

# BOARD OF ZONING APPEALS

La Crosse, WI  
DECISION UPON APPEAL

City of La Crosse – Kevin Clements having appealed from an order of the Building Inspector denying a permit with regard to the requirement that fill around the perimeter of a building shall not be less than one foot below the flood protection elevation and shall extend at least fifteen feet beyond the limits of any structures at

at a parcel known as 1827 Avon St., La Crosse, Wisconsin

and described as:

TILLMAN & FELBER ADDITION LOT 6 BLOCK 5 LOT SZ: 50 X 140.5

and due notice having been given by mail to all City of La Crosse property owners and lessees within 100 feet of the property which is the subject of this appeal, and similar notice having been published in the La Crosse Tribune more than five (5) days prior to the time of the hearing hereon, and testimony having been received and heard by said Board in respect thereto, and having been duly considered, and being fully advised in the premises,

WHEREFORE, IT IS ORDERED: That the decision of the Building Inspector be: Affirmed  Reversed

(See attached)

Dated this 21st of September, 2016

Date Filed: September 23, 2016

ATTEST

Teri Lehrke  
Teri Lehrke, Secretary

Phil Nohr

Phil Nohr, Chairman

Concurring:

Tom Knothe

Phil Nohr

Carol Hayes

Christina Kentry  
Douglas L. Farmer

Dissenting:

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The decision of the Board may be appealed to circuit court within 30 days of the decision being filed pursuant to Wisconsin Statute sec. 62.23(7)(e)10.

NOTE: WORK SHALL BEGIN WITHIN 180 DAYS AFTER THE DATE OF THIS DETERMINATION

# DECISION UPON APPEAL

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**File 2567 – City of La Crosse/Kevin Clements** - An appeal regarding the requirement that fill around the perimeter of a building shall not be less than one foot below the flood protection elevation and shall extend at least 15 feet beyond the limits of any structure at 1827 Avon St., La Crosse, Wisconsin.

Mover/Motion - Knothe: with regard to file number 2567 regarding property located at 1827 Avon Street, I hereby move that we grant the variances as proposed, which includes three variances; a variance of 7 feet on the north side of the structure, a variance of 9 feet on the south side of the structure, and a variance of 9 feet, six inches on the west side of the structure. The proposed variances are not contrary to the public interest; in fact, it is in alignment and accordance with the public interest to get this property out of the floodplain. The property has a special and unique condition in that it is only 50 feet wide, complying with the ordinance with 15 foot setbacks on both sides call for an extraordinarily narrow house, which would greatly reduce the use of this property. The special condition of the property creates an unnecessary hardship in that the property would be virtually unmarketable and unusable if we did not grant the variance. For these reasons I move that we grant the variances.

Seconder: Farmer

Motion carried

CONCURRING:           Anastasia Gentry  
                                  Carol Haefs  
                                  Phil Nohr  
                                  Tom Knothe  
                                  Doug Farmer

DISSENTING:           none

Date Filed:             September 23, 2016

ATTEST:                Teri Lehrke, City Clerk