

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: **September 30, 2019** Meeting Date: **October 21, 2019 at 7:00 pm**

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 non-refundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) 1405 E. Wisconsin Ave.	Parcel Number 31-1-1043-00
Zoning District C2	Use of Property Commercial
Applicant Information	
Owner Name East Side Properties LLC	Owner Address 1405 E. Wisconsin Ave. Appleton, WI 54911
Owner Phone Number	Owner E Mail address (optional)
Agent Name Bob Reider	Agent Address
Agent Phone Number 954-4036	Agent E Mail address (optional) <u>Bob_r@carowlandsurveying.com</u>
Variance Information	
Municipal Code Section(s) Project Does not Comply	
Section 23-113(h)(2)- Maximum lot coverage in C2 zoning district is 75%.	
Section 23-172(f)(1)(a)- Landscape islands shall be 5% of the parking lot area.	
Brief Description of Proposed Project	
The proposed parking lot plan shows the total lot coverage to be 83.37%. Section 23-113(h)(2) of the Zoning Ordinance requires a maximum lot coverage of 75%.	
The proposed parking lot plan shows 5.2% of the lot expansion area with landscape islands.	
However, the total lot would have only 2.6% with landscape islands. Section 23-172(f)(1)(a) of the Zoning Ordinance requires five (5) percent of the parking lot area to be landscape islands.	

Owner's Signature (Required): *Mark D. [Signature]* Date: 9/20/19

Recp 14324

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Questionnaire

In order to be granted a variance each applicant must be able to prove that an unnecessary hardship would be created if the variance were not granted. The burden of proving an unnecessary hardship rests upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.

1. Explain your proposed plans and why you are requesting a variance:
We are expanding our parking lot due to an outright need for additional parking. On busy nights customers are parked all the way down Plateau Street. We are requesting a variance so we can maximize the number of new parking stalls given the limited amount of additional space we are acquiring. The additional lot area and additional impervious area does exceed the requirements of the city. The city had previously approved a variance allowing 85% impervious for the entire site. The entire site will be reduced to 83.37% impervious if the variance is granted.
2. Describe how the variance would not have an adverse effect on the surrounding properties:
The property to the East is vacant land owned by the cemetery association and they are selling the additional land for the parking lot expansion. The adjoining properties to the South, and West would be buffered from the expansion by landscaping and an existing building. The applicant owns the property to the West.
3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:
The business has been in operation since 1967 and the impervious area on the existing portion of the property was previously granted a variance to allow for 85% impervious. With the additional land and additional parking expansion the total impervious needed for the site would be reduced to 83.37%.
4. Describe the hardship that would result if your variance were not granted:
If the variance is not granted our customers will have to continue to park on the streets making it more difficult for traffic to flow safely.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: October 2, 2019

RE: Variance Application for 1405 W. Wisconsin Ave. (31-1-1043-00)

Description of Proposal

The applicant is proposing to expand an existing parking lot. The proposed lot coverage is 83.37%. Section 23-172(h)(2) of the Zoning Ordinance requires a minimum lot coverage of 75%. The proposed percentage of landscape islands is 2.6%. Section 23-172(f)(1)(a) of the Zoning Ordinance requires 5% of the lot to be landscape islands.

Impact on the Neighborhood

In the application, the applicant states that the vacant land to the east is owned by the cemetery and the adjoining properties to the south and west would be buffered by landscaping.

Unique Condition

In the application, the applicant states that a previous variance was granted for this property allowing 85% lot coverage. This expansion would have a total coverage of 83.37%.

Hardship

In the application, the applicant states that if the variance is not granted his customers will have to continue to park on the street.

Staff Analysis

This property is 54,509 sq. ft. The minimum size lot in the C2 zoning district is 14,000 sq. ft.

