

BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, March 15, 2010

Administrative Center – County Board Room

7:00 p.m. – 8:00 p.m.

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

CALL TO ORDER

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

APPEAL NO. 2010-06 Allan E III & Amy J. Schmidt-Schilling, N2244 Pammel Pass E, La Crosse, WI 54601. Permit denied to construct an attached garage addition to the existing 2-story residence that would lie within the required 10-ft side yard. The property is described as: Lot 1 of Certified Survey Map No. 138 in Vol 4. Town of Shelby.

Appearing in favor: Allan E Schilling III, N2244 Pammel Pass E, La Crosse, WI.

REMARK Schilling: My wife and I recently had twins. We were planning on only having one child. Because we have two we need more space in our house, we need another bedroom. We have a plan to add another bedroom and to convert our current garage to more living space. Which I think we will need for the additions to the family. So what we plan on doing is converting that garage to living space and then building a new garage which is going to be within 10 feet of the property line of our neighbor, Bob Schreier. It's going to be, as you can see from the map, within 2.83 feet on one corner of the new garage to within 6.33 feet on the other corner of the garage. We have talked with the neighbor, Bob Schreier, and he said that he would not have any issue with the variance. He doesn't have any issues with that. For us we really do need the extra space for the additions to the family. We feel that it's really not going to be any hardship to our neighbor or to anybody else in the neighborhood.

(Referring to map)

QUESTION Raymer: Is that just the way it was drawn, or is that not going to follow the setback line on that angle? The two lines don't run parallel.

ANSWER Schilling: Ya, the two lines don't run parallel.

QUESTION Raymer: And they won't according to that line?

ANSWER Schilling: I think it runs according to the line as it's drawn on the map. Does that answer your question?

QUESTION Raymer: This is the setback line and this angle doesn't line up with that, so is that going to be on that line so that squares it up more?

ANSWER Schilling: I don't believe so. I have Tom Weiland here; maybe he can answer that question a little more. He's going to be, I think, the general contractor on it. Tom, do you want to step up here?

QUESTION Raymer: These two lines don't correspond, is it going to kick back so it lines up with this line?

ANSWER Weiland (prior to being sworn in): We're kind of limited with the backyard. It's kind of tight back there because we got a retaining wall and an incline and also it seems like this angle matches up the best with the existing driveway in order to enter the new garage.

REMARK Raymer: I think if it lined up more with this, this corner wouldn't get so close.

QUESTION Weibel: Mr. Chairman, could we for the record swear in Mr. Weiland because he is giving testimony?

Appearing in favor: Thomas Weiland, W5320 Bahr Rd, West Salem, WI.

QUESTION Raymer: So the drawing is accurate the way it is?

ANSWER Weiland: Correct.

QUESTION Raymer: It's not going to follow that?

ANSWER Weiland: No.

QUESTION Raymer: That's why this corner gets closer than this corner?

ANSWER Weiland: Correct. And also we want to make sure we have some area behind the garage. We have a wood tie retaining wall. So we have some room to work the water out of the backyard.

QUESTION Houlihan: Is it possible to purchase any of the land?

QUESTION Schilling: From the neighbor?

ANSWER Houlihan: Ya.

REMARK Schilling: We did talk to Bob Schreier about that, the neighbor. We couldn't agree on a price. But that was one of the options we presented to Bob and we just couldn't come to an agreement on a price.

QUESTION Raymer: Do you have anything else Alan?

QUESTION Schilling: No, I think that's about it. I guess one thing is, you know we really do like where we live now, we really like the neighborhood and the house. We definitely want to stay there so we hope we can get the variance.

Appearing in favor: Amy Schmidt-Schilling, N2244 Pammel Pass E, La Crosse, WI 54601.

