



January 27, 2022

NOTICE OF REQUEST TO AMEND DECLARATION OF PROTECTIVE COVENANTS FOR THE LA CROSSE INTERNATIONAL BUSINESS PARK, LA CROSSE, WI

Dear Registered Agent of Lot Owner,

The City of La Crosse has received a request to amend the Declaration of Protective Covenants from Heavenly Crossroads Salon & Spa, the new owner of Lot 4 in the International Business Park.

Per Section 14 of the Covenants regarding Term and Amendment of Covenants:

B. AMENDMENT OF COVENANTS.

These Covenants may, at any time, be terminated, extended, modified or amended, with a written affirmative vote of fifty-one percent (51%) of the total number of property owners in the Park, provided, however, that, as long as Declarant owns any portion of the Park, no such termination, extension, modification or amendment shall be effective without the written approval of Declarant and provided that these Covenants may not be terminated, extended, modified or amended without the consent of the City of La Crosse and County of La Crosse.

This letter is being sent to the registered agent of the lot owner. If the address of the registered agent differs from the property address, a copy of this letter is also being sent to the property address to make sure it is received. Only the owners' agent is allowed to vote unless a letter assigning a representative is also included in the response.

You have one vote per lot owned. Also, you have until **Monday February 14th** to submit your final vote on the proposed change. Each vote filed shall be considered a public record and may be disclosed upon request after the appropriate analysis under the Public Records Law. The failure of an agent to file the vote by this deadline shall mean that it shall not count toward any affirmative 51% threshold required to change the Protective Covenants.

ANDREA TRANE, DIRECTOR OF PLANNING, DEVELOPMENT AND ASSESSMENT
TIM ACKLIN, AICP, PLANNING ADMINISTRATOR
LEWIS KUHLMAN, AICP, ENVIRONMENTAL PLANNER
JACK ZABROWSKI, ASSOCIATE PLANNER
JULIE EMSLIE, ECONOMIC DEVELOPMENT ADMINISTRATOR
LINZI WASHTOCK, PLANNING & DEVELOPMENT ASSISTANT

DIANNE MCGINNIS, COMMUNITY DEVELOPMENT ADMINISTRATOR
DAWN REINHART, NEIGHBORHOOD HOUSING DEVELOPMENT ASSOCIATE
TARA FITZGERALD, PROGRAM COORDINATOR
KEVIN CLEMENTS, HOUSING SPECIALIST
KEVIN CONROY, HOUSING REHABILITATION SPECIALIST
BRIAN SAMPSON, HOMELESS SERVICES COORDINATOR

Below is the proposed amendment change, underlined and in red:

C. BUILDING SETBACKS.

No part of any building or other structure shall be located within forty (40) feet of a dedicated or reserved public street nor within fifteen (15) feet of any side property line of any Site not abutting a dedicated or reserved public street, nor nearer than twenty-five (25) feet to any rear property line of the Site. On lots less than one (1) acre in size, the side yard setback requirements may be reduced to within ten (10) feet of any side property line of any Site not abutting a dedicated or reserved public street. Except for Lot 12, which allows an accessory structure within the side and rear setbacks, and Lot 4, which allows for a 30 foot setback from Berlin Drive.

Reasons for Request:

- The Wisconsin Department of Transportation (DOT) has a 50ft setback from the North property line on Lot 4. This setback requires that no improvements be made to the property in that area.
- Given the DOT's 50ft setback on the North property line combined with the current 40ft setback on the South property line required by the Covenants, the developable land on Lot 4 is very limited.
- The City has exhausted all means to reduce the DOT's 50ft setback.
- The Lot 4 property-owners have redrafted site plans to accommodate the DOT setback, but have found it challenging without some further allowance on the setback from Berlin Drive.

On behalf of FIBERPRO, INC, owner of Lot(s) 22, 23, 24 I hereby consent to the proposed amendment to the Declaration of Protective Covenants for the La Crosse International Business Park, La Crosse, WI.

Dated 02/08/22

Signature: 

Printed Name: JON O NOMMENSEN

Title: PRESIDENT - CEO

This vote must be received by the City Clerk via email (elsenn@cityoflacrosse.org) or mail by February 14th, 2022.

City Clerk
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601

Please also send a copy to me via email at emsliej@cityoflacrosse.org. I can also be contacted at 608-789-7393 with any comments or questions regarding this amendment application.

Regards,

Julie Emslie
Economic Development Administrator