

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor 

Date: October 8, 2021

RE: Variance Application for 66 Garden Court (31-4-1222-00)

Description of Proposal

The applicant proposes to construct a detached garage eighty-six (86) feet from the front property line, which is closer to the front property line than the principal building. Section 23-43(f)(1)(e) of the zoning ordinance prohibits accessory buildings from the front yard.

Impact on the Neighborhood

In the application, the applicant states that the proposed location of the garage is well screened with trees and bushes from the neighbors and the from the street, the garage would appear to be in the side yard.

Unique Condition

In the application, the applicant states that the 1,900 sq. ft. ranch home is located 20 feet from the rear property line. The shape and position of the home limits the location for the placement of the new garage.

Hardship

In the application, the applicant states that the existing driveway on the east side would have to be extended to the furthest west side. This would increase the amount of impervious surface and limit the size of the detached garage.

Staff Analysis

This parcel is 28,399 sq. ft. The minimum size lot in the R1B zoning district is 6,000 sq. ft.

The proposed detached garage would be in the same location as the former attached garage. However, since the proposed attached garage would be closer to the front property line than the existing house, it would not be in compliance with Section 23-43(f)(1)(e) of the zoning ordinance.

The applicant does have alternative to comply with the zoning ordinance. A new detached garage could be constructed if the proposed location is moved back towards the rear of the property.

Since an alternative exists to build this building that complies with the code, the review criteria for a hardship have not been met.

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
Appleton, Wisconsin 54911
(920) 832-6111

City of Appleton Application for Variance

Recp 2649-0002

Application Deadline 7-27-21 Meeting Date 10-18-21

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) <u>606 GARDEN COURT</u>	Parcel Number <u>31-4-1222-00</u>
Zoning District <u>R1B</u>	Use of Property <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial

Applicant Information	
Owner Name <u>BEN MAIRI FOGLE</u>	Owner Address <u>66 GARDEN CT APPLETON</u>
Owner Phone Number <u>920-284-5290</u>	Owner E Mail address (optional) <u>BFENFOGLE@APPLETUNBEERFACTORY.COM</u>
Agent Name <u>ROBERT GILBERT</u>	Agent Address <u>329 CLEVELAND STREET MENASHA, WI 54952</u>
Agent Phone Number <u>920-850-6235</u>	Agent E Mail address (optional) <u>GILBERT GARAGES@GARG.COM</u>

Variance Information
Municipal Code Section(s) Project Does not Comply <u>23-43 (F)(1)(e)</u>
Brief Description of Proposed Project <u>REMOVE OLD GARAGE & REEZEWAY BUILD NEW 30' x 28' GARAGE IN SAME LOCATION, IN THE FRONT YARD</u>

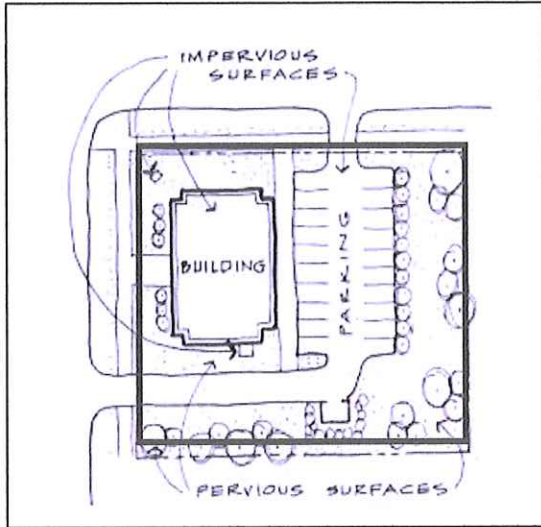
Owner's Signature (Required): [Signature] Date: 9/27/2021

- 1 Plan is to locate the new garage in the same location as the old garage,
East of the L-shaped home in the front yard
- 2 The proposed location of the garage is well screened with trees and bushes from the neighbors.
The Street view of the garage would appear to be located in the side yard along the L-shaped home.
- 3 The 1,900 square foot ranch home is located 20 feet from the rear property line.
The shape and position of the home limits the location for the placement of the new garage.
- 4 The existing driveway on the East side would have to be extended to the furthest West side.
This would increase the amount of Impervious Surface and limit the size of the detached garage.

Foundation Note

An accessory building of greater area than 100 square feet must have a concrete slab foundation.

Calculation: Impervious surface ratio.



Impervious surface means an area that releases, as runoff, all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways and parking lots are examples of surfaces that are typically impervious. Surfaces in the public right-of-way, such as a street, driveway apron or public sidewalk, are not counted in this calculation—only areas on your property.

