

City of La Crosse Board of Zoning Appeals Variance Application

(To be completed by the applicant)

	Name	Address	Phone #	Email
Applicant/Agent	Nick Webb	51350 Garlick Rd. Westby WI	608 632-5148	nikwebb@yahoo.com
Property owner, if different				
Contractor	Artisan Construction	103 N Prairie St Westby	608-606 3258	Artisan Construction web@gmail.com

Tax Parcel Number: 17-10150-050 Property Address: 1410 Gillette St. La Crosse

Legal Description: First Addition To Spier & Canterbury's Addition Lot 1 Block 12, City of La Crosse

Lot Dimensions and Area: 50.45 x 140 feet. = 7,063 sq. ft. Zoning District: R1

A variance is a relaxation of a dimensional or use standard specified in the zoning ordinance. The Board of Zoning Appeals reviews and decides cases where there is an alleged error in a zoning decision or where a relaxation of the ordinance is sought. The Board is a quasi-judicial body (meaning it functions like a court) and is not a policy making body and therefore does not have discretionary authority. The Board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws and the local ordinance to a specific factual situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

The Board may only grant a variance, special exception, or administrative appeal if the applicant provides evidence showing that they meet **all** the legal standards for that decision. **The burden of proof falls on the applicant, not the Board of Zoning Appeals or the Zoning Administrator.** The legal standards the Board will use to decide on each application are shown below.

STANDARDS FOR USE or AREA VARIANCE

1. The property has a special or unique condition that does not apply to other properties in the area.
2. The proposed variance is not contrary to the public interest and not contrary to the purpose and intent of the zoning regulation.
3. The special or unique condition of the property creates an unnecessary hardship. If it is a use variance, then the property must have no reasonable use. If it is an area variance, then the ordinance either unreasonably prevents the use of the property for a permitted purpose or makes conformity with restrictions unreasonably burdensome.

By signing below, I certify that the information I have provided in this application is true and accurate. I understand that evidence must be provided showing that the three standards listed above are met. I understand that if one or more of the standards cannot be met, my appeal for variance must be denied by the Board of Zoning Appeals.

Signed: (Applicant or Agent): Nick Webb Date: 5-5-26

Signed: (Owner, if different from applicant): _____ Date: _____

(To be completed by Building Inspector and City Clerk Staff)

Application Complete: Yes _____ No _____ Reviewed by: _____

Application #: _____ Date Filed: _____ Filing Fee: _____ Date Paid: _____



Board of Zoning Appeals Variance Application

(To be completed by City Clerk or Zoning Staff)

City of La Crosse, Wisconsin

Application No.: _____ Filing Fee: 400.00
 Date Filed: _____ Date Paid: 5/4/26
 Application Complete: Yes No _____ Reviewed By AB (Initial)

(To be completed by the applicant)

Application Deadline: 5:00 p.m. the first Monday of every month.
 Building Permit Application Deadline: 10 Calendar Days prior to the first Monday of every month for the City of La Crosse Fire Department – Division of Community Risk Management to provide review. Any building permit submitted after this deadline must wait until the following month's Board of Zoning Appeals meeting.

	Owner / Agent	Contractor
Name	Nick Webb	Travis Gier ^{Artisan} const. LLC
Address	51350 Cardiac Rd. Westby	103 N Prairie St. Westby
Phone	608-632-5148	608-606-3258

Legal Description: First Addition to Spier & Canterbury Addition Lot 1 Block 12 City of La Crosse, Wis.
 Tax Parcel Number: 17-10150-050
 Lot Dimensions and Area: 50.45 x 140 feet. = 7,063 sq. ft.
 Zoning District: _____

A variance is a relaxation of a standard in a land use ordinance. The Board of Zoning Appeals decides variances. The Board is a quasi-judicial body because it functions like a court. The Board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden. The burden of proof falls on the variance applicant.

Process:

At the time of application, you will be asked to:

- **Complete an application** form and timely submit it with a non-refundable fee as required in La Crosse Municipal Code § 115-60; Failure to complete any section of the application form will result in rejection of the application. If additional space is needed, please attach additional pages.
- **Provide detailed plans** describing your lot and project (location, dimensions, and materials);
- **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance (Three-Step Test below); and
- **Stake out lot corners or lines**, the proposed building footprint and all other features of your property related to your request so that the Zoning Board and/or City staff may inspect the site.

