



# Fire Prevention and Building Safety

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Ken Gilliam, Fire Chief



October 20, 2017

Shenanigans of Wisc.  
2100 Dawson Ave.  
La Crosse, WI 54603

RE: An appeal to the requirement that does not allow the erection of a new daycare building in zone B-1 of the HLZO

Dear Shenanigans of Wisc.:

We have received your permit application for a new daycare building that does not meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code). 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:

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

Section 8-170 (1)(b)(1)

8-170(1)(b) Expansion of existing uses. Any existing use, as described in this article, may be expanded, altered, or otherwise enlarged as long as the following requirements are met:

(1)

The expansion, alteration, or enlargement meets the requirements of the La Crosse Regional Airport Height Limitations Zoning Map, meets the criteria for the existing land use with no change in zoning classification, and is not otherwise prohibited by the underlying zoning ordinance of the municipality with jurisdictional authority.

Therefore, the Board of Zoning Appeals would have to grant a variance to allow the construction of a new daycare building for this project to proceed as proposed.

Sincerely,

Brent Thielen  
Building Inspector


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**CITY OF LA CROSSE**





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

## 2100 DAWSON AVE LA CROSSE

Parcel:	4-151-5	Internal ID:	69111
Municipality:	Town of Campbell	Record Status:	Current

 Print View

### Parcel Information:

Parcel:	4-151-5
Internal ID:	69111
Municipality:	Town of Campbell
Record Status:	Current
On Current Tax Roll:	Yes
Total Acreage:	10.220
Township: 	16
Range: 	07
Section: 	18
Qtr: 	SW-SE

Parcel

Taxes

Outstanding Taxes

Assessments

Deeds

Permits

History

### Legal Description:

CERTIFIED SURVEY MAP NO. 29 VOL 11 LOT 1 DOC NO. 1367060 & PRT GOVERNMENT LOT 2 LYG E OF WATERS EDGE OF CATGUT SLOUGH & N OF FOLL DESC LN COM S1/4 COR SEC 18 N67D4M3SE 928.98FT TO MEANDER LN CATGUT SLOUGH S76D32M6SE 61FT M/L TO WATERS EDGE & POB E 400FT M/L TO E LN GL 2 & TERM LN EX CSM NO. 101 VOL 14 DOC NO. 1534474 SUBJ TO RESTR IN DOC NO. 1372221 & SUBJ TO ESMT IN DOC NO. 1393551 & SUBJ TO ESMT IN DOC NO. 1429951 WHICH WAS AMENDED BY DOC NO. 1658223 & SUBJ TO RESTR IN DOC NO. 1440607

### Property Addresses:

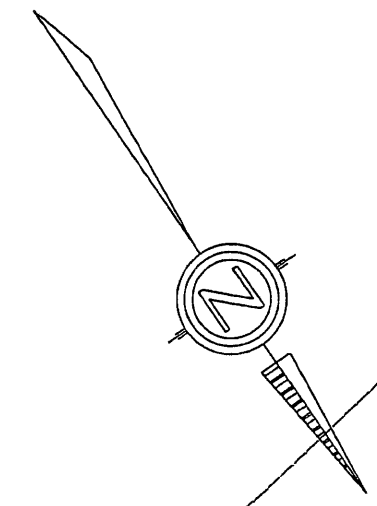
<u>Street Address</u>	<u>City/Postal</u>
2100 DAWSON AVE	LA CROSSE

### Owners/Associations:

<u>Name</u>	<u>Relation</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
DAWSON 2100 LLC	Owner	220 17TH ST S	LA CROSSE	WI	54601

### STANDARDS FOR USE 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 no reasonable use of the property. An applicant would have to demonstrate that none of the uses allowed as permitted or conditional uses in the current zoning district are feasible for the property in order to comply with this task. This circumstance is highly unlikely.
  - 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.



