



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Agenda - Final Board of Zoning Appeals

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Monday, April 15, 2024

4:00 PM

Council Chambers  
City Hall, First Floor

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The Board of Zoning Appeals meeting is open for in-person attendance and will also be conducted through video conferencing. The meeting can be viewed by visiting the Legislative Information Center (<https://cityoflacrosse.legistar.com/Calendar.aspx>) and clicking on the "In Progress" video link to the far right in the meeting list.

### Call to Order

### Roll Call

### Annual Election of Vice Chair

**Notice is hereby given that the Board of Zoning Appeals will hear the following variance appeals in the Council Chambers on the first floor of City Hall, 400 La Crosse Street, at 4:00 p.m. on April 15, 2024:**

- [2684](#) An appeal regarding the requirement to have a fence not exceeding 48 inches in height from grade in the front yard at 1627 North Salem Road, La Crosse, WI 54601.
- [2685](#) An appeal regarding the requirement to have fill 15 feet beyond the structure one foot or more above the regional flood elevation at 2710 Onalaska Ave, La Crosse, WI.

### Adjournment

Property owners affected by an appeal may appear either in person, by agent, or by attorney, and may express their written approval of or objection to the granting of the appeal by filing a letter in the office of the City Clerk, or in lieu thereof may, upon oath, testify thereto. Written comments are encouraged to be submitted in writing prior to the meeting and should be submitted to [craigs@cityoflacrosse.org](mailto:craigs@cityoflacrosse.org), dropped in a drop box outside of City Hall, or mailed to the City Clerk, 400 La Crosse Street, La Crosse WI 54601. Questions, call 608-789-7510.

*Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.*

#### **NOTICE TO PERSONS WITH A DISABILITY**

*Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to [ADAcityclerk@cityoflacrosse.org](mailto:ADAcityclerk@cityoflacrosse.org), with as much advance notice as possible.*

**Board of Zoning Appeals Members:**

**James Cherf, Douglas Farmer, Anastasia Gentry, Ryan Haug, William Raven, First Alternate  
James Szymalak, Second Alternate Jai Johnson**



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 2684

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**Agenda Date:** 4/15/2024

**Version:** 1

**Status:** Agenda Ready

**In Control:** Board of Zoning Appeals

**File Type:** BOZA - Request for Variance

# Board of Zoning Appeals Variance Application

*(To be completed by City Clerk or Zoning Staff)*

City of La Crosse, Wisconsin

Application No.: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Filing Fee: \$300.00

Date Paid: 4/1/2024

Application Complete: Yes  No \_\_\_\_\_ Reviewed By AB (Initial)

*(To be completed by the applicant)*

Application Deadline: 5:00 p.m. the first Monday of every month.

Building Permit Application Deadline: 10 Calendar Days prior to the first Monday of every month for the City of La Crosse Fire Department – Division of Community Risk Management to provide review. Any building permit submitted after this deadline must wait until the following month's Board of Zoning Appeals meeting.

	Owner / Agent	Contractor
Name	Jacob Zabinski	Mike Flaten
Address	1627 North Salem Road, 54603	
Phone	608-408-9875	

Legal Description: See attached page; number "1. Legal Desc." , City of La Crosse, Wis.

Tax Parcel Number: 17-10259-120

Lot Dimensions and Area: \_\_\_\_\_ x \_\_\_\_\_ feet. = \_\_\_\_\_ sq. ft.

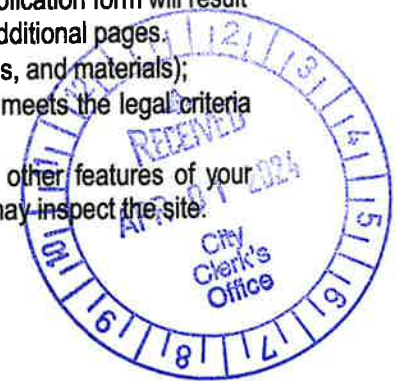
Zoning District: R1 - Single Family

A variance is a relaxation of a standard in a land use ordinance. The Board of Zoning Appeals decides variances. The Board is a quasi-judicial body because it functions like a court. The Board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden. The burden of proof falls on the variance applicant.

**Process:**

At the time of application, you will be asked to:

- **Complete an application** form and timely submit it with a non-refundable fee as required in La Crosse Municipal Code § 115-60; Failure to complete any section of the application form will result in rejection of the application. If additional space is needed, please attach additional pages.
- **Provide detailed plans** describing your lot and project (location, dimensions, and materials);
- **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance (Three-Step Test below); and
- **Stake out lot corners or lines**, the proposed building footprint and all other features of your property related to your request so that the Zoning Board and/or City staff may inspect the site.



## 1. Legal Description

*Legal Description: PRT NE-SE COM 261.5FT N & 193FT E OF SW COR E 140FT S TO N LN SALEM RD SLY ALG SALEM RD 161.6FT N TO POB LOT SZ: IRR, City of La Crosse, Wis.*

*Tax Parcel Number: 17-10259-120*

*Lot Dimensions and Area: 101 x 161 x 25 x 140 feet. = 8,864. sq. ft.*

*Zoning District: R1 - Single Family*

Dimensions gathered from La Crosse GIS map:

<https://gis-laxgis.hub.arcgis.com/apps/1ee6acffb2ad412aad0fe3cac30ca323/explore>

Following these steps, the City of La Crosse Fire Department – Division of Community Risk Management must approve the application as to form and completeness and then the application and fee must be submitted to the City Clerk. The zoning agency will then provide notice of your request for a variance to the City of La Crosse’s official newspaper noting the location and time of the required public hearing before the Zoning Board. Your neighbors and any affected state agency will also be notified. The burden will be on you as a property owner to provide information upon which the Board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. If any of these requirements are not met or if you or your agent does not appear at the public hearing, the Board **must** deny your request for a variance and your fee will be forfeited.

**Part A: General Information and Alternatives Analysis.**

*(To be completed by the applicant).*

**1. General Information.**

Complete the questions in the general information section of the application to provide the necessary background information needed for the property at issue.

**(a) Current use and improvements.**

Our property currently serves as our primary residence, and we are seeking to make improvements that enhance both its functionality and aesthetic appeal. As our property features an irregular shape, traditional backyard space is not available for us to utilize.

**(b) Proposed Use.**

The proposed use of installing a 6-foot privacy fence in our front yard will serve to create a secure and private outdoor space for our family and pets, while also adhering to zoning regulations and promoting safety within the community.

**(c) Description and date of any prior petition for variance, appeal, or special exception.**

N/A

(d) Description and location of all nonconforming structures and uses on the property.

N/A.

(e) Ordinance standard from which variance is being sought (include code citation).

Sec. 115-398. - Fences and hedges.

(c)

Height and setback of fences regulated.

(1)

Residential fences are permitted up to the property lines in Residential Districts but shall not, in any case, exceed a height of six feet without a conditional use permit, shall not exceed 48 inches in height from grade in the front, side, or rear yard setback abutting a public sidewalk,

(f) Describe the variance requested.

We are requesting a variance to install a 6-foot privacy fence in our front yard.

(g) Specify the reason for the request.

This variance is requested due to the irregular shape of our property, which precludes the option of a traditional backyard space. The fence will provide security, privacy, and containment for our family and pets while adhering to setback requirements and maintaining visibility for motorists exiting the alley onto the road.

(h) Describe the effects on the **property** if the variance is not granted.

Not granting the variance would limit our ability to enhance the aesthetic appeal and functionality of our property. A privacy fence would contribute to the overall beautification of the neighborhood and improve property values for surrounding homes. Overall, denying the variance would restrict our ability to create a safe, secure, and enjoyable living environment for our family, adversely affecting both our property and the community.

## 2. Alternatives.

Describe alternatives to your proposal such as other locations, designs, and construction techniques. Attach a site map showing alternatives you considered in each category below.

- **Alternatives you considered that comply with existing standards.** If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons why you rejected them.

We initially considered installing a fence with a height that complies with the standard regulations, 4 feet. However, due to the agility of our Border Collie dog, we determined that a taller fence is necessary to prevent potential escape attempts and ensure the safety of our pet.

- **Alternatives you considered that require a lesser variance.** If you reject such alternatives, provide the reasons why you rejected them.

Another alternative we explored was locating the fence in the rear yard area. However, due to the irregular shape of our property, a traditional backyard space is not feasible. Placing the fence in the most front yard is the most practical option to create a secure enclosure for our family and pets.

### Part B: Three-Step Test.

To qualify for a variance, applicants must demonstrate that their property meets the following three requirements:

#### **1. Unique Property Limitation.** *(To be completed by the applicant).*

Unique physical characteristics of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances or desires of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances, or lack of objections from neighbors do not provide a basis for granting a variance. Property limitations that prevent ordinance compliance and are common to a number of properties should be addressed by amending the ordinance.

You will be asked whether there exist any unique physical characteristics to your property that prevent compliance with the ordinance. You will be asked to show where these unique physical characteristics are located on your property by showing the boundaries of these features on a site map. If there is not a unique property limitation, a variance cannot be granted.



Do unique physical characteristics of your property prevent compliance with the ordinance?

**Yes.** Where are they located on your property? In addition, please show the boundaries of these features on the site map that you used to describe alternatives you considered.

We do not have any yard space that would be considered to be a "back yard" area. Both yard spaces would be considered "front yards".

**No.** A variance cannot be granted.

**2. No Harm to Public Interest.**

A variance may not be granted which results in harm to public interests or undermines the purpose(s) of the ordinance. In applying this test, the Zoning Board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community, and the general public. These interests may be listed as objectives in the purpose statement of an ordinance and may include:

- *Public health, safety, and welfare*
- *Water quality*
- *Fish and wildlife habitat*
- *Natural scenic beauty*
- *Minimization of property damages*
- *Provision of efficient public facilities and utilities*
- *Achievement of eventual compliance for nonconforming uses, structures, and lots*
- *Any other public interest issue*

**(a) Ordinance Purpose.** *(To be completed by zoning staff).*

The Zoning Board must consider the purpose and intent of zoning codes when considering a variance request. As promulgated by the City of La Crosse Common Council, the purpose and intent of the La Crosse Zoning Code include, but is not limited to, the following:

§ 8-86	§ 101-58	§ 109-6
§ 115-3	§ 115-140	§ 115-141
§ 115-148	§ 115-156	§ 115-158
§ 115-211	§ 115-319	§ 115-437
§ 115-510	§ 115-548	§ 115-594

The failure of any particular city official to identify additional purpose and intent information on the application does not preclude the city official from raising the issue at the public hearing on the requested variance.

