

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor

Date: June 11, 2020

RE: Variance Application for 330 River Dr. (31-4-1170-00)

Description of Proposal

The applicant is proposing to construct play equipment in the front yard. Section 23-43(f)(1)(e) of the Zoning Ordinance requires accessory structures to be located in the side and rear yards only.

Impact on the Neighborhood

In the application, the applicant states that the swing set is far from the corner and not a hindrance to traffic and it is painted the same color as the tree in the yard.

Unique Condition

In the application, the applicant states that his lot has no real rear yard and the side yard is being used for a garden.

Hardship

In the application, the applicant states that although the swing set is non-essential, during this time it is vital for their children to play outside to stay healthy.

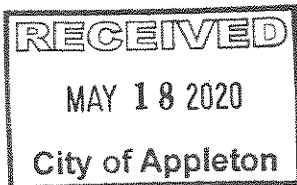
Staff Analysis

This lot is 9,356 sq. ft. The minimum lot size for a property in the R1B zoning district is 6,000 sq. ft.

A swing set is not essential for the use of the property.

The owner has an alternative to build the swing set in the side yard, but has decided to use that space for a garden.

The applicant has not met the review criteria for a variance.



Return to: Department of Public Works
Inspection Division
100 North Appleton Street
Appleton, Wisconsin 54911
(920) 832-6411

City of Appleton Application for Variance

Application
Deadline

May 25, 2020

June 15, 2020 7pm

Please write legibly and also submit a complete reproducible site plan (maximum size 11" x 17"). A complete site plan includes, but is not limited to, all structures, lot lines and streets with distances to each. There is a non-refundable \$125.00 fee for each variance application. The nonrefundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) 330 River Drive	Parcel Number 31-4-1170-00
Zoning District R1B	Use of Property ☒ Residential ☐ Commercial

Applicant Information	
Owner Name KYLE SOUTHWORTH & AMBER WELCH	Owner Address 330 RIVER DR APPLETON, WI 54915
Owner Phone Number (715) 581-5861	Owner E Mail address (optional) welcac06@yahoo.com
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-43(f)(1)(e) – Accessory structures are prohibited from the front yard.
Brief Description of Proposed Project The proposed project is to construct play equipment in the front yard. Section 23-43(f)(1)(e) prohibits accessory structures from the front yard.

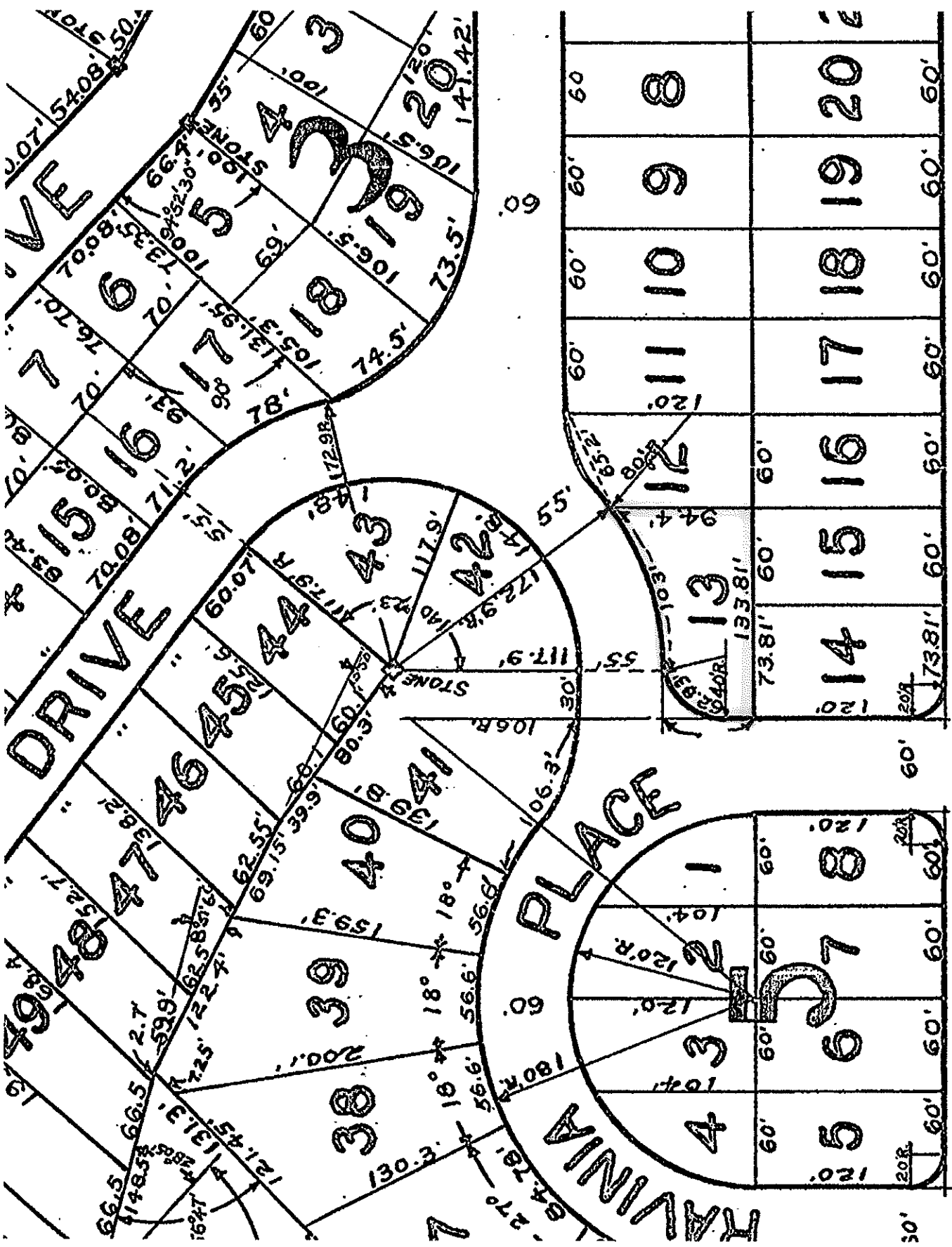
Owner's Signature (Required): Amber Welch Date: 5.12.20

Questionnaire

1. Explain your proposed plans and why you are requesting a variance:
2. Describe how the variance would not have an adverse impact on the surrounding properties:
3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:
4. Describe the hardship that would result if your variance were not granted:

Answers

1. I am attempting to put up a swing set. The most pertinent fact in obtaining a variance is that my property does not have sufficient backyard in which to place a swing set. And while the next option would be to put the structure in the side yard, we have a garden in that particular spot specifically to get the full day's sun, which leaves us with the front yard.
2. The swing set is put far away from the corner of the lot keeping it from being a hindrance to the cars traveling through the three way turn at Ravinia and River. It is also stained a similar color to the tree it is near keeping it from being an eyesore to the more fastidious neighbors.
3. As previously stated, the backyard is close to non-existent, and the side yard is occupied.
4. While a swing set under normal circumstances would be considered non-essential, current times dictate otherwise. While under orders to stay home in the effort to stay healthy, we now need forms of entertainment right here at home. From state parks shutting down to the public, and children's equipment being blocked off from use, a swing set has become one of many essential items that used to be a frivolity. The necessity of a playground may become disputable in the future, but right now, no one knows what is going on, or what the future holds, and I want to be as prepared as possible. If the variance is not granted, providing my children with hours of quality healthy outdoor time may become a hardship, or at the very least, a strain upon my brain.



CHERRY

SECTION 34
SECTION 35

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