

August 16th, 2013

From: MC Christianson Corp
Mark Christianson & Amanda Christianson
d/b/a MAC Rentals, d/b/a High Roller Skating Center
3624 East Ave S.
La Crosse, WI 54601
608-788-7170, 608-787-5283
608-386-4366 Amanda Cell
608-386-2157 Mark Cell

To: Judiciary and Administration Committee
David Reinhart, Building and Inspections Department
Larry Kirch, Director of Planning
Terri Lehrke, City Clerk
Nikki Elsen, Deputy City Clerk
Tim Kabat, Mayor City of la Crosse

Subj: Request for Wavier regarding Parcel 017030052020, 917 Division St
Municipal Code 8.07 (A), (B), & (I)

Files Included:

- ◆ Waiver Appeal Request Letter 917 Division St. (2 Pages)
- ◆ Copy Current & Past Paid Property Taxes
- ◆ Report Funds and Labor Invested Into 917 Division St. (3 pages)
- ◆ Hardship Letters Presented by Tenants (8 pages)
- ◆ Fee Requirement Inaccuracies

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La Crosse, WI 54601

To: Judiciary and Administration Committee

Subj: Request for Waiver regarding Parcel 017030052020, 917 Division St
Municipal Code 8.07 (A), (B), & (I)

As per Subsection (5) of above referenced Code, we hereby apply for a Waiver based on the following facts and information for your consideration. We feel the granting of a Waiver will not unduly affect the integrity of the Study Committee or the purposes for which the Moratorium was established.

This request is to correct an honest oversight on our part. A Certificate of Residential Rental Inspection was issued on 05/24/2012 by the District Inspector (David Reinhart) for the property in question. Since we were not given further instruction or advice, as per Municipal Code 15.28 (A) 1. it was our understanding the Inspection Certificate Registered the property.

Our tenants residing on the property in question are respected, law-abiding citizens with full-time employment. The "Official Order To Discontinue Using Property As A Rental," (Ref. No. 10695), and signed by David Reinhart on August 7, 2013 presents a difficult situation. Asking the tenants to vacate the property on such short notice would surely cause undue hardship for them with their employment and make them aggrieved persons.

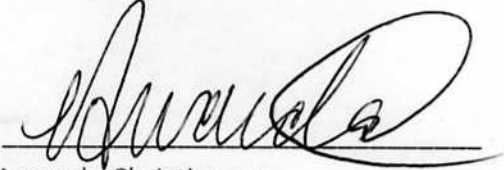
Unlike many landlords, we have invested thousands of dollars into this property since we took possession. We do this because we have pride in our own home, our businesses (MAC Rentals and High Roller Skating Center), and our community. We have always obtained permits and paid the associated fees. It was only when we requested the appropriate permit to update the property with a new roof that this oversight was caught—not through a complaint against the property.

Unlike many landlords, we paid in excess of \$25003.42 in local property taxes last year. This in itself reflect that we are responsible people with our roots planted deeply in this community.

We realize that "ignorance of the law" is not an excuse. This was an honest oversight. We provided all information for contacting us as set forth in Section 8.06 (4). Had we been notified via phone or letter instead of relying on fine print legal notices in a newspaper we do not receive, this oversight never would have occurred.

Respectfully submitted,


Mark Christianson


Amanda Christianson

August 16th, 2013

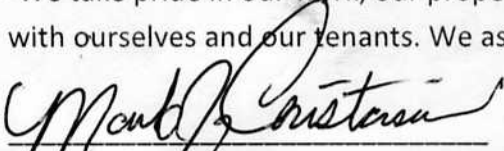
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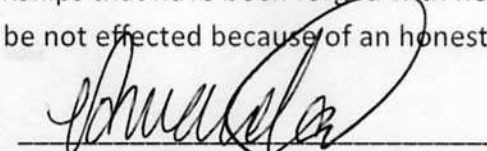
Subj: Request for Wavier regarding Parcel 017030052020, 917 Division St and
Parcel 017030065010 403 9th St. S
Municipal Code 8.07 (A), (B), & (I)

For your consideration:

