

October 18, 2018

PATRICK G BLEES, ARCHITECT PLLC  
800 WASHINGTON AVE N #208  
MINNEAPOLIS MN 55401

RE: An appeal regarding the requirements that fill around the perimeter of a building shall be not less than one foot below the flood protection elevation and shall extent at least 15 feet beyond the limits of any structure at 710 George St., La Crosse, WI.

Dear Patrick G Blees:

We have received your initial plans to erect a retail store that does not meet the minimum requirement set forth in the Municipal Code of Ordinance of the City of la Crosse Code. The project as proposed is in direct violation of the following subparagraph of the Code:

**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. 115-281. - 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;**

**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 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 two variances; one for nine (9) feet on the North side and one for four (4) feet on the West side of the fifteen foot requirement of elevated fill beyond the limits of the structure to allow this project to proceed as proposed.

Sincerely,

Matthew Diehl  
Building Inspector