PLACE  
RTY LINES  
NEW SEWER LINE

110' MOVE →

PROPOSED  
PLAYGROUND

PROPOSED  
PLAYGROUND

VARIANCE  
REQUESTED

PARKING LOT

ENTRANCE

NEW WELL

DAWSON PLACE

DAWSON COURT

PROPERTY LINES

DAWSON AVENUE

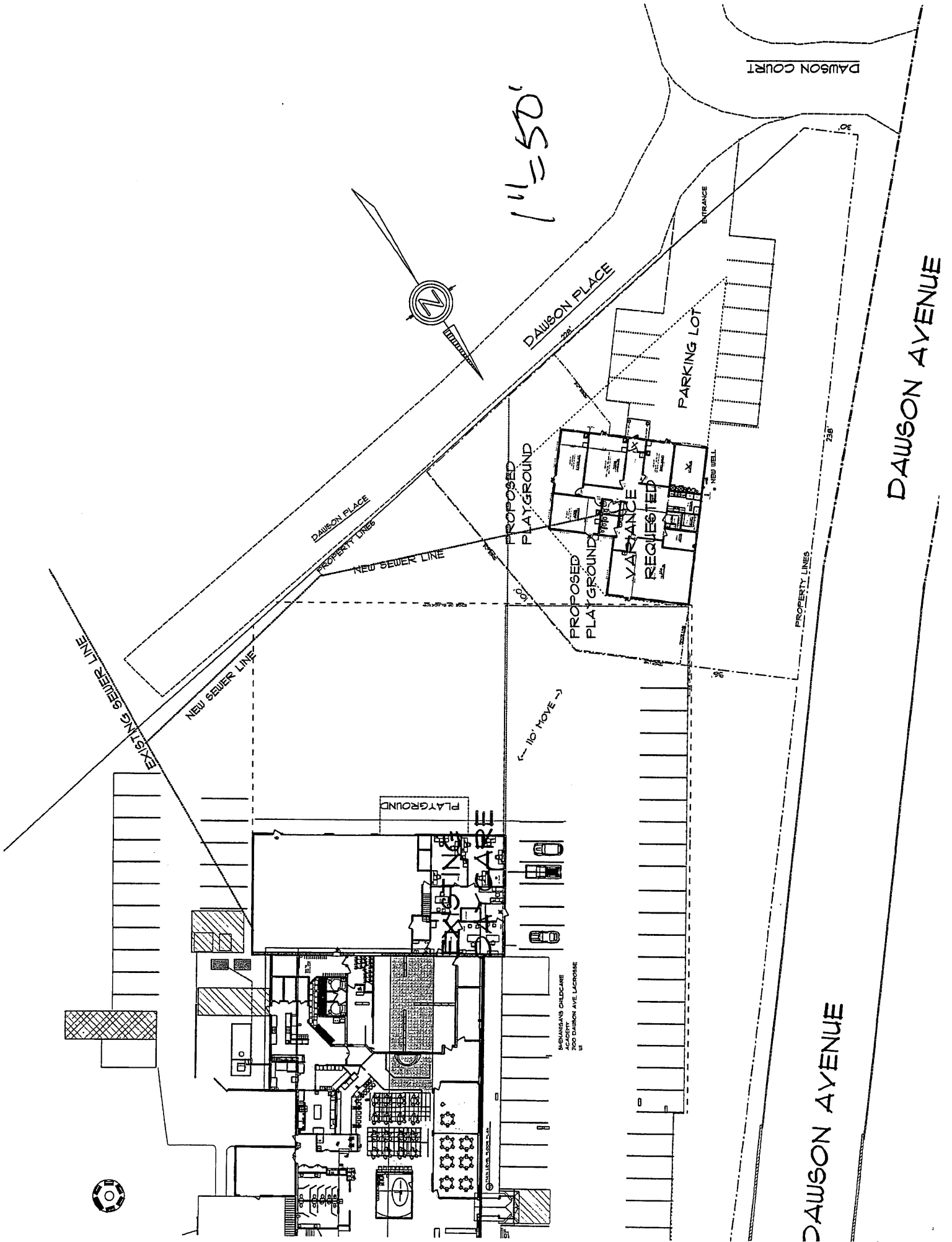
1"=32'