**(b) Purpose(s) of Standard from which Variance is Requested.** *(To be completed by zoning staff).*

The City of La Crosse Building Inspector, Code Enforcement Officer and any other officials may be aware of other reasons a particular ordinance standard is required. The city official(s) may list those reasons on this application. The failure of any particular city official to identify additional purpose information on this application does not preclude the city official from raising the issue at the public hearing on the requested variance.

**(c) Analysis of Impacts.** *(To be completed by applicant).*

Discuss impacts (e.g. increased runoff, eroding shoreline, etc.) that would result if the variance were granted. For each impact, describe potential mitigation measures and the extent to which they reduce the impacts (i.e. completely, somewhat, or marginally). Mitigation measures must address each impact with reasonable assurance that it will be reduced to an insignificant level in the short term, long term, and cumulatively.

Short-term impacts are those that occur through the completion of construction. Long-term impacts are those that occur after construction is completed. Cumulative impacts are those that would occur if a similar variance requested were granted for many properties. After completing the impact analysis, you will be asked to give your opinion whether granting the variance will harm the public interest.

**(1) Short-term Impacts** (through the completion of construction):

- **Impact:** Increased disruption to immediate surroundings during construction, including noise.  
**Mitigation measure(s):** Schedule construction activities during off-peak hours.  
**Extent to which mitigation reduces project impact:**  
 These mitigation measures will significantly reduce the short-term impacts by minimizing disruption to neighboring properties and ensuring the safety and convenience of residents and passersby during the construction phase.
  
- **Impact:**  
**Mitigation measure(s):**  
**Extent to which mitigation reduces project impact:**

(2) **Long-term Impacts** (after construction is completed):

- **Impact:** Potential alteration of the visual character of the neighborhood due to 6-foot fence.  
**Mitigation measure(s):** Materials and design to blend with the architectural style of the prop.  
**Extent to which mitigation reduces project impact:**  
These mitigation measures will effectively reduce the long-term impact by ensuring that the fence complements the existing character of the neighborhood and contributes positively to its visual appeal.
  
- **Impact:**  
**Mitigation measure(s):**  
**Extent to which mitigation reduces project impact:**

(3) **Cumulative Impacts** (what would happen if a similar variance request was granted for many properties?):

- **Impact:** Potential cumulative effect if multiple properties are granted variances for similar fences.  
**Mitigation measure(s):** Encourage community engagement on acceptable fence styles.  
**Extent to which mitigation reduces project impact:**  
These mitigation measures aim to mitigate the cumulative impacts by promoting cohesive and harmonious street-scapes, thereby preserving the overall character and integrity of the neighborhood. It is my opinion that granting the variance, with appropriate mitigation measures in place, will not harm the public interest but rather contribute to enhancing the livability and aesthetics of the community.
  
- **Impact:**  
**Mitigation measure(s):**  
**Extent to which mitigation reduces project impact:**

**Will granting the variance harm the public interest?**

- Yes.** A variance cannot be granted.
- No.** Mitigation measures described above will be implemented to protect the public interest.

**3. Unnecessary Hardship.** *(To be completed by the applicant).*

The unique property limitation must create the unnecessary hardship. An applicant may not claim unnecessary hardship because of conditions that are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel.

You will be asked whether you are requesting an area variance or a use variance and to detail whether there exists an unnecessary hardship.

An **area variance** is a relaxation of lot area, density, height, frontage, setback, or other dimensional criterion. Unnecessary hardship exists when compliance with the strict letter of the area restrictions would unreasonably prevent the owner from using the property for a permitted purpose (i.e. leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The Zoning Board must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term, and cumulative effects of the variance on the neighborhood, the community, and on the public interests. This standard reflects the Wisconsin Supreme Court decisions in *State v. Waushara County Bd. Of Adjustment*, 2004 WI 56; and *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

A **use variance** is a relaxation of the zoning regulation on how the property is fundamentally used. A use variance allows property to be utilized in a manner not permitted by zoning regulations (i.e. an appropriate adaptive re-use of a school or church in a residential district). Unnecessary hardship exists only if the property owners show that they would have no reasonable or viable use of the property without the variance. Though not specifically restricted by statute or case law, a use variance is very rare because of the drastic effects it has on the neighborhood, the community, and the public interests. The Zoning Board must consider whether the owner has no reasonable return if the property is only used for the purpose allowed in zoning regulation, whether the plight of the owner is due to unique circumstances and not merely general conditions in the neighborhood, and whether the use sought to be authorized will alter the nature of the locality. See generally *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

**Are you applying for an area variance or a use variance?**

**Area variance**

**Use variance**

**Is unnecessary hardship present?**

**Yes. Describe.**

Please see the letter titled "Is Unnecessary Hardship Present?"

**No. A variance cannot be granted.**

**Part C: Additional Materials / Exhibits.**

In order for the zoning staff to conduct evaluations, the applicant's site map, with a scale of not less than 1"=50', and other exhibits must show the following:

- Location of requested variance
- Property lines
- Ordinary high-water mark
- Flood plain and wetland boundaries
- Dimensions, locations, and setbacks of existing and proposed structures
- Utilities, roadways, driveways, off-street parking areas, and easements
- Existing highway access restrictions and existing proposed street, side and rear yards
- Location and type of erosion control measures
- Vegetation removal proposed
- Contour lines (2 ft. interval)
- Well and sanitary system
- Location and extent of filling/grading
- Any other construction related to your request
- Anticipated project start date
- Sign locations, dimensions, and other specifications
- Alternatives considered
- Location of unique property limitation
- Lot corners, lines, and footprints have been staked out
- Abutting street names and alleys
- Abutting property and land within 20 feet
- Indication of the direction "North"

## **Is Unnecessary Hardship Present?**

Unnecessary hardship is present due to the unique property limitations that make compliance with the strict letter of the area restrictions burdensome. Our property's irregular shape and lack of a traditional backyard limit our options for installing a fence that meets zoning regulations while adequately addressing our need for security, privacy, and containment for our family and pets.

Without the variance to install a 6-foot privacy fence in our front yard, we would be left without a suitable means to fulfill these essential needs, leaving our property without any practical use permitted under current zoning regulations. The restrictions imposed by the zoning regulations would render conformity with such restrictions unnecessarily burdensome, as alternative solutions do not adequately address our specific needs.

The proposed variance has been carefully considered in light of the purpose of the zoning restriction, its effects on the property, and the short-term, long-term, and cumulative impacts on the neighborhood, community, and public interests. Granting the variance would alleviate the unnecessary hardship while still ensuring compatibility with the surrounding neighborhood's character and promoting the public interest in safety and functionality.

Thus, we believe that granting the variance is justified based on the presence of unnecessary hardship and the thoughtful consideration given to its implications on the property and the broader community.

**Part D: Authorization to Examine**

You **must complete and sign** the authorization for the City of La Crosse Board of Zoning Appeals and the Planning and Development Department to examine the property of the variance request.

I hereby authorize the City of La Crosse Board of Zoning and Appeals and the Planning and Development Department to inspect premises

At: 1627 North Salem Road, La Crosse, WI 54603

(Address where variance is sought)

Date: 04/01/2024 Signature of Owner: 

**Part E: Certification.**

You **must sign your application**, certifying that it and any additional materials are accurate and do not contain any misrepresentations or omissions. An unsigned variance application will not be considered. You also must get the application notarized by a certified notary.

**Submit completed application to:** Board of Zoning Appeals  
400 La Crosse St.  
Clerk's Office- 2nd Floor  
La Crosse, Wisconsin 54601

**Submit complete copy to:** Chief Inspector  
400 La Crosse St.  
City of La Crosse Fire Department –  
Division  
of Community Risk Management  
La Crosse, Wisconsin 54601

By signing below, I certify that I have received and reviewed all of the application materials. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application will be denied and any variance granted thereunder may be revoked.

Signed: (Applicant or Agent) [Signature]  
Date: 4/1/24

Signed: (Owner, if different from applicant) 4/1/24  
Date: [Signature]

THE APPLICANT OR AGENT

THE OWNER

By: Jacob Alexander Zabinski

Jacob Alexander Zabinski

STATE OF WISCONSIN )  
COUNTY OF LA CROSSE )

STATE OF WISCONSIN )  
COUNTY OF LA CROSSE )

Personally came before me this 1st day of April, 2024, the above named Jacob Zabinski to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Personally came before me this 1st day of April, 2024, the above named Jacob Zabinski to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

