by staff.

There was some discussion regarding conditions.

**MOTION** by Schlimgen / Hundt to approve Conditional Use Permit No. 1185 with conditions.

**5 Aye, 0 No, 2 excused (Cornforth, Erickson), 0 absent, Motion carried.**

**ZONING PETITION NO. 2065** Arlan C. Ulberg, W7661 James Street, Holmen, WI 54636 apply(ies) for a zoning map amendment to rezone a 0.51-acre parcel from the Public Facilities and Institutional District to the Rural District. Property described as CSM No. 135 Vol 3 Lot 1, Sec. 1, T17N, R8W. Tax Parcel 8-421-14. Property Address: TBD James Street. Town of Holland.

**Appearing in favor:** Arlan Ulberg, W7661 James Street, Holmen, WI. The church owned this lot, the Holmen Baptist Church, we've been at this residence about 20 years. At one point it was all weedy and we actually even maintained the lot a little bit for the church. Been good neighbors with the church like I said for 20 years, and they wanted to give us the first opportunity to buy this half acre lot that adjoins our current property. The first thought was just to protect and potentially prevent another house being built there. When we first bought our house both lots were empty on both sides of us as I observed the house owned by Yia at this point, they just raised the whole property up and I got all their runoff water. So, this lot that we've recently purchased is where all the water goes. So, I was real concerned if the church sold it to somebody else all that water might get blocked off by them not putting a basement in. The ringing up the property like I've seen so many times is that they don't follow that runoff pattern. The more we got to thinking about it, we thought maybe a garage out there, fire pit, just something to own that property and potentially not have an issue with somebody building a big house there. So, that was basically why we purchased it. Might put a garage out there some day.

There were no questions.

No others appeared to speak in favor.

No one spoke in opposition.

Public comment was closed.

Correspondence was read in by staff.

There were no questions for staff.

**MOTION** by Konrad/Schlimgen to approve Zoning Petition No. 2065.

**5 Aye, 0 No, 2 excused (Cornforth, Erickson), 0 absent, Motion carried.**

**MOTION** by Schlimgen/Scheller to adjourn at 7:22 pm.

**5 Aye, 0 No, 2 excused (Cornforth, Erickson), 0 absent, Motion carried. Meeting adjourned.**

Hearing adjourned at 7:22 pm.

*Disclaimer: The above minutes may be approved, amended, or corrected at the next Committee meeting.*

*Charlotte Peters, Recorder*

*Drafted 05/10/2022*

**NOTICE OF PUBLIC HEARING  
ON APPLICATION FOR A CONDITIONAL USE PERMIT**

**NO. 1186 BY:**

**Maureen Mooney  
1930 Adams St  
La Crosse, WI, 54601**

NOTICE IS HEREBY GIVEN, that a public hearing will be held in the COUNTY BOARD ROOM (1700) of the ADMINISTRATIVE CENTER (entry via EAST entrance only), 212 6<sup>TH</sup> ST N, LA CROSSE, WI 54601 on Tuesday, May 31, 2022 at 6:00 p.m. for an application for a CONDITIONAL USE PERMIT in accordance with La Crosse County Ordinance chapter 17.05(5(d))1.d. Recreational vehicle for use as a temporary residence.

PROPERTY DESCRIBED AS: Pt NW-NE, Sec. 20, T. 18N, R.6W. Tax parcel 5-855-2. Property address County Road T. Town of Farmington.

**ANY PERSON HAVING A CONCERN IN THIS MATTER WILL BE GIVEN THE OPPORTUNITY TO BE ORALLY HEARD RELATIVE TO THE GRANTING OR DENYING OF THIS PETITION. WRITTEN CORRESPONDENCE CAN BE READ INTO THE RECORD OF A PUBLIC HEARING BY THE SUBMITTING INTERESTED PARTY OR A REPRESENTATIVE. A TECHNICAL REPORT PREPARED AND SUBMITTED BY OTHER GOVERNMENTAL AGENCIES SHALL BE READ INTO THE RECORD. ALL OTHER CORRESPONDENCE IS RETAINED ON FILE.**

All pursuant to Section 59.69 Wisconsin Statutes. The application is on file in the office of the County Zoning Director. If you have any questions, please call (608) 785-9722.

