

Return to: Department of Public Works
 Inspection Division
 100 North Appleton Street
 Appleton, Wisconsin 54911
 (920) 832-6411

City of Appleton Application for Variance

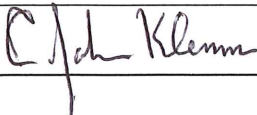
Application Deadline June 26, 2023 Meeting Date July 17, 2023 7PM

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) 2226 W. Cherokee Dr.	Parcel Number 31-3-3652-00
Zoning District R1B	Use of Property <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial

Applicant Information	
Owner Name Carl Klemm	Owner Address 2226 W. Cherokee Dr Appleton, WI 54914
Owner Phone Number 920-739-2471	Owner E Mail address (optional) cjklemm@new.rr.com
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-44(a)(1)(a) Fence height is limited to three (3) feet in the required front yard.
Brief Description of Proposed Project Existing fence in the front yard that is six (6) feet tall is in disrepair. The owner would like to replace the fence. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the required front yard.

Owner's Signature (Required):  Date: June 24, 2023
RCP # 005270-0005

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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 rest 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 proposing that we replace the existing fence as it has reached the end of its life. The posts within the fence have or are rotting away. Last Winter (2022-2023) about 25 feet of the fence fell over into the neighbors yard. My wife and I were able to stand the fence up again and it is now held steady by steel snow fence posts.

We are requesting a variance because a end of the fence is within what is considered to be the front of our property. This limits the height of the fence to 3 feet. The existing fence is 5 feet. As the fence is being replace the variance would allow a similar height for the replacement fence.

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

This variance would not have any adverse impact on the properties surrounding it. The existing fence has been in place for over 22 years without any known complaints or discussion.

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

Over 20 years ago we constructed a patio in front of the fence and behind a raised berm. The lost of the fence height would allow our neighbors a view into the patio area and in turn a lost of our privacy.

The patio was constructed in what is considered our front yard is because of the shape of our lot. It is a corner lot but it is not a rectangular lot, it is triangular shaped. The backyard is small. Where the patio is constructed is about the same size as the backyard but it has much better shade. The backyard has little or no shade.

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

The lost of the fence would also be a lost of our privacy in the use of our patio.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: July 3, 2023

RE: Variance Application for 2226 W. Cherokee Dr. (31-3-3652-00)

Description of Proposal

The applicant proposes to construct a six (6) foot fence in the required front yard up to the lot line. The proposed fence would replace an existing fence at 1820 S. Mohawk Dr. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the required front yard.

Impact on the Neighborhood

In the application, the applicant states that the proposed fence would not impact any neighboring properties and a similar fence stood at 1820 S. Mohawk Dr. for 22 years and no one complained.

Unique Condition

In the application, the applicant stated that their lot is not rectangular, but a triangle in shape. The applicant also stated that the patio they constructed would be impacted by a smaller fence due to the lack of privacy and if they moved the patio it would not be in the shade.

Hardship

In the application, the applicant stated that if the variance is not granted, they would lose privacy.

Staff Analysis

The parcel is 12,003 sq. ft. The minimum size parcel permitted in the R1B zoning district is 6,000 sq. ft.

The applicant's preference for privacy is not a hardship.

The parcel is uniquely shaped because the front property line is angled.

The property at 1820 S. Mohawk Dr. was granted a variance for a six (6) foot fence along this same property line in 1994. The reason for the variance was because of the unique shape of the parcel.

SUBDIVISION, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

AREA LOT 1, BLOCK 3

12,004 SQ. FT. ±

CLIENT:

C. JOHN KLEMM
2226 W. CHEROKEE DR.
APPLETON, WI 54914

LOT

19

LOT
2

LOT

20

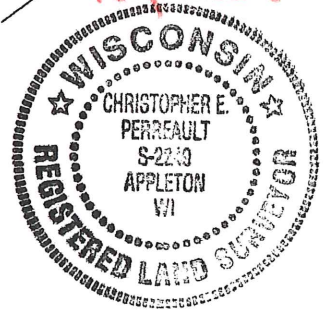
LOT

21

6" WOOD FENCE

Removed
9-2001

Existing
Fence to be
Replaced



LEGEND

- ⊙ = 1"x24" ROUND IRON PIPE SET WEIGHING 1.13 LBS. PER LIN. FT. SET
- ⊙ = 1" ROUND IRON PIPE FOUND
- ⊙ = 2" ROUND IRON PIPE FOUND

Fence 2226 W Cherokee Dr 1

Site Plan

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AS SHOWN ACCORDING TO THE OFFICIAL RECORDS AND THAT THIS PLAT OF SURVEY IS A CORRECT REPRESENTATION OF SAID SURVEY

Christopher E. Perreault 9-17-01
CHRISTOPHER E. PERREAULT RLS 2249 DATE



CAROW LAND SURVEYING CO., INC.