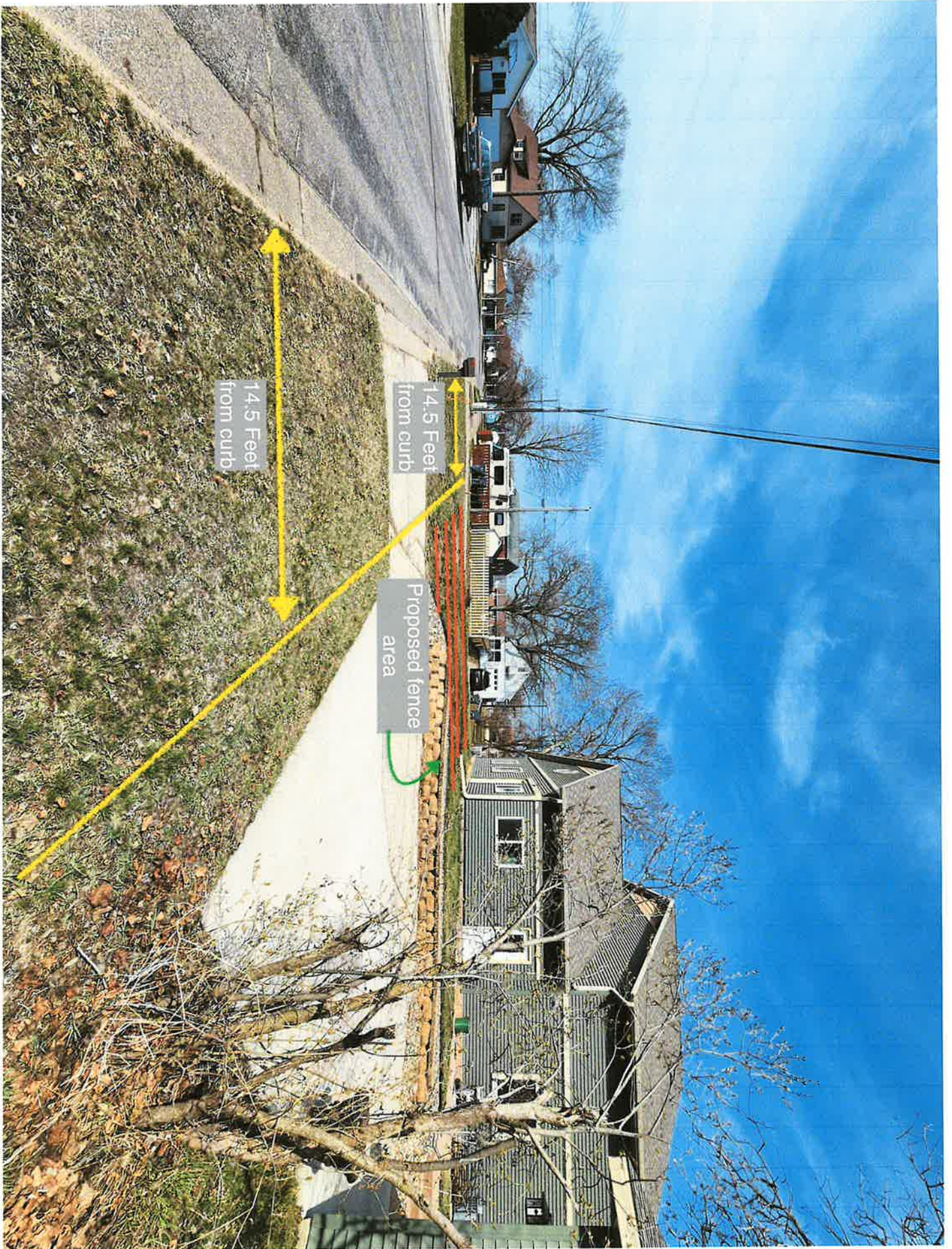
[Signature]  
Notary Public, La Crosse County, WI  
My commission expires: 9/13/27

[Signature]  
Notary Public, La Crosse County, WI  
My commission expires: 9/13/27









14.5 Feet  
from curb

14.5 Feet  
from curb

Proposed fence  
area



# Proposed Fence Installation



# BUFFTECH

## New Lexington Vinyl Fence Panels

[https://www.hooverfence.com/bufftech-new-lexington-fence-sections?gad\\_source=1&gclid=Cj0KCQjwqpSwBhCIARIsADIZ\\_TljgpywZ5dMd0TSaRrue87Z\\_3wEGU3uMb9s9Jy7Ad8KqMMz\\_PCu5SQaAgpJEALw\\_wcB](https://www.hooverfence.com/bufftech-new-lexington-fence-sections?gad_source=1&gclid=Cj0KCQjwqpSwBhCIARIsADIZ_TljgpywZ5dMd0TSaRrue87Z_3wEGU3uMb9s9Jy7Ad8KqMMz_PCu5SQaAgpJEALw_wcB)

**Section Width:** 8'

**Heights:** 6'

**Picket Size:** 5/8"x 11-3/8", tongue and groove

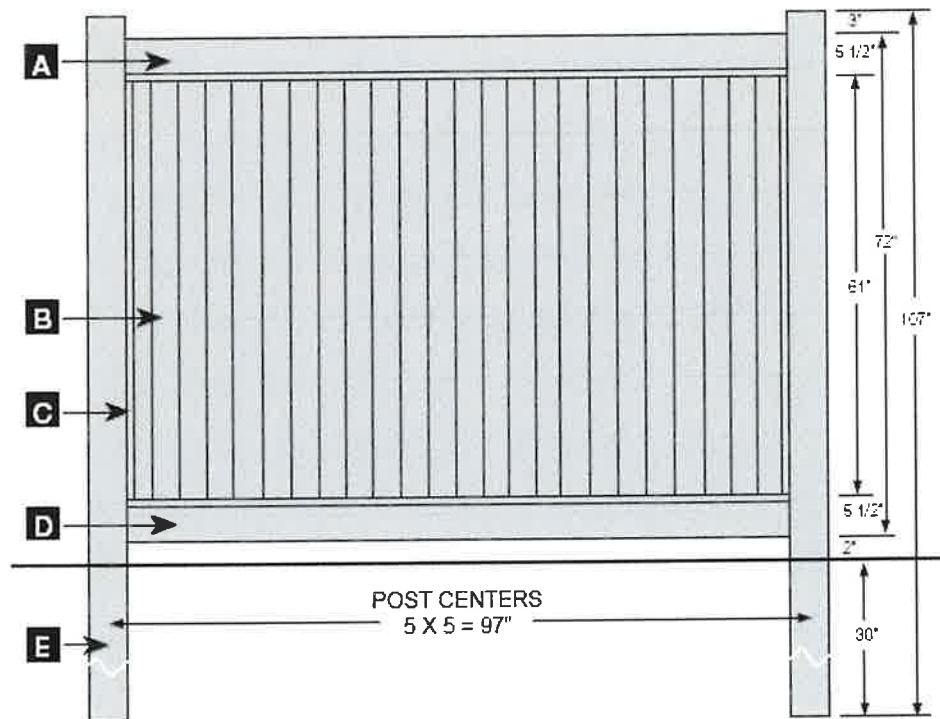
**Picket Spacing:** none

**Rails:** 1-1/2"x 5-1/2", ribbed

**Steel Rail Channel:** bottom

**Post Size:** 5"x 5"

### 6' High Sections - Specifications



**Top Rail (A):** 1-1/2"x 5-1/2"x 95" Classic Curve Deco Rail Ribbed, extruded to accept pickets

**Pickets (B):** 5/8"x 11-3/8"x 39-3/4" tongue and groove

**End Channel (C):** Included

**Bottom Rail (D):** 1-1/2"x 5-1/2"x 95" Classic Curve Deco Rail Ribbed, extruded to accept pickets

**Post (in-ground) (E):** 5" x 5" x 107" regular wall (30" in-ground)

**Picket Spacing:** None

**Steel reinforcement:** Yes-channel located in bottom rail

**Aluminum reinforcement:** None

**Post Spacing (center to center):** 97"

**Color(s):** White and Almond



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## 1627 SALEM RD LA CROSSE

[Print View](#)

Parcel: 17-10259-120 Internal ID: 26810  
Municipality: City of La Crosse Record Status: Current

### Parcel Information:

Parcel: 17-10259-120  
Internal ID: 26810  
Municipality: City of La Crosse  
Record Status: Current  
On Current Tax Roll: Yes  
Total Acreage: 0.205  
Township: 16  
Range: 07  
Section: 17

- [Parcel](#)
- [Taxes](#)
- [Outstanding Taxes](#)
- [Assessments](#)
- [Deeds](#)
- [Permits](#)
- [History](#)

### Legal Description:

PRT NE-SE COM 261.5FT N & 193FT E OF SW COR E 140FT S TO N LN SALEM RD  
SLY ALG SALEM RD 161.6FT N TO POB LOT SZ: IRR

### Property Addresses:

<u>Street Address</u>	<u>City (Postal)</u>
1627 SALEM RD	LA CROSSE

### Owners/Associations:

<u>Name</u>	<u>Relation</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
JACOB A ZABINSKI	Owner	1627 SALEM RD N	LA CROSSE	WI	54603
CATHERINE J PHILLIPPI	Owner	1627 SALEM RD N	LA CROSSE	WI	54603

### 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>
2020+ VOTING SUPERVISOR	2020+ Supervisor District 1
2020+ VOTING WARDS	2020+ Ward 2
Use	1 UNIT

### Lottery Tax Information

Lottery Credits Claimed: 0  
Lottery Credit Application Date:



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

### 1627 SALEM RD LA CROSSE

[Print View](#)

Parcel: 17-10259-120 Internal ID: 26810  
Municipality: City of La Crosse Record Status: Current

#### Assessment Information:

Tax Year: 2024

<u>Class</u>	<u>Description</u>	<u>Year</u>	<u>Acreage</u>	<u>Land</u>	<u>Improvements</u>	<u>Total</u>	<u>Last Modified</u>
G1	Residential	2024	0.205	\$23,500	\$255,700	\$279,200	10/27/2022
<b>Totals</b>	-	-	<b>0.205</b>	<b>\$23,500</b>	<b>\$255,700</b>	<b>\$279,200</b>	-

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- [Outstanding Taxes](#)
- [Assessments](#)
- [Deeds](#)
- [Permits](#)
- [History](#)

La Crosse County Land Records Information  
(Ver: 2021.11.2.0)

[Site Disclaimer](#)



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

## 1627 SALEM RD LA CROSSE

[Print View](#)

Parcel: 17-10259-120 Internal ID: 26810  
Municipality: City of La Crosse Record Status: Current

### Deed Information:

The following documents are those that impact the transfer of ownership or the legal description of the parcel. There may be other documents on file with the Register of Deeds Office.

Volume Number	Page Number	Document Number	Recorded Date	Type
659	971	0	12/17/1997	
827	348	1013666	9/2/1988	Warranty Deed
830	316	1015304	10/14/1988	Warranty Deed
1150	19	1161041	10/2/1996	Quit Claim Deed
1273	282	1210161	10/14/1998	HT110
1540	858	1294531	11/29/2001	Quit Claim Deed
0	0	1644612	9/2/2014	Quit Claim Deed
0	0	1657111	6/2/2015	HT110
0	0	1657112	6/2/2015	Warranty Deed
0	0	1692300	4/24/2017	Warranty Deed
0	0	1771597	5/3/2021	Warranty Deed

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For additional details pertaining to transfers please visit the [Wisconsin Department of Revenue](#) website to enter the document number.

