

## **Brown, Patti**

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**From:** McKevitt, Jacob  
**Sent:** Monday, October 09, 2017 1:46 PM  
**To:** Brown, Patti  
**Cc:** Trussoni, Dan  
**Subject:** 10/19 Park Board Item

Patti,

Margie Lenske would like to ask for park board approval for funds to fill in the area on the boulevard corner with concrete. Her lot's sidewalk was just redone and a hole was left in the corner where grass is intended to grow, she along with her neighbor, would like that area filled in with concrete as it was before the work was done. Her address is 2122 Barlow St, and her neighbor's is 2121 Barlow. Let me know if you need any more information. Thanks!

Sincerely,

**Jacob McKevitt, CPRP**

Recreation Coordinator  
City of La Crosse Parks, Recreation & Forestry Dept.  
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La Crosse WI 54601  
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City of La Crosse

**Parks, Recreation & Forestry**



MARGIE LENSKE  
2121 BARLOW ST



SIDEWALK  
CLOSED

LA 5

MARGIE LENSKE  
2124 BARLOW ST



## Sec. 34-110. - Exceptions.

- (a) Any improvement that is placed within these areas is done so at the risk of the adjacent property owner. The City is not responsible for restoring damage caused by street maintenance, drainage and utility construction, and snowplowing. Improvements which interfere with the performance of City operations or public utilities may be ordered for removal. Exceptions are allowed for miscellaneous plantings, rock, etc. if less than 50 square feet of the surface area of the property owner's boulevard is affected. In this case, the owner is exempt from the mitigation fee.
- (b) The following activities are permitted in the boulevard without Board of Park Commissioners approval and without an application fee, but still require a permit from the City Engineer's Office (no mitigation fee is required for activities in subsection (b)(1) through (5) of this section):
  - (1) A property owner installing a carriage walk no wider than five feet at its widest point for access to their property that would cross an existing boulevard must obtain a permit from the City Engineer's Office.
  - (2) Any adjacent property owner installing an automatic irrigation system into a boulevard area must receive a permit from the City Engineer's Office.
  - (3) A property owner installing a driveway that would cross an existing boulevard must receive a permit from City Engineer's Office in accordance with the procedures set out in section 40-4, and will not be required to petition the Board of Park Commissioners.
  - (4) Plantings consisting of flowers or ornamental grasses, exposed aggregate, landscaping, gravel, brick pavers, consisting in the aggregate of less than 50 square feet of the pervious boulevard area adjacent to a property shall be exempt from the provisions of this article.
  - (5) For Commercial or Industrial zoned land along a State or Federal Highway, a remnant boulevard that is less than 18 inches in width may be eliminated after first obtaining permission from the Board of Public Works.
  - (6) Residential neighborhood traffic circles shall not be subject to an application fee and do require the landscaping plans for such traffic circle to be reviewed by City Engineer's Office.

(Code 1980, § 10.02(G))

## Sec. 34-111. - Procedures for approval of further exceptions.

The Board of Park Commissioners shall have the power to approve, conditionally approve, or deny modifications or installation of improvements in the boulevard after review of an application for boulevard modifications is presented to the Board of Park Commissioners. The Board of Park Commissioners shall also have the power to grant exceptions, in writing, to the provisions of this section, using its discretion, given the following conditions are met:

- (1) Any adjacent property owner desiring to change a City boulevard, except in the specific cases noted in section 34-110, must petition the Board of Park Commissioners by providing detailed plans for boulevard changes, including, but not limited to, an explanation of hardship created by the maintenance of the existing boulevard and description of subject boulevard, including size, shape, current condition, and presence of trees and other plantings. The detailed plans shall also identify the desired changes to the boulevard and all of the materials to be used. It is left at the discretion of the Board of Park Commissioners to require additional materials in support of the petition for exception.
- (2) All petitioning parties must pay an application fee in the amount established by resolution at the time of petition submittal. The fee is nonrefundable except for Board of Park Commissioners approval decisions regarding plantings. Upon granting of the petition, the petitioning party shall also pay a monetary mitigation fee, in accordance with section 34-112, for any boulevard area that is lost with the granting of an exception. All application and mitigation fees will be put into a segregated fund, which will be used by the City to purchase or restore other greenspace throughout the City.
- (3) The paving over or changing of any boulevard must be completed at the sole expense of the petitioning party.

(Code 1980, § 10.02(H))

#### Sec. 34-112. - Required mitigation.

In the case of a granted exception to the provisions of this article, petitioning parties are required to pay a nonrefundable, monetary mitigation fee, in accordance with a fee schedule adopted by the Board of Park Commissioners. The fee shall be based on the average cost of land acquired for greenspace and prorated to the square footage of the boulevard area lost, at the time of mitigation. The fee shall be as established by resolution. This amount is due upon the approval of the boulevard modification application petition and will be put into a segregated

fund, which will be used by the City to purchase or restore other greenspace throughout the City. This fee is strictly a mitigation fee to provide greenspace elsewhere in the City as a result of the loss of boulevard green space.

(Code 1980, § 10.02(I))

Sec. 34-113. - Grass clippings, leaves and other organic matter.

Grass clippings, leaves, and other organic matter shall not be intentionally discharged, blown, raked, or otherwise placed in the street gutter, or alley.

(Code 1980, § 10.02(K))

Sec. 34-114. - Boulevard planting height limit.

All boulevard plantings, with the exception of trees, shall not be taller than 30 inches.

(Code 1980, § 10.02(L))

## Sec. 34-109. - Boulevard changes prohibited.

No person shall change the condition of any boulevard area within the City without written approval of the Board of Park Commissioners or Board of Public Works, unless changing the surface to grass. Prohibited changes include, but are not limited to, installation of fencing, paving over boulevard areas with asphalt, recycled asphalt, brick pavers, concrete, landscaping gravel, exposed aggregate, etc., or the removal of grass or sod, and/or damage to or removal of boulevard trees or other plantings (in accordance with article V of this chapter). Residential neighborhood traffic circles shall be subject to such conditions as may be required by the Board of Park Commissioners.

(Code 1980, § 10.02(F))