



# 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](mailto:inspection@cityoflacrosse.org)

Ken Gilliam, Fire Chief



5/22/18

Danny Claussen  
131 26th St. S.  
La Crosse, WI 54601

RE: An appeal to allow a concrete parking pad/driveway in the front yard at 131 26th St. S.

Dear Danny Claussen

We have received your building permit application to add to the concrete driveway in your front yard that does not meet the requirement 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 subparagraph of the Code:

## Sec. 115-143 (2)

Front yards. On every lot in the Residence District, there shall be a front yard having a depth of not less than 25 feet, provided that where lots comprising 40 percent or more of the frontage on one side of a block are developed with buildings, the required front yard depth shall be the average of the front yard depths of the two adjacent main buildings, or if there is only one adjacent main building the front yard depth of said main building shall govern; provided further that this regulation shall not be so interpreted as to require a front yard depth of more than 25 feet in any case. **The entire front yard shall be graded and sodded or seeded in a manner which will produce an acceptable lawn excepting such areas as may be required for driveways and walks.**

## 115-395 (a)) FRONT YARD AND CORNER LOT PARKING RESTRICTIONS.

(1) It shall be unlawful to park any automobile, truck, motorcycle, boat, trailer or other motor vehicle of any kind in the front yard of premises in a single-family residence district, residence district, multiple dwelling district, low density multiple dwelling district and the special multiple dwelling district. On corner lots, this restriction also shall apply to the space between the side street line and the side building line. (Am. Ord. #2679 - 5/14/81 & Am. Ord. #3497 - 7/14/94)

## CITY OF LA CROSSE

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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 2 variances 1) A variance to allow paving of a non-required driveway in the front yard, and 2) a variance to allow parking in the front yard on a non-required driveway.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eddie Young', with a stylized flourish extending to the right.

Eddie Young  
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*

131 26TH ST S LA CROSSE

Parcel: 17-20121-40  
Municipality: City of La CrosseInternal ID: 28987  
Record Status: Current**Parcel Information:**

Parcel: 17-20121-40  
 Internal ID: 28987  
 Municipality: City of La Crosse  
 Record Status: Current  
 On Current Tax Roll: Yes  
 Total Acreage: 0.191  
 Township: 15  
 Range: 07  
 Section: 04  
 Qtr: NW-NE

**Legal Description:**

S & K'S SUBD OF LOTS 6, 7, 8 9, 10, 11, 12, 13 & 14 BLK 1 OF ARLINGTON ADDITION LOT 9 BLOCK 1 SUBJ TO SIDEWALK ESMT LOT SZ: 70X119

