

November 2, 2020
November 9, 2020
Acct. 17035

City of Appleton

NOTICE OF HEARING FOR VARIANCE

NOTICE IS HEREBY GIVEN that a meeting of the Board of Appeals, established under the provisions of Chapter 23 of the Ordinance, and known as the Zoning Ordinance, to be held on the 16th day of November 2020, at 7:00 P.M., in Committee Room "6A/B", 6th Floor, City Hall, 100 North Appleton Street, of the City of Appleton, Wisconsin, will be heard to consider the Appeal of:

from the ruling of the City Building Inspector in granting a permit for the construction, alteration, rebuilding, or occupancy of a nonconforming building on, or for the use of the property known and described as follows:

824 W. Front St.

Tax Key Number: 31-3-0510-00

The applicant proposes to erect a fence that is four (4) feet tall in the front yard. Section 23-44(a)(1)(a) of the Zoning Ordinance limits the height of fences to three (3) feet in the front yard.

Notice is further given that the said meeting is open to the public and that the appellant and any other person interested may appear and be heard for or against the granting of aforesaid permit by this Board.

CITY OF APPLETON,
Appleton, Wisconsin
The Board of Appeals

**REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES
WILL BE MADE UPON REQUEST AND IF FEASIBLE.**

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 **October 26, 2020**

November 16, 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) 824 W FRONT ST	Parcel Number 31-3-0510-00
Zoning District R2	Use of Property <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial

Applicant Information	
Owner Name WILLIAM BORKOWICZ	Owner Address 824 W FRONT ST APPLETON WI 54914
Owner Phone Number (920) 209-0843	Owner E Mail address (optional) billborkowicz@gmail.com
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)

Variance Information
Municipal Code Section(s) Project Does not Comply 23-44(a)(1)(a)
Brief Description of Proposed Project Erect a fence that is four (4) feet tall in the front yard. Section 23-44(a)(1)(a) of the Zoning Ordinance limits the height of fences to three (3) feet in the front yard.

Owner's Signature (Required): *William Borkowicz* Date: 26 OCT 2020
Reep 83303817

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
Appleton, Wisconsin 54911
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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 recently purchased the subject property and plan to have a wrought iron fence installed. We have pets and are concerned that they will get over a fence that is three feet tall. We understand that a taller fence could be erected in a backyard, but the home we just purchased does not have a backyard, only a front yard. There is a space behind the house wide enough to walk through, but that is all. I have included pictures to help illustrate the situation.

We are choosing a wrought iron for our fence because we know we can keep the yard enclosed and improve the appearance of the property while not obstructing views from any direction or causing any concern with neighbors.