Want access to an image of the document? You can obtain an image through the [Fidlar Tapestry Program](#) however, there is a fee for this service. You may also visit the local Register of Deeds office to obtain a photo copy without the search fee. Standard statutory copy fees will apply pursuant 59.43(2)(b).

# 1-City of La Crosse Online Map

Jason Buck  
City of La Crosse

[View Full Details](#)

## Details

- Application  
Web Mapping Application
- May 24, 2018  
Date Updated
- February 23, 2016  
Published Date
- Public  
Anyone can see this content
- No License Provided  
Request permission to use



# 1-City of La Crosse Online Map

Jason Buck  
City of La Crosse

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## Details

**Application**  
Web Mapping Application

**May 24, 2018**  
Date Updated

**February 23, 2016**  
Published Date

**Public**  
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City of La Crosse Online Mapping

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0 15 300  
Feet

1443148.481, 480794.185 Feet

City of La Crosse | La Crosse County | City of La Crosse

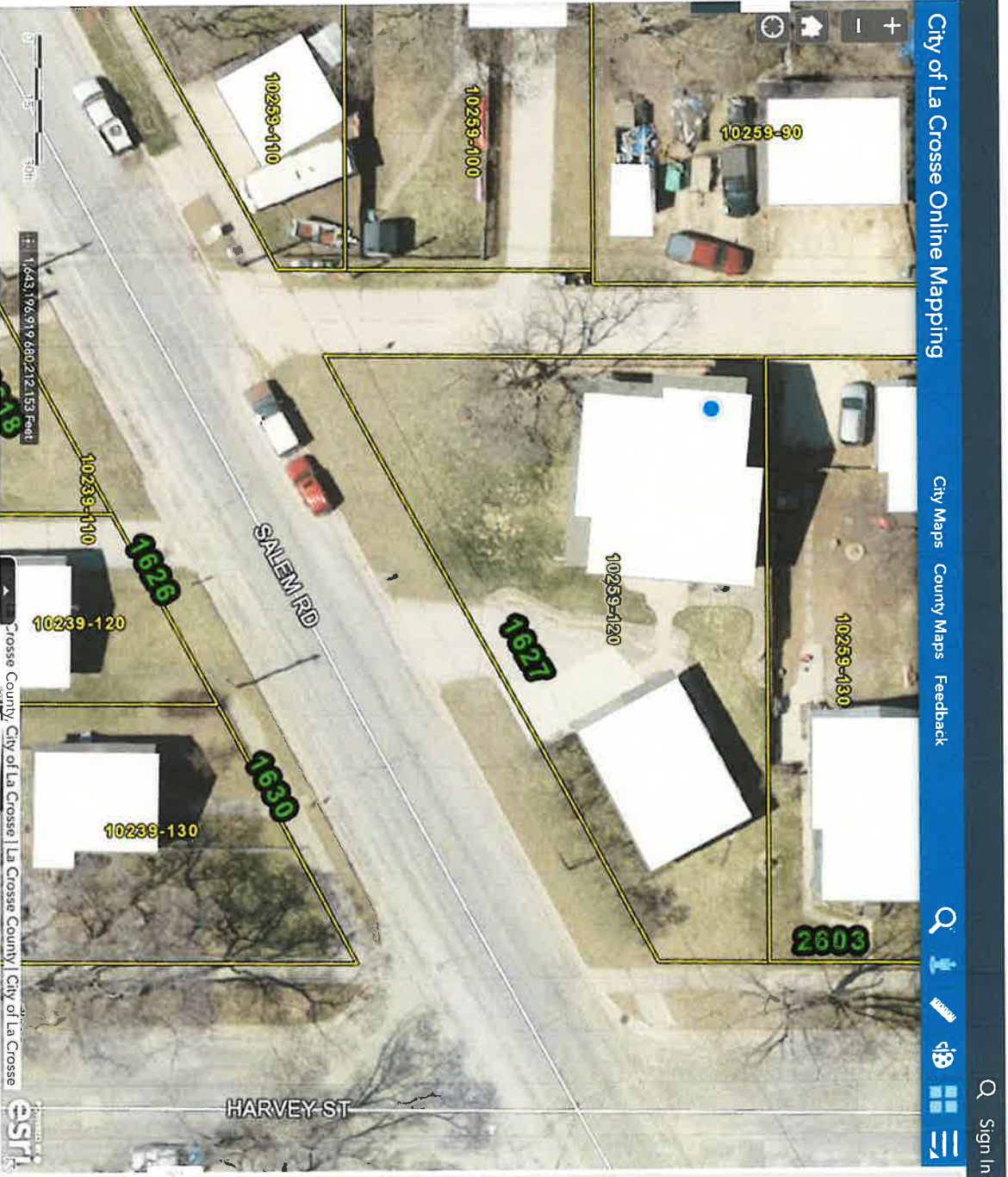
### 1-City of La Crosse Online Map

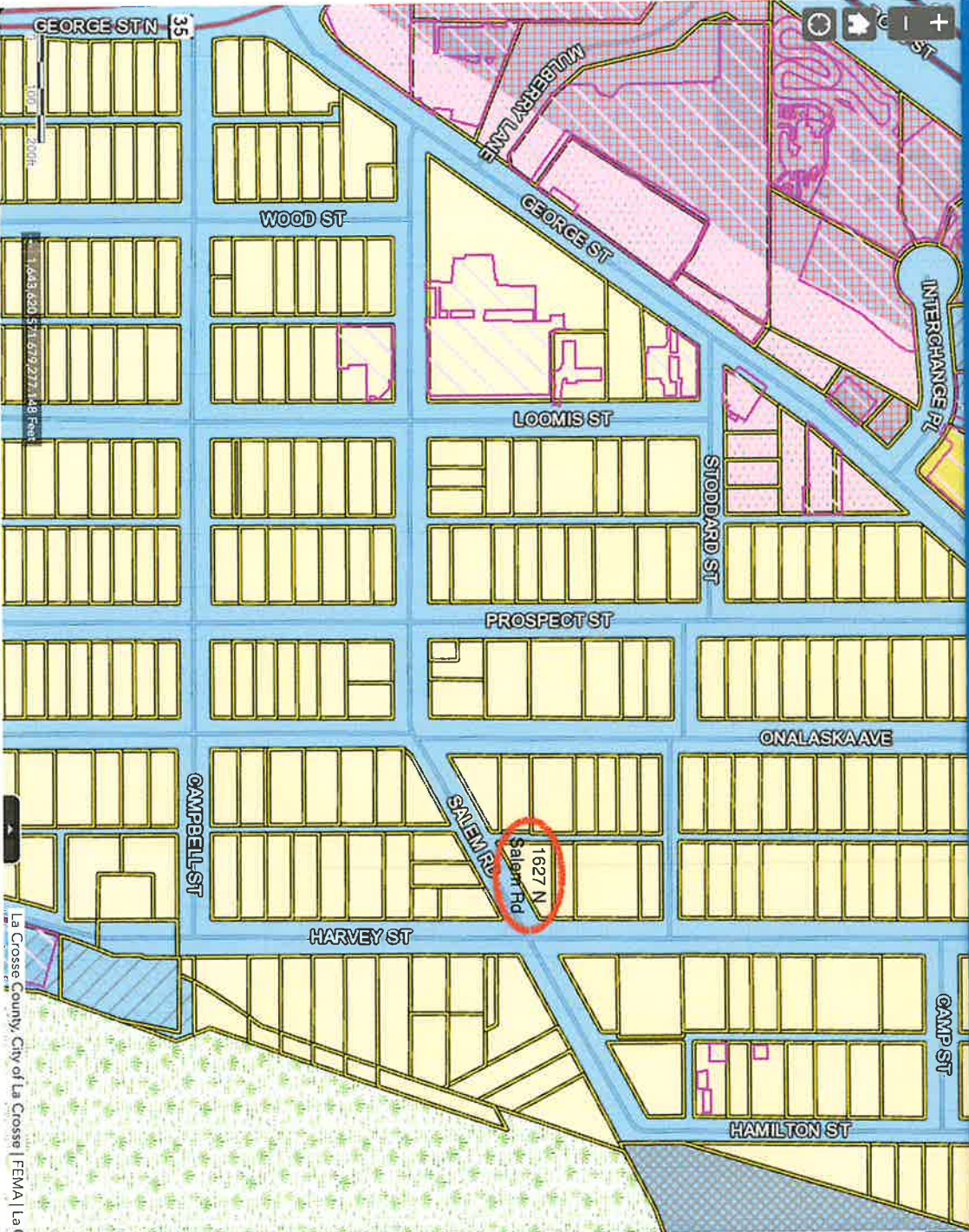
Jason Buck  
City of La Crosse

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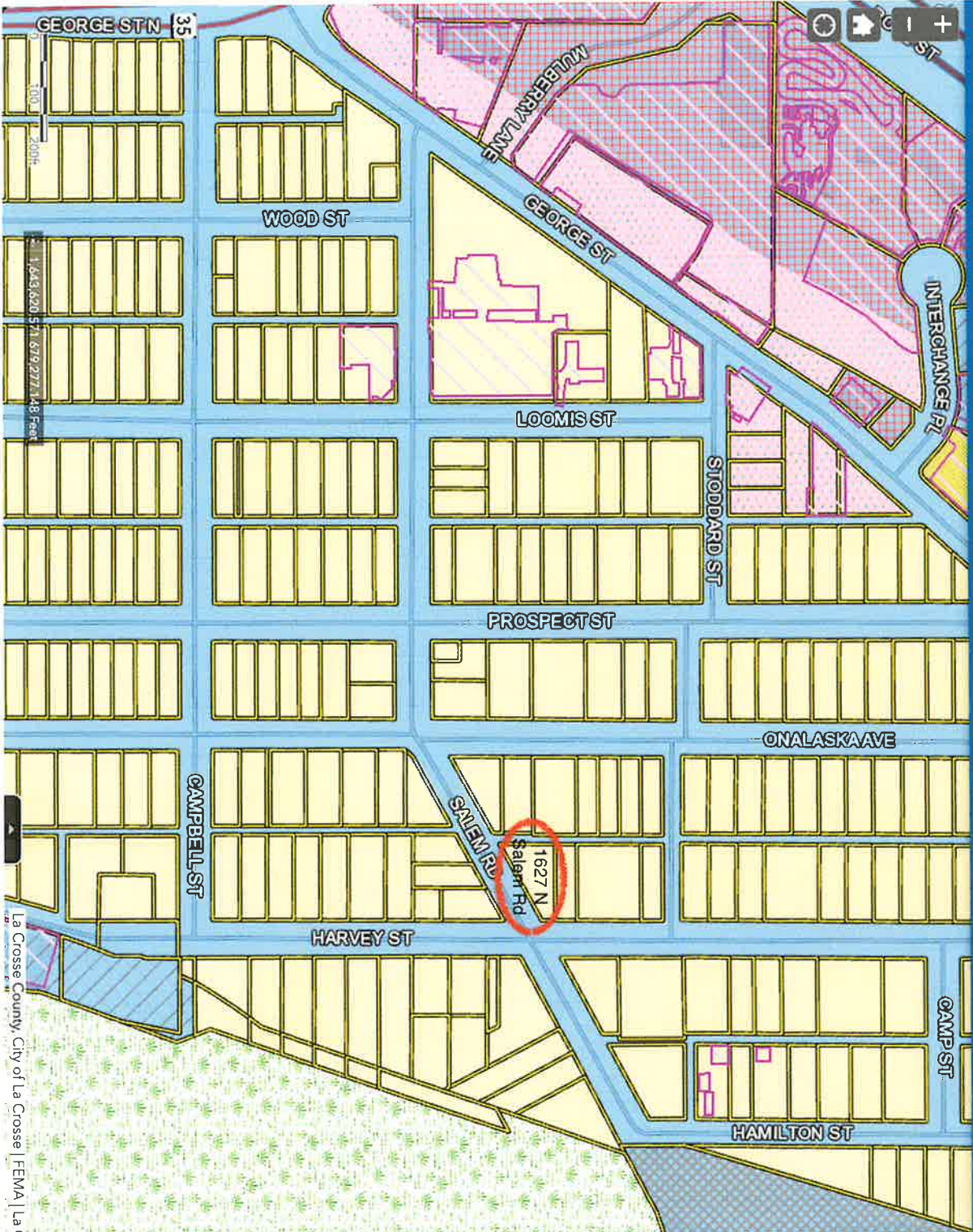


La Crosse County, City of La Crosse | FEMA | La C

Layer List

- Transportation Labels ...
- Storm Water Utility ...
- Tax Parcels ...
- Assessor Neighborhood ...
- Zoning ...
- Tax Increment Finance Districts ...
- Parks and Recreation ...
- Archeologic Sensitive Areas ...
- Hospitals and Clinics ...
- Colleges and Universities ...
- K-12 Schools ...
- Historic Districts ...
- Neighborhood Associations ...
- Buildings ...
- Street Centerlines ...
- Railroads ...
- Council Districts ...
- DNR Wetlands ...
- Lakes and Streams ...
- City Limits - With Fill ...





La Crosse County, City of La Crosse | FEMA | La C

Layer List

- Zoning
- Tax Increment Finance Districts
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- Railroads
- Council Districts
- DNR Wetlands
- Lakes and Streams
- City Limits - With Fill
- Surrounding Municipality Label
- Surrounding Communities
- Flood Info
- City Limits - Boundary



# La Crosse Fire Department

Division of Community Risk Management  
inspection@cityoflacrosse.org (P) 608.789.7530 (F) 608.789.7589  
<http://www.cityoflacrosse.org/your-government/departments/fire-department>



3/26/2024

Jacob Zabinski

1627 North Salem Road

La Crosse, WI 54603

RE: An appeal regarding the requirement to have a fence not exceeding 48 inches in height from grade in the front yard at 1627 North Salem Road La Crosse, WI.

Dear Jacob Zabinski,

We have received the permit application to install a new 6-foot-tall vinyl fence that does not meet the requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding fence installation.

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

Sec. 115-398. - Fences and hedges.

(c) Height and setback of fences regulated.

(1) Residential fences are permitted up to the property lines in Residential Districts but shall not, in any case, exceed a height of six feet without a conditional use permit, shall not exceed 48 inches in height from grade in the front, side, or rear yard setback abutting a public sidewalk, shall not encroach into any vision corner and shall not be closer than three feet to any public right-of-way along a public alley. The height of any fence shall be measured as an average and shall not include the posts or pillars to which a fence is attached.

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 allowing a 6 foot tall vinyl fence to be installed in the front yard of a property.

Sincerely,

Andy Berzinski

Building Inspector

Respect \* Integrity \* Service \* Excellence  
Internationally Accredited Since 2014

LA CROSSE  
WISCONSIN