Dated: 5/13/2022

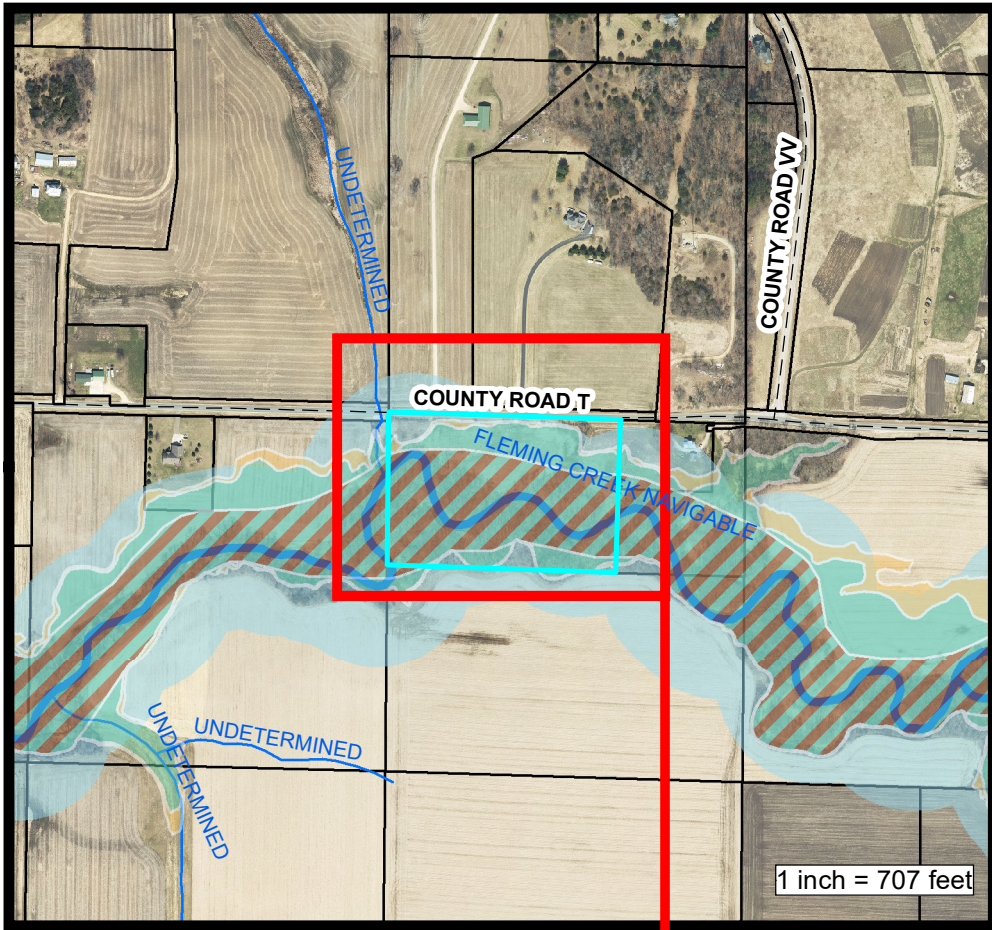
LA CROSSE COUNTY PLANNING, RECOURSES  
AND DEVELOPMENT COMMITTEE

BY \_\_\_\_\_  
Kathleen Stewart, Administrator  
Zoning, Planning and Land Information Department

ACCORDING TO THE AMERICAN WITH DISABILITIES ACT, PUBLIC ACCESS TO THE ADMINISTRATIVE CENTER IS LIMITED.

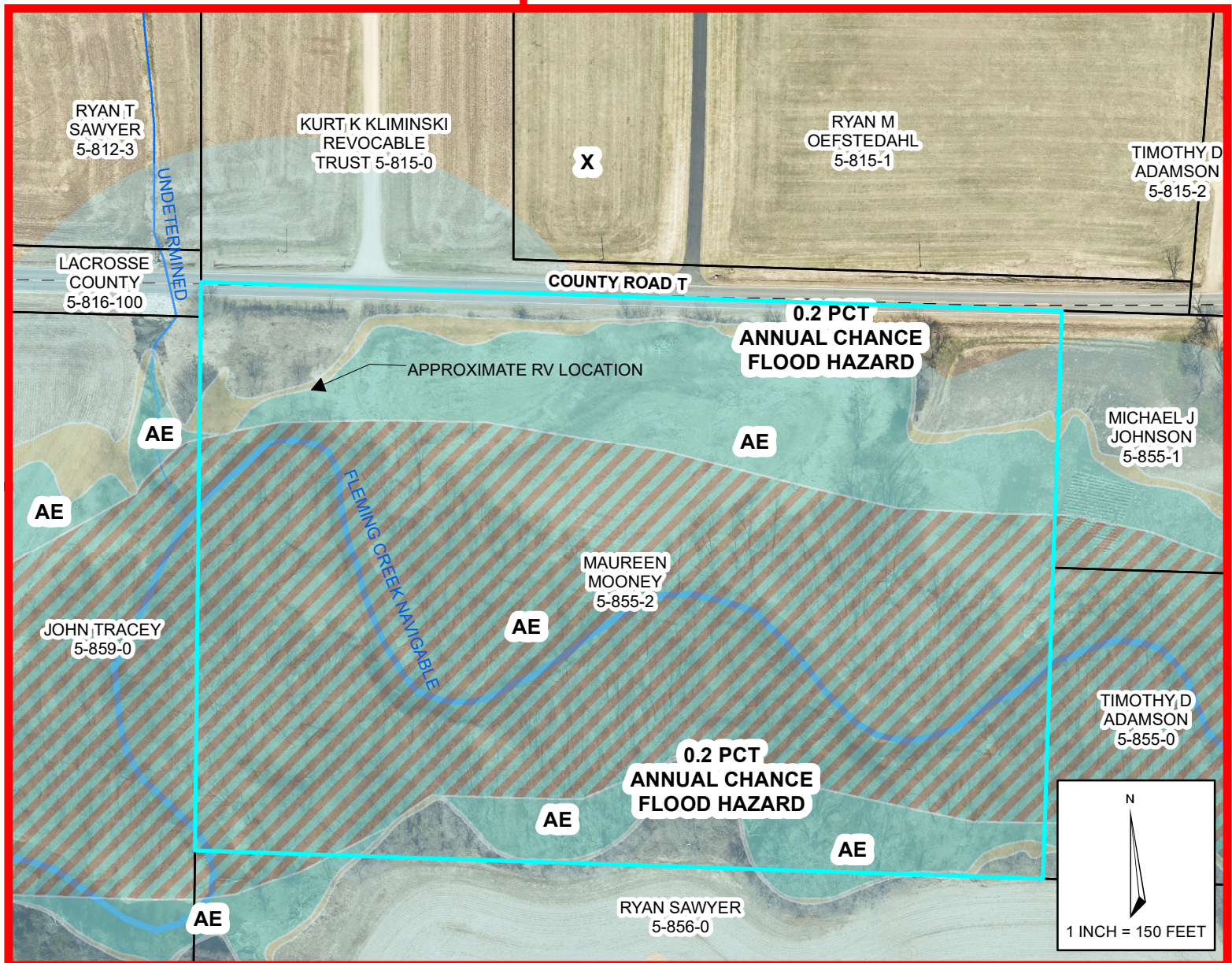
PERSONS WITH DISABILITIES: IF YOU NEED ACCOMMODATION TO ATTEND THIS MEETING, CONTACT THE ZONING, PLANNING AND LAND INFORMATION OFFICE AT 785-9722 THE FRIDAY PRIOR TO THE MEETING SO THAT ARRANGEMENTS CAN BE MADE.





