



Fire Prevention and Building Safety

400 La Crosse St., La Crosse, WI 54601 · (608) 789-7530 · Fax: (608) 789-7589
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Kenneth Gilliam, Fire Chief



November 4th, 2019

City of La Crosse
400 La Crosse St.
La Crosse WI 54601

RE: An appeal regarding the requirement to provide a 14' set back from the public right-of-way at 300 Harborview Plaza, La Crosse, Wisconsin.

Dear City of La Crosse,

We have received the permit application to construct an addition to the La Crosse Center 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 public right-of-way.

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

115-157 (c)

Area regulations. Except as otherwise provided in subsection (e) of this section, all new buildings or additions to existing buildings shall be set back at least ten feet from all public rights-of-way plus one additional foot for each five feet of building height exceeding 35 feet.

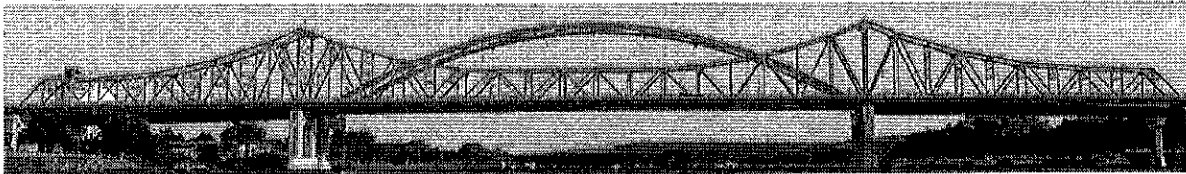
Therefore, if upon consideration of all of the facts surrounding this appeal in a public hearing, the Board of Zoning Appeals determines that this appeal meets all of the criteria established by the Legislature of the State of Wisconsin, as interpreted by the Supreme Court of the State of Wisconsin for the granting of variances, the Board of Zoning Appeals would have to grant a variance of 14' to the required 14' set back to public right-of-way for this project to proceed 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 Search](#) | [Permit Search](#)**300 HARBORVIEW PLZ LA CROSSE**

Parcel: 17-20002-80 Internal ID: 48322
 Municipality: City of La Crosse Record Status: Current

Parcel Information:

Parcel: 17-20002-80
 Internal ID: 48322
 Municipality: City of La Crosse
 Record Status: Current
 On Current Tax Roll: Yes
 Total Acreage: 4.450
 Township: 16
 Range: 07
 Section: 31

[Parcel](#)[Taxes](#)[Outstanding Taxes](#)[Assessments](#)[Deeds](#)[Permits](#)[History](#)**Legal Description:**

TOWN OF LA CROSSE PRT LOT 6-10 BLOCK 3 & PRT LOT 6 BLK 2 & PRT LOTS 1 & 2 BLK 5 & ALL BLK 6 & VAC ALLEY & PRT LOT 6 BLK 7 & PRT VAC ALLEY & PRT LOTS 1,8 9 & 10 LEVYS SUBD & PRT VAC ALLEY & PRT VAC MT VERNON, PEARL & FRONT STS DESC AS FOLL BEG SLY COR LOT 6 BLK 6 TOWN OF LA CROSSE N26D58M 20SE 382.55FT N64D7M20SW 444.56FT TO SELY R/W RELOC FRONT ST S27D50MW 41.31FT ALG CURV S13D55MW 370.39FT S 61.79FT ALG CURV S4D9MW 91.19FT E 61.53FT N 72.51FT N25D12ME 66FT S64D48ME 278.28FT TO POB & EX COM SLY COR LOT 6 BLK 6 TOWN OF LA CROSSE N26D58M20SE 382.55FT TO POB N64D7M20SW 280FT S26D58M20SW 18FT S64D 7M20SE 275FT N26D58M20SE 3FT S64D7M20SE 5FT TO NWLY R/W OF 2ND ST N26D58M20SE 15FT TO POB & INCL ALL THAT PRT MT VERNON ST VAC IN V1247 P138 & PRT DEEDED IN 1278 P936 SUBJ TO ESMT IN V1278 P936 (CIVIC CENTER) INCL PLATE 34X2 17-20004-20

Property Addresses:

<u>Street Address</u>	<u>City (Postal)</u>
300 HARBORVIEW PLZ	LA CROSSE

Owners/Associations:

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

Districts:

<u>Code</u>	<u>Description</u>	<u>Taxation District</u>
2849	LA CROSSE SCHOOL	Y
9010	City LAX Business Dist	N
2	Book 2	N
CDZ	Community Development Zone	N
DBS	DOWNTOWN BUSINESS STUDY	N
0037	LA CROSSE TIF 17	N

Additional Information

<u>Category</u>	<u>Description</u>
2012+ VOTING SUPERVISOR	2012+ Supervisor District 6
2012 + VOTING WARDS	2012+ Ward 7
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.