Flood Info

Floodway



High Risk (1% Annual Chance Flood - 100 Year)



Medium Risk (0.2% Annual Chance Flood - 500 Year)



<u>Tax Parcel Number</u>	<u>OwnerName</u>	<u>PROPADDCOMP</u>	<u>CompleteAddress</u>	<u>MailCityStateZip</u>		
17-10239-100	MICHAEL DEVENPORT	2534 ONALASKA AVE	2534 ONALASKA AVE	LA CROSSE, WI 54603-1904		
17-10239-110	REBECCA NORCROSS	1618 SALEM RD	1618 SALEM RD	LA CROSSE, WI 54603-1652		
17-10239-13	RICHARD MOREHOUSE, RITA MOREHOUSE	1706 SALEM RD	1706 SALEM RD	LA CROSSE, WI 54603-1649		
17-10239-130	JOSEPH FRANCIS ARBANAS	1630 SALEM RD	1630 SALEM RD	LA CROSSE, WI 54603-1652		
17-10259-100	TYLER D VONHADEN	2610 ONALASKA AVE	2610 ONALASKA AVE	LA CROSSE, WI 54603-1642		
17-10259-110	ALLEN E NIBBELINK, DENISE E NIBBELINK	2606 ONALASKA AVE	2606 ONALASKA AVE	LA CROSSE, WI 54603-1642		
17-10259-130	NICOLE A LINDSEY	2603 HARVEY ST	2603 HARVEY ST	LA CROSSE, WI 54603		
17-10259-140	KRISTINE MILLER	2611 HARVEY ST	2611 HARVEY ST	LA CROSSE, WI 54603-1662		
17-10239-120	WANDA M TURBEN	1626 SALEM RD	1626 SALEM RD	LA CROSSE, WI 54603-1652		
17-10258-30	KAREN M JACOBSON	2604 HARVEY ST	2604 HARVEY ST	LA CROSSE, WI 54603-1634		
17-10259-70	JAMES D FEMA, SHIRLEY V FEMA	2628 ONALASKA AVE	2628 ONALASKA AVE	LA CROSSE, WI 54603-1642		
17-10259-80	MARY E JAHNKE	2626 ONALASKA AVE	2626 ONALASKA AVE	LA CROSSE, WI 54603		
17-10259-90	TRACY A KOLK	2624 ONALASKA AVE	2624 ONALASKA AVE	LA CROSSE, WI 54603		
17-10259-120	JACOB A ZABINSKI, CATHERINE J PHILLIPPI KEVIN LIEN	1627 SALEM RD	1627 SALEM RD N	LA CROSSE, WI 54603		
	WATER MANAGEMENT SPECIALIST WATERWAYS TEAM FLOODPLAIN MANAGER	WI DEPT. OF NATURAL RESOURCES WI DEPT. OF NATURAL RESOURCES	910 STATE ROAD 54 PO BOX 7921	BLACK RIVER VALLS WI MADISON WI 53707	715-670-8593	kevinr.lien@wisconsin.gov



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 2685

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**Agenda Date:** 4/15/2024

**Version:** 1

**Status:** Agenda Ready

**In Control:** Board of Zoning Appeals

**File Type:** BOZA - Request for Variance



# La Crosse Fire Department

## Division of Community Risk Management

inspection@cityoflacrosse.org (P) 608.789.7530 (F) 608.789.7589

<http://www.cityoflacrosse.org/your-government/departments/fire-department>



3/26/2024

City of La Crosse

2710 Onalaska Ave

La Crosse, WI 54603

RE: An appeal regarding the requirement to have fill 15 feet beyond the structure one foot or more above the regional flood elevation at 2710 Onalaska Ave La Crosse, WI.

Dear City of La Crosse,

We have received the permit application to place 15 feet of fill around 3 sides of a property, that does not meet the requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding standards for development in the Floodfringe district.

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

Sec. 115-281. - Floodfringe district (FF).

1.The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of section 115-281(3)(a)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

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 that 15 feet of fill, one foot or more above the regional flood elevation, to not be required on the north side of this property.

Sincerely,

Andy Berzinski

Building Inspector



# Board of Zoning Appeals Variance Application

(To be completed by City Clerk or Zoning Staff)

City of La Crosse, Wisconsin

Application No.: \_\_\_\_\_ Filing Fee: 0.00  
 Date Filed: \_\_\_\_\_ Date Paid: 4/1/24  
 Application Complete: Yes  No \_\_\_\_\_ Reviewed By AB (Initial)

(To be completed by the applicant)

Application Deadline: 5:00 p.m. the first Monday of every month.  
 Building Permit Application Deadline: 10 Calendar Days prior to the first Monday of every month for the City of La Crosse Fire Department – Division of Community Risk Management to provide review. Any building permit submitted after this deadline must wait until the following month's Board of Zoning Appeals meeting.