**LEGEND**

- SHORELAND - R
- STREAM CATAGORY**
- NAVIGABLE
- NON-NAVIGABLE
- UNDETERMINED
- ROADS
- FLOOD ZONES**
- (0.2%)
- (AE) = FLOOD FRINGE
- (AE) = FLOODWAY
- (X)



**CONDITIONAL USE PERMIT NO. 1186**

CONDITIONAL USE PERMIT NO. 1186 MAUREEN MOONEY, 1930 ADAMS ST, LA CROSSE, WI 54601, APPLY(IES) FOR A CONDITIONAL USE PERMIT ON LAND ZONED EXCLUSIVE AGRICULTURAL DISTRICT IN ACCORDANCE WITH LA CROSSE COUNTY ORDINANCE SECTION 17.05(5)(D)1.D. RECREATIONAL VEHICLE FOR USE AS A TEMPORARY RESIDENCE. PROPERTY DESCRIBED AS PT NW-NE, SEC. 20, T.18N, R.6W. TAX PARCEL 5-855-2. PROPERTY ADDRESS COUNTY ROAD T. TOWN OF FARMINGTON.

I would like a conditional use permit to park a motorhome/camper on the land I bought off of County Rd. T in the town of Farmington. I would be staying there when I am not travelling for contract work in the healthcare field. It would be approximately 4 to 6 months out of the year that I would be staying there. I have talked to the health department and I can use the holding tank that comes on the motorhome for waste and I will dispose of it at a designated site, such as a county park or campground. I will take my garbage and recycling to the local dump in Mindoro.

I don't anticipate much, if any impact to my neighbors or the community of Farmington.

There will be no traffic in or out of my property other than my car and there will not be any bright lights or noise coming from my property either. I just want to enjoy being in the woods when I am not working.

Thank you



**LA CROSSE COUNTY**  
Exceptional services. Extraordinary place.

**ZONING, PLANNING AND LAND INFORMATION OFFICE**

La Crosse County Administrative Center  
212 6<sup>th</sup> St. North • Suite 1300  
La Crosse, Wisconsin 54601-3200

**Staff Report – Application for Conditional Use Permit**

**CUP #:** 1186

**Parcels:** 5-855-2

**Applicant:** Maureen Mooney

**Application Date:** 5/2/2022

**Hearing Date:** Tuesday, May 31, 2022

**Zoning District:** Exclusive Agricultural District

**Conditional Use:** 17.05(5(d)1.d. Recreational vehicle for use as a temporary residence

**Reviewer:** Aaron Lacher & Charlie Handy

**Project #:** 33166

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**Request**

17.05(5(d)1.d. Recreational vehicle for use as a temporary residence

**Materials Submitted by Applicant**

1. CUP Application
2. Impact Statement & Map

**Summary of Noteworthy Topics**

A petition to rezone parcel 5-855-0 (now 5-855-0, 5-855-1, 5-855-2, & 5-816-100) was conditionally approved in 2011. Conditions required that a deed restriction be recorded stating that the parcel could not be subdivided, and that only one single-family residence was allowed (note that a single-family residence existed on the parcel at the time). A deed restriction was never recorded, and as a result, the rezone never took effect. The parcel was subdivided in 2012, effectively nullifying the conditional rezone.

An understanding of the terms residency and occupancy under the Zoning Ordinance are helpful when considering this application. Three tiers of residential use are created by the chapter 17—transient, temporary, and principal—which are distinguished by the length of occupancy. Temporary residential use is occupancy of a “permitted structure” between 30 and 180 days. In this case, the recreational vehicle is the structure for which a permit is being sought with this application. In defining “recreational vehicle” the Ordinance modifies “occupancy” with the adjective “recreational”. This modification does not bear on this application because any occupancy of such a vehicle is both recreational and residential due to the class of the vehicle.

**Applicable Ordinance Sections & Law**

Wis. Stats. S. 59.69(5e) enables counties to issue conditional use permits and sets forth required procedures. Statute requires that “substantial evidence” be the basis for decisions on conditional use permit applications. La Crosse County Ordinance (LCO) Chapter 17.10 further establishes procedures required locally.

Wis Stats. s. 59.69(5e):

*“(a)...“Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the county of a class 2 notice under ch. 985, the county shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the county may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the county zoning board.

(e) If a county denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in s. 59.694 (10).

17.03(73) *Recreational Vehicle.* A vehicle intended to be used for temporary recreational occupancy less than 8 feet in width and 400 square feet in size.

17.03(89) *Temporary Residential Use.* The short term occupancy of a permitted structure or building for a period of time not less than 30 days, and not to exceed 180 days during a calendar year.

17.05(5)d.1.d. *Any recreational vehicle, trailer or other similar transportation device, if the wheels have been removed or if otherwise temporarily fixed to the ground or attached to something having a temporary location on the ground.*

Township approval is required for most conditional use permits.

LCO s. 17.10(8):

*Except for conditional uses approved under 17.05 (5)(D)(2b) and La Crosse County Code of Ordinances Chapter 28, which require only County Board approval, all other conditional use permits require both Town Board and County Board approval.*

### **Zoning & Permit History**

No past zoning permits have been issued to the property. A zoning map amendment (ZPT #1874) was conditionally approved in 2011, however, the conditions were never satisfied and the amendment did not take effect.

### **Site Characteristics**

The subject property is a ±11 acre riparian parcel with frontage on County Road T. Soils are partially hydric silt loam. Slopes are predominantly <12% except along stream and drainage banks. Flemming Creek flows through the property, and associated shoreland and floodplain districts overlay nearly the entire parcel (Figure 1). The surrounding area is predominately agricultural land with a low density of non-farm residences (Figure 2).

