

LA CROSSE
Department of Planning and Development
Building and Inspections
WISCONSIN

3/26/2024

John Friemel

1806 Caledonia St
La Crosse, WI 54603

RE: An appeal regarding the requirement to have fill 15 feet beyond the structure one foot or more above the regional flood elevation and an appeal to the required front yard setback at 1806 Caledonia St La Crosse, WI.

Dear John Friemel,

We have received the permit application to demolish an existing house and construct a new Single-Family Dwelling. This project does not meet the 15 feet of fill requirement to the north of the property set forth in the Municipal Code of Ordinances of the City of La Crosse regarding standards for development in the Floodfringe.

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

Sec. 115-281. - Floodfringe district (FF).

1. The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of section 115-281(3)(a)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

The project also does not meet the requirements set forth in the Municipal Code of Ordinances of the City of La Crosse regarding setbacks for development in single family zoning districts.

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

Sec. 115-142. - R-1 Single Family Residence District Regulations.

(c) *Area regulations.* (1) *Front yard, side yard and rear yard.* Front yard, side yard and rear yard regulations applicable in the Residence District shall apply to the Single-Family Residence District.

Sec. 115-143 (C)(2) *Front yards.* On every lot in the Residence District, there shall be a front yard having a depth of not less than 25 feet, provided that where lots comprising 40 percent or more of the frontage on one side of a block are developed with buildings, the required front yard depth shall be the average of the front yard depths of the two adjacent main buildings, or if there is only one adjacent main building the front yard depth of said main building shall govern; provided further that this regulation shall not be so interpreted as to require a front yard depth of more than 25 feet in any case. The entire front yard shall be graded and sodded or seeded in a manner which will produce an acceptable lawn excepting such areas as may be required for driveways and walks.

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

two separate variances for the new Single-Family Dwelling to proceed as proposed. A variance of 9' for the fill requirement and 2.75' for the required front yard setback.

Sincerely,

Andy Berzinski

Building Inspector