	Owner / Agent	Contractor
Name	City of La Crosse	City of La Crosse
Address	400 La Crosse Street	400 La Crosse Street
Phone	608-789-7362	608-789-7362

Legal Description: PRT NE-SE COM SW COR N 53.31FT NELY, City of La Crosse, Wis.  
 Tax Parcel Number: 17-10259-31  
 Lot Dimensions and Area: 50 x 141.2 feet. = 7060 sq. ft.  
 Zoning District: R1 - Single Family

A variance is a relaxation of a standard in a land use ordinance. The Board of Zoning Appeals decides variances. The Board is a quasi-judicial body because it functions like a court. The Board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden. The burden of proof falls on the variance applicant.

### Process:

At the time of application, you will be asked to:

- **Complete an application** form and timely submit it with a non-refundable fee as required in La Crosse Municipal Code § 115-60; Failure to complete any section of the application form will result in rejection of the application. If additional space is needed, please attach additional pages.
- **Provide detailed plans** describing your lot and project (location, dimensions, and materials);
- **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance (Three-Step Test below); and
- **Stake out lot corners or lines**, the proposed building footprint and all other features of your property related to your request so that the Zoning Board and/or City staff may inspect the site.

Following these steps, the City of La Crosse Fire Department – Division of Community Risk Management must approve the application as to form and completeness and then the application and fee must be submitted to the City Clerk. The zoning agency will then provide notice of your request for a variance to the City of La Crosse's official newspaper noting the location and time of the required public hearing before the Zoning Board. Your neighbors and any affected state agency will also be notified. The burden will be on you as a property owner to provide information upon which the Board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. If any of these requirements are not met or if you or your agent does not appear at the public hearing, the Board **must** deny your request for a variance and your fee will be forfeited.

**Part A: General Information and Alternatives Analysis.**

*(To be completed by the applicant).*

**1. General Information.**

Complete the questions in the general information section of the application to provide the necessary background information needed for the property at issue.

(a) Current use and improvements.

The home at 2710 Onalaska is owned by the City of La Crosse and currently vacant. Housing rehab improvements including basement infill have been completed - totaling approximately \$85k investment thus far to this property to bring it to FEMA compliance.

(b) Proposed Use.

Owner-occupied affordable single family home.

(c) Description and date of any prior petition for variance, appeal, or special exception.

Rehab improvements were made to the home with the intention to bring into floodplain compliance and sell the property. No prior variance has been sought.



- (d) Description and location of all nonconforming structures and uses on the property.  
Currently the lowest adjusted grade is 644.8 and approx 7.2 inches of fill are required to bring the property into compliance.
  
- (e) Ordinance standard from which variance is being sought (include code citation).  
115-281(3)c and 115-291(3)a - require all ground immediatly adjacent to the building, and extending 15' away from the building, be one foot above the BFE.
  
- (f) Describe the variance requested.  
We request that a 0 ft variance be granted on the North side of the property. The other three sides of the property will meet code requirements of 15 feet.
  
- (g) Specify the reason for the request.  
The neighboring property has a fence 5 feet from the home, 3ft from the bump out we will not be able to meet the 15 ft requirement.
  
- (h) Describe the effects on the **property** if the variance is not granted.  
The property will remain City surplus property, vacant, and untaxable.

## 2. Alternatives.

Describe alternatives to your proposal such as other locations, designs, and construction techniques. Attach a site map showing alternatives you considered in each category below.

- **Alternatives you considered that comply with existing standards.** If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons why you rejected them.

N/A - no ability to be meet the 15 ft requirement as the fence exists 5 ft from the home

- **Alternatives you considered that require a lesser variance.** If you reject such alternatives, provide the reasons why you rejected them.

A lesser variance of 3ft was considered, as that is the distance from the bump out to the fence. With the bump out being only 3ft from the fence, this would be getting very close to neighboring fence and property line. Another option was to apply for variance on all sides of the property to minimize cost to bring to compliance.

### Part B: Three-Step Test.

To qualify for a variance, applicants must demonstrate that their property meets the following three requirements:

#### **1. Unique Property Limitation.** *(To be completed by the applicant).*

Unique physical characteristics of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances or desires of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances, or lack of objections from neighbors do not provide a basis for granting a variance. Property limitations that prevent ordinance compliance and are common to a number of properties should be addressed by amending the ordinance.

You will be asked whether there exist any unique physical characteristics to your property that prevent compliance with the ordinance. You will be asked to show where these unique physical characteristics are located on your property by showing the boundaries of these features on a site map. If there is not a unique property limitation, a variance cannot be granted.

Do unique physical characteristics of your property prevent compliance with the ordinance?

**Yes.** Where are they located on your property? In addition, please show the boundaries of these features on the site map that you used to describe alternatives you considered.  
 The home is located on the North side of the parcel, with only 6 feet to the neighboring fence. See attached survey.

**No.** A variance cannot be granted.

**2. No Harm to Public Interest.**

A variance may not be granted which results in harm to public interests or undermines the purpose(s) of the ordinance. In applying this test, the Zoning Board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community, and the general public. These interests may be listed as objectives in the purpose statement of an ordinance and may include:

- *Public health, safety, and welfare*
- *Water quality*
- *Fish and wildlife habitat*
- *Natural scenic beauty*
- *Minimization of property damages*
- *Provision of efficient public facilities and utilities*
- *Achievement of eventual compliance for nonconforming uses, structures, and lots*
- *Any other public interest issue*

**(a) Ordinance Purpose.** *(To be completed by zoning staff).*

The Zoning Board must consider the purpose and intent of zoning codes when considering a variance request. As promulgated by the City of La Crosse Common Council, the purpose and intent of the La Crosse Zoning Code include, but is not limited to, the following:

§ 8-86	§ 101-58	§ 109-6
§ 115-3	§ 115-140	§ 115-141
§ 115-148	§ 115-156	§ 115-158
§ 115-211	§ 115-319	§ 115-437
§ 115-510	§ 115-548	§ 115-594

The failure of any particular city official to identify additional purpose and intent information on the application does not preclude the city official from raising the issue at the public hearing on the requested variance.

**(b) Purpose(s) of Standard from which Variance is Requested.** *(To be completed by zoning staff).*

The City of La Crosse Building Inspector, Code Enforcement Officer and any other officials may be aware of other reasons a particular ordinance standard is required. The city official(s) may list those reasons on this application. The failure of any particular city official to identify additional purpose information on this application does not preclude the city official from raising the issue at the public hearing on the requested variance.

**(c) Analysis of Impacts.** *(To be completed by applicant).*

Discuss impacts (e.g. increased runoff, eroding shoreline, etc.) that would result if the variance were granted. For each impact, describe potential mitigation measures and the extent to which they reduce the impacts (i.e. completely, somewhat, or marginally). Mitigation measures must address each impact with reasonable assurance that it will be reduced to an insignificant level in the short term, long term, and cumulatively.

Short-term impacts are those that occur through the completion of construction. Long-term impacts are those that occur after construction is completed. Cumulative impacts are those that would occur if a similar variance requested were granted for many properties. After completing the impact analysis, you will be asked to give your opinion whether granting the variance will harm the public interest.

**(1) Short-term Impacts** (through the completion of construction):

- Impact: Potential Neighbor Impact  
Mitigation measure(s):  
Extent to which mitigation reduces project impact:  
The one short-term impact of this change will be on the neighboring properties as construction will be required. This will be on the property to the North where the variance is being requested. To the South, two Habitat homes are under construction.
  
- Impact:  
Mitigation measure(s):  
Extent to which mitigation reduces project impact:

(2) **Long-term Impacts** (after construction is completed):

- **Impact:** Flood Plain Compliance for Neighboring Properties  
**Mitigation measure(s):** None Required  
**Extent to which mitigation reduces project impact:**  
The two properties to the South, 2702 and 2706 Onalaska Ave, will be floodplain compliant.
  
- **Impact:**  
**Mitigation measure(s):**  
**Extent to which mitigation reduces project impact:**

(3) **Cumulative Impacts** (what would happen if a similar variance request was granted for many properties?):

- **Impact:**  
**Mitigation measure(s):** NA  
**Extent to which mitigation reduces project impact:**  
This variance is being requested to bring the property into floodplain compliance. That cannot happen given the physical layout of the space. If other properties in the floodplain were to follow suit, these would need to continue to be reviewed on a case by case basis.
  
- **Impact:**  
**Mitigation measure(s):**  
**Extent to which mitigation reduces project impact:**

**Will granting the variance harm the public interest?**

- Yes.** A variance cannot be granted.
- No.** Mitigation measures described above will be implemented to protect the public interest.

**3. Unnecessary Hardship.** *(To be completed by the applicant).*

The unique property limitation must create the unnecessary hardship. An applicant may not claim unnecessary hardship because of conditions that are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel.

You will be asked whether you are requesting an area variance or a use variance and to detail whether there exists an unnecessary hardship.

An **area variance** is a relaxation of lot area, density, height, frontage, setback, or other dimensional criterion. Unnecessary hardship exists when compliance with the strict letter of the area restrictions would unreasonably prevent the owner from using the property for a permitted purpose (i.e. leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The Zoning Board must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term, and cumulative effects of the variance on the neighborhood, the community, and on the public interests. This standard reflects the Wisconsin Supreme Court decisions in *State v. Waushara County Bd. Of Adjustment*, 2004 WI 56; and *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

A **use variance** is a relaxation of the zoning regulation on how the property is fundamentally used. A use variance allows property to be utilized in a manner not permitted by zoning regulations (i.e. an appropriate adaptive re-use of a school or church in a residential district). Unnecessary hardship exists only if the property owners show that they would have no reasonable or viable use of the property without the variance. Though not specifically restricted by statute or case law, a use variance is very rare because of the drastic effects it has on the neighborhood, the community, and the public interests. The Zoning Board must consider whether the owner has no reasonable return if the property is only used for the purpose allowed in zoning regulation, whether the plight of the owner is due to unique circumstances and not merely general conditions in the neighborhood, and whether the use sought to be authorized will alter the nature of the locality. See generally *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

**Are you applying for an area variance or a use variance?** **Area variance** **Use variance****Is unnecessary hardship present?** **Yes. Describe.**  
The parcel remains City property, untaxable and unoccupied, still requiring maintenance, upkeep and incurring expenses. **No. A variance cannot be granted.****Part C: Additional Materials / Exhibits.**

In order for the zoning staff to conduct evaluations, the applicant's site map, with a scale of not less than 1"=50', and other exhibits must show the following:

- Location of requested variance
- Property lines
- Ordinary high-water mark
- Flood plain and wetland boundaries
- Dimensions, locations, and setbacks of existing and proposed structures
- Utilities, roadways, driveways, off-street parking areas, and easements
- Existing highway access restrictions and existing proposed street, side and rear yards
- Location and type of erosion control measures
- Vegetation removal proposed
- Contour lines (2 ft. interval)
- Well and sanitary system
- Location and extent of filling/grading
- Any other construction related to your request
- Anticipated project start date
- Sign locations, dimensions, and other specifications
- Alternatives considered
- Location of unique property limitation
- Lot corners, lines, and footprints have been staked out
- Abutting street names and alleys
- Abutting property and land within 20 feet
- Indication of the direction "North"

**Part D: Authorization to Examine**

You **must complete and sign** the authorization for the City of La Crosse Board of Zoning Appeals and the Planning and Development Department to examine the property of the variance request.