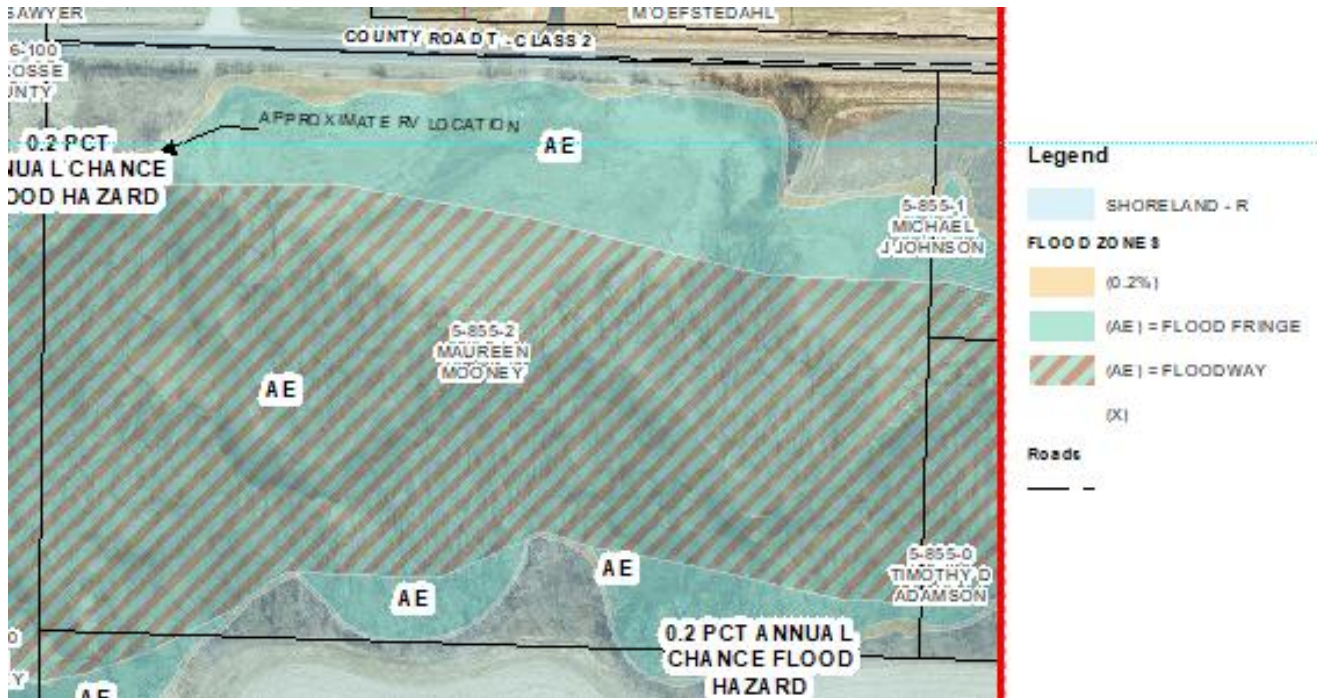


Figure 1 Floodplain and Shoreland

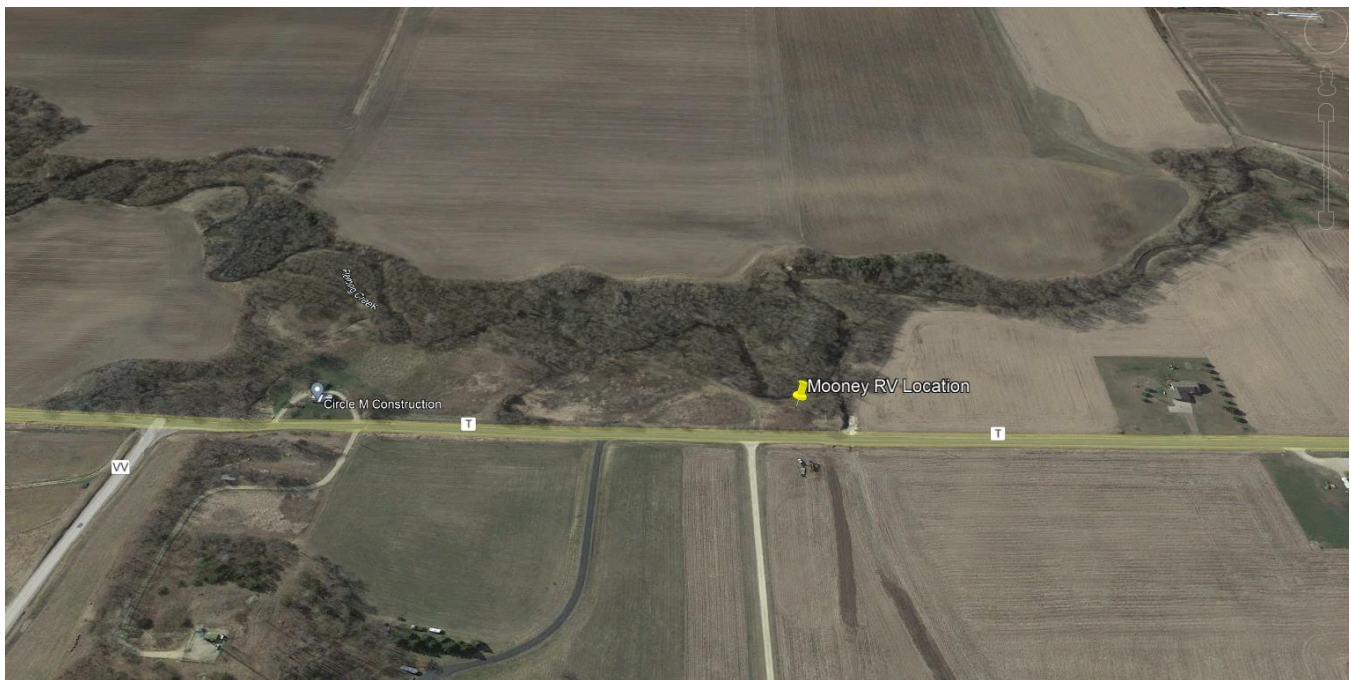


Figure 2 Oblique imagery of subject area

**Public Comments**

The Town of Farmington, the County Supervisor(s) representing the affected area, and property owners of record within 300' of the proposal were notified. The Town of Farmington passed a motion approving the application on 4/19/2022. The County Sanitarian provided comments requesting that an affidavit addressing wastewater disposal be recorded.