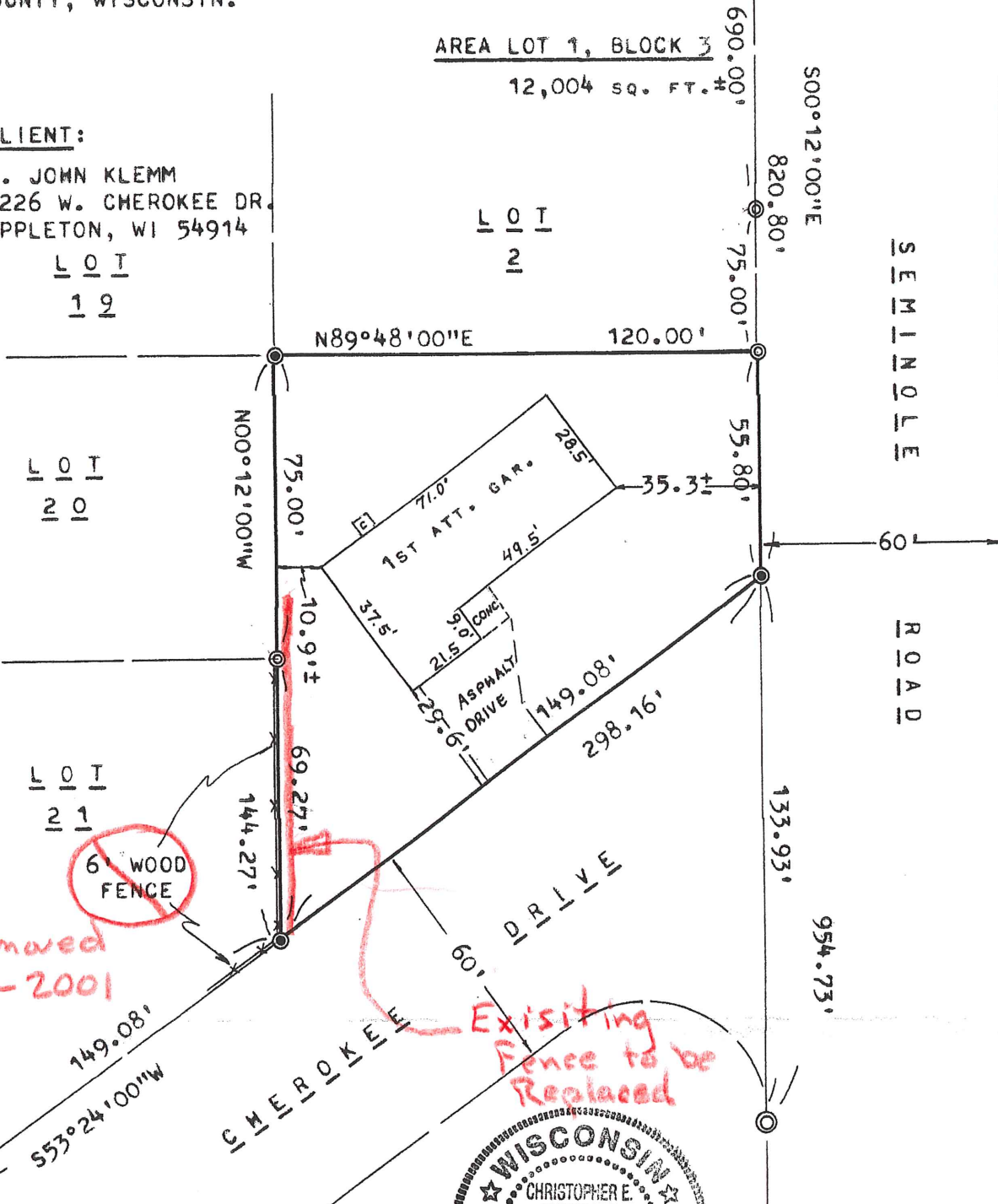
1007 W. WISCONSIN AVE. P.O. BOX 1007

SCALE

1" = 40'