REMARK Schmidt-Schilling: We love the neighborhood and really want to stay there that's why we want to do the addition with our extended family. I did talk to Bob Schreier a couple times too and his house is set way back behind. And where it runs with the woods, he said he would never do anything with that for building or selling. Maybe he would sell us, eventually, but he didn't want to redo his mortgage and it was kind of really costly right now because he just purchased that land behind us and the house last June. So that's why it was kind of hard to come up with negotiating a price to purchase at least at this time. We really want to stay in this neighborhood for like the next 18, 20 years, raise our family there.

Appearing in opposition: None.

Correspondence: Phone call received by Mike Weibel on March 15, 2010 at 2 pm from Town of Shelby Administrator, Jeff Brudos. The Town of Shelby has no objection to the appeal.

Discussion:

REMARK Hammes: That's awful tight to the side.

REMARK Raymer: There aren't a lot of neighbors right there, nobody is objecting to it.

REMARK Houlihan: Property owner doesn't really have a problem with it and they did negotiate with him.

REMARK Raymer: Just for point of discussion, that other house is quite a ways away from this. It's not like they're ever going to bother it. I guess they couldn't put a detached accessory building up that close anyway. It's one of those rare deals. It would have been nice if they could have worked out a deal and got that eight or ten feet from the neighbor. I know how that goes.

Motion Houlihan/Hammes to approve.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-07 Dan Uhl, Davy Engineering Co. on behalf of UMESC, 115 6th St S, PO Box 2076, La Crosse, WI 54602-2076. Variance requested to construct a 10-ft X 30-ft water treatment building with associated manhole structures that will lie within the 75-ft building setback line from the ordinary high water mark of the Black River. The property is described as: Part of the E ½ of the NE ¼ of Section 18, T16N, R7W. Tax Parcel 4-112-1. Town of Campbell.

Appearing in favor: Dan Uhl, 136 S Clark St, West Salem, WI.

REMARK Uhl: I see you have the site plan there. I also have some handouts and a more detailed site plan if you care to look at it. As Mike explained this variance is for an ultraviolet disinfection facility for the existing waste water plant at, I'll call it UMESC. The reason they want to build this is to be proactive in controlling the discharge of pathogenic organisms from the facility. UMESC does research on various diseases of fish and aquatic life. One of them being the VHS virus and I'm sure everyone is aware of. By building this facility it will provide another barrier or another safety net, if you will, for discharges of viruses such as that from the facility. Because of the way the system is built, we don't have any options on where we locate this. The existing structure there, it says existing buildings and structures, what that

is, the pipeline from the ponds discharges to the river through those structures. So in order to disinfect the effluent before it's discharged to the river we have to tap into that line and detour it through the disinfection unit. Given the constraints of the site, we can't go any closer to the ponds than it is now. We need to have a little bit of space there on top of the dike in order to operate and maintain the ponds. And obviously we don't want to go any closer to the river. Right now we're up on top of the slope. So we're kind of locked in at that location due to the existing facilities on site.

QUESTION Raymer: So the UMESC is the Upper Mississippi Environmental Sciences Center?

ANSWER Uhl: Correct.

QUESTION Weibel: I know that this is Shoreland, it's also Floodplain. You have a floor elevation design for the facility now. That's correct?

ANSWER Uhl: Yes. And it is below the 100 year flood elevation. Let me pass these plans out then you'll see.

(Referring to plans submitted by applicant)

REMARK Uhl: The first page is the site plan. You'll see in the lower right there the 100 flood elevation is elevation 644. If you turn to page, to the last page I guess, you'll see a profile view of the building. The floor elevation is 643. The reason for that is because of the hydraulics that's as high as we could get it. We can't get it any lower and still get water through it. So if you turn back one page to the middle page, you'll see that in the manholes on the top of the page, we've got nice gate valves in there that will close when the water comes up above about 641 or so. And that way it won't flood back into that building. So we do have control for that.

Appearing in opposition: None.

Correspondence: Email from Carrie Olson, Water Management Specialist - Department of Natural Resources, sent to Mike Weibel on March 11, 2010. Email states that there are no objections to the proposal.