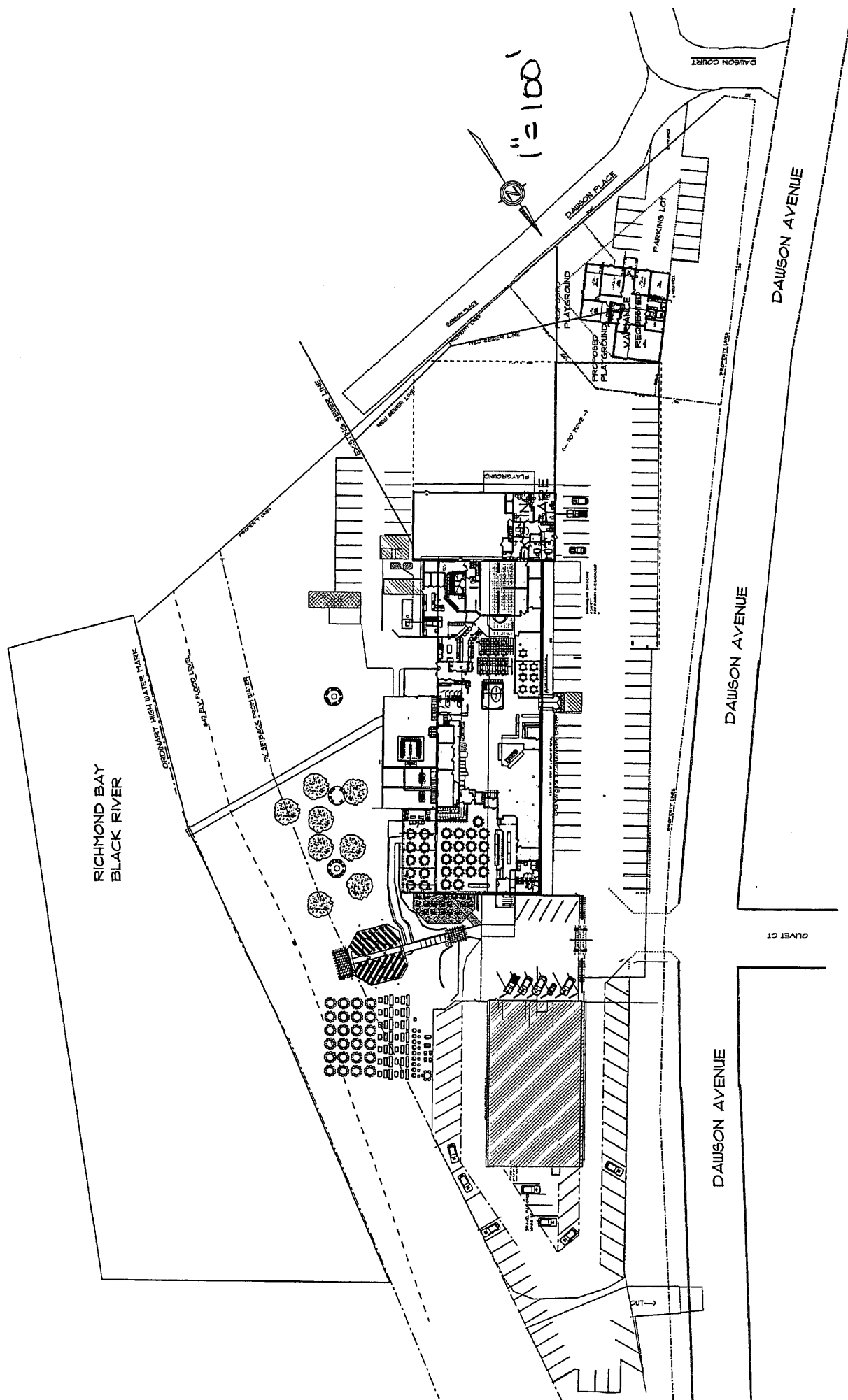
100'

