

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

City of Appleton Application for Variance

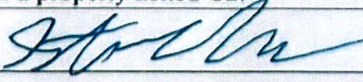
Application Deadline Meeting Date

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) 2001 S. Matthias St	Parcel Number 31-9-3199-00
Zoning District CO	Use of Property Residential <input type="checkbox"/> Commercial X

Applicant Information	
Owner Name Elvy Investments LLC	Owner Address 2001 S. Matthias St. Appleton, WI 54915
Owner Phone Number (920)380-0804	Owner E Mail address (optional) sklobucarich@engageortho.com
Agent Name Steven Klobucarich	Agent Address
Agent Phone Number 920-380-0804	Agent E Mail address (optional) sklobucarich@engageortho.com

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-172(h) Table 2- When across from a property zoned C2, an eight (8) foot landscape buffer is required.
Brief Description of Proposed Project The proposed plan shows a five (5) foot landscape buffer along the southeast corner of the parking lot. Section 23-172(h) Table 2 of the Zoning Ordinance requires an eight (8) foot landscape buffer when across from a property zoned C2.

Owner's Signature (Required):  Date: 6/29/23

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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 rest 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're requesting a variance because we desperately need to redo our very rough parking lot and in the process of redoing it, we are trying to create additional parking. The issue is we currently have 20 spots plus 1 handicap spot, but we have 21 employees and at any given time we can have up to 20 patients at our office at the same time. We simply don't have enough parking and even creating a few more spots would help. The variance would create 4 additional spaces.

2. Describe how the variance would not have an adverse impact on the surrounding properties:

The area in question creates 4 additional spaces by reducing the landscape buffer between the sidewalk and parking lot by 3 feet. It should not impact any surrounding properties because it only impacts this very specific area by the sidewalk and will still have landscaping.

3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:

Residential surroundings: Our business is surrounded by residential housing. Unlike commercial properties, residential properties typically have different parking demands and requirements. The parking needs of our office vary from those of the surrounding residential properties due to the nature of the business and the number of employees and patients who need parking at any given time.

Unique parking dynamics: The combination of a neighboring business and residential properties creates a unique parking dynamic in the immediate vicinity of our lot. The parking requirements and patterns in the area differ from those in purely residential areas or purely commercial areas. The coexistence of these different property types can contribute to the strain on available parking spaces, emphasizing the need for additional parking to alleviate the impact on both our office and the surrounding community.

4. Describe the hardship that would result if your variance were not granted:

Our practice faces significant hardships due to inadequate parking capacity. With only 20 regular parking spots and 1 handicap spot for 21 employees and up to 20 simultaneous patients, our parking lot falls short. This forces employees and patients to seek alternative parking on streets in our

surrounding residential neighborhood and is a safety risk. We have received complaints from both patients for lack of parking and neighbors about too many cars on the street and the safety hazard that it poses.

Expanding the parking lot to the west is not feasible due to existing trees we wish to preserve for the residential homes' tree buffer. Additionally, a storm sewer easement restricts the ability to expand in that direction.

Insufficient parking leads to patient dissatisfaction, strains community relations, and compromises safety with excessive street parking. Granting the variance for additional parking spaces is crucial to alleviate these hardships, improve patient experience, address patient and neighborhood complaints, maintain the tree buffer, and enhance community safety.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: July 3, 2023

RE: Variance Application for 2001 S. Mathias Dr. (31-9-3199-00)

Description of Proposal

The proposed plan shows a five (5) foot landscape buffer along the southeast corner of the parking lot. Section 23-172(h) Table 2 of the Zoning Ordinance requires an eight (8) foot landscape buffer when across from a property zoned C2.

Impact on the Neighborhood

In the application, the applicant states that the decrease in landscape buffering will not impact neighboring properties.

Unique Condition

In the application, the applicant states that this property is surrounded by residential properties that have different parking needs. The applicant also states that the need for parking on this commercial property creates a unique dynamic and could put a strain on the surrounding residential properties.

Hardship

In the application, the applicant states that if the variance is not granted, the business would not have sufficient parking spaces. The parking lot cannot be expanded to the west due to a storm water easement. The applicant also stated that if the parking lot cannot be expanded there will be dissatisfied customers, an increase safety risk and a strain on the surrounding neighborhood.

Staff Analysis

This parcel is 28,532 sq. ft. The minimum size parcel permitted in the C2 zoning district is 14,000 sq. ft.

The parking lot on this parcel currently provides twenty-one (21) parking spaces. Section 23-172 of the zoning ordinance requires that a business with a building of this size is required to provide fourteen (14) parking spaces.

The easement on the west side of this parcel does limit the number of parking spaces that may be added to this lot.