Following these steps, the City of La Crosse Fire Department – Division of Community Risk Management must approve the application as to form and completeness and then the application and fee must be submitted to the City Clerk. The zoning agency will then provide notice of your request for a variance to the City of La Crosse's official newspaper noting the location and time of the required public hearing before the Zoning Board. Your neighbors and any affected state agency will also be notified. The burden will be on you as a property owner to provide information upon which the Board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. If any of these requirements are not met or if you or your agent does not appear at the public hearing, the Board must deny your request for a variance and your fee will be forfeited.

Part A: General Information and Alternatives Analysis.

(To be completed by the applicant).

1. General Information.

Complete the questions in the general information section of the application to provide the necessary background information needed for the property at issue.

(a) Current use and improvements.

Currently used for Duplex & Single family Residence.

(b) Proposed Use.

Proposed to be used as Duplex & single family Residence

(c) Description and date of any prior petition for variance, appeal, or special exception.

None

(d) Description and location of all nonconforming structures and uses on the property.

Located at 1552 Loomis, 1402 & 1410 Gillette St. Cox
One Single Family dwelling and Duplex

(e) Ordinance standard from which variance is being sought (include code citation).

Sec. 115-144 - R3 Special Residence District
(c) Area Regulations

(f) Describe the variance requested.

Variance to rezone R3 and attaching roof structure
to both buildings to become zoned properly for
3 Residential units. Would require variance to provide
7-foot required side and rear yard.

(g) Specify the reason for the request.

Board of Zoning Appeals would have to grant 2
Variances 7 feet for the side yard setback and 20.5 feet
on rear yard setback for new roof system is proposed

(h) Describe the effects on the property if the variance is not granted.

Will have to eliminate a tenant which they want to
stay at this residence

2. Alternatives.

Describe alternatives to your proposal such as other locations, designs, and construction techniques. Attach a site map showing alternatives you considered in each category below.

- **Alternatives you considered that comply with existing standards.** If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons why you rejected them.

No Alternatives

- **Alternatives you considered that require a lesser variance.** If you reject such alternatives, provide the reasons why you rejected them.

None

Part B: Three-Step Test.

To qualify for a variance, applicants must demonstrate that their property meets the following three requirements:

1. Unique Property Limitation. *(To be completed by the applicant).*

Unique physical characteristics of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances or desires of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances, or lack of objections from neighbors do not provide a basis for granting a variance. Property limitations that prevent ordinance compliance and are common to a number of properties should be addressed by amending the ordinance.

You will be asked whether there exist any unique physical characteristics to your property that prevent compliance with the ordinance. You will be asked to show where these unique physical characteristics are located on your property by showing the boundaries of these features on a site map. If there is not a unique property limitation, a variance cannot be granted.

Do unique physical characteristics of your property prevent compliance with the ordinance?

Yes. Where are they located on your property? In addition, please show the boundaries of these features on the site map that you used to describe alternatives you considered.

No. A variance cannot be granted.

2. No Harm to Public Interest.

A variance may not be granted which results in harm to public interests or undermines the purpose(s) of the ordinance. In applying this test, the Zoning Board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community, and the general public. These interests may be listed as objectives in the purpose statement of an ordinance and may include:

- *Public health, safety, and welfare*
- *Water quality*
- *Fish and wildlife habitat*
- *Natural scenic beauty*
- *Minimization of property damages*
- *Provision of efficient public facilities and utilities*
- *Achievement of eventual compliance for nonconforming uses, structures, and lots*
- *Any other public interest issue*

(a) Ordinance Purpose. *(To be completed by zoning staff).*

The Zoning Board must consider the purpose and intent of zoning codes when considering a variance request. As promulgated by the City of La Crosse Common Council, the purpose and intent of the La Crosse Zoning Code include, but is not limited to, the following:

§ 8-86	§ 101-58	§ 109-6
§ 115-3	§ 115-140	§ 115-141
§ 115-148	§ 115-156	§ 115-158
§ 115-211	§ 115-319	§ 115-437
§ 115-510	§ 115-548	§ 115-594

The failure of any particular city official to identify additional purpose and intent information on the application does not preclude the city official from raising the issue at the public hearing on the requested variance.

(b) Purpose(s) of Standard from which Variance is Requested. *(To be completed by zoning staff).*

The City of La Crosse Building Inspector, Code Enforcement Officer and any other officials may be aware of other reasons a particular ordinance standard is required. The city official(s) may list those reasons on this application. The failure of any particular city official to identify additional purpose information on this application does not preclude the city official from raising the issue at the public hearing on the requested variance.