Impervious surface ratio means the measure of intensity of land use, determined by dividing the total of all impervious surfaces on a site by the gross area of the site.

Required for new buildings of any kind, additions, porches, patios, driveways, and walks—anything

impervious to water.

MAXIMUM LOT COVERAGE: R1A 40%, R1B 50%, R1C 75%, R2 60%

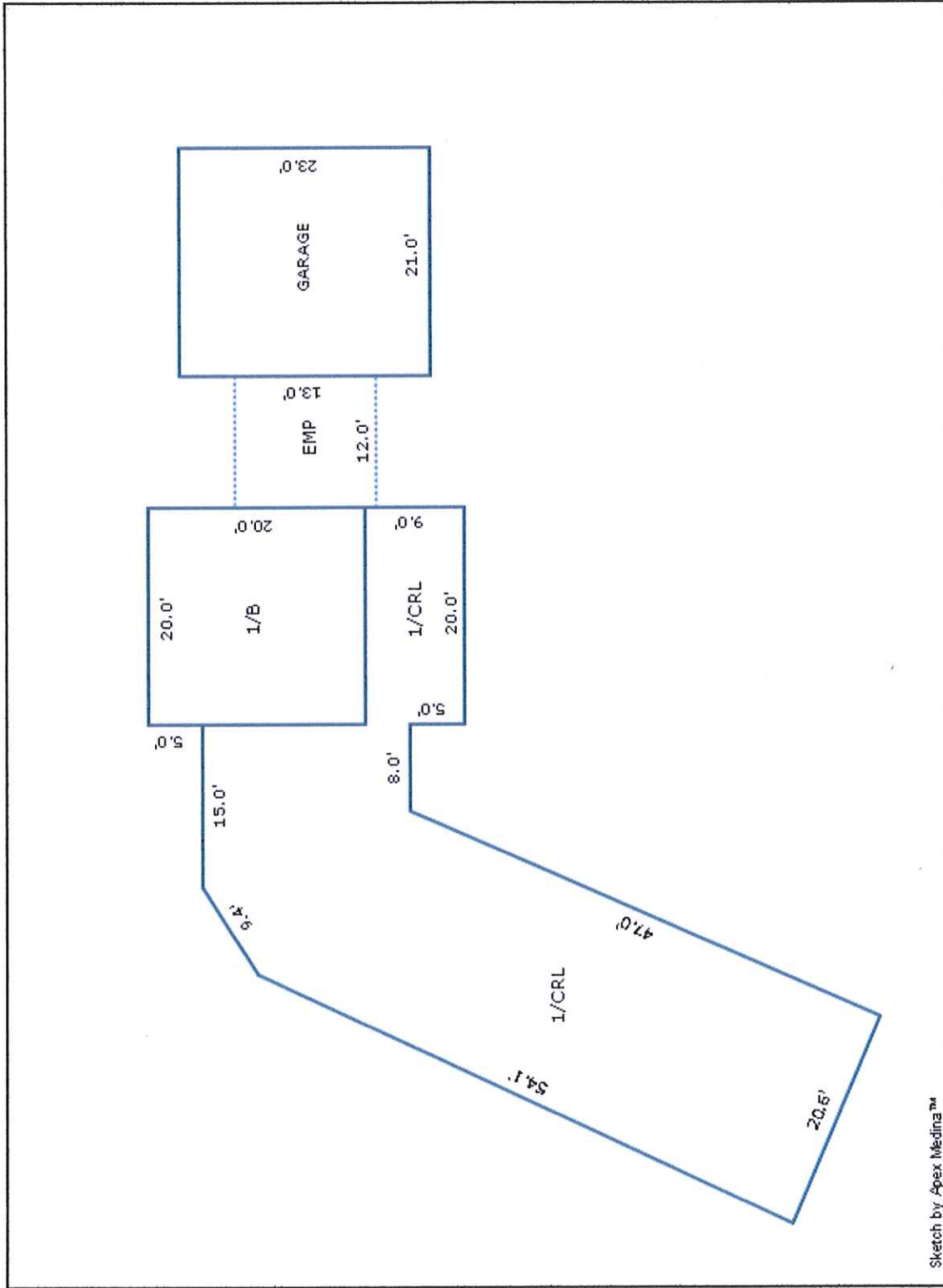
Component	Area (square feet)
1. House (including porches, patios, attached garage)	2156 Sq. ft
2. New Detached Garage	840 Sq. ft
3. Storage shed	Sq. ft
4. Driveway	2050 Sq. ft
5. Sidewalks (private)	350 Sq. ft
6. Total of all impervious surfaces on the site (sum of lines 1-5)	5,296 Sq. ft
7. Gross area of the site (lot area)	28,399 Sq. ft
Impervious surface ratio (line 6 ÷ line 7 X 100= %)	19 %