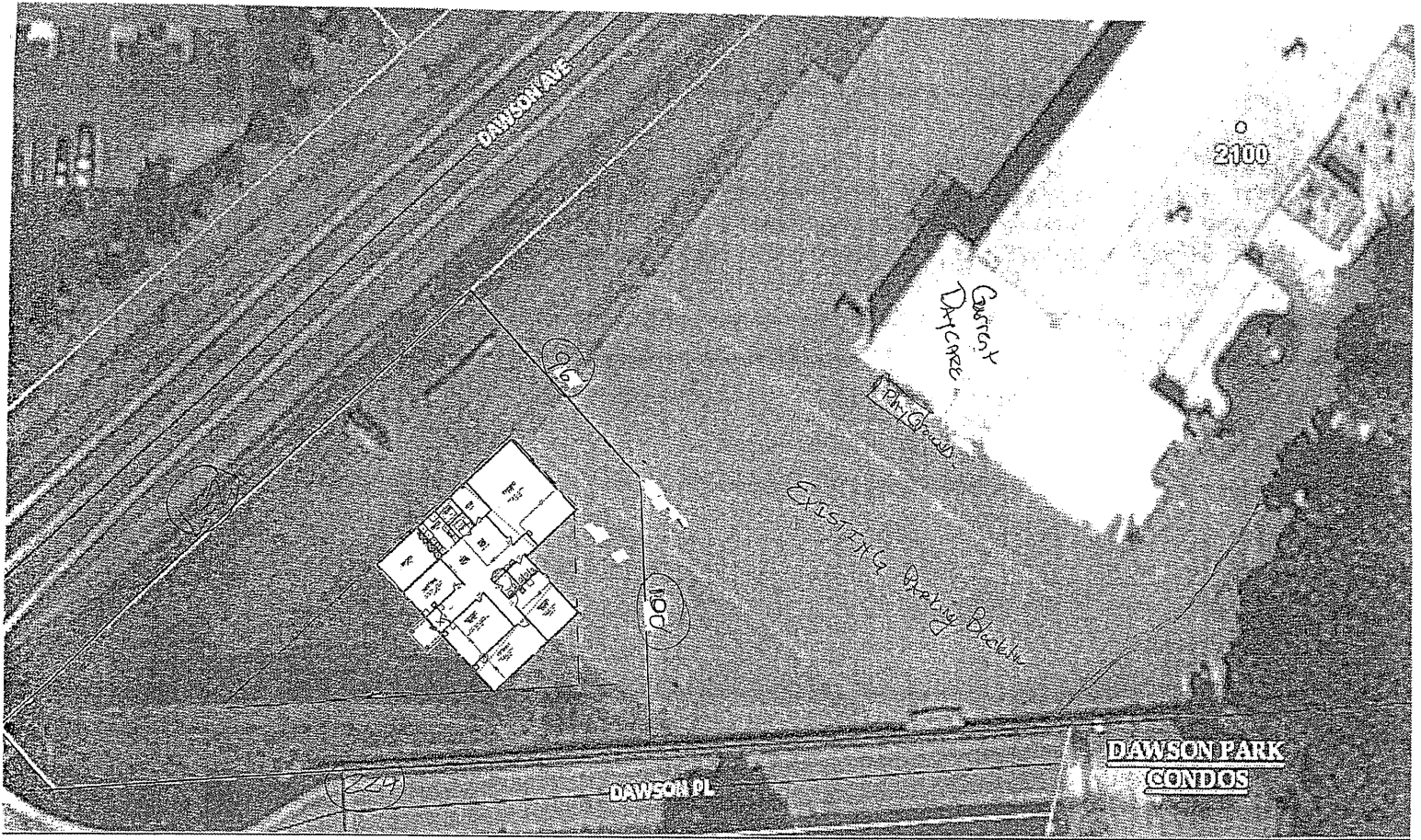
238'

30'

228'





