

CONDITIONAL USE PERMIT APPLICATION

Applicant (name and address):

City of La Crosse 400 La Crosse St  
Planning - Dawn Reinhart

Payment Amount: 300.00

Owner of site (name and address):

City of La Crosse - Planning 400 La Crosse St  
Ownership will transfer to Scott Rathgaber N2001 Jay Ln La Crosse

Architect (name and address), if applicable:

N/A

Professional Engineer (name and address), if applicable:

N/A

Contractor (name and address), if applicable:

Mastercraft Homes Inc. 2300 Oak St, La Crosse, WI

Address of subject premises: 1208 5th Ave and 1212 5th Ave

Tax Parcel No.: 17-30095-130 and 17-30095-120

Legal Description: Lot 11 in Block 12 of Buens Addition to the City of La Crosse, La Crosse County WI and Lot 10 in Block 12 of Buens Addition to the City of La Crosse, La Crosse County, WI

Zoning District Classification: R1

Conditional Use Permit Required per La Crosse Municipal Code sec. 115-343(14)  
(If the use is defined in 115-347(6)(c)(1) or (2), see "" below.)

Is the property/structure listed on the local register of historic places? Yes \_\_\_\_\_ No

Description of subject site and current use (include such items as number of rooms, housing units, bathrooms, square footage of buildings and detailed use, if applicable). If available, please attach blueprint of building(s):

Vacant parcels

Description of proposed site and operation or use (include number of rooms, housing units, bathrooms, square footage of buildings and detailed use). If available, please attach blueprint of building(s):

combine parcels, construct a single family owner occupied dwelling. 3 bedrooms, 3 1/2 baths, 2768 sq ft detached garage. 624 sq ft. Scott Rathgaber will be constructing the home

Type of Structure (proposed): Single Family Residential Structure

Number of current employees, if applicable: N/A

Number of proposed employees, if applicable: N/A

Number of **current** off-street parking spaces: \_\_\_\_\_

Number of **proposed** off-street parking spaces: \_\_\_\_\_

Check here if proposed operation or use will be a parking lot: \_\_\_\_\_

Check here if proposed operation or use will be green space: \_\_\_\_\_

\* If the proposed use is defined in 115-347(6)(c)(1) or (2)

\_\_\_\_\_ (1) and is proposed to have 3 or more employees at one time, a 500-foot notification is required and off-street parking shall be provided.

\_\_\_\_\_ (2) a 500-foot notification is required and off-street parking is required.

If the above paragraph is applicable, the Conditional Use Permit shall be recorded with the County Register of Deeds at the owner's expense.

In accordance with Sec. 115-356 of the La Crosse Municipal Code, a Conditional Use Permit is not required for demolition permits if this application includes plans for a replacement structure(s) of equal or greater value. **Any such replacement structure(s) shall be completed within two (2) years of the issuance of any demolition or moving permit.**

I hereby certify under oath the **current** value of the structure(s) to be demolished or moved is \$ \_\_\_\_\_.

I hereby certify under oath the value of the **proposed** replacement structure(s) is \$ \_\_\_\_\_.

If the above paragraph is applicable, this permit shall be recorded and should the applicant not complete the replacement structure or structures of equal or greater value within two (2) years of the issuance of any demolition and moving permit, then the applicant or the property shall be subject to a forfeiture of up to \$5,000 per day for each day the structure(s) is not completed.

CERTIFICATION: I hereby certify that I am the owner or authorized agent of the owner (include affidavit signed by owner) and that I have read and understand the content of this application and that the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Tina Reinhardt 1/20/17  
(signature) (date)

789-7360  
(telephone)

reinhardtta@cityoflacrosse.org  
(email)

STATE OF WISCONSIN )  
 )ss.  
COUNTY OF LA CROSSE )

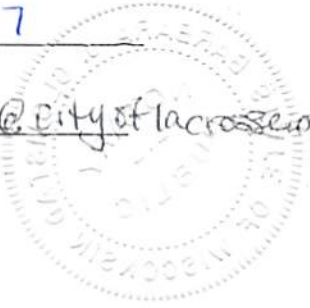
Personally appeared before me this 20 day of January, 2017, the above named individual, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Alexis Wozney  
Notary Public Alexis Wozney  
My Commission Expires: 06/14/2020

**PETITIONER SHALL, BEFORE FILING, HAVE APPLICATION REVIEWED AND INFORMATION VERIFIED BY THE DIRECTOR OF PLANNING & DEVELOPMENT.**

Review was made on the 5th day of January, 2017.

Signed: [Signature], Senior Planner  
Director of Planning & Development



AFFIDAVIT

STATE OF )  
 ) ss  
COUNTY OF )

The undersigned, Scott Rathgaber, being duly sworn states:

- 1. That the undersigned is an adult resident of the City of La Crosse, State of Wisconsin.
- 2. That the undersigned is (one of the) legal owner(s) of the property located at 1208 5th Ave. and 1212 5th Ave.
- 3. By signing this affidavit, the undersigned authorizes the application for a conditional use permit/district change or amendment (circle one) for said property.