Discussion: None.

Motion Hammes/Houlihan to approve.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-08 Robert Swartz on behalf of Paul E Stry Foundation, N394 State Road 162, Coon Valley, WI 54623. Permit denied to construct a closed privacy fence that would lie within the 50-ft setback line from the right-of-way of State Road 33. Permit denied to construct a concrete walkway that will lie within the required 75-ft setback from the ordinary high water mark of Pammel Creek. The property is described as: Part of the NW ¼ of the SE ¼ of Section 10, T15N, R7W. Tax Parcel 11-616-0. Town of Shelby.

Appearing in favor: Robert Swartz, N394 State Road 162, Coon Valley, WI.

REMARK Swartz: You do have some handouts; I'll maybe hand out a little bit more.

(Referring to site plans submitted by applicant)

REMARK Swartz: That's the basic plan for the property, what's proposed. An aerial photograph that kind of provides a little bit of context. The Stry Foundation has been in existence for about 20 years or so. On the photograph, you can see to the right side of the photograph is the property that was developed about 20 years ago. And on the left side you see the property that the foundation acquired about a year ago and making plans to expand the existing facilities that we have. Expand the trail system and some other amenities. You'll see that there's an area that I've called the grotto. Sort of the reason for this grotto is that there's a lot of noise that comes from the highway so I wanted to lower the sidewalk below the surface of the ground. Also there's some mounding that would take place to raise the elevation of the ground between the sidewalk area and the... I have photoshopped in the proposed sidewalk here, so what

you're seeing over here is not existing. This is the proposed sidewalk. You can see it's an expansion of the existing sidewalk system. Here you can see the existing sidewalk. We have an existing pond over here that was reconstructed last year, or finished reconstruction last year. And this sidewalk. So this would expand what we already have out here with regards to the sidewalk system. As Mike indicated, to not put the sidewalk where we want, it would reduce the experience for people because it would keep them away from Pammel Creek which we think is an aesthetic thing that people would like to see. You would have to stay 75 feet away. The sidewalk would kind of have to come like this; it would be a little difficult to make sense of it. Also we have coordinated with the Town of Shelby and the DNR and so forth, and they have approved the work that's been proposed with regard to a sidewalk. So that is one of the components of it. The other component is the fence along our boundary with our neighbor to the east, Mike Charron. Mike has some farm type animals. He has got a horse and a goat I think in the backyard. So we'd like to provide some fencing in the back such that we don't have visitors coming over and sticking their fingers over the fence and getting nipped by the horse or the goat or whatever might be on that side of the fence. Also for the benefit of them we don't want people that might be spooking any animals that he might have in the backyard. Mike would also like to see that fence, a fairly solid fence, extended out towards the road and that's what the fence part of it, what I'm here about tonight. He does have dogs and the dogs are good natured and everything but they bark a lot. So any time I come over here to look at the site and walk around, the dogs right away start barking and so forth. It would disturb the dogs and the dogs would disturb visitors and so forth. And I think there's some aesthetic considerations for the Charron's to have our visitors perhaps wondering around on the grounds right nearby them. And I think they would probably like to not necessarily have to feel that if they've got a pile of junk or something like that, or a construction trailer or something like that, not have to worry about people looking at it and thinking badly of them. So those are the two issues. One is to provide the trail system for the people to get around on the site. I should mention, I guess it says there in the proposal there, it's a concrete sidewalk so it's accessible to everybody. There'd be a lot of other things going on. A lot of landscaping and so forth also. In the grotto there is a little waterfall and pool type facility. So I think it will be a real enhancement to what we already have. We already have people who come to our existing waterfall and pool and have wedding pictures and senior pictures and things like that. So I think this will be another nice attraction for people to come and sit and enjoy the property. The fence that I have in mind, maybe not real easy to make sense of it, but this is what I have in mind.