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

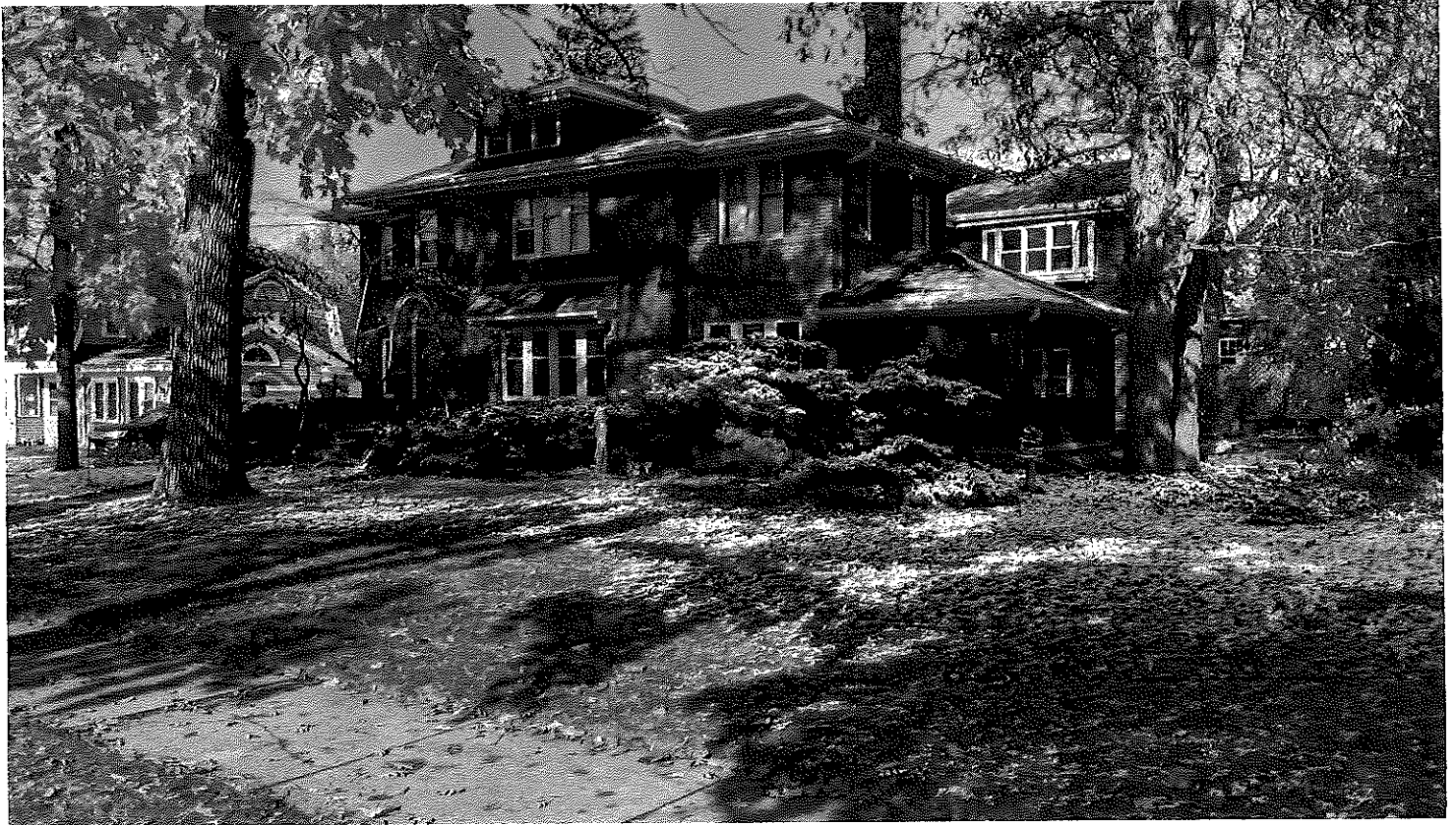
A wrought iron fence will not impede views from any direction nor be considered unsightly or undesirable by neighbors. Our new home is about one hundred years old and we chose the type of fence because it is consistent with the style of home and the neighborhood itself. A wrought iron fence, whether three or four feet tall, will have a positive impact on the appearance of the home and surrounding properties. A fence height of four feet will ensure that our pets remain in the yard (which would not be certain with an invisible fence or leashes) and does not cause any problems for owners of neighboring properties.

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

While most homes have a backyard and/or side yard space that could be enclosed, our new home has neither. Rather, the structure of the house extends nearly to the back of the parcel, except for a walkway between the rear of the house and the property line. In other words, the only yard area is the front yard.

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

If the variance is not granted we will only be able to erect a fence that is three feet in height. One of the primary purposes of a fence is pet containment, and a fence three feet in height is unlikely to contain medium-sized dogs like ours. We know there are alternatives such as Invisible Fence – which, incidentally, would be considerably less expensive than our proposed fence – but a physical fence provides greater certainty. We know from prior experience at other properties that Invisible Fence or a fence that is too short will not prevent pets from getting loose, and the hardship consists of their loss or the potential damage resulting from their getting loose. There is no negative impact in allowing a wrought iron fence four feet in height rather than three, but the hardship will be eliminated.



Front yard



Rear of home

style are also available.

- ❖ 2-rail panels in 3', 3½', 4' and 5' heights, with a standard or flush bottom rail
- ❖ 3-rail panels in 3', 3½', 4', 5' and 6' heights, with a standard or flush bottom rail



MAJESTIC™



proposed fence, 4' height

Modern Elegance

Majestic's flush top rail projects a clean, streamlined look that make it one of the most popular styles in the Heritage family. Single, double and arched walk gates that perfectly match this fence style are available as well.

- ❖ 2-rail panels in 3', 3½', 4' and 5' heights, with a standard or flush bottom rail
- ❖ 3-rail panels in 3', 3½', 4', 5' and 6' heights, with a standard or flush bottom rail (4½' panels available with flush bottom rail only)



GENESIS™

Creatively Distinct



Street fence
17 1/2' from

← W Front St →

10' fence at side
from
sidewalk
is
17 1/2' from
sidewalk

City of
Appleton

Garage

Driveway

14'

Patio

3-05-10

House

Driveway

Sidewalk

Patio

024

19

FRONT STREET



3-0518

3-0514

3-051

3-0516

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3-0511

824 19

3-0510

City of
Appleton

3-0517-2

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Each parcel is the responsibility of the
owner.