DRAWN BY

CP





Building Information

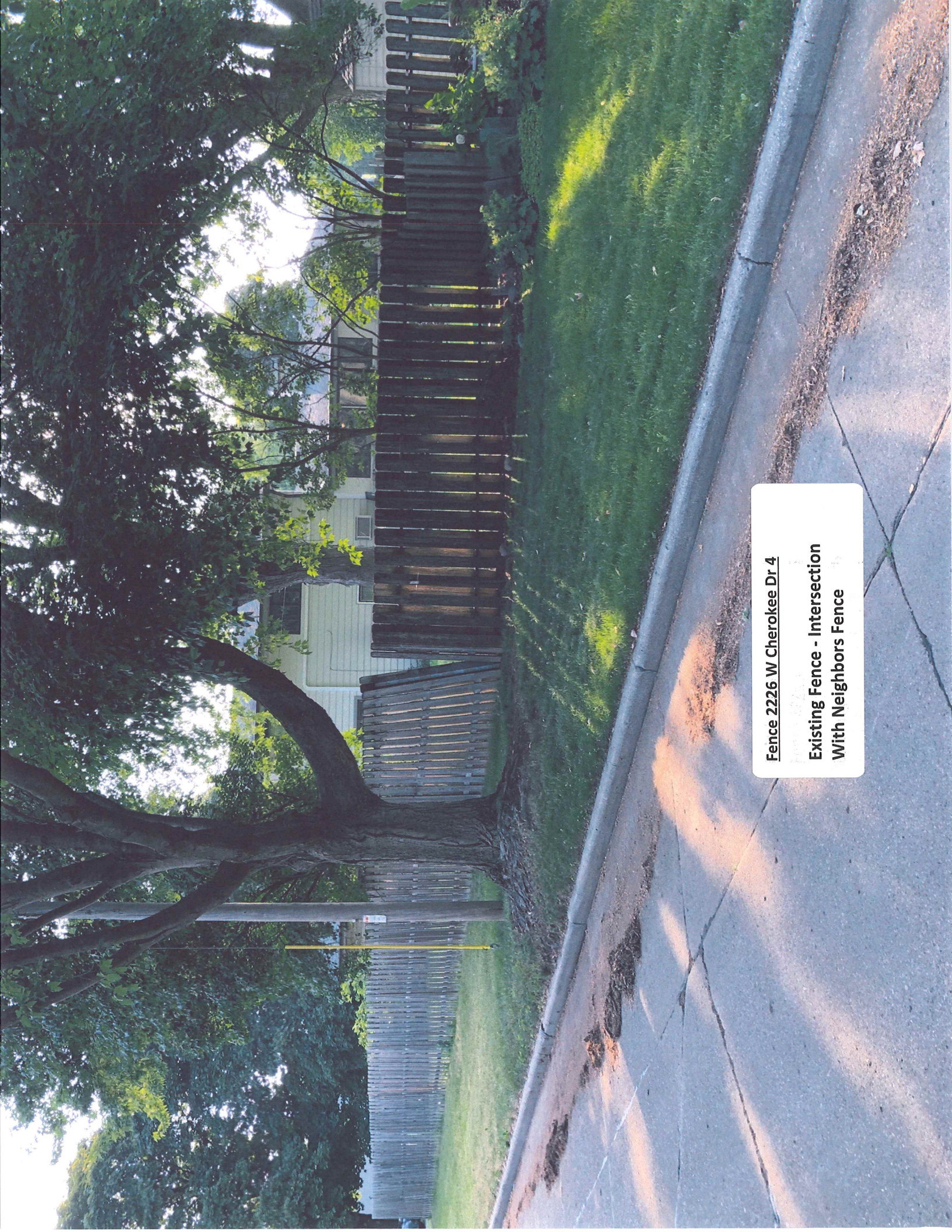
- Living Units: 1
- Year Built: 1962
- Number of Stories: 1
- Total Living Area: 1694.00
- 1st Floor Living Area*: 1694.00
- Number of Rooms: 7
- Number of Bedrooms: 3
- Number of Full Baths: 1
- Number of Half-Baths: 1
- Fireplaces: 1
- Basement: F

*Total Living Area does not include area below grade which is available in most cases

Fence 2226 W Cherokee Dr 2
 Location Map

Fence 2226 W Cherokee Dr 3
Existing Fence - Full Length





Fence 2226 W Cherokee Dr 4

**Existing Fence - Intersection
With Neighbors Fence**



Fence 2226 W Cherokee Dr 5

Owners Residence