(Referring to fence plan submitted by applicant)

REMARK Swartz: If you can kind of put the two together, the elevation, you can see that it's about five feet six high. I'm figuring that when you give the distance away from where people are, people should be below it. Most people, like myself, I'll consider myself most people, I'm not going to see over it even if I walk up to it at five six. But even a six foot tall person would have to probably have to get tip toes to look over the thing if they got up right to it. You can see there it's not totally solid in a sense, it's solid for your purposes but basically the structure system is that there's a two by four goes down the center and then alternating there's one by sixes. And so there's sort of gaps in between because the alternate, one on each side. So things like birds and so forth and wind and so forth would be able to get through there. But it wouldn't look like just a flat. With a regular fence some body's got the front and some body's got the back of the fence and this way the front and the back of the fence are kind of split. It would provide some shadow, light and shadow, and things like that such that it wouldn't be just a flat boring, fence hopefully. So that's the style of fence that I have in mind. I guess I would mention too, the only place where this becomes an issue for you is the fact that it's proposed to go out basically to the highway right-of-way which would be inside the...I don't know what the right-of-way...

REMARK Weibel: Setback.

REMARK Swartz: The setback. That would be like?

REMARK Weibel: It would be 50 feet back from the right-of-way.

QUESTION Swartz: Would it be 50 feet back? So it would be a 25 foot encroachment, no?

ANSWER Weibel: The setback requirement from the right-of-way of the state road is 50 feet.

REMARK Swartz: Oh, it is 50 feet from the right-of-way. So that's where there would be the issue. I guess that's about all I have to say unless there are any questions.

QUESTION Houlihan: There's a tree line there. How far past the tree line towards the road is the fence? Where does the first tree come in here?

ANSWER Swartz: Those trees aren't exactly trees per say. It's like almost a grown up hedge of Chinese Elm. It would be hard to say there's an individual tree that starts any particular place. And also the

intension is; Mike Charron would like to see those trees removed. My initial thought was try to weave a fence in between the trees, I thought he would want to have the shade and shelter sort of that the trees would provide but his preferences is to have the trees removed. On the other plan you can see there's a...the highway is right out here. See that little round circle? I think that's a utility pole that represents that highway right-of-way. When I drew up this particular plan I didn't have this sort of thing in mind and didn't quite capture out to the highway on this particular plan.

QUESTION Houlihan: Is this going to be an obstruction for him coming out of his driveway to see?

ANSWER Swartz: I would say no. Mike did you say it was 50 feet was the highway right-of-way?

ANSWER Weibel: That would be the setback from the actual right-of-way.

REMARK Swartz: I mean the right-of-way from the edge of the pavement has got to be 30 or so feet probably from the edge of pavement.

ANSWER Weibel: From the edge of the pavement, I'd say it would be at least that much probably.

REMARK Swartz: So a car coming in or going out of his driveway would pull up to the gravel shoulder pretty much and anybody on the highway should be able to see the full length of his vehicle, I would think, exposed out in front of the fence. A second car behind the first car would perhaps be hidden by the fence.

QUESTION Weibel: Would that be something that you would work out with him certainly before you located the fence there, so he can safely get in and out his driveway, correct?

ANSWER Swartz: This whole fence is basically his idea. I was just going to put like a chain link fence or something like that and it was Mike's request that it be a solid fence so that people aren't seeing him, you know, his side yard. So I'd be happy to do whatever Mike wants or whatever safety dictates, but this is based on his request.

QUESTION Houlihan: Is the county going to have any limits as far as how close to the road the end of that fence gets?

ANSWER Weibel: Actually, our only regulation would be the required setback. If you grant a variance from that there is no requirement from how close you can get to the right-of-way then, it's whatever would be allowed by the Board of Adjustment. As long as the structure is outside the right-of-way, they wouldn't be looking at that as an obstruction but we do have that setback requirement.

