



# Fire Prevention and Building Safety

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<http://www.cityoflacrosse.org> [Inspection@cityoflacrosse.org](mailto:Inspection@cityoflacrosse.org)

Gregg A. Cleveland, Fire Chief



April 10, 2018

Wayne Fox  
1825 Wood St  
La Crosse WI 54603

RE: An appeal of the regulation limiting wall height of residential accessory structures to a maximum of 10 feet

Dear Wayne Fox,

We have inspected your project to construct a detached garage that does not meet the maximum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding the maximum allowable height of the wall of detached accessory buildings.

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

115-390 (1)d1

The overall maximum vertical distance of detached residential (R1—R6) accessory buildings, excluding carriage house accessory structures, shall not exceed 17 feet from the lowest floor elevation to the highest point of the structure with the overall wall height not to exceed ten feet and the main garage doors not exceeding eight feet in height from the lowest floor elevation. Detached garage roofs shall be framed to a pitch of not less than one-third or four and 12 cut.

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 6 inches to the 10 foot wall height allowed before this project may proceed.

Sincerely,

Barbara Benson  
Building Inspector

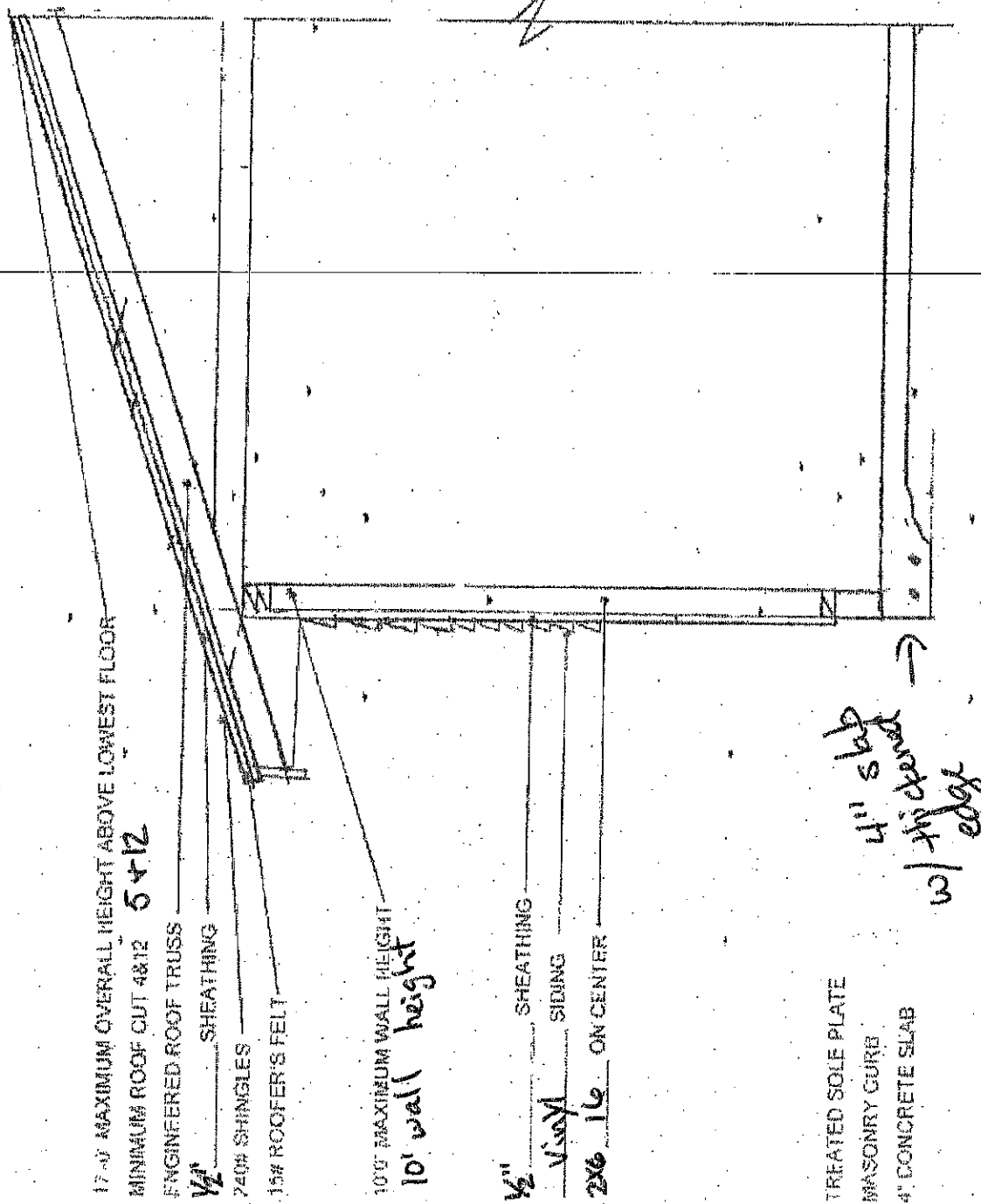
## CITY OF LA CROSSE

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

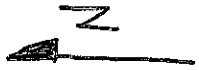
# DETACHED GARAGE OR SHED SECTION PLAN

OWNER NAME

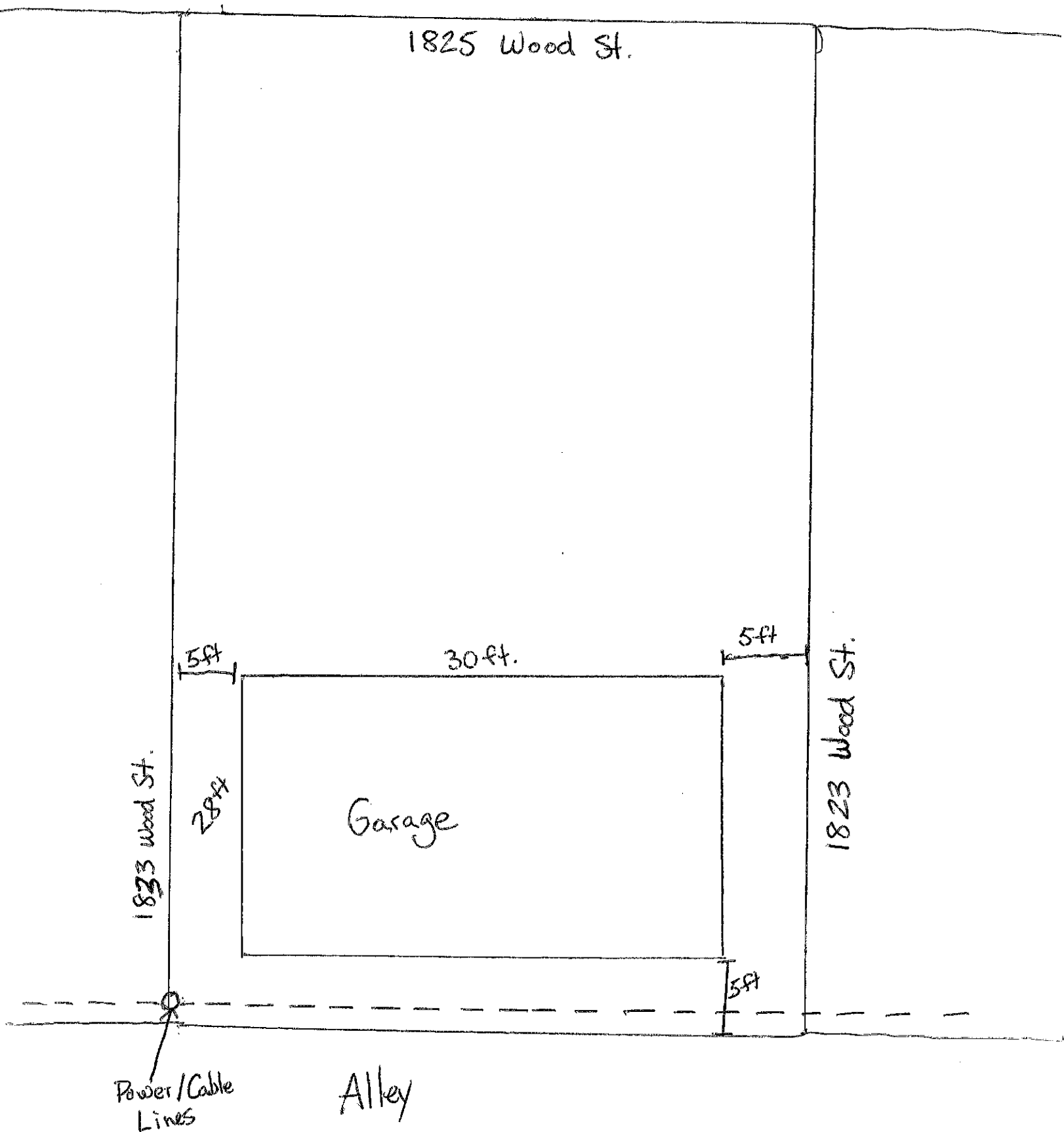
ADDRESS



**DETACHED GARAGE Scale: 1/2" = 1'-0"**



Wood Street



## **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.