



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



November 5, 2019

Maureen Addis
1642 Loomis St.
La Crosse, WI 54603

Kratt Lumber Co.
1714 16th St. S
La Crosse, WI 54601

RE: An appeal regarding the requirement to provide a 25' set back from the front property line at 1642 Loomis St., La Crosse, Wisconsin.

Dear Maureen Addis,

We have received the permit application to construct an attached deck and 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 front property line and does not meet any of the exceptions for existing nonconforming primary structures listed under 115-143 (c)(1).

The project as proposed is in direct violation of the following subparagraph of the Code:
Sec. 115-143 (c) - R-1 Single Family Residence District Regulations.

(2) *Front yards.* On every lot in the Residence District, there shall be a front yard having a depth of not less than 25 feet, provided that where lots comprising 40 percent or more of the frontage on one side of a block are developed with buildings, the required front yard depth shall be the average of the front yard depths of the two adjacent main buildings, or if there is only one adjacent main building the front yard depth of said main building shall govern; provided further that this regulation shall not be so interpreted as to require a front yard depth of more than 25 feet in any case. The entire front yard shall be graded and sodded or seeded in a manner which will produce an acceptable lawn excepting such areas as may be required for driveways and walks.

115-143 (c)

(1) *Exceptions for existing nonconforming primary structures.*

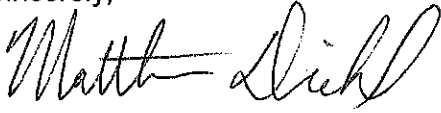
- a. Any existing nonconforming primary structure that does not meet current front, rear, or side yard setbacks, may be permitted to construct, on the existing building or structure footprint (foundation line), building alterations or remodeling so long as the newly constructed area does not extend further into the setbacks than the existing building or structure footprint.
- b. Additions may be permitted to an existing primary building or primary structure provided that the addition does not encroach further into a required setback than currently exists along any building line extended.

CITY OF LA CROSSE

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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 3' to the required 12' set back to the front property line for this project to proceed as proposed.

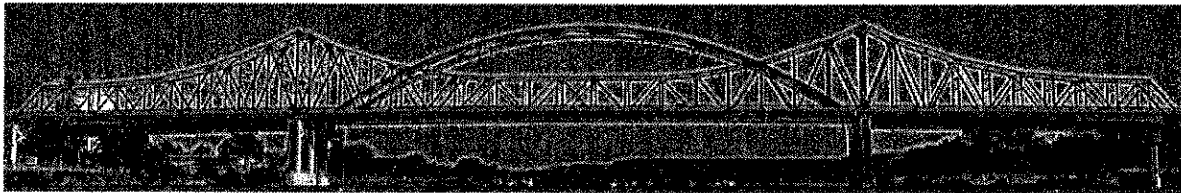
Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Diehl". The signature is fluid and cursive, with the first name "Matthew" and last name "Diehl" clearly distinguishable.

Matthew Diehl
Building Inspector

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

1642 LOOMIS ST LA CROSSE

Parcel: 17-10148-130 Internal ID: 25482
 Municipality: City of La Crosse Record Status: Current

Print View

Parcel Information:

Parcel: 17-10148-130
 Internal ID: 25482
 Municipality: City of La Crosse
 Record Status: Current
 On Current Tax Roll: Yes
 Total Acreage: 0.161
 Township: 16
 Range: 07
 Section: 20

Legal Description:

FIRST ADDITION TO SPIER & CANTERBURYS ADDITION LOT 3 BLOCK 11 LOT SZ:
 50 X 140

Property Addresses:

<u>Street Address</u>	<u>City (Postal)</u>
1642 LOOMIS ST	LA CROSSE

Owners/Associations:

<u>Name</u>	<u>Relation</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
MAUREEN T ADDIS	Owner				
JOSEPH ADDIS	Owner	1642 LOOMIS ST	LA CROSSE	WI	54603-2266

Districts:

<u>Code</u>	<u>Description</u>	<u>Taxation District</u>
2849	LA CROSSE SCHOOL	Y
1	Book 1	N

Additional Information

<u>Category</u>	<u>Description</u>
2012+ VOTING SUPERVISOR	2012+ Supervisor District 2
2012 + VOTING WARDS	2012+ Ward 3
POSTAL DISTRICT	LACROSSE POSTAL DISTRICT 54603
Use	1 UNIT

Lottery Tax Information ⓘ

Lottery Credits Claimed: 1 on 10/27/1999
 Lottery Credit Application Date: 8/26/1999

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.