REMARK Houlihan: I'm just looking at it from the stand point if somebody goes off the road, if we allow them to build a fence, if somebody runs into that fence, is it built that strong that it's going to...

REMARK Hammes: It's off the right-of-way.

REMARK Weibel: Ya, it's off the right-of way.

REMARK Raymer: It's out of the right-of-way it's just not out of the setback.

REMARK Swartz: And it is four by fours.

QUESTION Houlihan: It is just four by fours?

ANSWER Swartz: The posts are four by fours.

REMARK Weibel: It would be constructed on private property. It would not be located within the public right-of-way, no.

Appearing in opposition: None.

Correspondence: 1) Phone call received by Mike Weibel on March 15, 2010 at 2 pm from Town of Shelby Administrator, Jeff Brudos. The Town of Shelby has no objection to the appeal.

2) Email from Carrie Olson, Water Management Specialist - Department of Natural Resources, sent to Mike Weibel on March 11, 2010. Email states that there are no objections to the walkway proposal.

Discussion: None.

Motion Houlihan/Hammes to approve.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-09 Tim Markgren on behalf of Douglas P Schmidt 2004 Trust, 1612 Nakomis Ave, La Crosse, WI 54603. Permit denied to construct an at-grade patio and a structural column that would lie within the required 75-ft setback from the ordinary high water mark of the Black River. The property is described as: Lot 14, 1st Addition to Hiawatha Islands Addition. Town of Campbell.

Appearing in favor: Tim Markgren, 1501 Pioneer Drive, Holmen, WI.

REMARK Markgren: Mr. Schmidt asked me to do some renovation work in his backyard to replace a couple existing patios which are kind of falling apart and then replace the staircase down to the dock which goes to the Black River. Part of this we're hoping to do an additional patio behind the house which lies within the setback. So the issues were to try to control some of the runoff so I proposed some retention areas in the backyard. Visually shouldn't be seen from the river. It's just an update that needs to be done. The side yard columns, they shouldn't be seen from, there's already an arborvitae hedge on the neighbors lot lines plenty far away. On the hillside going down to the seawall instead of grass we're going to put plantings in so it will look nice and the home owner won't have to mow it any more. That's what we're up to. The path down to the steps is new but we're allowed to have a path. We want to get materials down to the dock, to the boat so I proposed a path to get down to the stairs. So that's how the design kind of flowed into that shape. Any questions?

QUESTION Weibel: Tim, can you talk just a little bit about the storm water and how you're going to handle that with the rain garden structures on the north and south there?

(Referring to map)

ANSWER Markgren: Do you see where it says proposed concrete edge? That will be a border between the plantings to the river. Then on the left side it will be lawn. It will be depressed point three feet. So it will be able to handle the surface runoff. And the roof water we're going to channel into the planting beds too. There shouldn't be too much runoff getting to the river. We're going to put in two dry wells which will help pull some of the water down into the sand too.

QUESTION Weibel: The rain gardens will just be grass then or will there be plantings?

ANSWER Markgren: Ya. The lawn should soak up more water than plants would.

QUESTION Weibel: Ok. It will just be a grass depression basically as a rain garden?

ANSWER Markgren: Ya.

Appearing in opposition: None.

Correspondence: 1) Letter from Ronald Asfoor to Mike Weibel, Zoning Supervisor, dated March 6, 2010 and received on March 8, 2010. Letter states that they are in favor of Tim's new project.
2) Letter from the Town of Campbell to Mike Weibel, Zoning Supervisor, dated and received on March 12, 2010. Letter states the Campbell Town Board had no objections to this variance.
3) Email from Carrie Olson, Water Management Specialist - Department of Natural Resources, sent to Mike Weibel on March 11, 2010. Email states that there appears to be enough accommodations for roof and patio runoff before it reaches the Black River.

Discussion:

REMARK Houlihan: If you look at the plan, it's really well thought out. Did some nice work.