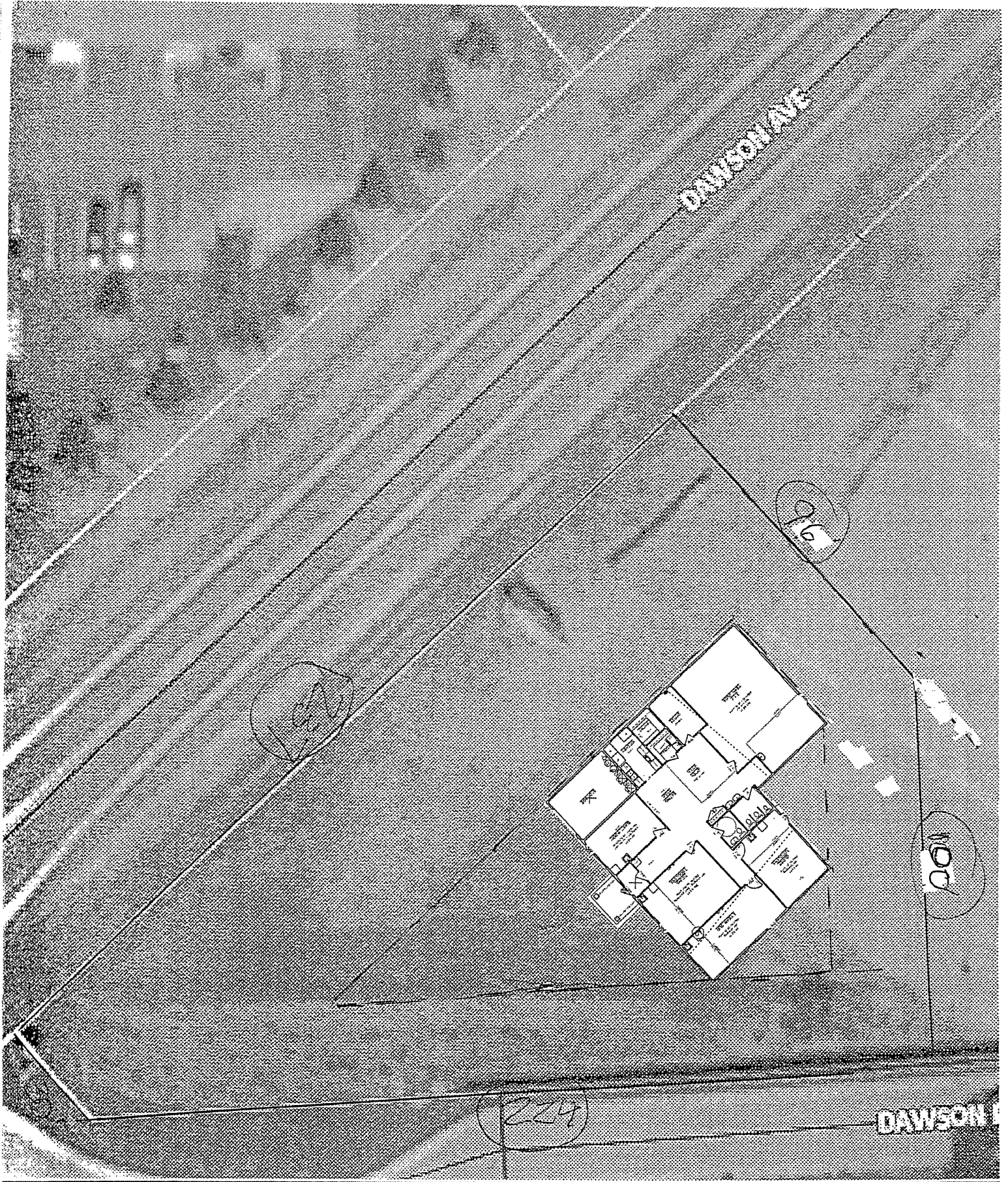


1"=32' - 1"=64'

CP Rail

Streams





1" = 32' - 1" = 64'

CP Rail