



Fire Prevention and Building Safety

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Ken Gilliam, Fire Chief



May 30th, 2018

Gene Linse
712 Cliffwood Ln.
LA CROSSE, WI 54601

RE: An appeal regarding the requirement to provide 15 feet of perimeter fill around an addition and an appeal to exceed 50 percent of the assessed value of a non-conforming structure for an addition and remodel at 712 Cliffwood Ln. La Crosse, WI.

Dear Gene Linse:

We have received your building permit application to construct an addition and interior remodel 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:

Sec. 115-3. - Interpretation, purpose and conflict.

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, prosperity or general welfare. It is not intended by this chapter to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this chapter shall govern.

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

Sec. 115-222. - Nonconforming uses

d. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceeds 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this division.

Sec. 115-281. - Floodfringe district (FF).

(3) Standards for development in the Floodfringe . Section 115-276 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of section 115-222 Nonconforming Uses;

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a. Residential uses . Any structure, including a manufactured home, which is to be newly constructed, or moved into the floodfringe shall meet or exceed the following standards: Any existing structure in the floodfringe must meet the requirements of section 115-222 Nonconforming Uses;

1. The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of section 115-281(3)(a)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

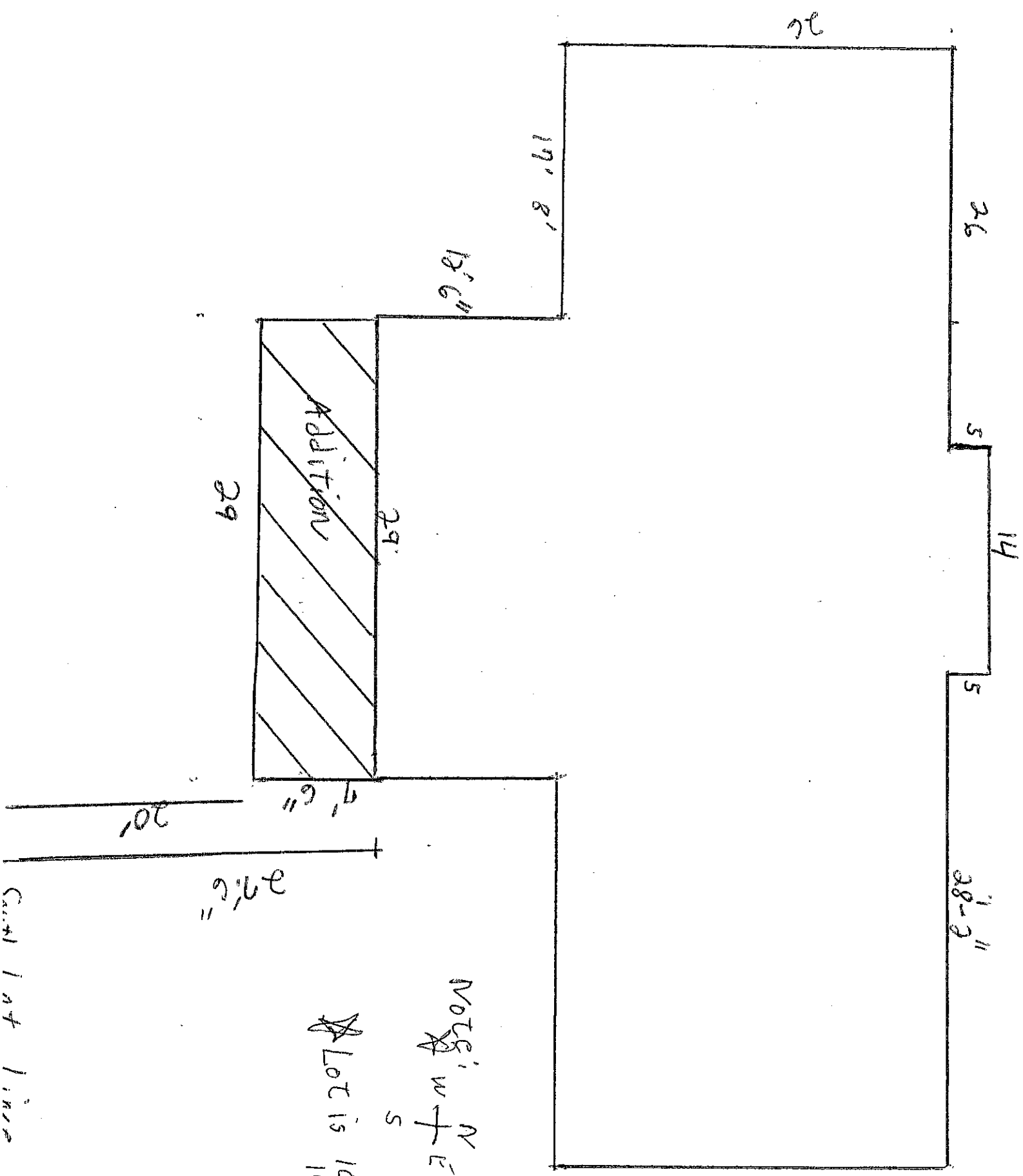
Therefore, if upon consideration of all of the facts surrounding this appeal in a public hearing, the Board of Zoning Appeals determines that this appeal meets all of the criteria established by the Legislature of the State of Wisconsin, as interpreted by the Supreme Court of the State of Wisconsin for the granting of variances, the Board of Zoning Appeals would have to grant a variance to allow the owner to exceed the 50 percent threshold by \$100,000 or 64.5 percent for this structure and a variance for the owner to not have 15 feet of perimeter fill around the new addition.

Sincerely,


Eddie Young
Building Inspector

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NOTE: N
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 S

* Lot is 100 ft b

Cont 1 at 1 in 2

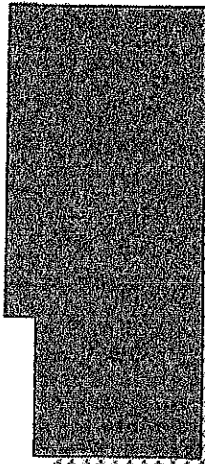
712 cliffwood



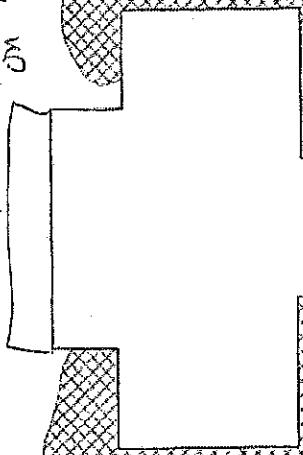
Show search results for 712 cliff...

CLIFFWOOD LANE

702



712



Addition
on back

722