Motion Houlihan/Hammes to approve.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-10 Kristine Saluzzi, 2553 2nd Ave E, La Crosse, WI 54603. Permit denied to construct a 26-ft X 28-ft detached accessory building that will exceed the maximum 500 sq. ft. area limit for said building on this 7,210 sq. ft. lot. The property is described as: Lot 33, Block 2, Island Park Addition. Town of Campbell.

Appearing in favor: David A. Whitewater, 2553 2nd Ave E, La Crosse, WI.

QUESTION Raymer: So you are proposing to remove the garage that's there and you want to build one that is 228 feet bigger than what's allowed on that lot, right?

ANSWER Whitewater: Correct.

QUESTION Raymer: And if I did my math right, that lot is short by 291 square feet of being allowed to have 750 square feet, right?

ANSWER Whitewater: Yes.

QUESTION Raymer: So we got some kind of matching numbers there with the whole thing. So this garage would be a garage on a slab, type of garage? Pole shed or a garage?

ANSWER Whitewater: It would be a garage. Poured pad.

QUESTION Weibel: The size of the garage being removed is?

ANSWER Whitewater: I believe it's 12 by, no excuse me, 16 by 20. We purchased the house a year and a half ago. The garage itself right now has one rafter holding this up. I mean I wouldn't walk in there, let alone park. The biggest issue is parking. My girlfriend and I both work different shifts obviously. In between the front corner of the house all the way to the garage, you can't even use that to park because when you open your doors you hit the fence or the house. So we're limited to the corner of the house to 2nd Avenue East there. There is a partial driveway in front but you park there, you're plowed in. I've been stuck four times just this year. And it's also become a safety hazard with the park being across the street. I mean, kids running across the street, people can't see as they're driving. It's almost impossible for us to park in that situation.

QUESTION Raymer: So you're going to come in to access this garage from where then?

ANSWER Whitewater: Ya, it will be the same driveway with that garage torn down and we'll be able to pull in that way and then of course back up to the rear and pull out you know if we choose. That's why we'd like the garage a little bigger than we're allowed so we could maneuver in and out both of us.

Appearing in opposition: None.

Correspondence: Letter from the Town of Campbell to Mike Weibel, Zoning Supervisor, dated and received on March 12, 2010. Letter states the Campbell Town Board had no objections to this appeal.

Discussion:

REMARK Raymer: Well ya, I mean they're right in there with the numbers. Hovering around 300 on the square foot of the lot and they're tearing down a garage that's 300. They need about that much.

REMARK Houlihan: It's going to be difficult making that...

REMARK Raymer: It's going to be tight. They'll have to drive economy cars.

Motion Raymer/Houlihan to approve.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2010-11 Randy Krainock & Kristie Shappell, 3509 Crown Blvd, La Crosse, WI 54601.

Permit denied to construct a 2-story single family home with attached garage and attached deck that will lie within the required 25-ft rear yard. The property is described as: Lot 15, Crown Point Addition. Town of Shelby.

Appearing in favor: Kristie Shappell, 3509 Crown Blvd, La Crosse, WI.