(c) Analysis of Impacts. *(To be completed by applicant).*

Discuss impacts (e.g. increased runoff, eroding shoreline, etc.) that would result if the variance were granted. For each impact, describe potential mitigation measures and the extent to which they reduce the impacts (i.e. completely, somewhat, or marginally). Mitigation measures must address each impact with reasonable assurance that it will be reduced to an insignificant level in the short term, long term, and cumulatively.

Short-term impacts are those that occur through the completion of construction. Long-term impacts are those that occur after construction is completed. Cumulative impacts are those that would occur if a similar variance requested were granted for many properties. After completing the impact analysis, you will be asked to give your opinion whether granting the variance will harm the public interest.

(1) Short-term Impacts (through the completion of construction):

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

(2) **Long-term Impacts** (after construction is completed):

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

(3) **Cumulative Impacts** (what would happen if a similar variance request was granted for many properties?):

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

Will granting the variance harm the public interest?

- Yes.** A variance cannot be granted.
- No.** Mitigation measures described above will be implemented to protect the public interest.

3. Unnecessary Hardship. (To be completed by the applicant).

The unique property limitation must create the unnecessary hardship. An applicant may not claim unnecessary hardship because of conditions that are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel.

You will be asked whether you are requesting an area variance or a use variance and to detail whether there exists an unnecessary hardship.

An **area variance** is a relaxation of lot area, density, height, frontage, setback, or other dimensional criterion. Unnecessary hardship exists when compliance with the strict letter of the area restrictions would unreasonably prevent the owner from using the property for a permitted purpose (i.e. leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The Zoning Board must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term, and cumulative effects of the variance on the neighborhood, the community, and on the public interests. This standard reflects the Wisconsin Supreme Court decisions in *State v. Waushara County Bd. Of Adjustment*, 2004 WI 56; and *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

A **use variance** is a relaxation of the zoning regulation on how the property is fundamentally used. A use variance allows property to be utilized in a manner not permitted by zoning regulations (i.e. an appropriate adaptive re-use of a school or church in a residential district). Unnecessary hardship exists only if the property owners show that they would have no reasonable or viable use of the property without the variance. Though not specifically restricted by statute or case law, a use variance is very rare because of the drastic effects it has on the neighborhood, the community, and the public interests. The Zoning Board must consider whether the owner has no reasonable return if the property is only used for the purpose allowed in zoning regulation, whether the plight of the owner is due to unique circumstances and not merely general conditions in the neighborhood, and whether the use sought to be authorized will alter the nature of the locality. See generally *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23.

Are you applying for an area variance or a use variance? **Area variance** **Use variance****Is unnecessary hardship present?** **Yes. Describe.** **No. A variance cannot be granted.****Part C: Additional Materials / Exhibits.**

In order for the zoning staff to conduct evaluations, the applicant's site map, with a scale of not less than 1"=50', and other exhibits must show the following:

- Location of requested variance
- Property lines
- Ordinary high-water mark
- Flood plain and wetland boundaries
- Dimensions, locations, and setbacks of existing and proposed structures
- Utilities, roadways, driveways, off-street parking areas, and easements
- Existing highway access restrictions and existing proposed street, side and rear yards
- Location and type of erosion control measures
- Vegetation removal proposed
- Contour lines (2 ft. interval)
- Well and sanitary system
- Location and extent of filling/grading
- Any other construction related to your request
- Anticipated project start date
- Sign locations, dimensions, and other specifications
- Alternatives considered
- Location of unique property limitation
- Lot corners, lines, and footprints have been staked out
- Abutting street names and alleys
- Abutting property and land within 20 feet
- Indication of the direction "North"

Part D: Authorization to Examine

You **must complete and sign** the authorization for the City of La Crosse Board of Zoning Appeals and the Planning and Development Department to examine the property of the variance request.

I hereby authorize the City of La Crosse Board of Zoning and Appeals and the Planning and Development Department to inspect premises

At: 1410 Gillette St La Crosse

(Address where variance is sought)

Date: 5-3-26 Signature of Owner: Heick Webb

Part E: Certification.

You **must sign your application**, certifying that it and any additional materials are accurate and do not contain any misrepresentations or omissions. An unsigned variance application will not be considered. You also must get the application notarized by a certified notary.

