

# Board of Zoning Appeals

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APRIL 15TH, 2024

4:00 PM

# Requirements for granting a variance

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- Unnecessary Hardship
- Hardship Due to Unique Property Limitations
- No Harm to Public Interests

1627 NORTH SALEM RD

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# 1627 NORTH SALEM RD

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➤ The applicant has applied for a permit for a proposed 6 foot tall fence in the front yard setback

➤ Municipal code Sec. 115-398.(c)(1) states that

*(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.

➤ A variance allowing a 6 foot tall fence to be placed in the front yard will need to be granted for this permit to be issued.













## BUFFTECH

### New Lexington Vinyl Fence Panels

[https://www.hooverfence.com/bufftech-new-lexington-fence-sections?gad\\_source=1&gclid=CQjwqpSwBhCIARIsADIZ\\_TljgpywZ5dMd0TSaRrue87Z\\_3wEGU3uMb9s9Jy7A5SQaAgpJEALw\\_wcB](https://www.hooverfence.com/bufftech-new-lexington-fence-sections?gad_source=1&gclid=CQjwqpSwBhCIARIsADIZ_TljgpywZ5dMd0TSaRrue87Z_3wEGU3uMb9s9Jy7A5SQaAgpJEALw_wcB)

**Section Width:** 8'

**Heights:** 6'

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

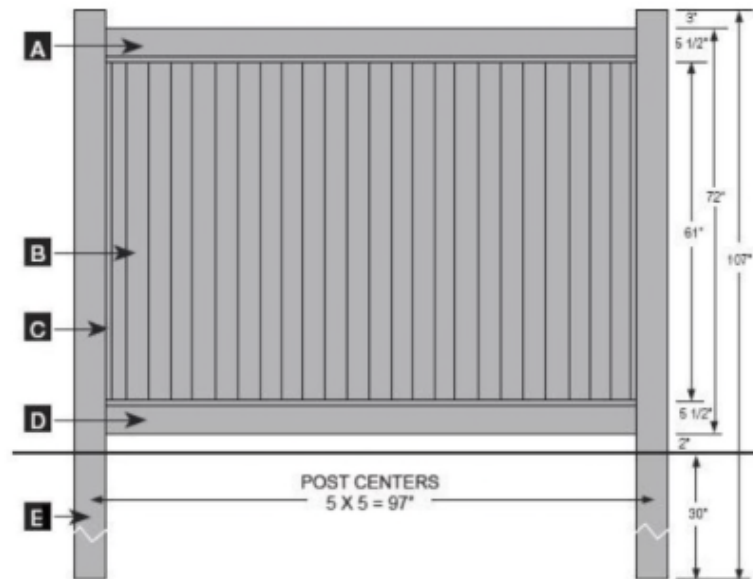
**Picket Spacing:** none

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

**Steel Rail Channel:** bottom

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

#### 6' High Sections - Specifications





10259-120

1627

No fencing shall be proposed in vision clearance triangles.

10'

10'

15'

15'

14.5 feet of right-of-way

SALEM RD



# 1627 NORTH SALEM RD

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- Unnecessary Hardship. There is no unnecessary hardship. The lot can still be used as a single-family dwelling and a 4' fence would provide safety as stated in the application. Owning a dog is a self created hardship.
- Hardship Due to Unique Property Limitations. This lot does supply a unique property limitation due to the layout of the dwelling and detached garage.
- No Harm to Public Interests. This would set a precedence of granting variances for 6' tall fences in the front yard.

This variance should not be granted.

2710 ONALASKA AVE

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# 2710 ONALASKA AVE

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- The applicant applied for a permit to place 15 feet of fill on only three sides of a dwelling, instead of the required 4 sides.
- Sec. 115-281.(3)(a)(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.
- A variance will be required to allow only 15' of required fill on three of four required sides of the dwelling.

2710 Onalaska Ave  
La Crosse, Wisconsin  
[View on Google Maps](#)



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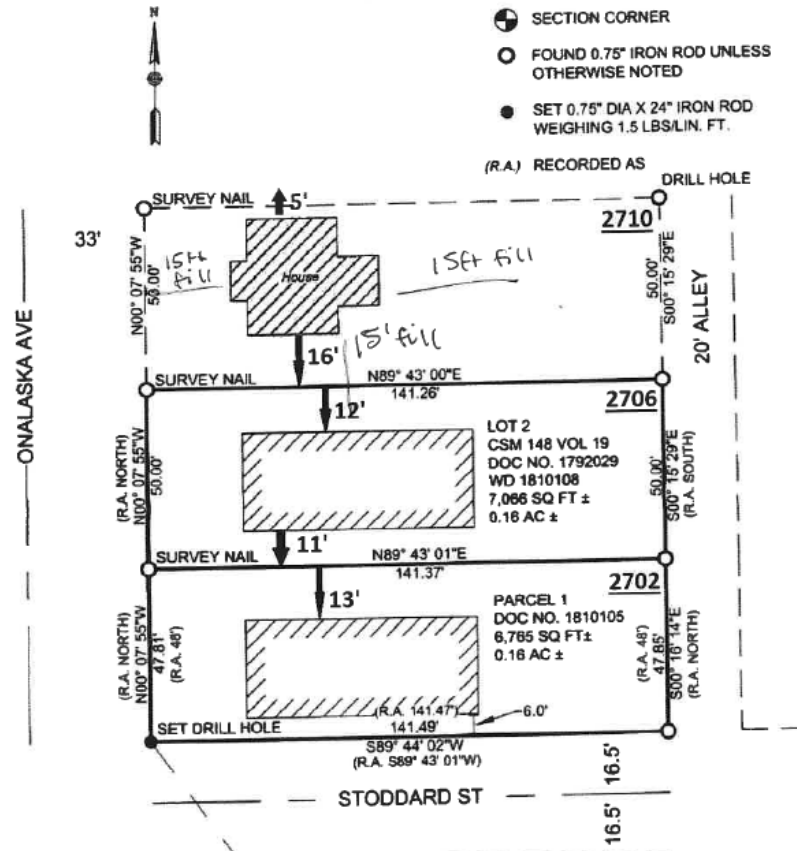
# PLAT OF SURVEY

LOT 2 OF CERTIFIED SURVEY MAP VOLUME 19, PAGE 148 RECORDED AS DOCUMENT NO. 1792029 AND PART OF THE NE¼ OF THE SE¼ 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



SE¼ CORNER SEC 17, T16N, R7W COMPUTED

N89° 30' 03" E 2638.85'

SE CORNER SEC 17, T16N, R7W 0.75" IRON ROD

N35° 36' 45" W 2223.30'

**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 SE¼ of Sec 17, T16N, R7W bears N 89° 30' 03" E.

DATE 01/31/2024	DRAWN BY: JPW	PROJECT NUMBER 12525-001.120	SHEET 1 OF 2
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# 2710 ONALASKA AVE

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- Unnecessary Hardship. The dwelling cannot become floodplain compliant if the fill is not installed.
  - Hardship Due to Unique Property Limitations. The property is in the floodplain.
  - No Harm to Public Interests. This type of variance has been granted multiple times previously. No harm to the public interest.
- This variance should be granted.



# Board of Zoning Appeals

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- This presentation shall be added to the minutes of this meeting.