



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



June 4, 2019

Maria Norberg
411 3rd St. S.
La Crosse WI 54601

RE: An appeal regarding the requirement to provide a rear yard setback of 20 feet at 411 3rd St. S. La Crosse, Wisconsin.

Dear Maria Norberg:

We have received your building permit application to construct a freezer addition and 2nd story stairs that *does not* meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding setbacks from the rear property line. 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:

"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."

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

Sec. 115-151. - Commercial District

(c) *Area regulations.*

(2) *Rear yards.* On every lot in the Commercial District, there shall be a rear yard having a depth of not less than nine feet; provided, however, that each story of a building used in any part for dwelling purposes shall be provided with a rear yard having a depth of not less than 20 feet.

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 20 feet to the 20 foot rear yard setback requirement before a building permit could be issued for this project as proposed.

Sincerely,

Eddie Young
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: 17-26029-20 Internal ID: 27962
Municipality: City of La Crosse Record Status: Current

Parcel Information:

Parcel: 17-26029-20
Internal ID: 27962
Municipality: City of La Crosse
Record Status: Current
On Current Tax Roll: Yes
Total Acreage: 0.053
Township: 15
Range: 07
Section: 06
Qtr: NE-NE

Parcel
Taxes
Outstanding Taxes
Assessments
Deeds
Permits
History

Legal Description:

C & F J DUNN, H L DOUSMAN & PETER CAMERONS ADDITION S 20FT OF W 100FT LOT 2 BLOCK 10 LOT SZ: 20X100

Property Addresses:

Street Address City (Postal)
411 3RD ST S LA CROSSE

Owners/Associations:

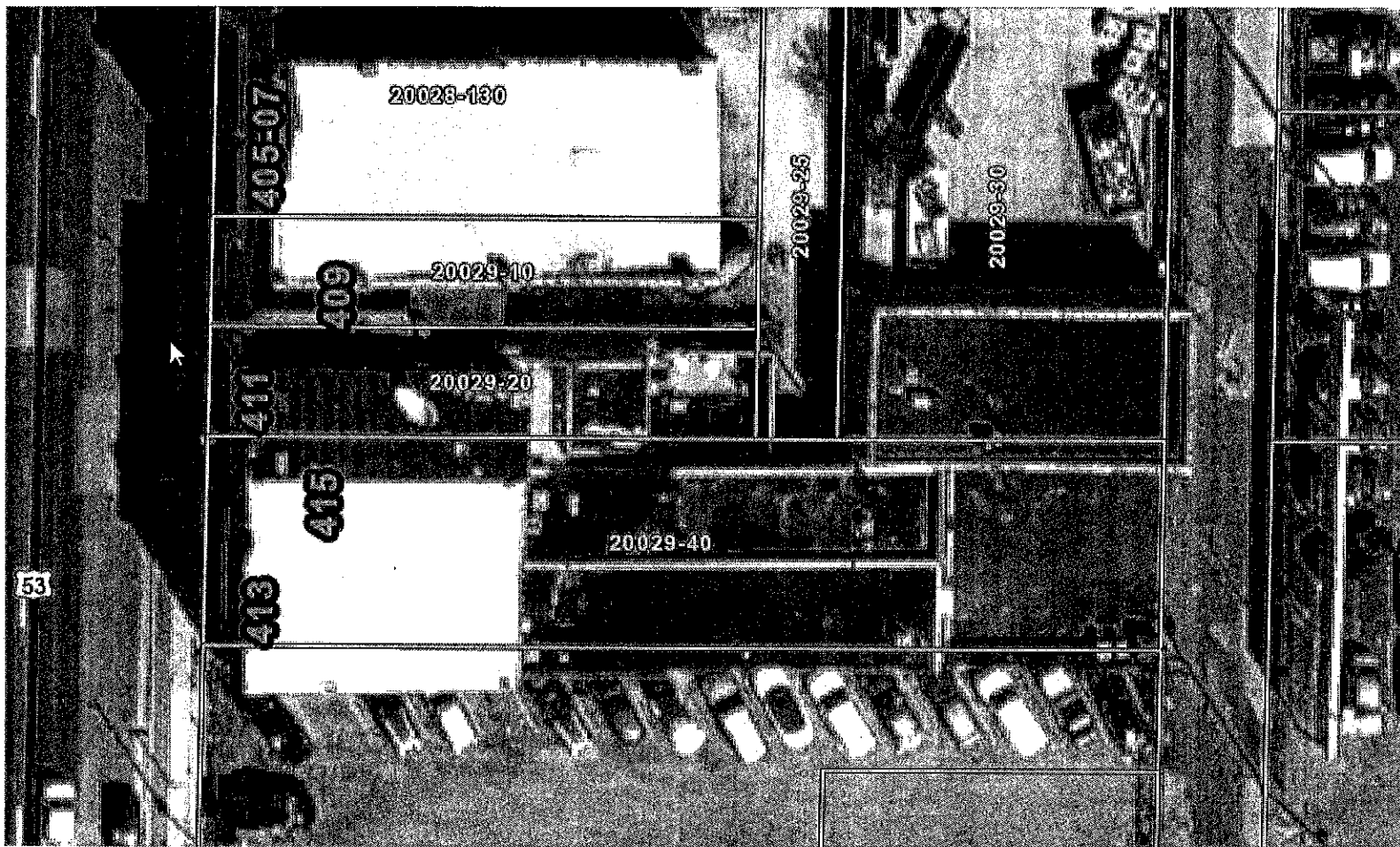
Name	Relation	Mailing Address	City	State	Zip Code
ARAM GROUP LLC	Owner	2102 31ST ST S	LA CROSSE	WI	54601

