



Fire Prevention and Building Safety

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7589
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Gregg A. Cleveland, Fire Chief



October, 3rd 2016

Nancy Quinlisk
2411 State St.
La Crosse WI 54601

RE: An appeal regarding the requirement to provide a rear yard setback of 15 feet at 2411 State St. La Crosse, Wisconsin.

Dear Nancy Quinlisk:

We have received your building permit application for an attached garage that *does not* meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding setbacks from the rear property line. We invite your attention to subchapter of the Code wherein it provides for the purpose of the law from which you are seeking a variance:

"115.3 INTERPRETATION, PURPOSE AND CONFLICT.

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, prosperity or general welfare."

The project as proposed is in direct violation of the following subparagraphs of the Code:

115.142 (C) AREA REGULATIONS.

(1) Front Yard, Side Yard and Rear Yard. Front yard, side yard and rear yard regulations applicable in the Residence District shall apply to the Single Family Residence District.

115.143 (C) (4) Rear Yards.

On every lot in the residence district there shall be a rear yard having a depth of not less than twenty per cent (20%) of the depth of the lot, provided such rear yard need not exceed 30 feet in depth and shall not in any case be less than 15 feet in depth.

Therefore, if upon consideration of all of the facts surrounding this appeal in a public hearing, the Board of Zoning Appeals determines that this appeal meets all of the criteria established by the Legislature of the State of Wisconsin, as interpreted by the Supreme Court of the State of Wisconsin for the granting of variances, the Board of Zoning Appeals would have to grant a variance of 15'11" to the 20'5" foot rear yard setback requirement before a building permit could be issued for this project as proposed.

Sincerely,

Eddie Young
Building Inspector

CITY OF LA CROSSE

Third Floor-City Hall, 400 La Crosse Street, La Crosse, Wisconsin 54601
Phone 608/789-7530 Fax 608/789-7589

2411 STATE ST LA CROSSE

Parcel: 17-20070-20
Municipality: City of La Crosse

Internal ID: 28448
Record Status: Current



Parcel Information:

Parcel: 17-20070-20
Internal ID: 28448
Municipality: City of La Crosse
Record Status: Current
On Current Tax Roll: Yes
Total Acreage: 0.158
Township: 16
Range: 07
Section: 33
Qtr: SE-SW

Legal Description:

P LEHNENS ADDITION LOT 3 BLOCK 1 LOT SZ: 67.35 X 102.3

Property Addresses:

Street Address
2411 STATE ST

City (Postal)
LA CROSSE

Owners/Associations:

Name
NANCY A QUINISK

Relation
Owner

Mailing Address
2411 STATE ST

City
LA CROSSE

State
WI

Zip Code
54601

Districts:

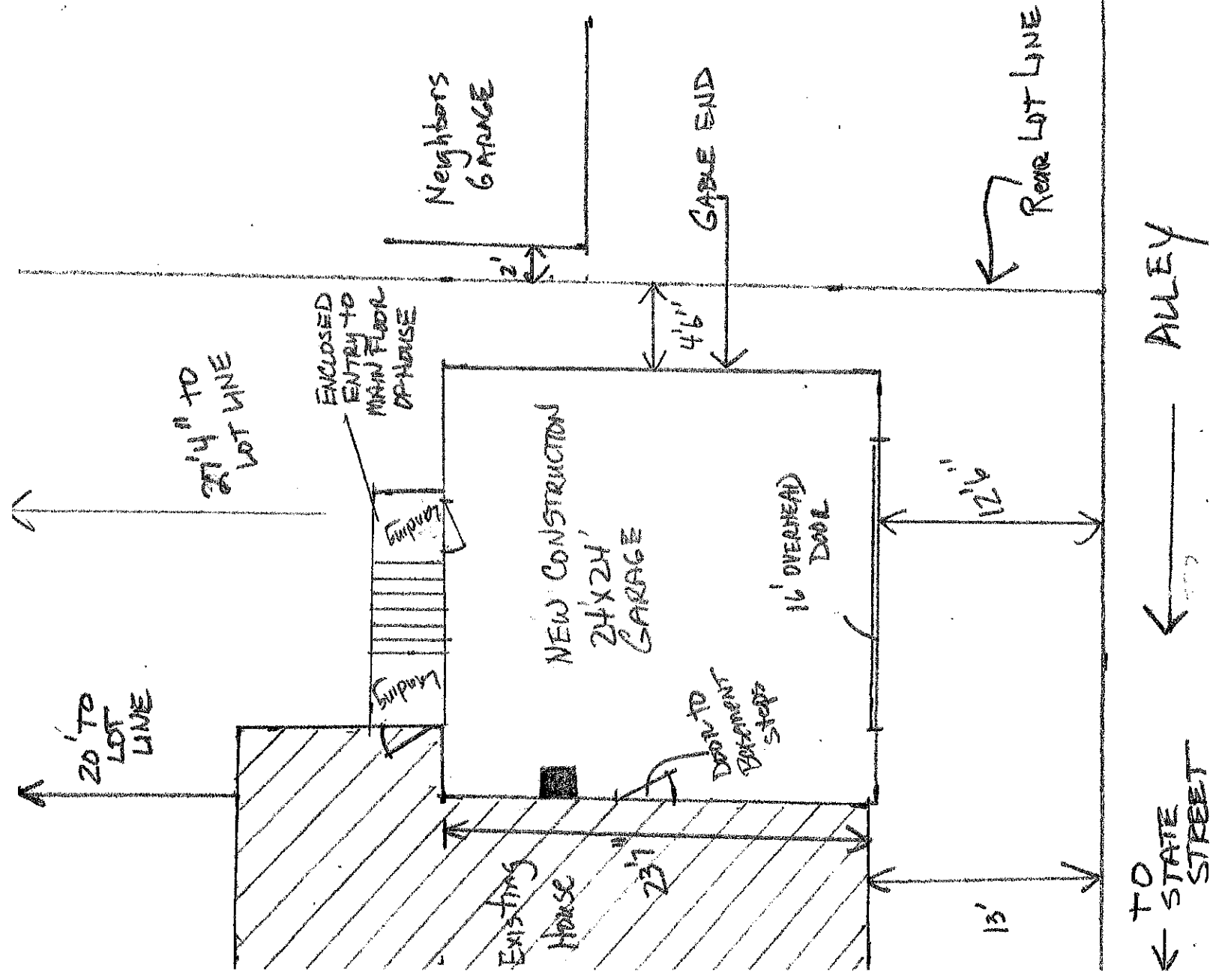
Code Description
2849 LA CROSSE SCHOOL
2 Book 2

Taxation District
Y
N

Additional Information

Parcel
Taxes
Outstanding Tax
Assessments
Deeds
Permits
History

NANCY QUINISK
2411 STATE ST.
LACROSSE, WI. 54601
(FUTURE)



BOARD OF ZONING APPEALS

STANDARDS FOR AREA VARIANCE

- ☐ 1. The proposed variance is not contrary to the public interest. The purpose statement of the ordinance and related statutes must be reviewed in order to identify the public interest. Variances must observe the spirit of the ordinance, secure public safety and welfare and do substantial justice. In considering effects of a variance on public interests, broad community and even statewide interests should be examined; the public interest standard is not confined to scrutiny of impacts on neighbors or residents in the vicinity of a project.
- ☐ 2. The property has a special or unique condition. The property must have unique or physical features which prevent compliance with the ordinance. The circumstances of an applicant, such as growing family or need for a larger garage, are not legitimate factors in meeting this standard. Property limitations that prevent ordinance compliance and that are not unique but common to a number of properties should be addressed by amendment of the ordinance.
- ☐ 3. The special condition of the property creates an unnecessary hardship:
 - A. Unnecessary hardship means unnecessarily burdensome, considering the purpose of the ordinance.
 - B. Unnecessary hardship may not be self created. An applicant may not claim hardship because of conditions which are self-imposed. Examples include claiming hardship for a substandard lot after having sold off portions that would have allowed building in compliance and claiming hardship where construction was commenced without required permits in violation of ordinance standards.
 - C. Financial hardship is not a deciding factor. Economic loss or financial hardship does not justify a variance.