



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



8/28/19

David Kaplan
171 29th St. S.
La Crosse WI 54601

RE: An appeal of the regulation limiting the number of garages to one at 171 29th St S. La Crosse WI.

Dear David,

We have received your building permit application for a new detached garage on a property with an existing attached garage that *does not* meet the regulations set forth in the Municipal Code of Ordinances of the City of La Crosse (Code). We invite your attention to subchapter 115-142(2) 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 subparagraphs of the Code:

115-142 SINGLE FAMILY RESIDENCE DISTRICT REGULATIONS


(a) USE REGULATIONS.

Scope and use regulations. This section applies to the R-1 district. In the Single Family (R-1) Residence District, no building shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this chapter, except for the following uses, including uses customarily incidental to any of the permitted principal uses.

- (2) **Accessory buildings including one private garage** and/or one private carport when such carports are attached to a dwelling or attached to a detached private garage, subject to size and location requirements of section 115-390. A detached carport is subject to the same requirements as a detached private garage as long as the private garage and/or carport or combination thereof do not exceed 1,000 square feet in area

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 to allow for one additional garage before a building permit could be issued for this project as proposed.

Sincerely,


Eddie Young Building Inspector

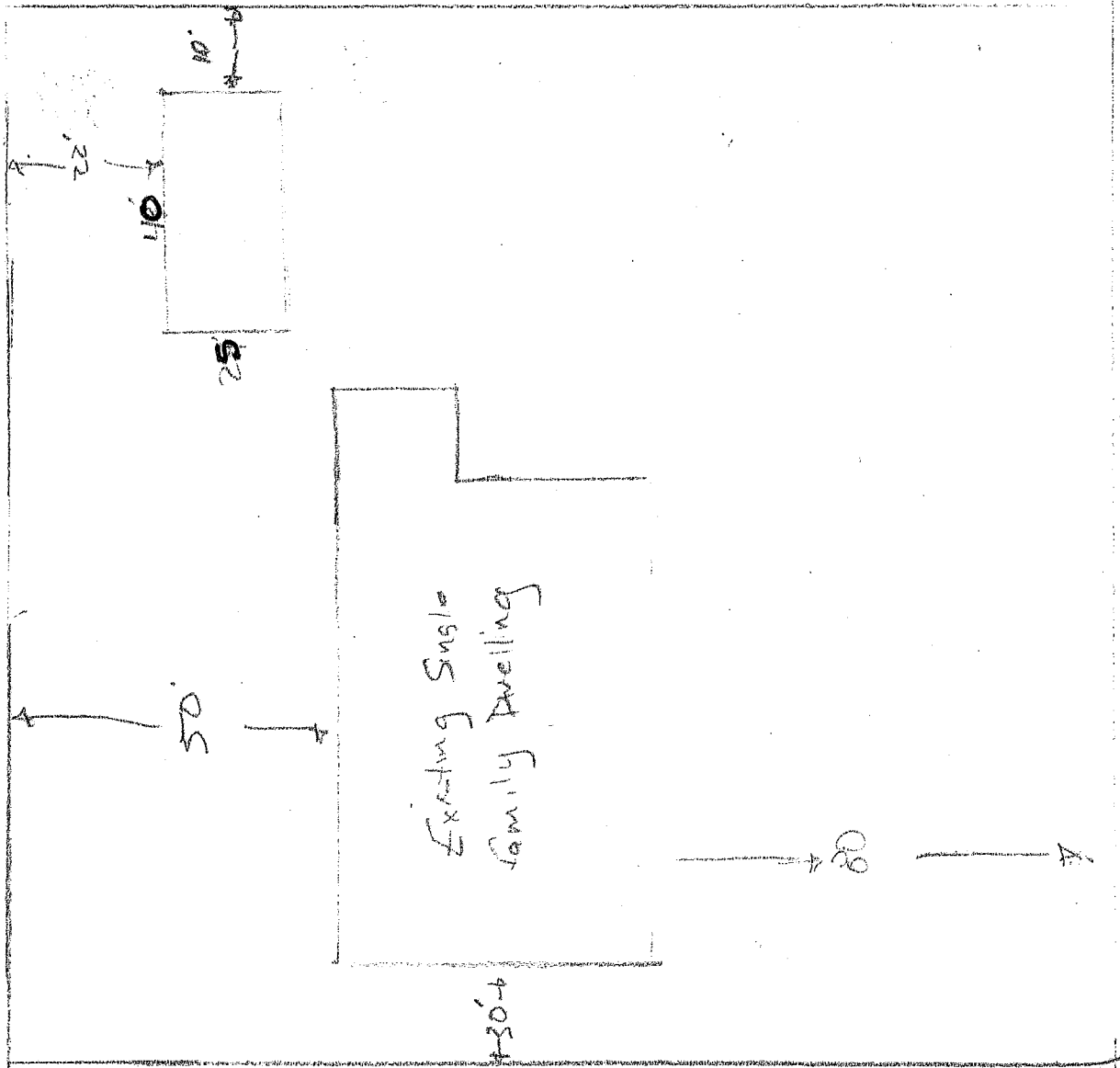
CITY OF LA CROSSE

Third Floor-City Hall, 400 La Crosse Street, La Crosse, Wisconsin 54601
Phone 608/789-7530 Fax 608/789-7589

N

171 29th Street South

LaCrosse WI 54601
Detached Building Foot Plan



171 29th Street South



Parcel: 17-20100-70 Internal ID: 28767
Municipality: City of La Crosse Record Status: Current

Parcel Information:

Parcel: 17-20100-70
Internal ID: 28767
Municipality: City of La Crosse
Record Status: Current
On Current Tax Roll: Yes
Total Acreage: 0.529
Township: 15
Range: 07
Section: 04

Legal Description:

MCLOONES HILLSIDE ADDITION N 67FT LOT 5 & ALL LOT 6 BLOCK 3 LOT SZ: 152 X 151.446 M/L

Property Addresses:

Street Address	City (Postal)
171 29TH ST S	LA CROSSE

Owners/Associations:

Name	Relation	Mailing Address	City	State	Zip Code
DAVID D CAPLAN	Owner	171 29TH ST S	LA CROSSE	WI	54601
SHERRY M CAPLAN	Owner	171 29TH ST S	LA CROSSE	WI	54601

Districts:

Code	Description	Taxation District
2849	LA CROSSE SCHOOL	Y
2	Block 2	N

Additional Information

Category	Description
2012+ VOTING SUPERVISOR	2012+ Supervisor District 4
2012 + VOTING WARDS	2012+ Ward 9
POSTAL DISTRICT	LACROSSE POSTAL DISTRICT 54601
Use	1 UNIT

Lottery Tax Information ⓘ

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.