### **Proposed Findings**

Staff recommends approval based on the following findings, which are provided for consideration and adoption by the Board.

1. The Board is empowered act on conditional use permit applications.
2. The application was property made and noticed.
3. The Town of Farmington has approved of the application.
4. Approval is consistent with the general purpose of the official controls, promotes the public interest, and will not create an undue nuisance resulting from smoke, increased traffic, heavy vehicular traffic, odors, impacts on water and sewer systems, impacts on public waters, impacts on neighboring property values and other similar factors. Impacts on traffic will be negligible. Wastewater will be handled according to applicable codes. No other impacts are anticipated.
5. The proposal is consistent with Comprehensive Plan:
  - a. *31.04(1) (c) (1). Promote innovative housing techniques with adequate controls to safeguard existing communities*
6. The proposed placement of a recreational vehicle will not substantially impair or limit current or future agricultural use of surrounding lands.

### **Proposed Conditions**

Should the Board make a favorable recommendation, staff recommend the following conditions:

1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Committee, in accordance with all conditions to the conditional use permit, taken as a whole, as approved by the Planning Resource and Development Committee and the County Board.
2. This approval does not preempt permittees' obligation to comply with all other applicable federal, state, and local regulations.
3. This permit authorizes the placement of not more than one recreational vehicle at any time, which must be fully licensed and ready for highway use at all times. Locating a recreation vehicle in the floodfringe may result in additional limitations for which the permittee is responsible for compliance.
4. Occupancy of the recreational vehicle is temporary and shall not exceed 180 days during any calendar year.
5. Prior to placement of a recreational vehicle, the permittee shall record an affidavit requiring proper disposal of wastewater acceptable to the La Crosse County Sanitarian with the La Crosse County Register of Deeds.
6. Prior to placement of a recreational vehicle, all necessary driveway pemirts shall be obtained and a fire number shall be established.
7. This permit is non-transferable.

**NOTICE OF PUBLIC HEARING  
ON APPLICATION FOR A CONDITIONAL USE PERMIT**

**NO. 1189 BY:**

**Andrew T. & Trudi M. Lefebre  
W5616 County Road W  
Holmen, WI, 54636**

NOTICE IS HEREBY GIVEN, that a public hearing will be held in the COUNTY BOARD ROOM (1700) of the ADMINISTRATIVE CENTER (entry via EAST entrance only), 212 6<sup>TH</sup> ST N, LA CROSSE, WI 54601 on Tuesday, May 31, 2022 at 6:00 p.m. for an application for a CONDITIONAL USE PERMIT in accordance with La Crosse County Ordinance chapter 17.03(a) Other uses approved as conditional uses for a wedding venue.

PROPERTY DESCRIBED AS: NW-SW & Pt SW-SW, Sec. 2, T. 17N, R.7W. Tax parcel 10-68-0. Property address W5616 County Road W. Town of Onalaska.

**ANY PERSON HAVING A CONCERN IN THIS MATTER WILL BE GIVEN THE OPPORTUNITY TO BE ORALLY HEARD RELATIVE TO THE GRANTING OR DENYING OF THIS PETITION. WRITTEN CORRESPONDENCE CAN BE READ INTO THE RECORD OF A PUBLIC HEARING BY THE SUBMITTING INTERESTED PARTY OR A REPRESENTATIVE. A TECHNICAL REPORT PREPARED AND SUBMITTED BY OTHER GOVERNMENTAL AGENCIES SHALL BE READ INTO THE RECORD. ALL OTHER CORRESPONDENCE IS RETAINED ON FILE.**

All pursuant to Section 59.69 Wisconsin Statutes. The application is on file in the office of the County Zoning Director. If you have any questions, please call (608) 785-9722.