REMARK Shappell: We want to do two things. One is to tear down the existing house and build a new one primarily because when we started to look at updating the house, the cost of doing windows, the electric, insulation, problems with the foundation, it just turned out that it made more sense to tear the house down and rebuild it. We want to build an energy efficient home and to do that we were hoping to do passive and active solar, so we'll be rotating the home just slightly from the original footprint. But we don't want to expand much larger than the original footprint because of the site. And if you've had the opportunity to see the site, we're on the bluff. We don't want to move a lot of dirt because we think that would make the area somewhat unstable and we really don't want to be involved in that type of thing. The house has been there for 40, 50 years so that pad is very stable. South of, on your drawing, where it says existing house to be razed, those words, that's where the driveway is and then it drops off. So you really can't have a deck in that side because it would be, I mean essentially your deck would have to be 25 feet tall. The reason the deck was originally built off the back is because there is no outside living space except the driveway when you look at the house. So essentially the deck is the outside living space. So what we're hoping to do is essentially keep the same footprint, tilt the house, go passive solar. We're building an energy efficient home that we think will meet the...I'm blanking on the name of the group right now. Anyway it's the group that comes in and tests your homes for efficiency and they give you a credit for it. And I'm blanking, sorry. At any rate, we talked to all our neighbors. The Montalvo's below us were at the Shelby meeting and they're ok with it. I'm bringing a letter you may have a copy of, but they were afraid it might not get there on time, which is from our neighbors that are across the street from us as well. So we've talked to all the people in the general vicinity to make sure they agree with this so I don't believe there's any hardship to the neighbors. In fact, by replacing the existing house it could improve property values. Because again that we don't to expand the existing footprint, the extension of

the deck, which is the problematic part, goes over the setback slightly. But looking from below there's a significant distance still between our neighbor and us and they felt that would be a reasonable move as well. And so we're hoping that the unique characteristic of the lot, such that it slants off, you'll allow us to do the deck and leave the house essentially where it's at. Any questions at all?

QUESTION Raymer: You must really like this location?

ANSWER Shappell: We've actually lived there for ten years. It was going to be our starter home and we were going to move. The house is only really 1,200 square feet of living space. And we've had five people in one bathroom and then we finally added a second. But we love the place. The neighbors are great. It's ten minutes from work. It's in the woods. And the more we thought about, the more we just thought why leave the south? Everyone is moving to Onalaska, we want to stay on the south side.

Appearing in favor: Delores Spies, 2011 Liberty St, La Crosse, WI.

REMARK Spies: I've been out to the site several times. The house will be torn down, disposed of properly. I've met with Kurt out there from the Land Conservationist in regards to erosion. Any dirt that's moved to clear the site isn't going to be stock piled. We're going to haul it out. Any fill that's needed, new brought in. So we don't have dirt piles and all the sudden get a heavy rain and the neighbor below gets mud slide. So all fresh fill will be brought in, any that's needed. I'm guessing we're in the setback eight foot plus or minus. It's going to pretty much go where the existing is at just with turning it and staying within all the setbacks that are required. So the big issue is to prevent dirt runoff being where it's located.

QUESTION Weibel: So the existing deck that has that hot tub and the gazebo part is going to remain?

ANSWER Spies: We're going to take off part of that to tip the house.

QUESTION Weibel: And then there'll be a part added to the south, or southeast I guess you'd say?

ANSWER Spies: Ya. The solid line. And there won't be a whole lot of digging because we're just doing a frost footing. There won't be a full eight foot.

QUESTION Raymer: Ok, so there won't be a basement?

ANSWER Spies: Right.

Appearing in opposition: None.

Correspondence: 1) Letter from Richard and Phyllis Miletto to the Zoning, Planning, and Land information Detartment dated March, 12, 2010 and received on March 15, 2010. Letter states they have no objection to the project proposed.

2) Phone call received by Mike Weibel on March 15, 2010 at 2 pm from Town of Shelby Administrator, Jeff Brudos. The Town of Shelby has no objection to the appeal.

Discussion:

QUESTION Houlihan: Question for Mike. Is Land Conservation involved in this at all?

ANSWER Weibel: Yes. I think she's already talked to Kurt out of the Land Conservation office.

REMARK Spies: He came out to the site.

REMARK Weibel: They would need an erosion control plan prior to getting a Zoning/Occupancy Permit.

REMARK Raymer: Anything where they disturb more than 2,000 square feet they have to have an Erosion Control Permit.

Motion Houlihan/Hammes to approve.

3 Aye, 0 No. Motion carried unanimously.

Motion to adjourn Hammes/Houlihan at 8:00 pm. Motion carried unanimously.