Districts:

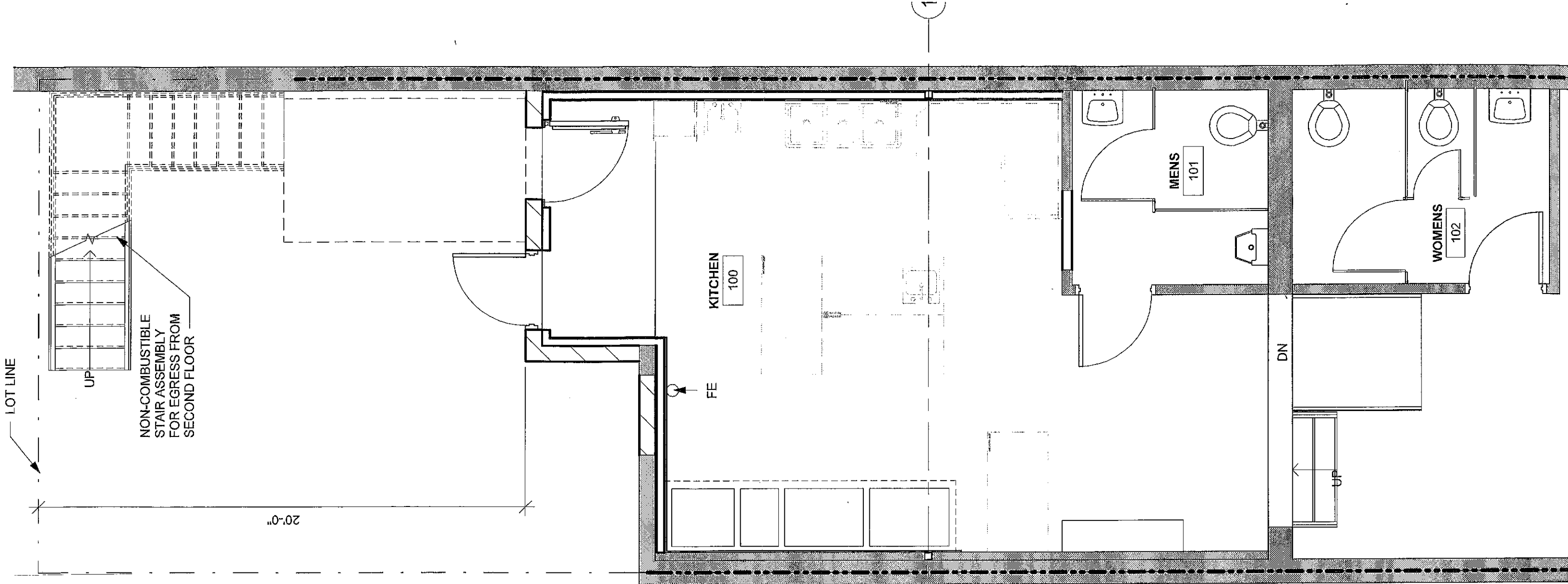
Code	Description	Taxation District
2949	LA CROSSE SCHDOL	Y
9010	City LAX Business Dist	N
2	Block 2	N
CDZ	Community Development Zone	N
DBS	DOWNTOWN BUSINESS STUDY	N
0031	La Crosse TIF 11	N

Additional Information

Category	Description
2012+ VOTING SUPERVISOR	2012+ Supervisor District 6
2012 + VOTING WARDS	2012+ Ward 7
POSTAL DISTRICT	LACROSSE POSTAL DISTRICT 54601



<p>PLUMBING FIXTURES: TABLE 2902.1</p>	
<p>APARTMENT COMPLEX = 50 OCCUPANTS</p>	
<p>WATER CLOSET: MEN/ WOMEN: REQ. 1 PER 75 PROVIDED: 2 PER GENDER</p>	
<p>AVATORIES: MEN/WOMEN: REQ. 1 PER 200 PROVIDED 1 PER GENDER</p>	
<p>CODE DATA LEGEND:</p>	
<p>----- 2 HOUR RATED WALL (90 MIN DOORS)</p>	
<p>———— PATH OF TRAVEL</p>	
<p>○ FE FIRE EXTINGUISHER-BRACKET MOUNTED</p>	



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.