Example: If #6 is 4,000 and #7 is 10,000 the ratio would be $4,000 \div 10,000 \times 100 = 40 \%$

Of Attached Garages
Attached Garage SQFT

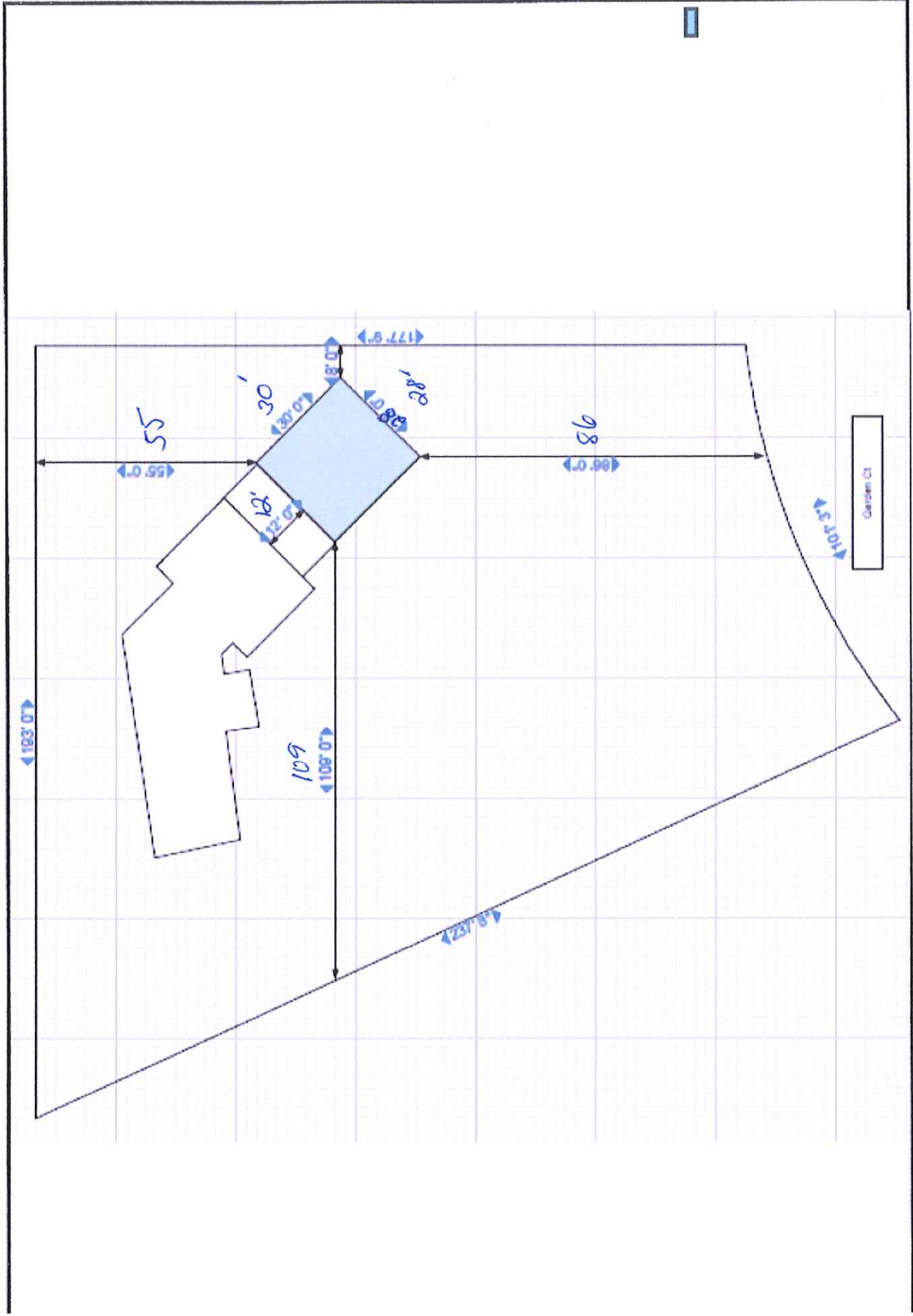
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Sketch by Apex Medina™

Rear Lot Line 193'



Front of Property Lot Line 101' 3

Address (Front of Property) 66 Garden Ct