

Christopher J. Glapa D.D.S.

Practice Limited to Prosthodontics

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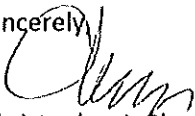
Mr. Daniel Faust
100 North Appleton Street
Appleton, WI 54915

Dear Mr. Faust:

Please arrange for me to appear before the same committee that was discussing Midway Road this past January. The way I view it, I was granted a varlance with my dwarf spruce tree by Thomas Harp, city of Appleton Engineer in the same spirit as those who were allowed to build non-conforming for which a varlance would not have been granted but to this day, twenty some years later remain in place contributing to the traffic problems and snow removal. The fences are two feet to high right on top of the sidewalk(that was never going to be placed as Mr. Harp was planning on building a berm in the city right of way to soften the noise and distraction of Midway Road on the double faced lots that were created by Midway Road). In addition, between Mr. Harp and David Vaclvak his successor, I surrendered my driveway access to Midway Road, provided a series of easements for the City of Appleton Utilities, additional electrical easements, and also agreed not to build a fence all for safety and the common good.

The concept of selective enforcement of the city ordinance comes into play here as well. I will be presenting a photo booklet to this committee that clearly shows severe violations of the vision corner ordinance within a 2 mile radius of the corners on Midway Road. And in deference to the videotape of the meeting this is not synonymous with not shoveling your snow as snow eventually melts, but these trees, berms, and vegetation have been in place for the last twenty odd years. I am willing to compromise some with the trimming of my tree and nothing has been done yet as I have been waiting to hear from you, however, I will not trim the tree to look like an obscene gesture as drawn on the city stationery. I am more than willing to meet with you again at the property for us to agree upon a compromise pruning of the tree that will not kill it and leave it looking esthetically pleasing.

If you need to speak with me personally please call the office at 920-734-7345 or my cell phone at 920-419-3902.

Sincerely,


Christopher J. Glapa DDS
Diplomate of the American Board of Prosthodontics.

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APPLETON CODE

lock suitable to lock either the starting lever, throttle, steering apparatus, gearshift lever or ignition system. No person shall permit a passenger vehicle to stand or remain unattended on any street, alley or in any other public place, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift lever or ignition system of the vehicle is locked and the key for such lock is removed from the vehicle.

(Code 1965, §10.20)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 19-9. Obstruction of street by trains.

No person shall permit any railroad car, engine or tender on any railroad to stand or remain in any street in the City so as to obstruct the free passage of vehicles and pedestrians along such street and across such railroad track more than ten (10) minutes at any time, except the intersection of the railroad tracks and Second Street may not be obstructed more than thirty (30) minutes for the loading and unloading of passengers, mail and railway express.

(Code 1965, §10.16)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 19-10. Obstruction of view at intersection by vegetation, fence, etc.

(a) Vegetation or structures in terraces.

- (1) All bushes, shrubs, weeds, vegetation, signs and fences, excepting trees on which limbs have been trimmed to a height of ten (10) feet above the ground, located in the terrace of any street within sixty (60) feet of the cross-street right-of-way in the approach direction and thirty (30) feet from the cross-street right-of-way in the nonapproach direction of any intersection in the City, are a public nuisance and dangerous to the safety and welfare of the people of the City. No new trees shall be planted in the terrace within the distances given in this subsection.

- (2) The property owner or the person in possession of property abutting any street in the city within the distance from any intersection given in subsection (a)(1) of this section shall remove any such bushes, shrubs, weeds, vegetation, signs and fences and shall trim any trees to a height of ten (10) feet above the ground. Such bushes,

shrubs, weeds or other vegetation, if not so removed, shall be removed by the City without notice and the expense thereof reported to the City Clerk, who shall enter the same on the tax roll as a special charge against the benefited property.

(b) Vegetation or structures on private property.

- (1) No owner or occupant of any property abutting a public street shall permit any trees, shrubs, bushes, weeds, signs, structures, wall or fences on his property to be so placed and maintained as to obstruct the vision of a user of the street at its intersection with another street or public thoroughfare. There shall be a vision corner on all corner lots located in zoning districts that require a minimum twenty- (20-) foot setback from street property lines. The vision corner is described as the triangular area enclosed by a straight line connecting a point on each street right-of-way line, which point is twenty-five (25) feet from the intersection of the right-of-way lines. Fences, walls, signs or structures erected in such vision corners shall not exceed three (3) feet in height. The fence, wall, sign or structure shall be a minimum of two-thirds (2/3) open to vision, equally distributed throughout the fence length and height located within the defined vision corner. Plantings in such vision corners shall be maintained in such a fashion as to provide unobstructed vision from three (3) feet above the centerline elevation of the abutting pavement to ten (10) feet above the centerline elevation.

- (2) The provisions of subsection (b)(1) of this section shall also apply to those corner lots located in zoning districts that require a ten- (10-) foot setback from street property lines, except in those cases the vision corner is described as the triangular area enclosed by a straight line connecting a point on each street right-of-way line, which point is twenty (20) feet from the intersection of the street right-of-way.

(Code 1965, §10.15, Ord 67-00, §1, 8-19-00)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 19-11. Low-speed vehicles.

- (a) *Definition.* Low-speed vehicle means a self-