Scott Rathgaber  
Property Owner

Subscribed and sworn to before me this 19<sup>th</sup> day of January 2017.

Barbara J. Blomstad  
Notary Public  
My Commission expires 8-15-20.



**Elsen, Nikki**

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**From:** Reinhart, Dawn  
**Sent:** Tuesday, January 24, 2017 11:55 AM  
**To:** Elsen, Nikki  
**Subject:** FW: CUP for 1208 and 1212 5th Ave S

Nikki,  
Below is the Mayor's support/approval of the project. Please let me know if you need anything else.

*Dawn Reinhart*  
City of La Crosse  
Neighborhood Housing Development Associate  
(608) 789-7360

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**From:** Kabat, Tim  
**Sent:** Tuesday, January 24, 2017 10:47 AM  
**To:** Reinhart, Dawn  
**Cc:** Gregerson, Caroline; Stein, Heidi  
**Subject:** RE: CUP for 1208 and 1212 5th Ave S

Hi Dawn,

Thank you for the note. I support this project and would be happy to sign the application.

Sincerely,

Tim

*Tim Kabat*  
Mayor  
City of La Crosse  
400 La Crosse Street  
La Crosse, WI 54601  
(608) 789-7500  
[www.cityoflacrosse.org](http://www.cityoflacrosse.org)

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**From:** Reinhart, Dawn  
**Sent:** Monday, January 23, 2017 2:58 PM  
**To:** Kabat, Tim  
**Cc:** Gregerson, Caroline  
**Subject:** CUP for 1208 and 1212 5th Ave S

Dear Mayor,  
I am assisting Scott & Mary Rathgaber in obtaining a Conditional Use Permit to combine two parcels of land in the PPH Neighborhood. The Housing Rehabilitation Committee purchased 1208 & 1212 5<sup>th</sup> Ave and demolished the structures as a part of the Replacement Housing Program. The vacant lots were listed individually for sale for a year. Mr. Rathgaber approached Staff in August to determine the possibility of combining the parcels and building a large single family owner occupied home. Staff discussed the impact the development would have in the neighborhood. Staff agrees that an important component to neighborhood revitalization is attracting and maintaining diversity. Diversity in neighborhood

revitalization extends to education, occupation, amenities and housing stock. With Staff's support, Mr. Rathgaber presented offer to purchase and combine the lots.

In September the Housing Rehabilitation Committee approved the combination of the lots and asked Mr. Rathgaber to present concept plans at the next meeting. The Committee approved the concept plans (attached) and offer to purchase at the October meeting. Mr. Rathgaber is committed to investing \$300,000-350,000 in construction costs. It is difficult to know what the assessed value will be upon completion however the previous structures had a combined assessed value of \$111,100. Mr. Rathgaber understands that the assessed value could be significantly less than his investment but is committed to investing in neighborhood revitalization.

Staff and Mr. Rathgaber would appreciate your support and approval of this project. Please let me know if you have any questions or concerns. Thank you!

*Dawn Reinhart*

City of La Crosse  
Neighborhood Housing Development Associate  
(608) 789-7360

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**From:** Elsen, Nikki  
**Sent:** Monday, January 23, 2017 2:15 PM  
**To:** Reinhart, Dawn  
**Subject:** 1208 and 1212 5th Ave S

Hi Dawn,

I am in receipt of the CUP for the above subject address. When the applicant is City of La Crosse, we typically have the Mayor sign. However, instead of having the application re-signed, I am okay if you just update the Mayor on this project and ask he email me his approval to proceed with this CUP. Or, just send him an email explaining the project and ask him reply to all with his approval.

Thank you.

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**Nikki M. Elsen, WCMC**  
Deputy City Clerk  
City of La Crosse (Population 52,377)  
400 La Crosse Street, La Crosse WI 54601  
608-789-7555 phone  
[www.cityoflacrosse.org](http://www.cityoflacrosse.org)



Elected Officials and Members of Official Committees:

In order to comply with open meeting requirements, please limit any reply to only the sender of this electronic communication.



## PLANNING AND DEVELOPMENT

400 LA CROSSE STREET | LA CROSSE, WI 54601 | P: (608) 789-7512 | F: (608) 789-7318

### Memorandum

**From:** Dawn Reinhart

**Date:** January 5, 2017

**Re:** Conditional Use Permit 1208 & 1212 5<sup>th</sup> Ave

Housing Rehabilitation purchased 1208 & 1212 5<sup>th</sup> Ave and demolished the structures as a part of the Replacement Housing Program. The lots were listed individually for sale for over one year. Mr. Rathgaber approached Staff in August to determine the possibility of combining the parcels and building a large single family owner occupied home. An important component to neighborhood revitalization is attracting and maintaining diversity. Diversity in neighborhood revitalization extends to education, occupation, amenities and housing stock.

