



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

Ken Gilliam, Fire Chief



4/26/2019

Jason Odegaard
400 La Crosse St.
La Crosse WI 54603

RE: An appeal regarding the requirement that all development and building construction be set back at least 50 feet from the Ordinary High Water Mark at 1402 Marco DR. La Crosse, Wisconsin.

Dear Jason Odegaard:

We have received your building permit application to build a toilet and shower facility 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:

109-33(a)(5) a.

There shall be a shore land setback area of at least 50 feet from the ordinary high-water mark, except as provided in subsection b.

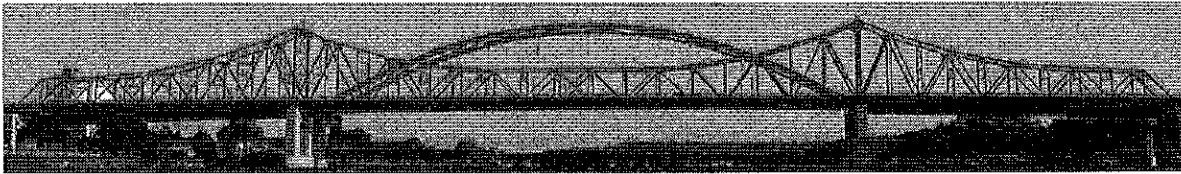
Therefore, if upon consideration of all of the facts surrounding this appeal in a public hearing, the Board of Zoning Appeals determines that this appeal meets all of the criteria established by the Legislature of the State of Wisconsin, as interpreted by the Supreme Court of the State of Wisconsin for the granting of variances, the Board of Zoning Appeals would have to grant a variance of 7 feet to the 50 foot required setback.

Sincerely,

Jon Molledahl
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


[Parcel Search](#) | [Permit Search](#)

2000 MARCO DR LA CROSSE

[Print View](#)

Parcel: 17-50264-70 Internal ID: 69739
Municipality: City of La Crosse Record Status: Current

Parcel Information:

Parcel: 17-50264-70
Internal ID: 69739
Municipality: City of La Crosse
Record Status: Current
On Current Tax Roll: Yes
Total Acreage: 110.820
Township: 15
Range: 07
Section: 07
Qtr: SW-NE

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[Taxes](#)
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Legal Description:

GOVERNMENT LOT 4 EX COM NE COR SEC 7 W 1625.5FT TO C/L MARCO DR S 717.46FT W 30FT TO POB S ALG W LN MARCO DR 221.62FT W 819.98FT S 678.38FT W 270.47FT N2D28ME 151.30FT N12D48M20SE 270.1FT N2D31M20SW 252.2FT N2D44ME 233.77FT E 1024.02FT TO POB & EX PRT TAKEN FOR MARCO DR IN V833 P500 SUBJ TO ESMT IN V1395 P273

Property Addresses:

Street Address	City (Postal)
2000 MARCO DR	LA CROSSE
2002 MARCO DR	LA CROSSE
1701 MARCO DR	LA CROSSE
1601 MARCO DR	LA CROSSE
2201 MARCO DR	LA CROSSE
1801 MARCO DR	LA CROSSE
1502 MARCO DR	LA CROSSE

Owners/Associations:

Name	Relation	Mailing Address	City	State	Zip Code
CITY OF LACROSSE	Owner	400 LA CROSSE ST	LA CROSSE	WI	54601

Districts:

Code	Description	Taxation District
2849	LA CROSSE SCHOOL	Y
5	Book 5	N

Additional Information

Category	Description
2012+ VOTING SUPERVISOR	2012+ Supervisor District 9
2012 + VOTING WARDS	2012+ Ward 16
POSTAL DISTRICT	LACROSSE POSTAL DISTRICT 54601

Lottery Tax Information

Lottery Credits Claimed: 0
Lottery Credit Application Date:

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.