

September 18, 2018

To: City of La Crosse Planning Commission and Common Council

From: John and Sangeetha Kelly, 301 21st Street South, La Crosse

Re: Agenda item 18-011, Application of John and Sangeetha Kelly for a Conditional Use Permit allowing demolition of structure for green space at 2036 Cass Street

In August 2018, the Common Council followed the Planning Commission's recommendation to refer final consideration of our CUP application until no later than the October 1-11 meeting cycle. During the Planning Commission meeting on July 30, several commissioners agreed that our CUP would likely be approved, *if* we could provide solid evidence that we were committed to **moving** the house to a vacant lot within the city limits. Later, Tim Acklin suggested to us that this condition could be included in the text of the CUP.

In the six weeks since that meeting, we have successfully undertaken important efforts to have the house moved:

1. After researching vacant lots (for sale and nor for sale) within one-half mile of the house, we **purchased a perfectly suitable lot** only 5 blocks away, at 2402 Main Street (**see attached deed and closing statement**). Being so close, moving the house will necessitate minimal disturbance to the very few potential obstacles en route (**see attached letter from Kenneth Shanahan**, of the Wisconsin Association of Movers). The house is a suitable size and shape for the lot, for the character of the neighborhood, and for current market demands (**see attached site plan**, "option 1"; this is not a definitive plan, but rather evidence that we have carefully considered setback lines, and how to minimize disturbance to vegetation on the lot).

2. We have been in **close contact with Egge Movers** (Ken Shanahan), an experienced and bonded moving, raising, and excavating firm. Ken has developed a detailed plan (**see attached letter**) to dig the new foundation, move the house, and fill in the old foundation (in anticipation of our final landscaping work). We have already contacted and, in some cases, paid for the services of necessary preliminary work, including asbestos inspection, and water and cable utilities. We have secured Egge's services, and they would initiate the work as soon as city permits, weather conditions, and their schedule allow. We would put the Main Street house on the market as soon as we could, probably around July 2019.

Through considerable expense and effort, we are adding to the city's housing supply (were the CUP denied, the Cass Street house will likely merely serve as a family guest house) – *and* to the city's tax base (the new lot will be taxed as a lot with a house, while we countinue to pay payments in lieu of taxes on the now-vacant Cass Street lot).

We will tolerate some damage to the siding of ourhouse as it is moved, because this siding will be replaced at its new site; therefore, the (very few) trees en route will require almost no trimming, perhaps none at all.

Thank you for your consideration.

Sincerely,



John Kelly

WARRANTY DEED

CERTIFIED COPY

THIS DEED made between Erik D. Leaver and Kathleen A. Leaver, husband and wife as survivorship marital property ("Grantor," whether one or more), and John Kelly and Sangeetha Kelly, husband and wife, as survivorship marital property ("Grantee," whether one or more).

Grantor for valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in La Crosse County, State of Wisconsin ("Property"):

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION.

Name and Return Address

New Castle Title
750 North 3rd Street, Suite B
La Crosse, WI 54601

17-20112-030

Parcel Identification Number (PIN)

This IS NOT homestead property.

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: Municipal and zoning ordinances, easements, buildings and use restrictions and covenants of record, general taxes levied in the year of closing.

Dated: September 18, 2018

Erik D. Leaver signature and name

Kathleen A. Leaver signature and name

AUTHENTICATION

Signature(s) of _____

authenticated on this ___ day of _____, 20__.

Print Name: _____
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____ authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT WAS DRAFTED BY:
Brandon J. Prinsen
Johns, Flaherty & Collins, S.C.
205 Fifth Avenue South, Suite 600
La Crosse, WI 54601



ACKNOWLEDGMENT

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

Personally came before me on September 18, 2018 the above-named Erik D. Leaver and Kathleen A. Leaver, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Kim Burrichter signature
Print Name: Kim Burrichter
Notary Public, State of Wisconsin
My Commission Expires: 4-26-21

EXHIBIT A – LEGAL DESCRIPTION

The North 1/2 of Lot 24 and all of Lot 25 in Block 1 of Warner's Subdivision of Lots 1, 2 and 3 of Subdivision of the North 1/2 of the NW 1/4 of Section 4, Township 15 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin.