- It was only when we requested the appropriate permit to update the property with a new roof that this oversight was caught—not through a complaint against the property. It was not our intention to disclose the fact that we operate rental properties. At our request the properties were inspected prior to occupancy with the Inspection Department.
- The property at 403 9th St. S has NOT been issued a similar notice. Mark Christianson voluntarily visited the Inspections Department and discussed the property at 403 9th St S. after receiving the notice concerning 917 Division St. It was our understanding that we were compliant at both addresses.
- Neither of our properties, 917 Division St. nor 403 9th St. S., have ever been issued an order to correct.
- Neither of our properties, 917 Division St. nor 403 9th St. S., have ever been ticketed with a noise violation.
- The lawn care at both above mentioned properties is personally completed by Mark & Amanda Christianson. This is to insure quality, consistent work.
- The snow removal and salt plan at both above mentioned properties is personally completed by Mark & Amanda Christianson. This is to insure quality, consistent work and for safety.
- All interior window coverings have been paid for and installed by MAC Rentals to ensure a clean and consistent appearance.
- All neighboring houses were supplied with contact information for Mark & Amanda Christianson upon purchase of the properties. This established a good relationship and clear communication within the neighborhood.
- We have consistently invested both time and monetary value into our properties and therefore the neighborhood.
- We take pride in our work, our properties, and the relationships that have been forged with neighbors both with ourselves and our tenants. We ask that multiple lives be not effected because of an honest oversight.



Mark Christianson



Amanda Christianson

Property tax paid by MC Christianson Corp.		
dba: High Roller Skating Center		
dba: MAC Rentals		
2012		
Personal Property Tax	\$518.18	
High Roller Skating Ctr		
3624 E Ave S	\$13,933.80	
403 9th St S	\$2,004.27	
3318 Meadow Lane Pl	\$2,671.94	
2012 Total Property Tax	\$19,128.19	
2013		
Personal Property Tax	\$454.79	
High Roller Skating Ctr		
3624 E Ave S	\$13,934.87	
403 9th St S	\$2,006.76	
3318 Meadow Lane Pl	\$2,672.30	
917 Division Street	\$2,804.71	
2926 Birch Street	\$3,129.99	
2013 Total Property Tax	\$25,003.42	

Improvements Made Thus Far to 917 Division St.

Improvement:

Cost:

Replace Main Sewer

Bernie Buchner Services	\$1,349.25
Sewer Main *PERMIT	\$35
Excavating *PERMIT	\$32
Plumbing *PERMIT	\$32

Install Off Street Parking

Fence *PERMIT	\$31
Lumber	\$82.50
Gravel 20 ton	\$360
Skid Loader Rental (6 hours @ \$75 per hour)	\$450
Outdoor Light	\$59.67

Windows / Doors

Window, Door, Roof *PERMIT	\$51
5 New Energy Efficient Windows	\$601.35
36" Security Entry Door	\$194.12
Exterior Door Knobs / Locks (2 Sets \$49.97 each)	\$99.94

Appliances

Kitchen Stove	\$368.20
Refrigerator	\$505.35
Clothes Dryer	\$399.85
Clothes Washer	\$378.75
Dehumidifer	\$168.99

Main Bathroom

Toilet (Habitat for Humanity ReStore)	\$50
Sink Faucet	\$27.28
Bathtub Faucet	\$59.03
Bathtub	\$115
Bathtub Surround	\$87.57
Medicine Cabinet	\$24
Exhaust Fan	\$24.25
Paneling (Seven 4x8 sheets \$18.94 each) Trim & Glue	\$157.58
Green Board (Two 4x8 sheets \$9.65 each)	\$19.30
1/4" Underlayment	\$18.98
Ceramic Tile Flooring & Grout	\$36.89
32" Door (Habitat for Humanity ReStore)	\$12
Door Knob	\$7.47

Second Floor Bathroom

Toilet (Habitat for Humanity ReStore)	\$50
Sink, Sink Faucet, Cabinet (Habitat for Humanity ReStore)	\$75
Shower Faucet	\$59.03
Corner Shower Unti	\$299.00
Medicine Cabinet & Light (Habitat for Humanity ReStore)	\$32
Exhaust Fan, Light, Heater Combo	\$71.98
Paneling (Nine 4x8 sheets \$18.94 each) Trim & Glue	\$195.46
Ceramic Tile Flooring & Grout	\$36.70
Door Knob	\$7.47