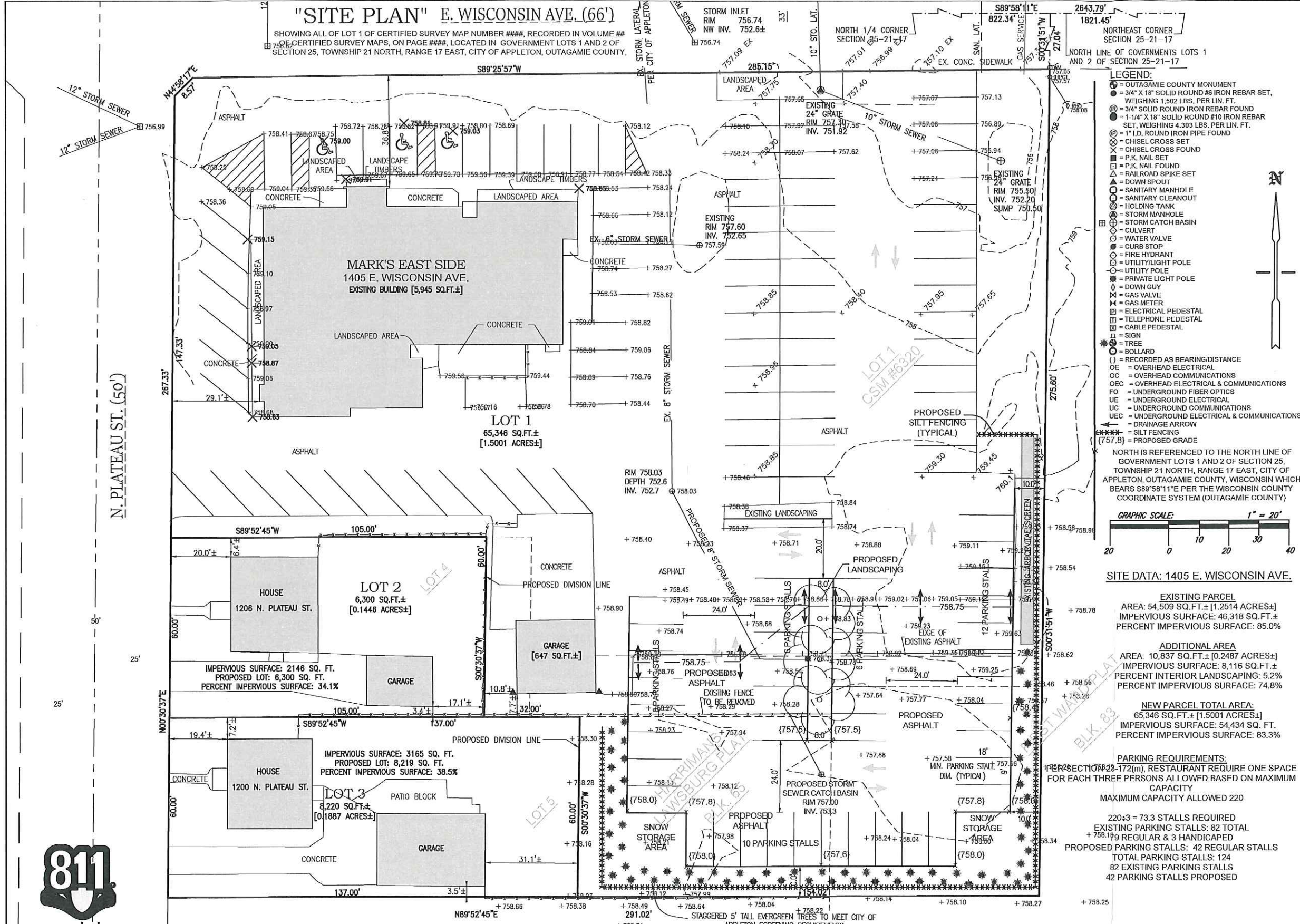
The Board granted a variance for no landscape buffering and 85% lot coverage for this property on 8/15/11.

With the proposed expansion of the parking lot, the lot coverage would be 83.37%, which is less than what was previously approved. The reason for the variance in 2011 was because there was no practical application for the existing area to require extra green space.

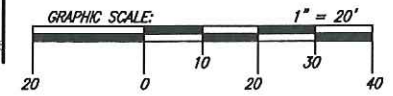
The proposed parking lot meets the zoning standard for minimum required parking spaces. However, historically, street parking for this business is needed to accommodate patrons on Friday and Saturday nights.

"SITE PLAN" E. WISCONSIN AVE. (66')

SHOWING ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER ###, RECORDED IN VOLUME ## OF CERTIFIED SURVEY MAPS, ON PAGE ###, LOCATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



- ### LEGEND:
- = OUTAGAMIE COUNTY MONUMENT
 - = 3/4" X 18" SOLID ROUND #6 IRON REBAR SET, WEIGHING 1.502 LBS. PER LIN. FT.
 - ⊙ = 3/4" SOLID ROUND IRON REBAR FOUND
 - ⊘ = 1-1/4" X 18" SOLID ROUND #10 IRON REBAR SET, WEIGHING 4.303 LBS. PER LIN. FT.
 - ⊚ = 1" I.D. ROUND IRON PIPE FOUND
 - ⊗ = CHISEL CROSS SET
 - ⊘ = CHISEL CROSS FOUND
 - ⊙ = P.K. NAIL SET
 - ⊚ = P.K. NAIL FOUND
 - ⊚ = RAILROAD SPIKE SET
 - ⊚ = DOWN SPOUT
 - ⊚ = SANITARY MANHOLE
 - ⊚ = SANITARY CLEANOUT
 - ⊚ = HOLDING TANK
 - ⊚ = STORM MANHOLE
 - ⊚ = STORM CATCH BASIN
 - ⊚ = CULVERT
 - ⊚ = WATER VALVE
 - ⊚ = CURB STOP
 - ⊚ = FIRE HYDRANT
 - ⊚ = UTILITY LIGHT POLE
 - ⊚ = UTILITY POLE
 - ⊚ = PRIVATE LIGHT POLE
 - ⊚ = DOWN GUY
 - ⊚ = GAS VALVE
 - ⊚ = GAS METER
 - ⊚ = ELECTRICAL PEDESTAL
 - ⊚ = TELEPHONE PEDESTAL
 - ⊚ = CABLE PEDESTAL
 - ⊚ = SIGN
 - ⊚ = TREE
 - ⊚ = BOLLARD
 - ⊚ = RECORDED AS BEARING/DISTANCE
 - OE = OVERHEAD ELECTRICAL
 - OC = OVERHEAD COMMUNICATIONS
 - OEC = OVERHEAD ELECTRICAL & COMMUNICATIONS
 - FO = UNDERGROUND FIBER OPTICS
 - UE = UNDERGROUND ELECTRICAL
 - UC = UNDERGROUND COMMUNICATIONS
 - UEC = UNDERGROUND ELECTRICAL & COMMUNICATIONS
 - = DRAINAGE ARROW
 - = SILT FENCING
 - (757.8) = PROPOSED GRADE
- NORTH IS REFERENCED TO THE NORTH LINE OF GOVERNMENT LOTS 1 AND 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN WHICH BEARS S89°58'11"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM (OUTAGAMIE COUNTY)