CLOSING STATEMENT

Selling Agent: BHHS Lovejoy Realty

Property Address: 2402 Main Street
La Crosse, WI 54601

Closing Date: 18-Sep-18

Buyer: John Kelly
Buyer: Sangeetha Kelly
Buyer's Address: 304 21st Street South
La Crosse, WI 54601

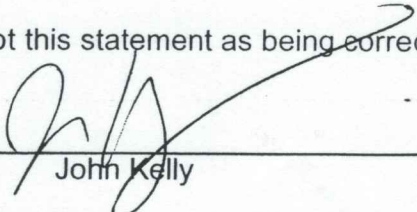
**CERTIFIED
COPY**


Seller: Erik D. Leaver
Seller: Kathleen A. Leaver
Seller's Address: 3507 Ebner Coulee Road
La Crosse, WI 54601

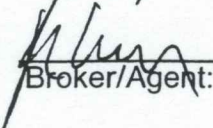
BUYER'S SETTLEMENT STATEMENT

| | | | |
|--------------------------------------------|----|--------|-----------|
| Purchase Price | | \$ | 44,000.00 |
| Credits to Buyer: | | | |
| Earnest Money Deposit: | \$ | 500.00 | |
| Tax Proration: \$1,115.58 / 365 X 260 Days | \$ | 794.66 | |
| Rent Proration: | \$ | - | |
| Special Assessments | \$ | - | |
| Other: Closing Cost Credit | \$ | - | |
| Total Credits to Buyer | | \$ | 1,294.66 |
| Charges to Buyer: | \$ | - | |
| Closing Fee: New Castle Title | \$ | 150.00 | |
| Record Deed: New Castle Title E-Recording | \$ | 35.00 | |
| Home Inspection: | \$ | - | |
| Total Charges to Buyer | | \$ | 185.00 |
| Total Balance Due From Buyer | | \$ | 42,890.34 |

I accept this statement as being correct.

Buyer: 
John Kelly

Buyer: 
Sangeetha Kelly

Broker/Agent: 
BHHS Lovejoy Realty

September 10, 2018

To the City of La Crosse Planning Commission and Common Council:

The purpose of this letter is to attest that we have been working with the owners, The Kelly's, of 2036 Cass Street to carefully plan for the moving of the house on that lot, to the vacant lot at 2402 Main Street, if the Conditional Use Permit is approved.

I have considerable experience in moving homes of this sort in the area that includes the city of La Crosse. Egge Movers has many years of experience and is insured, licensed and can obtain a bonding when requested.

In late August, John and Sangeetha Kelly purchased the lot at 2402 Main Street. I have inspected both the 2036 Cass Street house and the Main Street lot, and in my professional opinion the house will fit well on the lot. From an engineering perspective including, digging and constructing a foundation the lot is ideal. The house will fit easily within the setbacks and other site restrictions, and it will fit in well with the neighborhood character. The house lifting and moving is very feasible from an engineering standpoint.

