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Fire Prevention and Building Safety

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7589
<http://www.cityoflacrosse.org> Inspection@cityoflacrosse.org

Ken Gilliam, Fire Chief



March 12, 2020

Rich Copus
Right Choice Construction
7618 E. Smith Road.
Westby, WI 54667

RE: An appeal regarding the requirement to provide a rear yard setback of 24 feet at 4615 33rd St. S. La Crosse, Wisconsin.

Dear Mr. Copus:

We have received your building permit application to construct a three-season porch that *does not* meet the minimum requirements set forth in the Municipal Code of Ordinances of the City of La Crosse (Code) regarding setbacks from the rear property line. We invite your attention to subchapter of the Code wherein it provides for the purpose of the law from which you are seeking a variance.

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

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

(c) *Area regulations.*

- (4) *Rear yards.* On every lot in the Residence District, there shall be a rear yard having a depth of not less than 20 percent of the depth of the lot, provided such rear yard need not exceed 30 feet in depth and shall not in any case be less than 15 feet in depth.

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 a variance of 9 feet to the 24 foot rear yard setback requirement before a building permit could be issued for this project as proposed.

Sincerely,

Jon Molledahl
Building Inspector

CITY OF LA CROSSE

Third Floor-City Hall, 400 La Crosse Street, La Crosse, Wisconsin 54601
Phone 608/789-7530 Fax 608/789-7589

10/18/84

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4615 33RD ST S LA CROSSE

Parcel: 17-50453-165
 Internal ID: 39656
 Municipality: City of La Crosse
 Record Status: Current
 On Current Tax Roll: Yes
 Total Acreage: 0.124
 Township: 15
 Range: 07
 Section: 22

Abbreviated Legal Description:

JUNIPER ESTATES ADDN TO CITY OF LA CROSSE S 1/2 LOT 16 BLK 4 LOT SZ: 45 X 120

Property Addresses:

Street Address	City(Postal)
4615 33RD ST S	LA CROSSE

Owners/Associations:

Name	Relation	Mailing Address	City	State	Zip Code
LINDA A SKAFF TRUST	Owner	4615 33RD ST S	LA CROSSE	WI	54601-8373

Districts:

Code	Description	Taxation District
2849	LA CROSSE SCHOOL	Y
5	Book 5	N

Additional Information:

Code	Description	Taxation District
2012+ VOTING SUPERVISOR	2012+ Supervisor District 13	
2012 + VOTING WARDS	2012+ Ward 29	
POSTAL DISTRICT	LACROSSE POSTAL DISTRICT 54601	
Use	TWINDO	

Lottery Tax Information:

Lottery Credits Claimed:	1 on 10/24/2018
Lottery Credit Application Date:	10/10/2018

Tax Information:**Billing Information:**

Bill Number: 15024

Billed To: LINDA A SKAFF TRUST
4615 33RD ST S
LA CROSSE WI 54601-8373

Total Tax: 3708.54

Payments Sch.

1-31-2020	764.31
3-31-2020	981.41
5-31-2020	981.41
7-31-2020	981.41

Tax Details:

	Land Val.	Improv Val.	Total Val.	Assessment Ratio	0.920960166
Assessed:	18800	137300	156100	Mill Rate	0.025649683
Fair Market:	20400	149100	169500	School Credit:	302.46
Taxing Jurisdiction:			2018 Net Tax	2019 Net Tax	% of Change
STATE OF WISCONSIN			\$ 0.0000	\$ 0.0000	0.0000
La Crosse County			\$ 507.1900	\$ 571.4000	12.7000
Local Municipality			\$ 1480.5800	\$ 1621.3900	9.5000
LA CROSSE SCHOOL			\$ 1376.9200	\$ 1565.9400	13.7000
WTC			\$ 219.9300	\$ 245.1800	11.5000

Credits:

First Dollar Credit:	78.25
Lottery Credit:	217.12

Additional Charges:

Special Assessment:	0.00
Special Charges:	0.00
Special Delinquent:	0.00
Managed Forest:	0.00
Private Forest:	0.00
Total Woodlands:	0.00
Grand Total:	3708.54

Payments & Transactions

Desc.	Rec. Date	Rec. #	Chk #	Total Paid	Post Date
Payment to Local Municipality	12/16/2019	796454	0	\$ 3708.54	12/2019
			Totals:	\$ 3708.54	

Assessment Information:

Class	Description	Year	Acreage	Land	Improvements	Total	Last Modified
G1	Residential	2019	0.124	18800	137300	156100	5/3/2019

Deed Information:

The following documents are those that impact the transfer of ownership or the legal description of the parcel. There may be other documents on file with the Register of Deeds Office.

Volume Number	Page Number	Document Number	Recorded Date	Type
695	319	939131	6/28/1983	Warranty Deed
836	37	1018601	1/12/1989	FINAL JUDGMENT
871	302	1038568	6/21/1990	Warranty Deed
0	0	1625799	7/22/2013	TRANSFER ON DEATH DEED
0	0	1700225	9/29/2017	Warranty Deed

Outstanding Taxes

There are no outstanding taxes for this property.

Permits Information:

Municipality: City of La Crosse
Property Address: 4615 33RD ST S

Click on the permit number for additional details regarding the permit.

Description	Per. #	Applicant Name	Status	Status Date	Activity
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History Information:

Parent Parcel(s)

There are no parent parcels for this property.

Child Parcel(s)

There are no child parcels for this property.

BOARD OF ZONING APPEALS

STANDARDS FOR AREA VARIANCE

- ☐ 1. The proposed variance is not contrary to the public interest. The purpose statement of the ordinance and related statutes must be reviewed in order to identify the public interest. Variances must observe the spirit of the ordinance, secure public safety and welfare and do substantial justice. In considering effects of a variance on public interests, broad community and even statewide interests should be examined; the public interest standard is not confined to scrutiny of impacts on neighbors or residents in the vicinity of a project.
- ☐ 2. The property has a special or unique condition. The property must have unique or physical features which prevent compliance with the ordinance. The circumstances of an applicant, such as growing family or need for a larger garage, are not legitimate factors in meeting this standard. Property limitations that prevent ordinance compliance and that are not unique but common to a number of properties should be addressed by amendment of the ordinance.
- ☐ 3. The special condition of the property creates an unnecessary hardship:
 - A. Unnecessary hardship means unnecessarily burdensome, considering the purpose of the ordinance.
 - B. Unnecessary hardship may not be self created. An applicant may not claim hardship because of conditions which are self-imposed. Examples include claiming hardship for a substandard lot after having sold off portions that would have allowed building in compliance and claiming hardship where construction was commenced without required permits in violation of ordinance standards.
 - C. Financial hardship is not a deciding factor. Economic loss or financial hardship does not justify a variance.