Submit completed application to: Board of Zoning Appeals
400 La Crosse St.
Clerk's Office- 2nd Floor
La Crosse, Wisconsin 54601

Submit complete copy to: Chief Inspector
400 La Crosse St.
City of La Crosse Fire Department –
Division
of Community Risk Management
La Crosse, Wisconsin 54601

By signing below, I certify that I have received and reviewed all of the application materials. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application will be denied and any variance granted thereunder may be revoked.

Signed: (Applicant or Agent) Nick Webb

Date: 5-4-26

Signed: (Owner, if different from applicant) _____

Date: _____

THE APPLICANT OR AGENT

THE OWNER

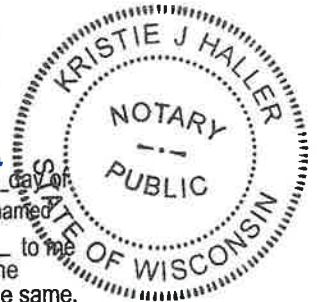
By: _____

STATE OF WISCONSIN)
COUNTY OF LA CROSSE)

STATE OF WISCONSIN)
COUNTY OF LA CROSSE)

Personally came before me this _____ day of _____, 20____, the above named _____ to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Personally came before me this 4th day of May, 2026, the above named Nick Webb to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



Notary Public, La Crosse County, WI
My commission expires: _____

Kristie Haller
Notary Public, La Crosse County, WI
My commission expires: 9/13/27

DEPARTMENT OF TRAINING AND DEVELOPMENT

Building and Inspections

inspection@cityoflacrosse.org 608-789-7530

APPLICATION FOR BUILDING PERMIT

Application Number: _____ Date: _____ Parcel Number: _____

OWNER INFORMATION							
Name: <u>Nick Webb</u> <u>Westby</u> <u>WI</u> <u>54667</u>							
Address of above: Street <u>S1350 Gerlich Rd.</u> City <u>Westby</u> State <u>WI</u> Zip Code <u>54667</u>							
Phone: <u>608-632-5148</u>		Cell: <u>608-632-5148</u>		Email: <u>Nhoweb@yahoo.com</u>			
CONTRACTOR INFORMATION							
Name: <u>Artisan construction LLC</u>							
Address of above: Street <u>103 N Prairie St Westby</u> City <u>Westby</u> State <u>WI</u> Zip Code <u>54667</u>							
Phone: <u>608-606-3258</u>		Cell: _____		Email: <u>Artisan construction WI Dgma.com</u>			
PROJECT INFORMATION							
Project address: <u>1410 + 1552 Louis St. La Crosse</u>							
Construction Cost: <u>\$ 10,000</u>		Fence Only: Height: _____ Material: _____		Description of Work If Demolition, include use of land after demolition <u>Attaching a roof between 2 buildings</u>			
Project Type: Building <input type="checkbox"/> Addition <input type="checkbox"/> Sign <input type="checkbox"/> Alteration/Remodel <input type="checkbox"/> Demolition <input type="checkbox"/> Accessory <input type="checkbox"/>							
PROPERTY INFORMATION							
Zoning	Nbr. Dwelling Units	Owner Occ <input type="checkbox"/> Rental <input type="checkbox"/>	Airport Height Yes <input type="checkbox"/> No <input type="checkbox"/>	Flood Plain Yes <input type="checkbox"/> No <input type="checkbox"/>	Fire Limits Yes <input type="checkbox"/> No <input type="checkbox"/>	Archaeological District Yes <input type="checkbox"/> No <input type="checkbox"/>	Historical D Yes <input type="checkbox"/> No <input type="checkbox"/>
FEE INFORMATION							
Plan Review: \$	Permit: \$	Record Mice: \$	Expedited: \$	Started w/o permit: \$	Exempt: <input type="checkbox"/>	Other: \$	Total: \$
IT IS HEREBY AGREED between the applicant, as owner, owner's agent or servant, and the City of La Crosse that for and in consideration for the premises and of the permit to construct, erect, alter, move, raze, or install and the occupancy of a building adding or property as above described, to be issued and granted by Building and Inspections of the City of La Crosse, that the work thereon will be done in accordance with the descriptions set forth in this statement, and as more fully described in the City of La Crosse and State of Wisconsin laws relating to the construction, alteration, repairs, removal and safety buildings and other structures and permanent building equipment.							
Agent/Contractor: (Print) <u>Travis Geier</u>		(Sign) <u>[Signature]</u>		(Date) <u>4-30-26</u>			
		-DCQ		<u>0518000137</u>		-DC	
Owner: (Print) <u>Nick Webb</u>		(Sign) <u>Nick Webb</u>		(Date) <u>4-30-26</u>			