Bedrooms

Carpet (2 rooms)	\$389.31
Closet Rods / Shelving units (2 rooms)	\$47.96
Celing Fan / Light Combos (4 units \$49.99 each)	\$199.96
Door Knobs / Locks (4 rooms, 5 doors \$11.98 each)	\$59.90

Kitchen

Lights (Habitat for Humanity ReStore) (3 Lights)	\$45
Cabinet Hardware (2 Pkgs. \$24.99 each)	\$49.98
Flooring - Vinyl	\$199.92

Main Living Space

Entry (mud room) Ceramic Til & Grout	\$47.70
1/4" Underlayment (2 sheets \$18.98 each)	\$37.96
Rental of Sander - Resurfacing Wood flooring	\$85
Varnish - Resurfacing Wood Flooring (2 Gallons \$35.71 each)	\$71.42
Carpet on Main Staircase	\$59.25
Smoke and CO2 Detector (One on each floor \$33.89 each)	\$67.78
Smoke Detectors (3 units \$4.24 each)	\$12.72
Fire Extinguisher	\$28.89
Laundry Room Carpet	\$47.04
External Lock Box	\$24.99
Matching Blinds for All Windows	\$99.84
Living Room & Dining Room Chandelier (2 \$188.55 each)	\$377.10
Water Heater	\$455.99
Interior Paint (Three 5 Gallon Buckets \$64.85 each)	\$194.55
Interior Paint Trim Paint / Cabinets 3 Gallons \$29.98 each)	\$89.94

***All items reflect cost of goods purchased only. Labor has NOT been included in this final cost.**

\$9,357.16

Exterior Paint & Repair

**All supplies have been purchased. Work to begin after completion of similar work currently in progress at 403 9th St. S - Est. Project Start Date Sept. 2nd

Caulk - Case	\$22.89
Exterior Paint , Including Trim Paint	\$453.65

Roof Tear Off

We are currently awaiting a paper quote to tear off the existing roof, a verbal estiment has been given	\$2,700.00
---------------------------------------------------------------------------------------------------------	------------

Roof Replacement - Steel To Be Completed This Fall

We are currently awaiting a paper copy quote to replace the current roof with a new steel roof. We have been given a verbal quote of approximately \$9100.00	\$9,100.00
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**We have secured a loan pre-approval for the project.

**This investment to the property will be jeopardized if we are required to evict our current tenants.

Garage Roof Replacement - Steel

Does NOT include labor	\$1,250.49
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Total investment into property since April 2012

	\$22,884.19
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In regards to Municipal Code 8.07 (5) Hardship.

Current Address: 917 Division St.

Name: Allison Lisowski

Age: 21

Occupation & length of employment: Certified Nursing Assistant, Benedictine M
2 years.

Are you currently registered as a full or part time student? If yes, what is your major? _____

Yes. I'm a full-time student majoring in political science :
women's, gender : sexuality studies.

Please describe the living conditions at 917 Division St.: The house is newly remodeled.

Hard wood floors, completely re-done bathrooms, excellent central air, working
appliances, fenced in back yard and a well maintained yard.

Do have any safety concerns at 917 Division St.?: I do not have any

safety concerns.

Please describe your interactions with your current landlords, MAC Rentals. Please include any positive and/or negative experiences you have had?

Every interaction that I have had with my landlords has been a
positive experience. whenever I had a concern I know that the
issue would be taken care of promptly. Mark and Amanda are

very easy to talk to and make me feel like whatever issue I have
is important and that it is a primary concern for them.

Prior to living at your current address was it difficult to find a place to rent? yes.

If required to vacate the premises would acquiring a new residence be difficult? yes.

Would a forced move create a financial hardship or burden? yes, absolutely.

Would relocating create a hardship or grievance affecting your employment, schooling etc.? If

yes, please explain: absolutely. I work full-time as a CNA on nights while

also going to school fulltime and completing an internship. The nearest

place I could stay is an hour away - which would make the
daily trips to La Crosse difficult.