**Property Addresses:**

Street Address  
 131 26TH ST S

City/Postal  
 LA CROSSE

**Owners/Associations:**

Name  
 DANNY L CLAUSSEN  
 PAMELA S CLAUSSEN

Relation  
 Owner  
 Owner

Mailing Address  
 131 26TH ST S

City  
 LA CROSSE

State  
 WI

Zip Code  
 54601-4945

**Districts:**

Code  
 2849  
 2

Description  
 LA CROSSE SCHOOL  
 Book 2

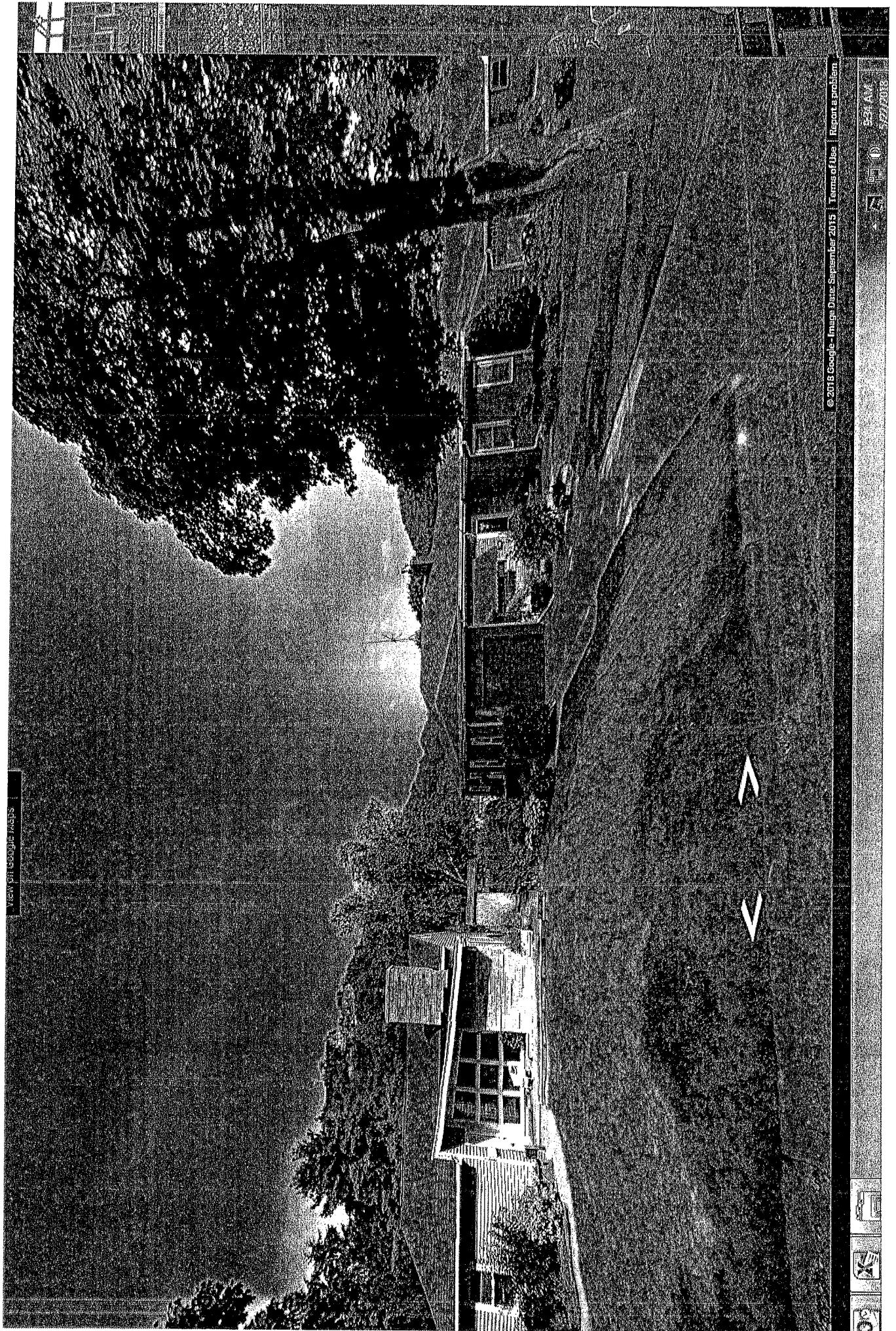
Taxation District  
 Y  
 N

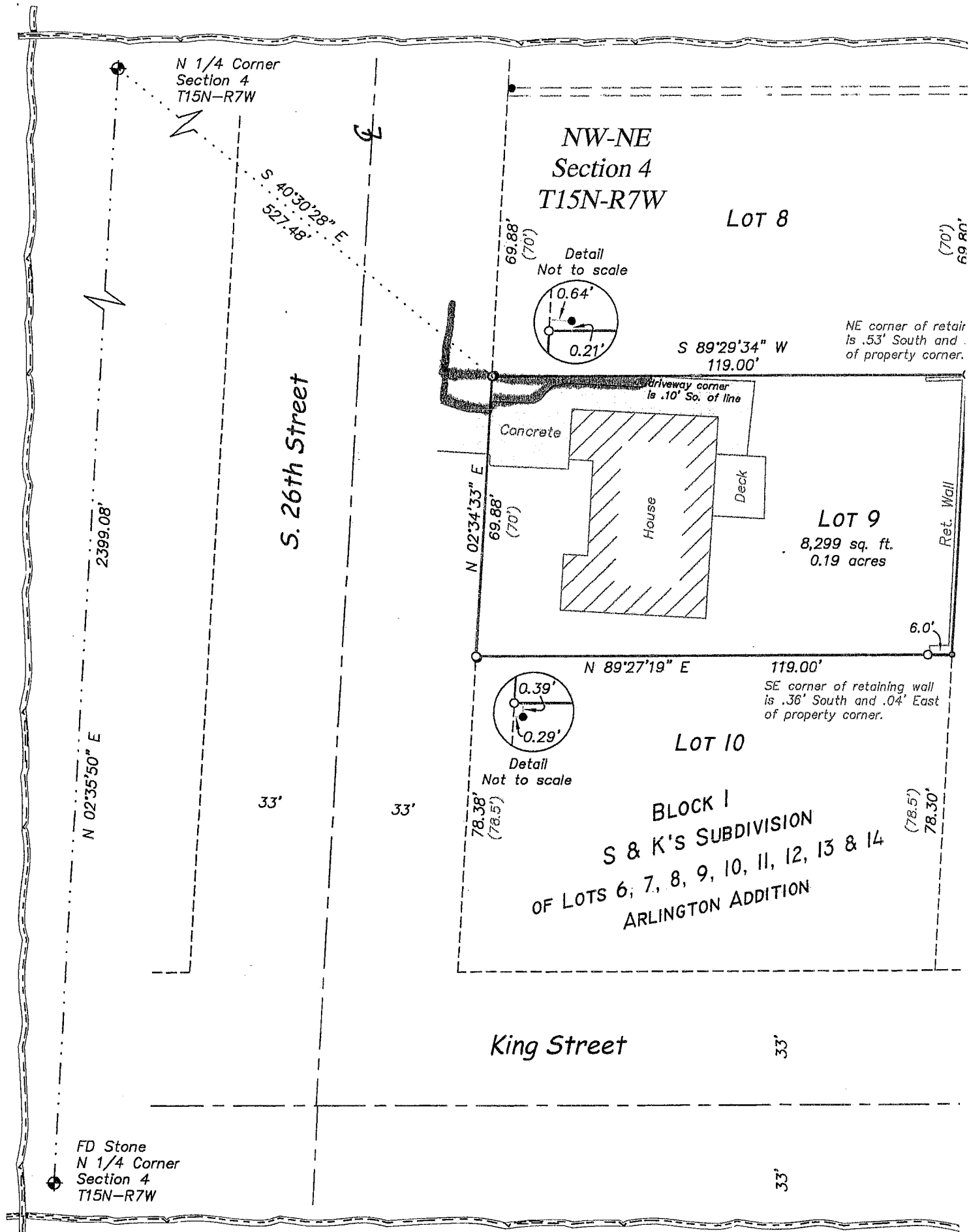
**Additional Information**

Category

Description

Parcel
Taxes
Outstanding Taxes
Assessments
Deeds
Permits
History





## **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.