



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final Board of Zoning Appeals

Monday, July 19, 2021

7:00 PM

6th Floor Council Chambers

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[21-0994](#) Minutes from June 21, 2021

Attachments: [Minutes 6-21-21.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[21-0995](#) **621 N. Bateman St. (31-1-0154-00)** The applicant proposes to change the use of a building from a place of worship to a non-profit recreational facility and provide no off-street parking. Section 23-172(m) of the Zoning Ordinance requires that five (5) off street parking spaces be provided.

Attachments: [621 N. Bateman.pdf](#)

[21-0997](#) Election of Chair

[21-0998](#) Election of Vice Chair

6. Information Items

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



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Meeting Minutes - Final Board of Zoning Appeals

Monday, June 21, 2021

7:00 PM

6th Floor Committee Room D

1. Call meeting to order

Meeting called to order by McCann @7:01 pm.

2. Roll call of membership

Present: 5 - McCann, Engstrom, Sperl, Cain and Croatt

Excused: 1 - Loosen

3. Approval of minutes from previous meeting

[21-0886](#)

Minutes from May 17, 2021

Attachments: [Minutes 5-17-21.pdf](#)

**Engstrom moved, seconded by Cain, that the Minutes be approved. Roll Call.
Motion carried by the following vote:**

Aye: 5 - McCann, Engstrom, Sperl, Cain and Croatt

Excused: 1 - Loosen

4. Public Hearings/Appearances

5. Action Items

[21-0885](#)

1702 W. Reeves St. (31-5-0155-02) The applicant proposes to erect a six (6) foot fence in the front yard of a double frontage lot. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the required front yard.

Attachments: [1702 W. Reeves St.pdf](#)

This action item was voted on twice.

The first motion was to approve the variance as requested in the application. Motion to approve by Engstrom, seconded by Sperl. (Y- Cain, Sperl) (N-Engstrom, Croatt) Denied.

The second motion was to approve a six (6) foot fence no closer than three (3) feet from the front lot line along W. Winnebago St. Motion to approve by Sperl, seconded

by Cain. (Passed 4-1)(Croatt)

Motion to approve variance request with three (3) foot setback from property line by Sperl, seconded by Cain, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - McCann, Engstrom, Sperl and Cain

Nay: 1 - Croatt

Excused: 1 - Loosen

6. Information Items

7. Adjournment

A motion was made by Karen Cain, seconded by Chris Croatt, that this meeting was adjourned at 7:40 pm. The motion carried by the following vote:

Aye: 5 - McCann, Engstrom, Sperl, Cain and Croatt

Excused: 1 - Loosen

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor

Date: July 2, 2021

RE: Variance Application for 621 N. Bateman St. (31-1-0154-00)

Description of Proposal

The applicant proposes change the use of a building from a place of worship to a non-profit recreational facility and provide no off-street parking. Section 23-172(m) of the Zoning Ordinance requires that five (5) off street parking spaces be provided.

Impact on the Neighborhood

In the application, the applicant states that the new use will have less of an impact on the neighborhood than the previous use (a church) and most of the potential supports will be from Lawrence and downtown, which are both walkable.

Unique Condition

In the application, the applicant states that off street parking is not needed because the building sits on a corner lot of a side street. The applicant also states that the building takes up almost all of the parcel and it would require trees to be removed to add parking spaces.

Hardship

In the application, the applicant states that if the variance is not granted, they would have to walk away from this location, and possibly the project (non-profit photography studio), which would be a huge loss for the City.

Staff Analysis

This property is 6,336 sq. ft. There is no minimum lot size in the PI zoning district. The required setback in the PI district is twenty (20) feet in the front, rear and side yards. The rear, side and front yards are all nonconforming because the building is currently closer than twenty (20) feet from the lot line.

This property has existed as a church for many years, with no parking. The parishioners would park in the streets around the property on the days when services were held.

Since there is limited space on the property to utilize for parking, the applicant has met the review criteria. The property could not be used for any use without being in violation of the minimum parking standards. Although the applicant did not cite the dimensional limitations of this property in the application, he did point out that this project could not happen without a variance. This will be the same for any other potential use in the future.

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 June 28, 2021 Meeting Date July 19, 2021 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) 621 N. Bateman St. | Parcel Number 31-1-0154-00 |
| Zoning District PI | Use of Property Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> |

| Applicant Information | |
|---|---|
| Owner Name Fox Valley Church of Christ Inc. | Owner Address PO Box 151 Neeah, WI 54957 |
| Owner Phone Number | Owner E Mail address (optional) |
| Agent Name John Adams | Agent Address |
| Agent Phone Number 920-205-0425 | Agent E Mail address (optional) john.christian.adams@gmail.com |

| Variance Information |
|---|
| Municipal Code Section(s) Project Does not Comply Section 23-172(m) (Recreational Facility, non-profit) |
| Brief Description of Proposed Project To change the use of the building from a place of worship to a non-profit recreational facility and provide no off street parking. Section 23-172(m) of the Zoning Ordinance requires that five (5) off street parking spaces be provided. |

Brief Description of Proposed Project

To change the use of the building from a place of worship to a non-profit recreational facility and provide no off street parking. Section 23-172(m) of the Zoning Ordinance requires that five (5) off street parking spaces be provided.

Owner's Signature (Required):



Date:

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
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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 planning on using the building as a Non-Profit/Rec facility focusing on Photography and Video. We will host small educational workshops, classes and small photoshoots. Use of the faculty will be limited, and the plan is to keep capacity low. We love the idea of being in a neighborhood and the ability to preserve the charm and historical nature of the neighborhood.**
2. Describe how the variance would not have an adverse impact on the surrounding properties: **I don't feel like it would have an adverse impact the same way the church that has been there for 100 years hasn't. Secondly a large portion of the supporters will be younger living downtown and from Lawrence which are both walkable. The Quiet nature of the neighborhood gives us a great canvas to work with and the ability for our patrons to document one of the most important parts of the city.**
3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures: **We do not need off street parking as the building sits on a corner lot of a side street. Also the building takes up almost all of the parcel and would require removing trees and green space in a predominantly residential neighborhood, and that addition would not even get us to the current zoning requirements.**

4. Describe the hardship that would result if your variance were not granted:
My Business partner and I have put in an offer on this building to be used as an educational place for artists and up and coming photographers to learn and perfect their craft. The Non-Profit nature of this supports the cities comprehensive plan to include art, culture and economical impact of retaining a creative workforce in the city. We love the idea of bringing a new creative life to a 100 year old building and showing the city and region what Appleton has to offer.

If the variance isn't granted we would have to walk away from this location, and possibly the project, which in our eyes would be a huge loss for the city.