

TO: City of La Crosse Building and Inspection Department

La Crosse Common Council

Judiciary and Administrative Committee

From: Patrick Scheller

S B Edifice LLC

RE: Waiver Ordinance 8.07 (i)

Order to discontinue Using Property as a Rental

Ref # 11320, Parcel 017020185070

127 So.9th St, La Crosse, WI. 54601

Interested parties.

With this letter, I am requesting a waiver of 8.07 (I) for the following reasons. First of all, having to discontinue use this property as a rental would create a financial hardship, as I am retired depending on the income from this property to support myself and to support debt service on my loan.

Secondly, this house has never been an owner occupied house since it was built. I purchased the property in 2008, as part of a larger purchase from then owner Cliff Le Clier. At the time of my purchase the house was not owner occupied and was a rental. I have recently called Cliff and verified that this home was original built in 2002, by Cliff as a rental. So, in other words this property has never been owner occupied and has always been a rental.

For the reasons of financial hardship and that the property has never been owner occupied I am requesting this waiver. Please contact me with any questions at 769-8502.

Sincerely

Patrick Scheller

Owner of SB Edifice LLC





Building and Inspection Department

City of LaCrosse, Wisconsin, 1201 9th Street, LaCrosse, WI 54601 - Phone: (608) 785-7330 - Fax: (608) 785-7601

City of LaCrosse, Wisconsin

City of LaCrosse, Wisconsin

OFFICIAL ORDER TO DISCONTINUE USING PROPERTY AS A RENTAL

SB EDIFICE LLC C/O MELISSA SCHROEDER
12323 KNOLLWOOD RD
CALEDONIA, MN 55921

Ref No: 11320

Parcel: 017020185070

Location: 127 9TH ST S

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



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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: 12/13/2013.

(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. To do so please write a letter to the City Clerk asking for a waiver of 8.07 (I) and the reasons a waiver should be granted. Send to City Clerk, 400 La Crosse St., La Crosse, WI. 54601.

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 November 13, 2013.

Inspector: _____

ORDINANCE NO.: 4764

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