



Fire Prevention and Building Safety

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7589
<http://www.cityoflacrosse.org> Inspection@cityoflacrosse.org

Gregg A. Cleveland, Fire Chief



5/1/17

Ben Neumann
617 Mississippi St.
La Crosse, WI 54601

RE: An appeal to allow a fence constructed of wood in for a commercial property at 163 Copeland Ave. La Crosse, Wisconsin.

Dear Ben Neumann:

We have received your building permit application to construct a fence that does not meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding fences in the front yard setback.

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

Sec. 115-398. d) Fences on nonresidential property. Fences are permitted on the property lines in all commercial zoning districts but shall not exceed eight feet in height in commercial zoning districts and ten feet in height for property zoned Light or Heavy Industrial and shall be of an open type similar to woven wire, chain link or wrought iron fencing.

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 to allow a fence to be constructed of a material other than what is allowed (wood) before a permit can be issued for this project as proposed.

Sincerely,

Eddie Young
Building Inspector

CITY OF LA CROSSE

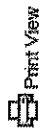
Third Floor-City Hall, 400 La Crosse Street, La Crosse, Wisconsin 54601
Phone 608/789-7530 Fax 608/789-7589

163 COPELAND AVE LA CROSSE

Parcel: 17-10032-50
Municipality: City of La Crosse

Internal ID:
Record Status:

24032
Current



Parcel Information:

Parcel: 17-10032-50
Internal ID: 24032
Municipality: City of La Crosse
Record Status: Current
On Current Tax Roll: Yes
Total Acreage: 0.179
Township: 16
Range: 07
Section: 30
QTR: SE-SE

Parcel

Taxes

Outstanding Taxes

Assessments

Deeds

Permits

History

Legal Description:

GRAMS SUBD S 15FT LOT 7 & ALL LOTS 8 & 9 EX S 8FT 1/2 W ESMI IN DOC NO. 1470736 LOT SZ: 55.84 X 140.5

Property Addresses:

Street Address
163 COPELAND AVE
165 COPELAND AVE

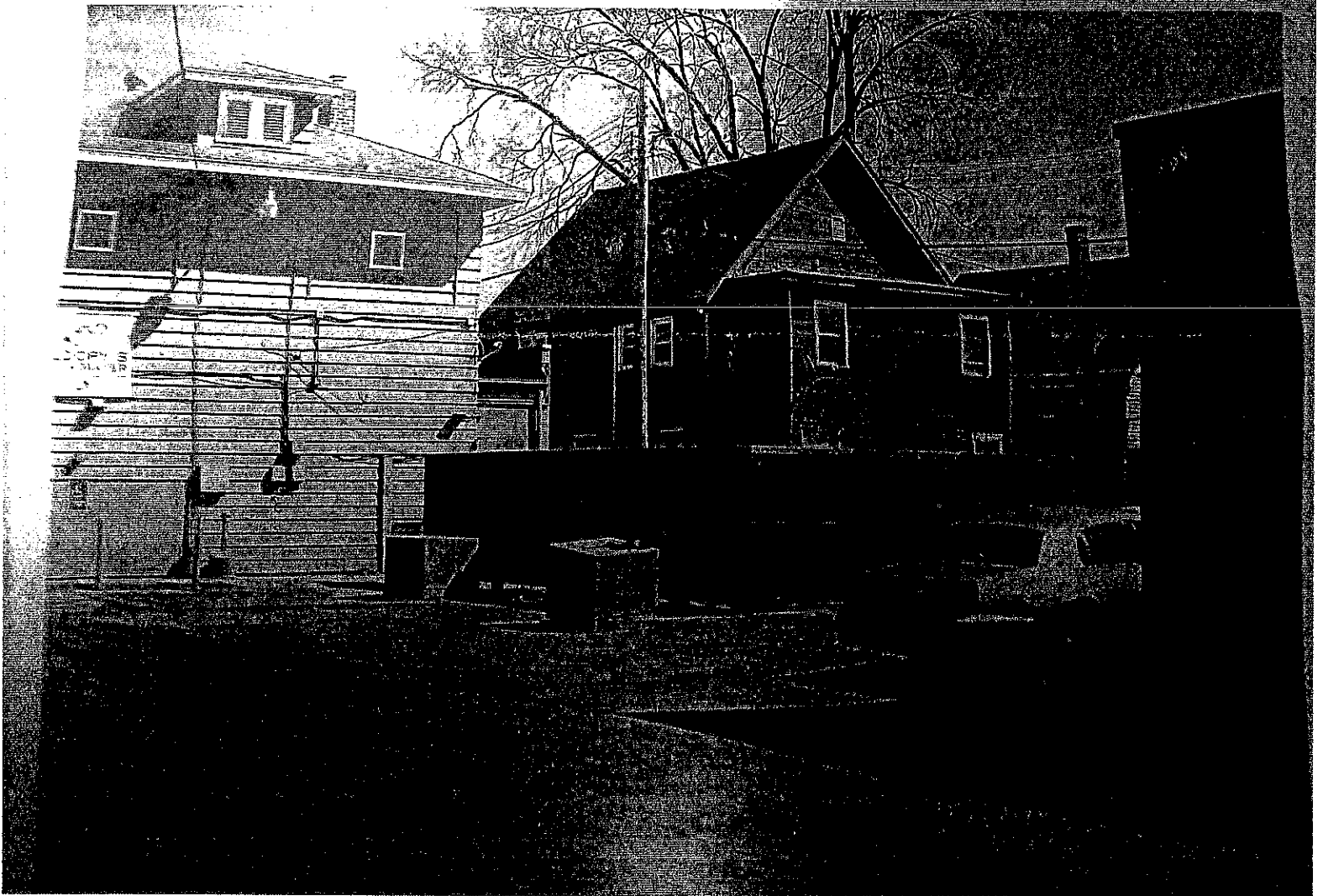
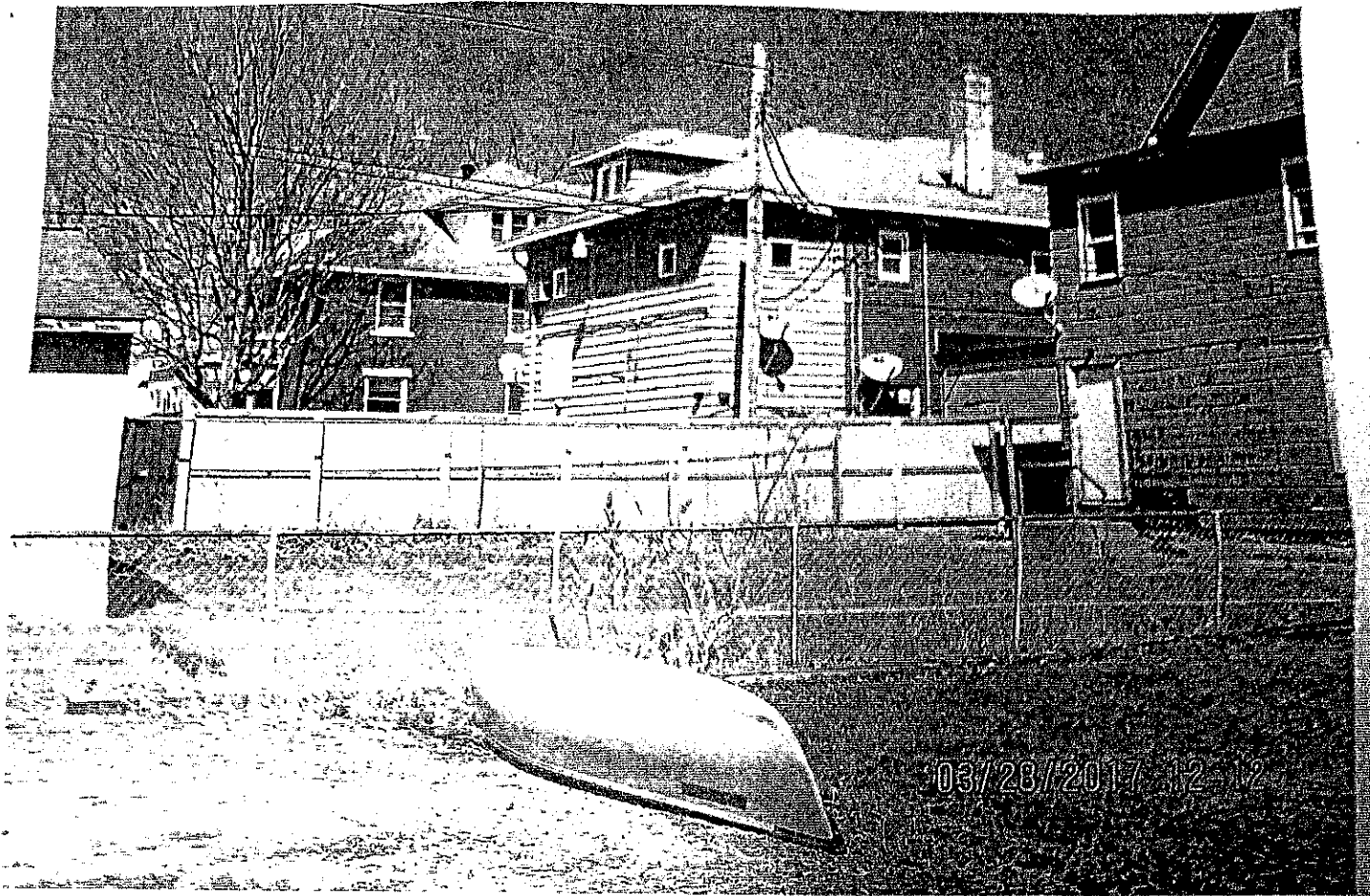
City (Postal)
LA CROSSE
LA CROSSE

Owners/Associations:

Name: SLOOPS LLC
Relation: Owner
Mailing Address: PO BOX 115
City: COON VALLEY
State: WI
Zip Code: 54623-0115

Districts:

Code	Description	Taxation District
2849	LA CROSSE SCHOOL	Y
1	Book 1	N
CDZ	Community Development Zone	N
6027	La Crosse TIF 7	N



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.