I hereby authorize the City of La Crosse Board of Zoning and Appeals and the Planning and Development Department to inspect premises

At: 2710 Onalaska Ave

(Address where variance is sought)

Date: 4/1/2024

Signature of Owner:

Mara Hayes

**Part E: Certification.**

You **must sign your application**, certifying that it and any additional materials are accurate and do not contain any misrepresentations or omissions. An unsigned variance application will not be considered. You also must get the application notarized by a certified notary.

**Submit** completed application to:

Board of Zoning Appeals  
400 La Crosse St.  
Clerk's Office- 2nd Floor  
La Crosse, Wisconsin 54601

**Submit** complete copy to:

Chief Inspector  
400 La Crosse St.  
City of La Crosse Fire Department –  
Division  
of Community Risk Management  
La Crosse, Wisconsin 54601



By signing below, I certify that I have received and reviewed all of the application materials. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application will be denied and any variance granted thereunder may be revoked.

Signed: (Applicant or Agent) Mara Keyes

Date: 4/1/2024

Signed: (Owner, if different from applicant) Mara Keyes

Date: 4/1/24

THE APPLICANT OR AGENT

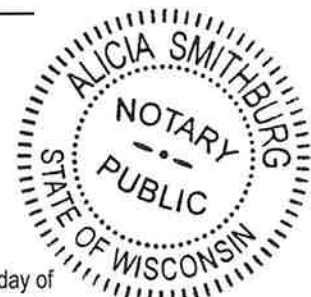
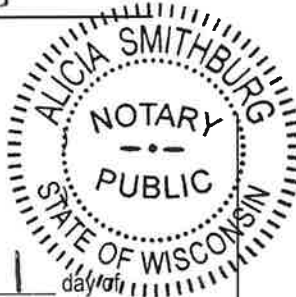
THE OWNER

By: Mara Keyes

Mara Keyes

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

STATE OF WISCONSIN )  
COUNTY OF LA CROSSE )



Personally came before me this 1 day of April, 2024, the above named Alicia Smithburg to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Personally came before me this 1 day of April, 2024, the above named Alicia Smithburg to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Signature]  
Notary Public, La Crosse County, WI  
My commission expires: 08/23/27

[Signature]  
Notary Public, La Crosse County, WI  
My commission expires: 08/23/27

**ELEVATION CERTIFICATE**

**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>City of La Crosse</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>2710 Onalaska Ave</u>	Company NAIC Number: _____
City: <u>La Crosse</u> State: <u>WI</u> ZIP Code: <u>54603</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>Lot 1 CSM #148 Volume 19 Document 1792029, City of LaCrosse, LaCrosse Co., WI; tax parcel 17-10259-31</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>residential</u>	
A5. Latitude/Longitude: Lat. <u>43.860710</u> Long. <u>-91.234585</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>9</u>	
A8. For a building with a crawlspace or enclosure(s):	
a) Square footage of crawlspace or enclosure(s): <u>740.00</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>	
d) Total net open area of non-engineered flood openings in A8.c: <u>0.00</u> sq. in.	
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>0.00</u> sq. ft.	
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>0.00</u> sq. ft.	
A9. For a building with an attached garage:	
a) Square footage of attached garage: <u>0.00</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>	
d) Total net open area of non-engineered flood openings in A9.c: <u>0.00</u> sq. in.	
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>0.00</u> sq. ft.	
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>0.00</u> sq. ft.	
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	
B1.a. NFIP Community Name: <u>City of LaCrosse</u>	B1.b. NFIP Community Identification Number: <u>555562</u>
B2. County Name: <u>LaCrosse County</u>	B3. State: <u>WI</u> B4. Map/Panel No.: <u>55063C0251D</u> B5. Suffix: <u>D</u>
B6. FIRM Index Date: <u>01/06/2012</u>	B7. FIRM Panel Effective/Revised Date: <u>01/06/2012</u>
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>643.8 feet</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input checked="" type="checkbox"/> FIS <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

# ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:  
2710 Onalaska Ave

City: La Crosse State: WI ZIP Code: 54603

### FOR INSURANCE COMPANY USE

Policy Number: \_\_\_\_\_

Company NAIC Number: \_\_\_\_\_

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.  
Benchmark Utilized: City of LaCrosse Benchmarks Vertical Datum: NAVD1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929  NAVD 1988  Other: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used?  Yes  No  
If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

- |   |               |  |
|---|---------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor):  | <u>644.00</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor (see Instructions):   | <u>647.70</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (see Instructions):  | _____         | <input type="checkbox"/> feet <input type="checkbox"/> meters            |
| d) Attached garage (top of slab):   | _____         | <input type="checkbox"/> feet <input type="checkbox"/> meters            |
| e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): | <u>647.70</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest Adjacent Grade (LAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished              | <u>644.20</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest Adjacent Grade (HAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished             | <u>644.50</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:   | <u>644.20</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Check here if attachments and describe in the Comments area.

Certifier's Name: Christopher W. Fechner License Number: S-2448

Title: Wisconsin Professional Land Surveyor

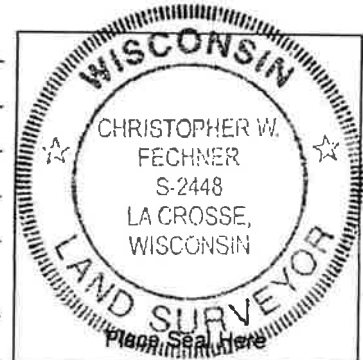
Company Name: Coulee Region Land Surveyors, LLC

Address: 917 S. 4th Street

City: LaCrosse State: WI ZIP Code: 54601

Signature: \_\_\_\_\_ Date: 10/10/2023

Telephone: (608) 784-1614 Ext.: \_\_\_\_\_ Email: cris@couleeregionlandsurveyors.com



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

**ELEVATION CERTIFICATE**  
**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**  
**BUILDING PHOTOGRAPHS**

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2710 Onalaska Ave	<b>FOR INSURANCE COMPANY USE</b>
City: <u>La Crosse</u> State: <u>WI</u> ZIP Code: <u>54603</u>	

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo One

Photo One Caption:	<input type="button" value="Clear Photo One"/>
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Photo Two

Photo Two Caption:	<input type="button" value="Clear Photo Two"/>
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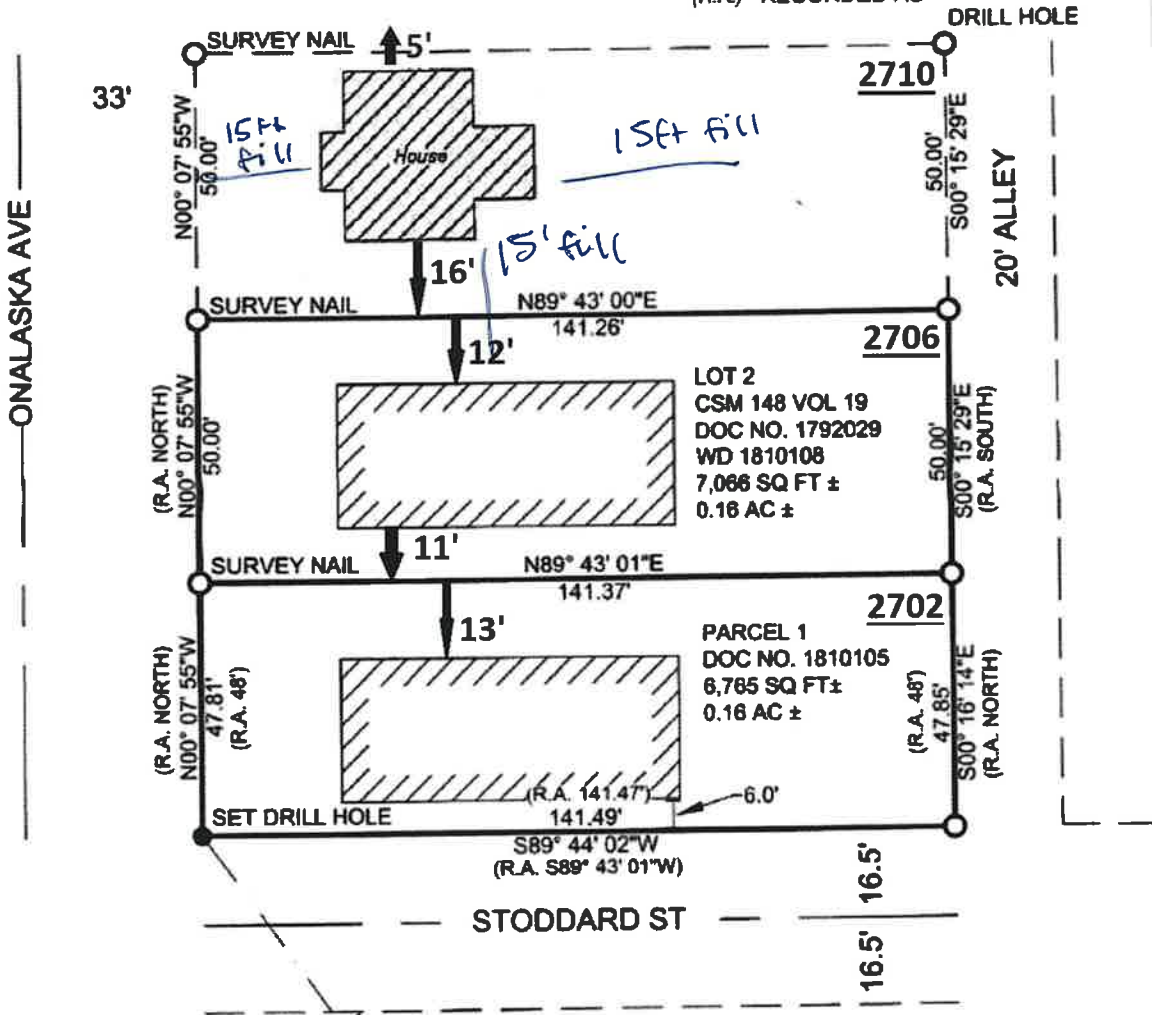
# PLAT OF SURVEY


LOT 2 OF CERTIFIED SURVEY MAP VOLUME 19, PAGE 148 RECORDED AS DOCUMENT NO. 1792029 AND PART OF THE NE $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SECTION 17, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF LA CROSSE, LA CROSSE COUNTY, WISCONSIN.