SITE DATA: 1405 E. WISCONSIN AVE.

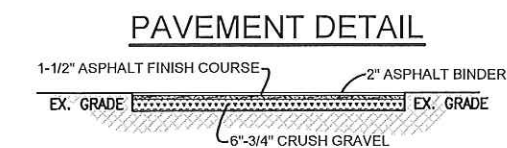
EXISTING PARCEL
 AREA: 54,509 SQ.FT.± [1.2514 ACRES±]
 IMPERVIOUS SURFACE: 46,318 SQ.FT.±
 PERCENT IMPERVIOUS SURFACE: 85.0%

ADDITIONAL AREA
 AREA: 10,837 SQ.FT.± [0.2487 ACRES±]
 IMPERVIOUS SURFACE: 8,116 SQ.FT.±
 PERCENT INTERIOR LANDSCAPING: 5.2%
 PERCENT IMPERVIOUS SURFACE: 74.8%

NEW PARCEL TOTAL AREA:
 65,346 SQ.FT.± [1.5001 ACRES±]
 IMPERVIOUS SURFACE: 54,434 SQ. FT.
 PERCENT IMPERVIOUS SURFACE: 83.3%

PARKING REQUIREMENTS:
 PER SECTION 23-172(m), RESTAURANT REQUIRE ONE SPACE FOR EACH THREE PERSONS ALLOWED BASED ON MAXIMUM CAPACITY
 MAXIMUM CAPACITY ALLOWED 220

220 ÷ 3 = 73.3 STALLS REQUIRED
 EXISTING PARKING STALLS: 82 TOTAL
 19 REGULAR & 3 HANDICAPED
 PROPOSED PARKING STALLS: 42 REGULAR STALLS
 TOTAL PARKING STALLS: 124
 82 EXISTING PARKING STALLS
 42 PARKING STALLS PROPOSED



NOTES:
 - PRIOR TO CONSTRUCTION DIGGERS HOTLINE MUST BE CALLED FOR FIELD LOCATION.
 - ALTHOUGH EVERY EFFORT HAS BEEN MADE TO ENSURE ACCURACY WITHIN THIS DRAWING, INDIVIDUAL CONTRACTORS AND SUBCONTRACTORS MUST VERIFY CORRESPONDING DETAILS AND DIMENSIONS FOR THEIR TRADE AND BE RESPONSIBLE FOR THE SAME.
 - ANY PUBLIC SIDEWALK DAMAGED AS A RESULT OF THIS PROJECT WILL BE REMOVED AND REPAIRED AT THE PROPERTY OWNER'S EXPENSE AS PART OF THIS PROJECT.

PLANTING KEY:

COMMON NAME	BOTANICAL NAME
MAPLE 'APOLLO'	ACER SACCHARUM 'BARRETT COLE'
ARBORVITAE 'EMERALD GREEN'	THUJA OCCIDENTALIS 'SMARAGD'

CAROW LAND SURVEYING CO., INC.
 615 N. LYNDDALE DRIVE
 APPLETON, WISCONSIN 54912-1297
 PHONE: (920)731-4168 FAX: (920)731-5673

REVISIONS	DATE	BY	DESCRIPTION
1	3-07-2019	MCR	REVISED LAYOUT
2	3-07-2019	MCR	CITY REVISIONS
3	3-07-2019	MCR	BUILDING CAPACITY REVISION

MARK'S EAST SIDE
 ATTENTION: MARK DOUGHERTY
 1405 E. WISCONSIN AVE.
 APPLETON, WISCONSIN, 54911
PROJECT: PARKING EXPANSION

SCALE: 1" = 20'
 DATE: 3-07-2019
 PROJECT NO.: B1158-18
 SHEET NO.: