

Department of Planning and Development

Building and Inspections

11/25/25

HABITAT FOR HUMANITY GREATER LACROSSE REGION INC
3181 Berlin Dr.
La Crosse WI 54601

RE: An appeal regarding the requirement to provide a rear yard setback of 15 feet at 946 Division St. La Crosse, Wisconsin.

Dear Habitat for Humanity:

We have received your building permit application to construct a footing and foundation to place an existing single-family house on at this location that *does not* meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding setbacks from the rear property line. We invite your attention to subchapter of the Code wherein it provides for the purpose of the law from which you are seeking a variance:

"115.3 INTERPRETATION, PURPOSE AND CONFLICT.

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of public health, safety, convenience, prosperity or general welfare."

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

Sec. 115-148. - Washburn Neighborhood Residential District.

(d) *Area regulations.*

(3) *Rear yards.* On every lot in the residence district, there shall be a rear yard having a depth of not less than 20 percent of the depth of the lot, provided such rear yard need not exceed 30 feet in depth and shall not in any case be less than 15 feet in depth.

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 of 4'6" to the 15 foot rear yard setback requirement before a building permit could be issued for this project as proposed.

Sincerely,



Eddie Young
Building Inspector

Abbreviated Legal Description

(See recorded documents for a complete legal description)

CLINTON & RUBLEES ADDITION N 69FT LOT 6 BLOCK 7 SUBJ TO ESMT OVER S 7FT OF N 76FT OF E 31.2FT & SUBJ TO RESTR IN DOC NO 1819416 LOT SZ 54.75 X 69



Borrower: Habitat for Humanity of the Greater La Crosse Area		File No.: 946 Division St
Property Address: 946 Division St		Case No.:
City: La Crosse	State: WI	Zip: 54601-4713
Lender: Citizens Community Federal		



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: August 26, 2025
Appraised Value: \$ 240,000



REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

BOARD OF ZONING APPEALS

STANDARDS FOR AREA VARIANCE

- ☐ 1. The proposed variance is not contrary to the public interest. The purpose statement of the ordinance and related statutes must be reviewed in order to identify the public interest. Variances must observe the spirit of the ordinance, secure public safety and welfare and do substantial justice. In considering effects of a variance on public interests, broad community and even statewide interests should be examined; the public interest standard is not confined to scrutiny of impacts on neighbors or residents in the vicinity of a project.
- ☐ 2. The property has a special or unique condition. The property must have unique or physical features which prevent compliance with the ordinance. The circumstances of an applicant, such as growing family or need for a larger garage, are not legitimate factors in meeting this standard. Property limitations that prevent ordinance compliance and that are not unique but common to a number of properties should be addressed by amendment of the ordinance.
- ☐ 3. The special condition of the property creates an unnecessary hardship:
 - A. Unnecessary hardship means unnecessarily burdensome, considering the purpose of the ordinance.
 - B. Unnecessary hardship may not be self created. An applicant may not claim hardship because of conditions which are self-imposed. Examples include claiming hardship for a substandard lot after having sold off portions that would have allowed building in compliance and claiming hardship where construction was commenced without required permits in violation of ordinance standards.
 - C. Financial hardship is not a deciding factor. Economic loss or financial hardship does not justify a variance.