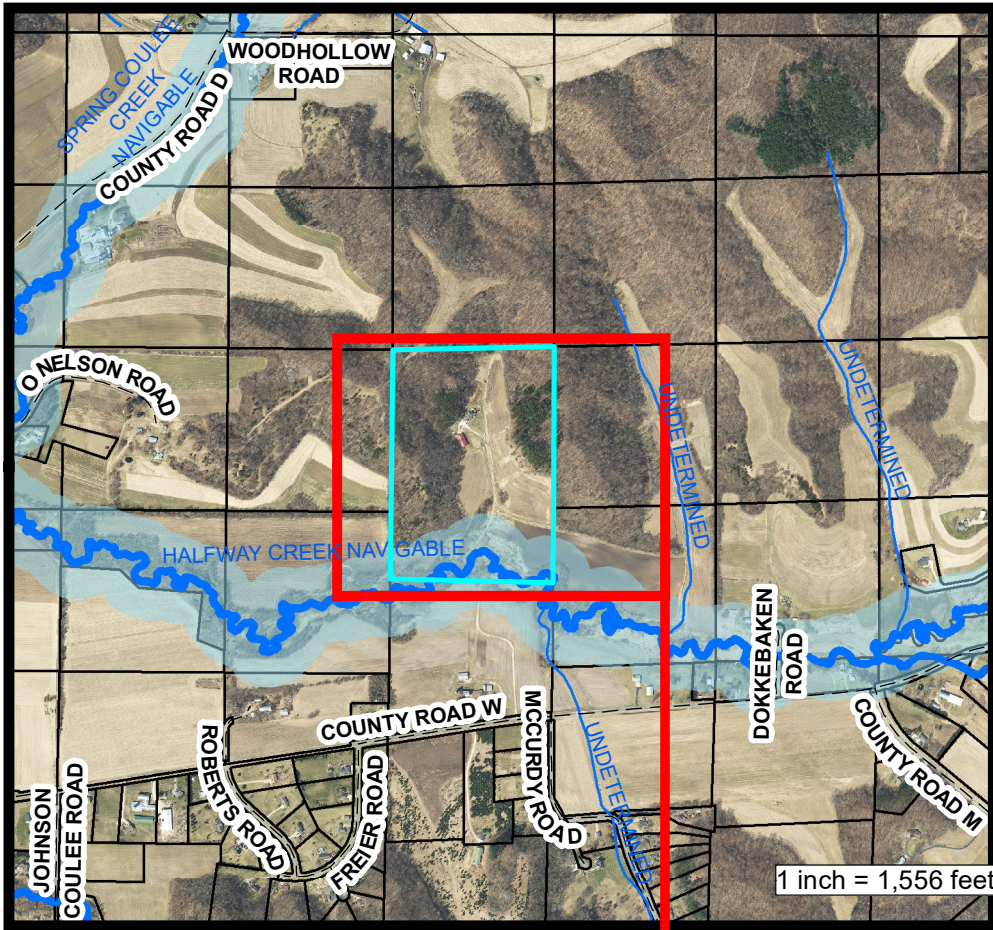
Dated: 5/13/2022

LA CROSSE COUNTY PLANNING, RECOURSES  
AND DEVELOPMENT COMMITTEE

BY \_\_\_\_\_  
Kathleen Stewart, Administrator  
Zoning, Planning and Land Information Department

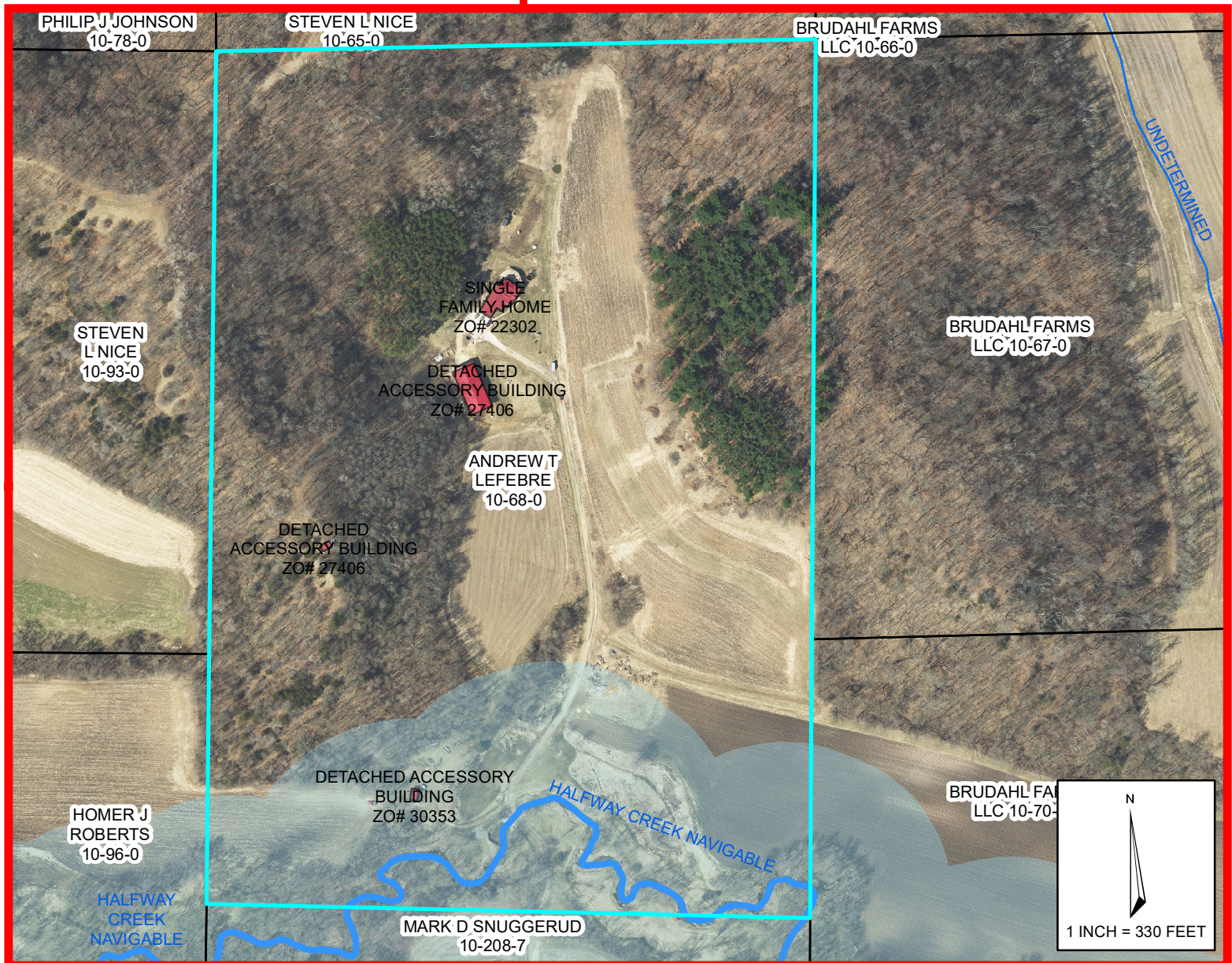
ACCORDING TO THE AMERICAN WITH DISABILITIES ACT, PUBLIC ACCESS TO THE ADMINISTRATIVE CENTER IS LIMITED.

PERSONS WITH DISABILITIES: IF YOU NEED ACCOMMODATION TO ATTEND THIS MEETING, CONTACT THE ZONING, PLANNING AND LAND INFORMATION OFFICE AT 785-9722 THE FRIDAY PRIOR TO THE MEETING SO THAT ARRANGEMENTS CAN BE MADE.



**LEGEND**

- EXISTING BUILDINGS
- SHORELAND - R
- STREAM CATEGORY**
- NAVIGABLE
- NON-NAVIGABLE
- UNDETERMINED
- ROADS



**CONDITIONAL USE PERMIT NO. 1189**

CONDITIONAL USE PERMIT NO. 1189 ANDREW T. & TRUDI M. LEFEBRE, W5616 COUNTY ROAD W, HOLMEN, WI 54636, APPLY(IES) FOR A CONDITIONAL USE PERMIT ON LAND ZONED EXCLUSIVE AGRICULTURAL DISTRICT IN ACCORDANCE WITH LA CROSSE COUNTY ORDINANCE SECTION 17.03(A) OTHER USES APPROVED AS CONDITIONAL USES FOR A WEDDING VENUE. PROPERTY DESCRIBED AS NW-SW & PT SW-SW, SEC. 2, T.17N, R.7W. TAX PARCEL 10-68-0. PROPERTY ADDRESS W5616 COUNTY ROAD W. TOWN OF ONALASKA.



