

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: **August 26, 2019** Meeting Date: **September 16, 2019 at 7:00 pm**

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) 4100 N. Wedgewood Dr.	Parcel Number 31-6-5059-00
Zoning District R1A	Use of Property Residential

Applicant Information	
Owner Name Aniket Deodhar	Owner Address 4100 N. Wedgewood Dr. Appleton, WI 54913
Owner Phone Number 425-312-4360	Owner E Mail address (optional) <u>deodharaj@gmail.com</u>
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)- No fence shall be allowed in excess of three (3) feet in the front yard setback.
Brief Description of Proposed Project
The proposed fence will be six (6) feet tall on the front property line. Section 23-44(a)(1)(a) limits fences to three (3) feet in the front yard setback.

Owner's Signature (Required):  Date: 08/29/19

Recp 14323

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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:

My proposed plan is to install vinyl privacy fence along Evergreen Dr with about 10 feet setback from inner edge of the sidewalk so that my fence will be aligned with my neighbor's (4101 Windover Ct) existing privacy fence. I am also planning to install 4 ft high fence along the property line with my north side neighbor, 4108 Wedgewood Dr.

We recently bought this property and before moving to the house, we observed that several houses on Evergreen Dr (4101 Windover Ct, 402 Old Paltzer Ct, 4100 Foxcroft Ct and the list goes on...) have privacy fences with about 10 ft setback from the sidewalk. Hence, we had plans in mind to set up outdoor trampoline and a summer swimming pool for our kids with the assumption that we can construct similar privacy fence. Our kids are under 3 and 10 years of age and hence a privacy fence on Evergreen side is privacy as well as safety. With 20 ft setback rule as I have been told by Appleton city building inspector, I will not be able to make use of my yard for setting up any play equipment for the kids and end up making yard unsuitable for kid's playing purposes.

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

The proposed privacy fence would end at the east side wall of my property (refer attached google map with fence shown using red lines) Therefore, vehicles coming from Wedgewood Dr and turning toward Evergreen would not encounter in any blind spot scenario. Hence, I firmly believe that my proposed privacy fence aligning with my neighbor's is not going to endanger public safety. Also, based on my discussion, my either side neighbor does not have any objection to the proposed fence.

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

I am not sure on this question. My apology.

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

Our daughters are under 3 and 10 years of age and hence a privacy fence on busy Evergreen street side would serve for privacy as well as safety. With 20 ft setback rule as I have been told by Appleton city building inspector, I will not be able to make use of my yard for setting up any play equipment for the kids and end up making yard unsuitable for kid's playing purposes.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: October 1, 2019

RE: Variance Application for 4100 N. Wedgewood Dr. (31-6-5059-00)

Description of Proposal

The applicant is proposing to erect a fence that is six (6) feet tall in the front yard. Section 23-44(a)(1)(a) requires that fences in the required front yard may not exceed three (3) feet.

Impact on the Neighborhood

In the application, the applicant states that the proposed fence would not create a vision obstruction and the neighbors do not object.

Unique Condition

In the application, the applicant states that he is not sure on the question.

Hardship

In the application, the applicant states that the proposed fence would serve as privacy and safety for his daughters. In addition, he states that if the twenty (20) foot setback was complied with, he could not make full use of his property for the kids play equipment.

Staff Analysis

This lot is 13,750 sq. ft. The minimum size lot allowed in the R1A zoning district is 8,000 sq. ft.

The applicant refers to three properties that also have fences over three feet in the front yard in his neighborhood:

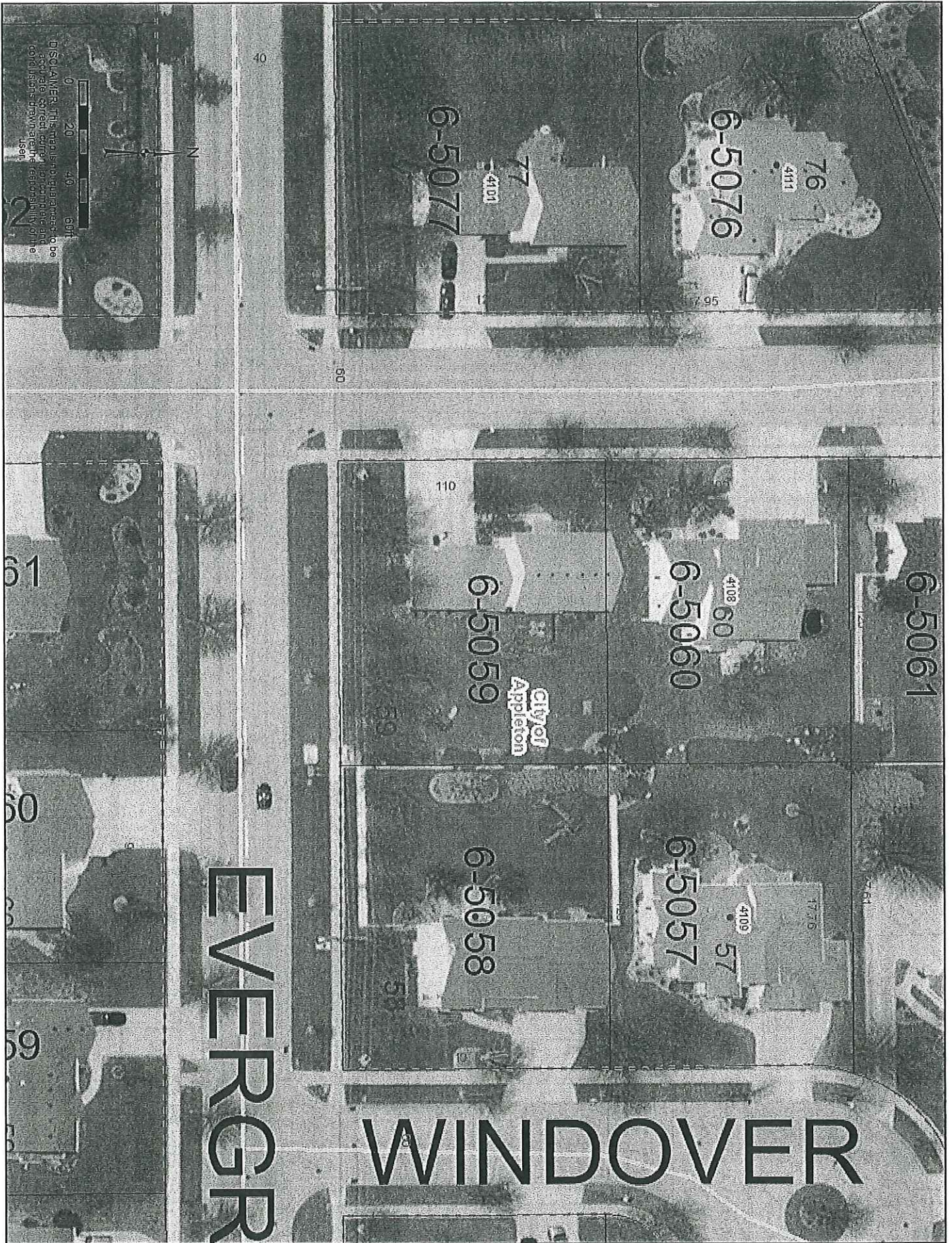
4101 Windodover Ct.- No permit for fence on record.

402 Old Paltzer Ct. Permit B98-0407 issued for a fence in 1998.

4100 Foxcroft Ct.- Permit B01-0452 issued for a fence in 2001.

The reason these permits were issued is that the Zoning Ordinance at that time included an exemption for corner lots.

The hardship stated in the application by the applicant made reference to the individual needs for the use of the property, rather than any dimensional limitation of the property. Variances should not be granted based on personal preference of the current occupant. Also, the applicant has an alternative to erect a compliance fence and may still use the property for its intended use.



6-5076

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4111

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77
4101

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4108
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6-5059

City of
Appleton

110

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6-5057

4109
57

6-5058

17.76

27.61

EVERGR

WINDOVER



DISCLAIMER: This map is not guaranteed to be accurate and the user assumes all responsibility for its use.