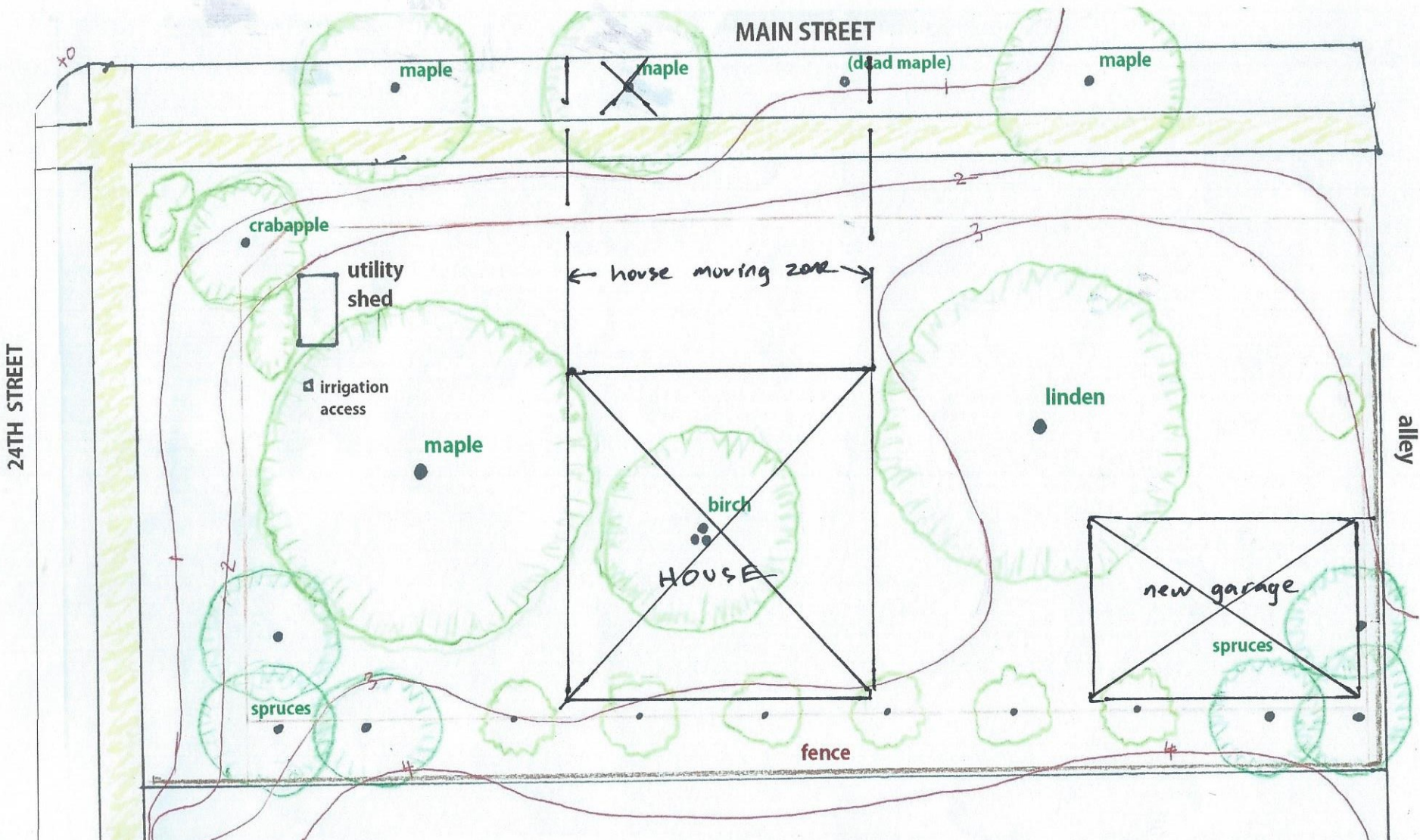
The Kellys were fortunate to purchase a property only five blocks from the current house location. Given the modest dimensions of the house, and its lack of eaves and decorative trim, I have determined that a route proceeding three blocks east on Cass Street and then two blocks north on 24th Street will necessitate minimal disturbance to overhead utility lines or trees. Xcel Energy can provide any needed clearance to cross the path of any powerlines. No trees will require significant trimming; at most, two trees will require modest pruning of a few small branches, during the dormant season. Egge Movers will have the route and tree trimming reviewed by the city of La Crosse, and will obtain a written final approval, along with all the other required permits and bonds as is customary. At the new house site, depending on the precise final location of the house, most likely only one maple tree, near the street, will require removal, and it will be replanted or replaced by the Kellys.

Mr. and Mrs. Kelly have committed to retaining my services, pending the CUP approval.

Please call or email me if you have any questions. Thank you.

Kenneth Shanahan
Egge Movers, LLC
920 N Prairie St
Lone Rock, WI 53556

Cell 608-606-1567
Office 608-583-2082
email: eggemovers@bugnet.net



2042 MAIN STREET, LA CROSSE, WI

~~EXISTING CONDITION~~

September 2018

surveyed by John Kelly,
Dept. of Geography and Earth Science, UWL



— elevation contour
in feet above lowest point

- - - setback line

OPTION 1: SAVING BOTH BIG TREES