# Legacy Valley

## Weddings and Events

For twelve years we have been spending time improving our property. This includes a beautiful facility for weddings. In 2020 my daughter was getting married and we offered a place for her and my son in law to get married. We thought it would be a great place for others in the area. It is located in a very scenic valley where no other residence can be seen. It is roughly 1/2 mile from the closest residence. There are also beautiful spaces near Halfway Creek where a couple can say their nuptials if they desire.

My wife and I are both from the area, we graduated from Central and from Onalaska. We have strong ties to the area. I have been a Pastor in Onalaska for 33 years. This venue offers an opportunity for us to enhance our occupation as well as help others.

The Barn has cathedral ceilings that are finished with a beautiful 2 tone stain. Large fans are mounted on the ceiling and nice lights give it a great accent. The barn is located so that people can look out over the valley to the south. Bathrooms are fitted nicely in the barn and are well finished. Many windows are located throughout the building with barn doors that can be opened on the end. The inside is finished with rough sawn lumber that is taken from some of the pines on the property. The wedding site near the creek will have rough sawn lumber benches that have a live edge which can be used for a ceremony. The land is farmed by the neighbor which includes corn and soybeans rotated by year and people that are not from the country are attracted to the rural setting. Parking is located between the spot for ceremonies and the barn. We will be having shuttles for those that wouldn't want to walk the small incline uphill to the barn. There is handicap parking on an even level located close to the barn.

## Location

The entrance to the property is located just a few miles outside of Holmen 1/2 mile from the corner of County M and County W. 1 mile past Halfway Creek Church. We are on the North side of County W 1/2 mile off the road. This would be the 2nd Wedding Barn in the County. Legacy Valley is approximately 2-3 miles from the outskirts of Holmen.

## Unique Facilities

Not only are there tremendous views and options for picture taking. The building itself is different than the typical venue. We have open spaces with a rustic feel. Outside we have plenty of green as well as a large porch and patio. A large fence was designed to separate the residence from the facility. Green areas are found throughout the area. Inside we have the open space and also a Brides room. We also have a place for the groomsmen. A kitchen is in the facility and we are applying with the health department for it to be used during events, if it is not catered. Handicap parking is found near (and at the same level as the barn). The barn has new plumbing. Air is all natural. It has smoke alarms and lights as listed in the plans. It also has cement floors that are finished with an acid wash stain which give it a marble look. The Kitchen, bathroom, and brides room are finished with a nice tile. Everything is insulated so that it stays cooler in the summer and warmer in the cold months. It is finished with hand hewn beams and rustic rough sawn walls.

## Impact on the area

I believe this will have a positive impact on the area both economically and reputably. We are known for our beautiful rivers and Coulees. This will emphasize that beauty. My close neighbors have been communicated with and didn't mention any concerns. The large parking lot will accomodate 86 vehicles and we can make more if needed. During a typical large wedding with up to 80 vehicles; with 75% of the vehicles showing up no more than 45 minutes before the wedding. This alllows for 1-2 cars a minute on average for 40 minutes coming to the venue. In keeping with the asctetics and beauty of the area, we will be keeping the parking lot finished in grass. This grass has been established for 2 years and will make a welcome environment for both the creekside weddings and the barn receptions.

The venue has the capacity to handle this kind of traffic with no problem. A parking attendent will be available for larger weddings.

Music will be played inside the barn. Music was played at various levels and it could not be heard from the closest home at 87.5 decibels.

Light and glare from the property shouldn't be an issue since the property is located 1/2 mile from the nearest neighbor and trees keep the site from being seen by anyone during the warm months.

Our facilities will be have the possibility of being open till 11 in the evening on the weekday events. Fridays and the weekends we would extend the time till midnight.

Waste will be stored in the proper containers and taken to the dump or a paid for dumpster.

We do not foresee emissions that would affect the public.

All vehicles will be parked away from the venue with the exception of handicap parking

People parking in the lower lot will have the option of getting a ride to the venue or walking. It has a slight incline. Rides may given by van, tractor and trailer, or by golf cart.

## Consultation

The plans were drawn by Tim Bensen of Midwest Design and Development.

The former Fire Chief of Holmen came to the property, and all of his recommendations were followed.

The new Fire department of LaCrosse was consulted and confirmed the plans

The property was inspected by Jim Webb from the town of Onalaska.

The state (DFPS) signed off on the plans. An Engineer was hired for safety and wind sheer calculations on the building.

My lawyer has been consulted for how the business should be established, insured and run.

My accountants have been consulted on how the business should be run and established.

The State Highway Commissioner stated that the Cty Hwy is fine to use for what we have intended.

The County was conulted for adequate Septic

## Costs associated with the Property

### Costs estimates associated with Legacy Valley

Week day or Night	\$450
Weekend Weddings <u>starting at</u>	\$3,500

### Conventional Season for Weddings and Events

May through October

Hours of operation

Weekdays                      No later than 11 pm  
Fridays and Weekends      No later than 12 pm

I'm estimating that 90% or more of activities will be on a Saturday

### Costs associated with the Barn

Taxes on overall Property    \$840 mo.  
Insurance                        \$500 mo.

This may go up as liability is taken out on the Venue

Thank you for this opportunity.



