

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 April 24, 2023 Meeting Date May 15, 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) 1619 E PAULINE ST	Parcel Number 31-1-2375-00
Zoning District C2	Use of Property Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/>

Applicant Information	
Owner Name JO ANN FIDIKA	Owner Address 1619 E PAULINE ST APPLETON WI 54911
Owner Phone Number 920-574-0471	Owner E Mail address (optional) zorrofid@gmail.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 may not exceed six (6) feet.
Brief Description of Proposed Project Proposed project is to maintain a fence that extend to seven (7) feet in height. Section 23-44(a)(1)(a) of the zoning ordinance limits fence height to six (6) feet in height.

Owner's Signature (Required): *Joann K Fidika* Date: 4-24-23

Recp 4964 -0006

The complaint was Nuisance related because Luke Chandava's got 2 citations for \$300 + \$700 and

I got a restraining order on him. The one foot lattice keeps him away from me - he's crazy, pouring all the mouth

Please protect me with this variance

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The neighbor shoots gravel over the fence, pelting my siding.

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.

Never in 34 years was a complaint being there 20 years

I was never aware it was problem

1. Explain your proposed plans and why you are requesting a variance:

You say I'm on city property by 1 1/2 feet. 2 fence companies put the fence there for 34 years without a problem

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

Wont affect anyone - its been there 34 years + gives the neighborhood a nice appearance. It even gives more VALUE

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

Neighbor's house is too close - he can look right into my kitchen & dining room. Neighbor threatens me and has ripped off boards of 6' fence. Then he tried to pound them back on. The one foot of lattice protects my privacy

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

The six foot fence with 1 foot of lattice protects my privacy - keeps him from shooting gravel pelting my siding. He has threatened my life with a power drill in my face! There have been 8 police reports in the past 6 months all of my fence whether 3 foot or 7 foot (1 foot of lattice) and it should keep him on his side of fence Plus it would ruin the beauty of both properties and other neighbors like this fence as it is. Please don't just follow the letter of the law - please give me an exception

The fence protects my safety from a nuisance

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: April 26, 2023

RE: Variance Application for 1619 E. Pauline St. (31-1-2375-00)

Description of Proposal

The applicant proposes to maintain a fence that is seven (7) feet tall. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to six (6) feet.

Impact on the Neighborhood

In the application, the applicant states that the fence won't affect anyone, it has been there for thirty-four (34) years and gives the neighborhood a nice appearance and value.

Unique Condition

In the application, the applicant states that the neighbor's house is too close and the tenant can look right in her kitchen and dining room. The applicant states that the one (1) foot of lattice protects her privacy.

Hardship

In the application, the applicant states that her neighbor is harassing her and threatening her and that the fence protects her safety and privacy.

Staff Analysis

The applicant has not identified any aspect of the property or dimensional limitations of the property that constitutes a hardship. The relationship between neighbors or actions of individuals should not be considered a hardship. The applicant has not met the review criteria for a variance.