Please describe conditions at your **PREVIOUS** place of residency: Often I would have

heating, a/c, and refrigerator problems. The outside of the apartment

was filled with trash (that was never picked up) and the lawn
was rarely mowed.

Please describe your interactions with your **PREVIOUS** landlords. Please include any positive
and/or negative experiences you have had at your **PREVIOUS** residence: I often had to

call my previous landlord many times to get anything done. I once

had a safety concern that took him 3 weeks to do anything about
(change the keys).

Any additional comments, concerns, or grievances?: I very much enjoy living

where I am. I couldn't ask for a nicer residence, more

importantly, nicer landlords.

Please speak honestly and freely. This form was created with the intent to provide information to the Judiciary
& Administration Committee, in regards to Municipal Code 8.07 (5) Hardship. Responses given are not required
and will not affect the lease held with tenants nor affect the outcome of future references.

If further information is required would you prefer to appear in person or be contacted by phone or mail?

No preference.

Phone #: 507-450-8302

In regards to Municipal Code 8.07 (5) Hardship:

Current Address: 917 Division St. La Crosse, WI 54601

Name: Wally Linsmeyer Age: 24

Occupation & length of employment: Carpenter

Are you currently registered as a full or part time student? If yes, what is your major? NO

Please describe the living conditions at 917 Division St.: Great. Mark and Amanda
are make sure that there are no problems with the
house. I feel safe and comfortable.

Do have any safety concerns at 917 Division St.?: NO

Please describe your interactions with your current landlords, MAC Rentals. Please include any positive and/or negative experiences you have had?

Anytime we have a problem with something I can
let Amanda or Mark know anytime of the day.

They are over ASAP to fix the problem. Whenever

they stop over we usually always have a friendly conversation.

Prior to living at your current address was it difficult to find a place to rent? Yes

If required to vacate the premises would acquiring a new residence be difficult? Yes

Would a forced move create a financial hardship or burden? Yes

Would relocating create a hardship or grievance affecting your employment, schooling etc.? If yes, please explain: Yes it would. I don't have the time

of the money to relocate. It is very difficult to

take unpaid time off. And I don't want to take the
chance of moving further away.

Please describe conditions at your **PREVIOUS** place of residency: Conditions at

my previous residence were not good. Our landlord

never returns our phone calls. Never got anything fixed.
I was in a bad neighborhood. (5th & Hood)

Please describe your interactions with your **PREVIOUS** landlords. Please include any positive and/or negative experiences you have had at your **PREVIOUS** residence: There was

interactions. It was impossible to get a hold of him. The bathtub

was closed for a week. When we moved in, nothing was
cleaned.

Any additional comments, concerns, or grievances?: I've lived in La Crosse

since Aug of 2007, and Mark and Amanda Christianson

are by far the best landlords I've had. If

there is a problem, they fix it right away, and

the right way. I would say they go out of

their way to always make sure our living conditions are
good.

Please speak honestly and freely. This form was created with the intent to provide information to the Judiciary & Administration Committee, in regards to Municipal Code 8.07 (5) Hardship. Responses given are not required and will not affect the lease held with tenants nor affect the outcome of future references.

If further information is required would you prefer to appear in person or be contacted by phone or mail?

Phone #: 608-547-9737

From: MC Christianson Corp
Mark Christianson & Amanda Christianson
d/b/a MAC Rentals, d/b/a High Roller Skating Center
3624 East Ave S.
La Crosse, WI 54601

August 16th, 2013

To: Judiciary and Administration Committee

Subj: Request for Wavier regarding Parcel 017030052020, 917 Division St and
Parcel 017030065010 403 9th St. S
Municipal Code 8.07 (A), (B), & (I)

Upon researching the Municipal Code after receiving the "Official Order To Discontinue Using Property As A Rental," (Ref. No. 10695), and signed by David Reinhart on August 7, 2013 we were unable to find a mention of a required registration fee, permit, or license concerning rental properties. To the best of our knowledge, the only fee listed is:

Municipal Code 25.01 8.06 (c), (5), (a) Rental Inspections.