**LA CROSSE COUNTY**  
Exceptional services. Extraordinary place.

**ZONING, PLANNING AND LAND INFORMATION OFFICE**

La Crosse County Administrative Center  
212 6<sup>th</sup> St. North • Suite 1300  
La Crosse, Wisconsin 54601-3200

**Staff Report – Application for Conditional Use Permit**

**CUP #:** 1189

**Parcels:** 10-68-0

**Applicant:** Andrew T. & Trudi M. LeFebre

**Application Date:** 5/5/2022

**Hearing Date:** Tuesday, May 31, 2022

**Zoning District:** Exclusive Agricultural District

**Conditional Use:** 17.05(5)(d)2.g. Agriculture accessory uses that meet the requirements of §91.01(1)(d), Wis. Stats.

**Reviewer:** Aaron Lacher & Charlie Handy

**Project #:** 33183

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**Request**

17.05(5)(d)2.g. Agriculture accessory uses that meet the requirements of §91.01(1)(d), Wis. Stats. for a wedding and events venue.

**Materials Submitted by Applicant**

1. CUP Application
2. Map & impact statement
3. State reviewed construction plans
4. Correspondance from La Crosse Fire Chief and La Crosse Highway Department

**Summary of Noteworthy Topics**

Applicants seek approval to use an existing detached accessory building commercially as a wedding and events venue. The requested use is considered to be accessory to existing conventional agricultural activity and agricultural forest because the use is dependent on an agricultural setting, would be secondary to agricultural production—which would continue—and would not impair or limit the use of the farm for agriculture in the future.

**Applicable Ordinance Sections & Law**

Wis. Stats. S. 59.69(5e) enables counties to issue conditional use permits and sets forth required procedures. Statue requires that “substantial evidence” be the basis for decisions on conditional use permit applications. La Crosse County Ordinance (LCO) Chapter 17.10 further establishes procedures required locally.

Wis Stats. s. 59.69(5e):

*“(a)...“Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

- 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.*

2. *The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.*

*(c) Upon receipt of a conditional use permit application, and following publication in the county of a class 2 notice under ch. 985, the county shall hold a public hearing on the application.*

*(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the county may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the county zoning board.*

*(e) If a county denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in s. 59.694 (10).*

LCO s17.05(5)(d)2.g:

*Agriculture accessory uses that meet the requirements of §91.01(1)(d), Wis. Stats.*

Wis Stats. s 91.01(1):

*(1) "Accessory use" means any of the following land uses on a farm:*

*(a) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.*

*(b) An activity or business operation that is an integral part of, or incidental to, an agricultural use.*

*(c) A farm residence.*

*(d) A business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in par. (a) or (c), that employs no more than 4 full-time employees annually, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.*

*(e) Any other use that the department, by rule, identifies as an accessory use.*

Township approval is required for most conditional use permits.

LCO s. 17.10(8):

*Except for conditional uses approved under 17.05 (5)(D)(2b) and La Crosse County Code of Ordinances Chapter 28, which require only County Board approval, all other conditional use permits require both Town Board and County Board approval.*

### **Zoning & Permit History**

The property has not been subject to past zoning district amendments; A chronology of zoning permit history includes:

5/2005 – ZO #22302 for a single-family residence

4/2019—VAR #2019-5 to allow detached accessory building to exceed area standards

6/2019—ZO #27406 for three detached accessory buildings (including building proposed to be used as wedding venue)

### **Site Characteristics**

The subject property consists of ±55 acres accessed via easement from County Road W consisting of the entirety of a small valley as well as the entirety of a base farm tract. Cultivated ground coversers ±24 acres, agricultural forests ±28 acres, with the balance being residential or undeveloped. Soils at and adjacent to the proposed venue sites are silt loams, with the building location being a class IV, the parking area class I, and the ceremony area class II partially hydric. A gradual slope rises from the parking area, along the driveway, up the valley to the venue building resulting in an elevation increase of ±50' over ±800'.

Halfway Creek meanders near the southern property line and is overpassed by the driveway. A Shoreland District extends from the creek. There is no mapped floodplain on the property. The area is predominantly agricultural, with the ratio of woods to fields on the subject property being representative of neighboring areas. The nearest homestead is ±0.5 miles from the proposed venue.

### **Public Comments**

The Town of Onalaska, the County Supervisor(s) representing the affected area, and property owners of record within 300' of the proposal were notified. The Town of Onalaska passed a motion approving the application on 5/10/2022.

### **Proposed Findings**

Staff recommends approval based on the following findings, which are provided for consideration and adoption by the Board.

1. The Board is empowered act on conditional use permit applications.
2. The application was property made and noticed.
3. The Town of Onalaska approved the application.
4. The application is consistent with the Comprehensive Plan:
  - a. *31.04(5)(c)7. Continue to explore agricultural programming to enable an active farm economy within La Crosse County. Examples include a purchase of development rights (PDR) program that reserves agricultural land in perpetuity through conservation easements. Promote secondary agriculture-related industries to process and support agricultural production.*
  - b. *31.04(5)(c)12. Encourage opportunities to enable family businesses, cottage industries, home-based occupations, and agricultural-related businesses.*
5. Approval is consistent with the general purpose of the official controls, promotes the public interest, and will not create an undue nuisance resulting from smoke, increased traffic, heavy vehicular traffic, odors, impacts on water and sewer systems, impacts on public waters, impacts on neighboring property values and other similar factors. The use will not result in increased smoke or odors; anticipated traffic has been reviewed by the road authority and is acceptable; wastewater plans have been approved; no impacts to public waters are anticipated.

### **Proposed Conditions**

Should the Board make a favorable recommendation, staff recommend the following conditions:

1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Committee, in accordance with all conditions to the conditional use permit, taken as a whole, as approved by the Planning Resource and Development Committee and the County Board.
2. This approval does not preempt permittees' obligation to comply with all other applicable federal, state, and local regulations.
3. This permit is nontransferable.

4. Events shall conclude in accordance with the schedule provided in the application. No overnight accommodations or camping associated with events is allowed.
5. The permittee shall contact the emergency response departments for this location to inquire about the need for emergency response planning, and shall implement recommendations of said departments. Correspondence demonstrating contact shall be provided to the department.
6. Amplified music is permitted only within the barn structure and volume shall be controlled so-as not to create a nuisance on neighboring properties.
7. Following the issuance of this permit, affiliated uses accessory to the wedding/event barn that do not represent a significant change to the conditional use permit may be authorized by the Zoning Administrator.