## LEGEND

-  SECTION CORNER
-  FOUND 0.75" IRON ROD UNLESS OTHERWISE NOTED
-  SET 0.75" DIA X 24" IRON ROD WEIGHING 1.5 LBS/LIN. FT.

(R.A.) RECORDED AS



SE $\frac{1}{4}$  CORNER  N89° 30' 03" E 2638.85'  
 SEC 17, T16N, R7W  
 COMPUTED

SE CORNER  0.75" IRON ROD

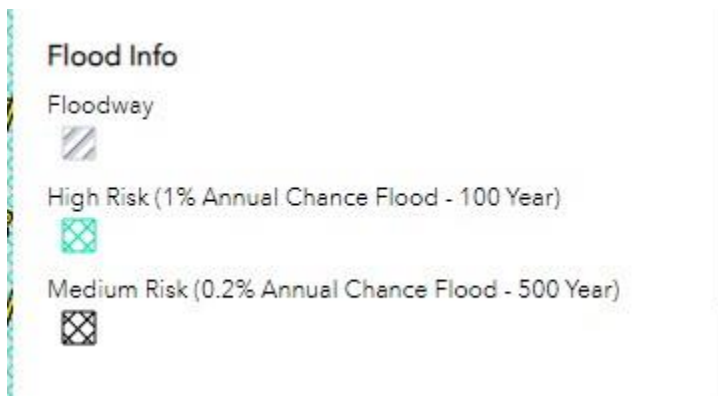
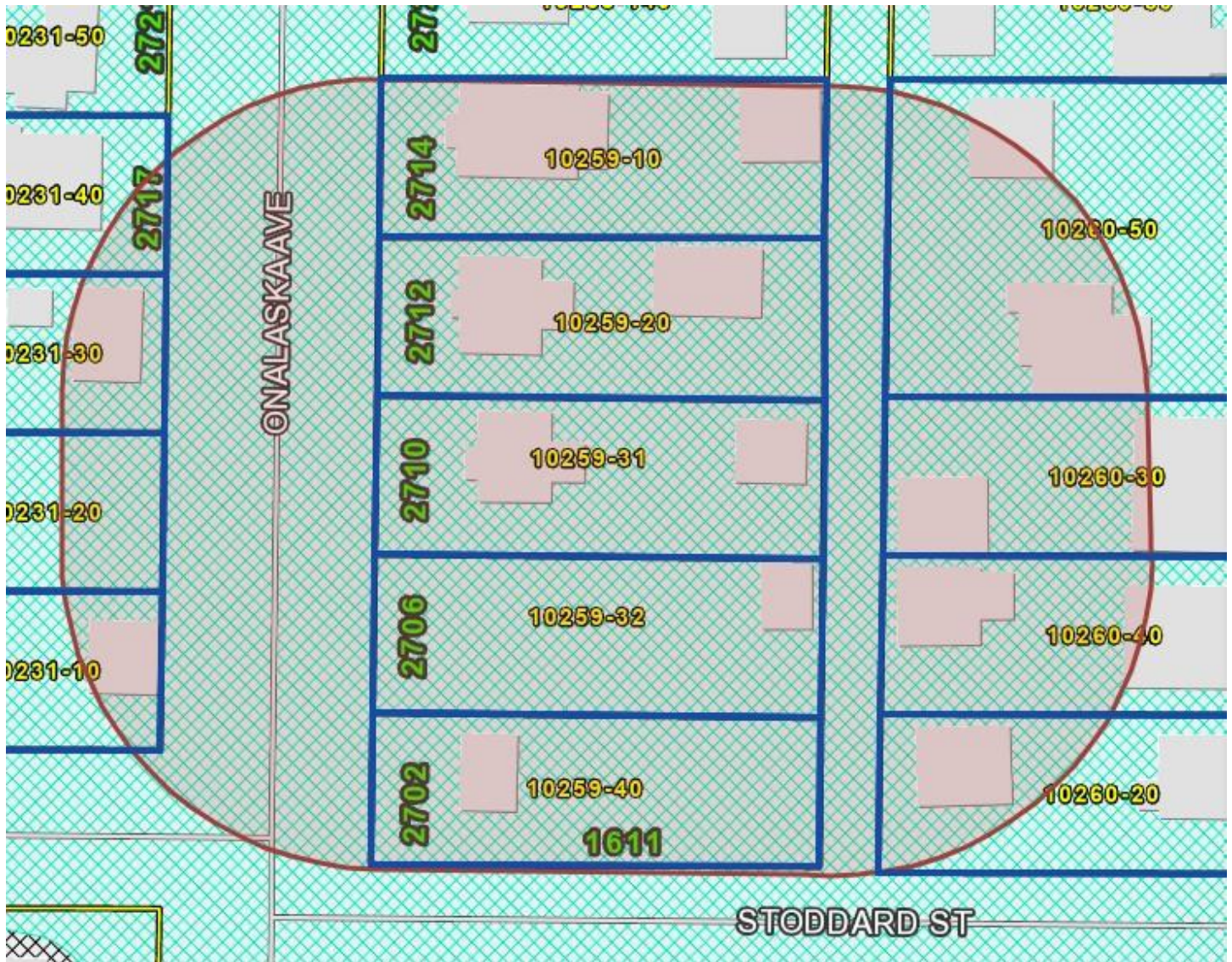
**DAVY ENGINEERING CO.**  
 LA CROSSE, WISCONSIN

SURVEY PREPARED FOR:  
 HABITAT FOR HUMANITY  
 2702/2706 ONALASKA AVE  
 LA CROSSE, WI 54603

**BASIS OF BEARINGS:**  
 Bearings are based on the Wisconsin County Coordinate System, La Crosse County Zone, NAD 83 (1991 Adj.), from which the south line of the SE $\frac{1}{4}$  of Sec 17, T16N, R7W bears N 89° 30' 03" E.

DATE 01/31/2024	DRAWN BY: JFW	PROJECT NUMBER 12525-001.120	SHEET 1 OF 2
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Tax Parcel Number	OwnerName	PROPADDCOMP	CompleteAddress	MailCityStateZip
17-10231-10	JARED D MALLORY	2702 PROSPECT ST	2702 PROSPECT ST	LA CROSSE, WI 54603
17-10231-20	SANDRA K DEVINE	2704 PROSPECT ST	2704 PROSPECT ST	LA CROSSE, WI 54603-1648
17-10231-30	ERIC W JENSEN, MARIBETH A JENSEN	2710 PROSPECT ST	2710 PROSPECT ST	LA CROSSE, WI 54603
17-10231-40	JOSEPH W SCHULTZ	2717 ONALASKA AVE	2717 ONALASKA AVE	LA CROSSE, WI 54603
17-10259-10	MICHAEL M KRAMER, LISA BULEY, JANET GYLLANDER, STEVE KRAMER	2714 ONALASKA AVE	2714 ONALASKA AVE	LA CROSSE, WI 54603-1643
17-10259-20	SUSAN M WROBEL, WAYNE G WROBEL	2712 ONALASKA AVE	2712 ONALASKA AVE	LA CROSSE, WI 54603-1643
17-10259-31	CITY OF LACROSSE	2710 ONALASKA AVE	400 LA CROSSE ST	LA CROSSE, WI 54601
17-10259-32	HABITAT FOR HUMANITY GREATER LACROSSE REGION INC	2706 ONALASKA AVE	3181 BERLIN DR	LA CROSSE, WI 54601
17-10259-40	HABITAT FOR HUMANITY GREATER LACROSSE REGION INC	2702 ONALASKA AVE	3181 BERLIN DR	LA CROSSE, WI 54601
17-10259-40	HABITAT FOR HUMANITY GREATER LACROSSE REGION INC	1611 STODDARD ST	3181 BERLIN DR	LA CROSSE, WI 54601
17-10260-20	DAMIEN R VINSON, MELISSA L VINSON	2701 HARVEY ST	2701 HARVEY ST	LA CROSSE, WI 54603
17-10260-30	GARY R WROBEL, ESTHER M WROBEL	2713 HARVEY ST	2713 HARVEY ST	LA CROSSE, WI 54603-1661
17-10260-40	DANIEL E COX	2707 HARVEY ST	2707 HARVEY ST	LA CROSSE, WI 54603-1661
17-10260-50	DONALD T SNIDER, REBEKAH S SNIDER	2715 HARVEY ST	2715 HARVEY ST	LA CROSSE, WI 54603
	KEVIN LIEN			
	WATER MANAGEMENT SPECIALIST WATERWAYS TEAM	WI DEPT. OF NATURAL RESOURCES	910 STATE ROAD 54	BLACK RIVER VALLS WI
	FLOODPLAIN MANAGER	WI DEPT. OF NATURAL RESOURCES	PO BOX 7921	MADISON WI 53707
				715-670-8593 kevinr.lien@wisconsin.gov