



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



4/12/18

Jacob Walters
1111 21st St. S.
La Crosse WI 54601

RE: An appeal of the regulation limiting residential accessory structures to a maximum of 35% of the rear yard square footage, and a variance to allow a detached garage in the defined front yard.

Dear Jacob Walters,

We have received your building permit application to construct a detached garage that does not meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding the maximum allowable size of detached accessory buildings and the placement of the detached garage in the front yard.

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

115-390 (2)(c)

In all residential zoning districts the aggregate building area of all detached accessory buildings shall not exceed 35 percent of the area of the rear yard of the parcel upon which they are to be built, up to a maximum 1,000 square feet of aggregate area of detached accessory buildings; provided, however, that the maximum aggregate area of all residential accessory buildings shall in no case exceed the gross finished floor area of the dwelling unit, excluding unfinished basement areas, to which they are accessory. Such detached residential accessory buildings may be placed in the rear, or side yard when not in conflict with any other requirement of this Code.

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 434 square feet to the 286 square feet allowed before a building permit could be issued for this project as proposed, and a variance to allow a detached garage to be placed in the front yard.

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

Parcel Information:

Parcel:
Internal ID: 17-40051-40
Municipality: 34189
City of La Crosse
Record Status: Current
On Current Tax Roll: Yes
Total Acreage: 0.129
Township: 15
Range: 07
Section: 04
Qtr: SW-SW

Legal Description:

FAIRFAX LOT 35 LOT SZ: 140.21 X 40

Property Addresses:

Street Address
1111 21ST ST S

City/Postal
LA CROSSE

Owners/Associations:

Name
JACOB D WALTERS
ALICIA C WIEGEL
Relation
Owner
Owner

Mailing Address
1111 21ST ST S
1111 21ST ST S

City
LA CROSSE
LA CROSSE

State
WI
WI
Zip Code
54601
54601

Districts:

Code
2349
4
Description
LA CROSSE SCHOOL
Book 4

Tracton District
Y
N

Additional Information

Category
2012+ VOTING SUPERVISOR
2012 + VOTING WARDS
POSTAL DISTRICT
Use

Description
2012+ Supervisor District 7
2012+ Ward 21
LA CROSSE POSTAL DISTRICT 54601
1 UNIT

Lottery Tax Information

Lottery Credits Claimed:

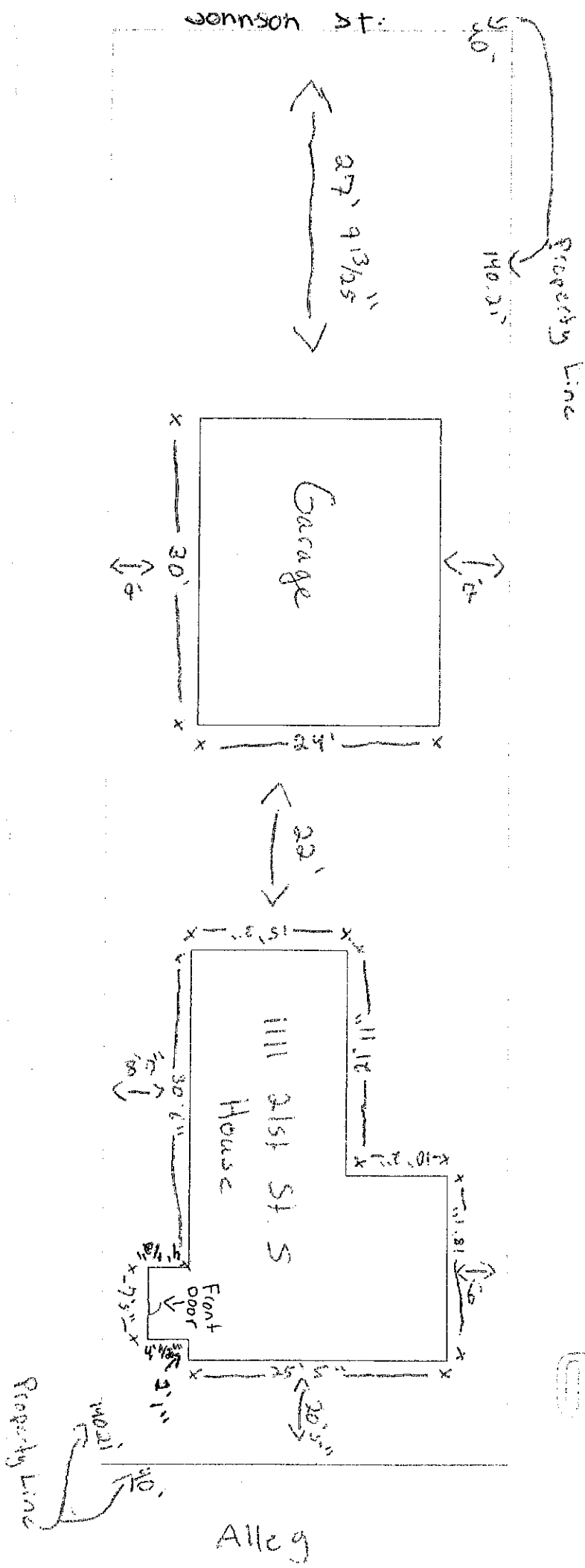
1 on 10/27/2004

Parcel
Taxes
Outstanding Taxes
Assessments
Deeds
Permits
History

Neighbors Property

BUILDINGS & CONNECTIONS

PROPOSED
AREA



21st St. S

Alleg

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.