

November 6, 2018

Brian Legg  
1324 George St  
La Crosse, WI 54603

RE: An appeal regarding that detached residential accessory building be place in the rear, or side yard at 1524 Prospect St.

Dear Mr. Brian Legg,

We have received your building permit application to construct a 8x10 shed that does not meet the requirement set forth in the Municipal Code of Ordinances of the City of La Crosse regarding accessory buildings being located in the rear or side 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. Detached accessory buildings in the rear yard shall maintain minimum rear yard and side yard setbacks of two feet including roof line. In addition, to the requirements set forth above, a property with a tuck under garage shall be permitted to construct an unattached garage provided that the aggregate area of the two garages do not exceed all of the limits set forth above. The term "tuck under garage" means an attached garage which is built into the footprint of the principle structure and located below a habitable area of the house in its entirety. A garage shall be constructed of similar building materials and shall be similar in appearance as the principal structure. For purposes of this section, a shed no larger than 120 square feet is permitted as an accessory structure but shall also count toward the 35 percent coverage allotment and the 1,000 square foot maximum building footprint.

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 an accessory building (shed) in the front yard.

Sincerely,

Matthew Diehl  
Building Inspector