Building and Inspection Department

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7589
<http://www.cityoflacrosse.org> inspection@cityoflacrosse.org

Property Owner:

DBA MAC RENTALS MC CHRISTIANSON CORPORAT
3624 EAST AVE S
LA CROSSE, WI 54601

Certificate of Residential Rental Inspection

Approval Date: 05/24/2012

Parcel Number: 017030052020

Address: 917 DIVISION ST

This certifies that the above captioned residential rental premises have been inspected for compliance with visible minimum building maintenance code standards.

A handwritten signature in black ink, appearing to read "David A. ...".

Authorized Signature

By: TT
District Inspector

This inspection certificate does not indicate or imply any type of guarantee or warranty regarding this property.

COMMENTS: RENTAL INSPECTION 12
SINGLE FAMILY DWELLING



Building and Inspection Department

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7530
http://www.cityoflacrosse.org Inspection@cityoflacrosse.c

RECEIVED
8-9-13

dwelling and is not registered with the City, or a renewal registration after revocation of a one family dwelling to a rental dwelling under Section 8.07 of this Code.

Failure to correct the violations noted herein within the time set or failure to comply with this notice may subject you to prosecution and to penalties of NOT LESS THAN \$500.00 per violation and NOT TO EXCEED \$1,000 per violation and/or other penalties as provided in the City of La Crosse Municipal Code.

VIOLATION: DISCONTINUE USING PROPERTY AS A RENTAL.

Pursuant to City of La Crosse Municipal Code of Ordinances 8.07 (A), (B) & (I): FAILURE TO REGISTER SINGLE FAMILY DWELLING WITH THE CITY OF LACROSSE. THE CITY ASKS YOU TO DISCONTINUE USING PROPERTY AS A RENTAL BY: 09/09/2013.

(5) Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this ordinance may apply to the Judiciary and Administration Committee for a waiver of all or a portion of the applicable restrictions as provided in Section 8.07(I). A waiver may be granted where the Judiciary and Administration Committee finds substantial and significant hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the study or the purposes for which this ordinance is enacted

Your failure to comply with this order may subject you to prosecution as noted above.

By order of the Department of Building and Inspections per Inspector: DAVID

For further information, call the above named Inspector at (608) 789-7564 or the department's main number (608) 789-7530. Department hours are from 7:30 a.m. to 5:00 p.m. weekdays.

This order was served via regular U.S. Mail on August 7, 2013.

Inspector: _____



Building and Inspection Department

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7530
<http://www.cityoflacrosse.org> inspection@cityoflacrosse.org

OFFICIAL ORDER TO DISCONTINUE USING PROPERTY AS A RENTAL

DBA MAC RENTALS MC CHRISTIANSON CORPORAT
3624 EAST AVE S
LA CROSSE, WI 54601

Ref No: 10695

Parcel: 017030052020 Location: 917 DIVISION ST

A recent inspection of the above captioned premises revealed conditions that are in violation of Subparagraphs 8.07(A), 8.07 (B) and 8.07 (I) of the City of LaCrosse Municipal Code.

- (A) Registration Required. Not less than sixty (60) days prior to its conversion to a rental dwelling, the owner of a one family dwelling within a Single Family (R-1) Residence District or Washburn Residential District WR shall register the one family dwelling with the Chief Inspector. (Am. Ord. #4678 - 6/14/2012)
- (B) Initial Registration. Automatic registration shall be granted at no cost without conditions for an initial registration period of two (2) years from the date the Chief Inspector grants registration. To qualify for initial registration under 8.07(B), the dwelling must have maintained without tenant occupancy for not less than twelve (12) consecutive months. If the property was occupied by tenants for any time period within twelve (12) months prior to conversion to a rental dwelling, the owner must apply for renewal registration under 8.07(C). (Ord. 4690 - 08/09/2012)
- (I) (1) No Action. For a period of up to six (6) months from the effective date of this ordinance, no City department, officer or employee shall take any action which would authorize, approve or otherwise facilitate:
 - (a) The establishment of a rental dwelling contrary to Section 8.07(I) (2) of this Code; or
 - (b) The issuance of any initial registration, including, without limitation, a one family dwelling that is being used as of the effective date of this ordinance as a rental

A THIRD AMENDED ORDINANCE to create Subsection 8.07(I) of the Code of Ordinances of the City of La Crosse to establish a moratorium regarding the conversion of single-family homes into rentals in the (R-1) Single Family Residence District and Washburn Residential District.