In September Mr. Rathgaber presented the Housing Rehabilitation Committee an offer to purchase the lots and combine them. The Housing Rehabilitation Committee asked Mr. Rathgaber to present concept plans at the next meeting. The Committee approved the concept plans and offer to purchase at the October meeting. Mr. Rathgaber is committed to investing \$300,000-350,000 in construction costs. The site plans are attached.

It is difficult to know what the assessed value will be upon completion however the previous structures had a combined assessed value of \$111,100. Mr. Rathgaber understands that the assessed value could be significantly less than his investment. Mr. Rathgaber is committed to investing in neighborhood revitalization.

JASON GILMAN, AICP, PLANNING & DEVELOPMENT DIRECTOR  
TIM ACKLIN, AICP, SENIOR PLANNER - HERITAGE PRESERVATION  
LEWIS KUHLMAN, AICP, ASSOCIATE PLANNER - COMMUNITY DEVELOPMENT  
ANDREA SCHNICK, ECONOMIC DEVELOPMENT PLANNER  
SARA OLSON, CLERK STENOGRAPHER

CAROLINE GREGERSON, COMMUNITY DEVELOPMENT ADMINISTRATOR  
DAWN REINHART, NEIGHBORHOOD HOUSING DEVELOPMENT ASSOCIATE  
TARA FITZGERALD, FEDERAL PROGRAMS ACCOUNTING TECHNICIAN  
KEVIN CLEMENTS, HOUSING SPECIALIST  
ALAN PAULSON, HOUSING REHABILITATION SPECIALIST







1650349

LACROSSE COUNTY  
REGISTER OF DEEDS  
CHERYL A. MCBRIDE

RECORDED ON  
01/07/2015 03:57PM  
REC FEE: 30.00  
EXEMPT #: 77.25(2)  
PAGES: 3

**SPECIAL  
WARRANTY  
DEED**

**Document Number**

**Return to:**  
City of La Crosse  
400 La Crosse Street  
La Crosse, WI 54601

**Drafted by:**  
Robert M. Piette

**17-30095-130**  
Parcel Identification Number

**Fannie Mae a/k/a Federal National Mortgage Association, P.O. Box 650043, Dallas, TX 75265-0043, hereinafter GRANTOR and City of La Crosse, hereinafter GRANTEEES:**

**WITNESSETH, that GRANTOR for a valuable consideration conveys to Grantees and to their successors and assigns, but without recourse, representation or warranty, except as expressed herein, all of its right, title and interest in and to that certain tract or parcel of land described as follows, to wit:**

**Lot 11 in Block 12 of Burns Addition to the City of La Crosse, La Crosse County, Wisconsin.**

**EXEMPT FROM TRANSFER FEE AND FORM 77.25(2).**

**RE: 1208 5th Avenue South, La Crosse, WI**

**TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demands whatsoever, of the said GRANTOR, either in law or equity, in and to the above-bargained premises, with the said hereditaments and appurtenances: TO HAVE AND TO HOLD the premises as before described, with the appurtenances, unto the said Grantees, their successors and assigns.**



And GRANTOR warrants only against the acts of the GRANTOR and all claiming by, through or under it.

By accepting this Special Warranty Deed, Grantees acknowledge that they have had adequate opportunity to inspect the property conveyed herein as well as all improvements located thereon. Except as specifically set forth in this Special Warranty Deed, this conveyance is made without warranty or representation either express or implied and is on an "AS IS, WHERE IS AND WITH ALL FAULTS" basis.

Except as specifically set forth in this Special Warranty Deed, Grantor makes no warranty or representation expressed or implied, or arising by operation of law, including, but not limited to, any warranty of condition, title, habitability, merchantability or fitness for a particular purpose with respect to the property or any portion thereof.

IN WITNESS WHEREOF, said GRANTOR has caused its name to be signed to this deed this 16<sup>th</sup> day of December, 2014.

Fannie Mae a/k/a Federal National Mortgage Association, organized and existing under the laws of the United States of America

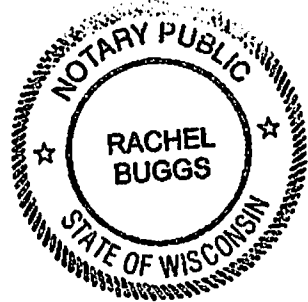
By Gray & Associates, L.L.P., its attorney-in-fact by Robert M. Piette, Attorney

By: [Signature]  
Robert M. Piette, Attorney

STATE OF WISCONSIN )  
 ) ss  
COUNTY OF WAUKESHA )

Personally came before me, this 16<sup>th</sup> day of December, 2014, Robert M. Piette, of the above-named corporation, to me known to be the person who executed the foregoing instrument, and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation by its authority.

[Signature]  
Notary Public  
Waukesha County, State of Wisconsin  
My commission expires: March 23, 2018



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