OFFICE USE ONLY		
Application Approved:	Inspector:	Date:

Lot Line

15ft

Driveway

14ft 2in

Roof will be held up by 3 microlamb beams 16 inches on center also a treated top plate on 1402 building for beams to sit on with steel fascia & trim whatever is exposed

Deck

13ft

24ft

Attached to both Buildings
4 foot by 13 feet
Roof Sloped 4x12 pitch

Roof is 12ft 6 in tall

Porch

53ft 1

6 feet

22ft

Driveway

7.5ft

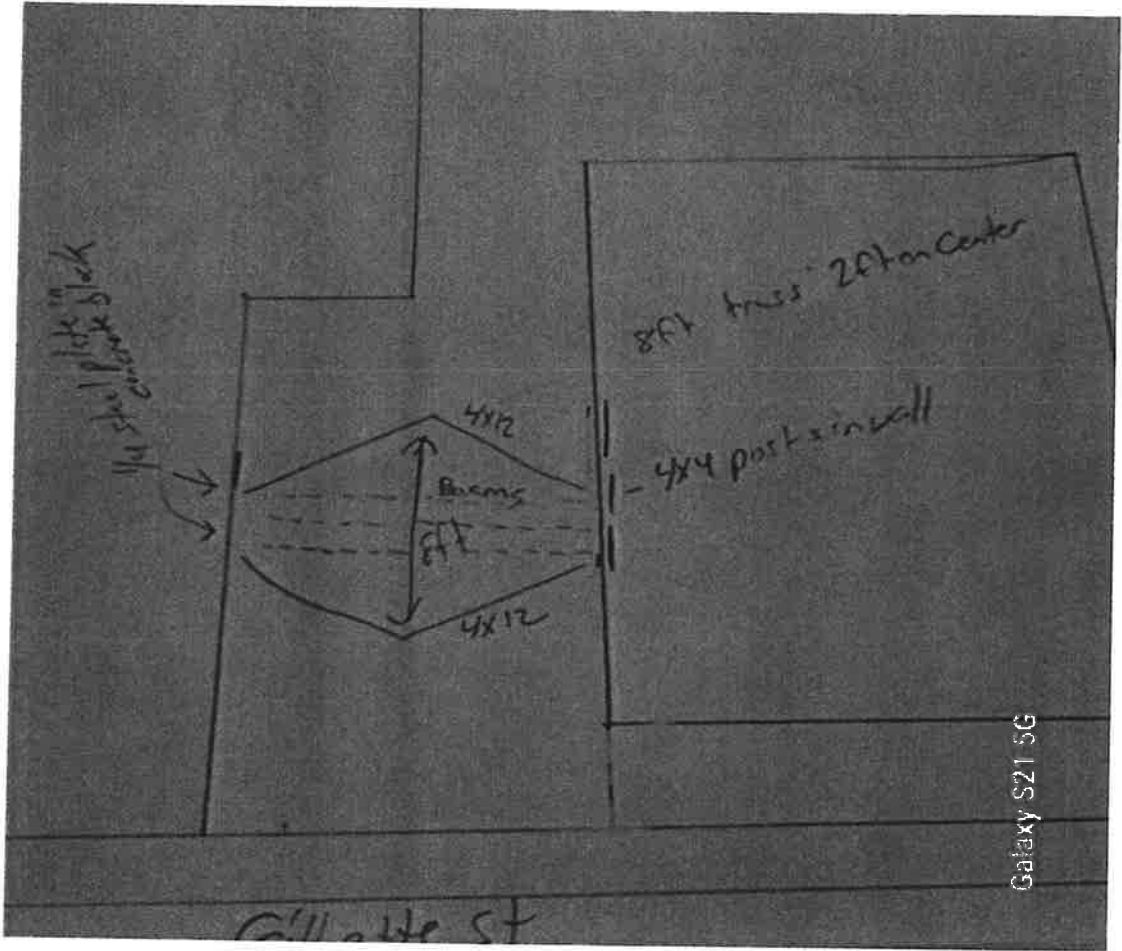
1402 Gillette St

1552 Loomis St

Sidewalk

Gillette St.

A11/9



Galaxy S21 5G