ORDINANCE

WHEREAS, the Common Council finds it necessary to study and develop an effective program to regulate the location and impacts of single-family home conversions to rental properties within the (R-1) Single Family Residence District and Washburn Residential District;

WHEREAS, the need for a moratorium on single-family home conversions to rental properties within the (R-1) Single Family Residence District is further defined in the attached Issue Brief entitled, Moratorium on Granting New Rental Registration for Single-Family Homes in the R1 District from the Planning Department;

WHEREAS, the attached final report from the City-County Housing Task Force dated January, 2012 identified the proliferation of rental properties in La Crosse as well as the disproportionate number of orders to correct for rentals versus owner occupied units;

WHEREAS, Municipal Code Section 8.07 requires that a one family dwelling within the (R-1) Single Family Residence District and Washburn Residential District register not less than sixty (60) days prior to its conversion to a rental dwelling;

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Subsection 8.07(I) is hereby created to read as follows:

(I) Moratorium.

(1) Purpose. The Common Council finds that it is necessary to preserve one family dwellings within the (R-1) Single Family Residence District and Washburn Residential District in order to study the impact of the conversion of such dwellings to rental dwellings to determine the public health, safety, welfare, quality of life, aesthetic and erosion of tax base implications created by this type of conduct. The Common Council notes that this Code currently regulates the conversion of one family dwellings into rental dwellings in Section 8.07 by prohibiting conversions without registration. However, the Council finds that the City's existing definitions and regulations as set forth in this Code may need to be amended to codify its current intent and purpose and also may be inadequate to respond to current trends, externalities and effects. Therefore, the Council finds that a study is necessary to determine whether this Code and regulations are adequate to regulate the conversion of one family dwellings or whether it is necessary to adopt new regulations. The Common Council establishes by this ordinance a moratorium protecting the public health, safety, and welfare and preserving one family dwellings within the (R-1) Single Family Residence District and Washburn Residential District.

(2) Establishment of Rental Dwelling Restricted. For a period of up to six (6) months from the effective date of this ordinance, no

zoning, building or other approval, permit, license, registration, or privilege shall issue for the conversion, change, transfer, establishment or registration of any one family dwelling into a rental dwelling on any parcel of land, lot, or part thereof, within the (R-1) Single Family Residence District or Washburn Residential District within the boundaries of the City of La Crosse.

(3) No Action. For a period of up to six (6) months from the effective date of this ordinance, no City department, officer or employee shall take any action which would authorize, approve or otherwise facilitate:

(a) The establishment of a rental dwelling contrary to Section 8.07(I) (2) of this Code; or

(b) The issuance of any initial registration, including, without limitation, a one family dwelling that is being used as of the effective date of this ordinance as a rental dwelling and is not registered with the City, or a renewal registration after revocation of a one family dwelling to a rental dwelling under Section 8.07 of this Code.

(4) Committee. A committee to be called the Single Family Conversion Ad Hoc Committee is hereby established and directed to commence a study of the impacts of the conversion of one family dwellings into rental dwellings within the (R-1) Single Family Residence District and Washburn Residential District on the public health, safety, and welfare, quality of life, aesthetics and tax base in light of existing regulations and to propose such amendments to this Code or other regulations that it deems necessary and advisable. Said committee shall consist of two (2) citizen members and three (3) council members to be appointed by the Mayor. The Mayor shall be an ex officio non-voting member of the Committee.

(5) Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this ordinance may apply to the Judiciary and Administration Committee for a waiver of all or a portion of the applicable restrictions as provided in Section 8.07(I). A waiver may be granted where the Judiciary and Administration Committee finds substantial and significant hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the study or the purposes for which this ordinance is enacted.

SECTION II: This ordinance shall take effect after its passage and publication

Tim Kabat, Mayor

Teri Lehrke, City Clerk

Passed: 7-11-13

Approved: 7-12-13

Published: 7-20-13