

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 November 27, 2023 Meeting Date December 18, 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 | |
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| Address of Property (Variance Requested) 611 Clara St. | Parcel Number 31-4-5336-00 |
| Zoning District R1B | Use of Property <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial |
| Applicant Information | |
| Owner Name NATHAN STOFFEL <i>Julie Stoffel</i> | Owner Address 611 S CLARA ST APPLETON WI 54915 |
| Owner Phone Number 920-428-1136 <i>920-428-1875</i> | Owner E Mail address (optional) Nstoffel79@new.rr.com |
| Agent Name JASON BUCKOSKI | Agent Address W6493 CHERRYBARK CIR. MENASHA, WI 54952-8113 |
| Agent Phone Number 920-540-2868 | Agent E Mail address (optional) jluckoski@gmail.com |
| Variance Information | |
| Section 23-43(f)(1)(a)- Accessory Building Setback | |
| Brief Description of Proposed Project Construct a garage that is 48" from the principal building. Section 23-43(f)(1)(a) of the Zoning Ordinance requires accessory buildings to maintain a five (5) foot separation from a principal building. | |

Owner's Signature (Required):

Julie A. Stoffel

Date: *11/17/23*

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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 requesting an exemption of zoning code standards. Our detached garage would be 48" from the home versus 60". The garage will be fire rated just as an attached garage zoning would be.

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

There is no impact on our neighbors or surrounding properties.

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

There is no special condition, we have a normal lot size.

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

Our Contractor applied for a building permit to rebuild our garage which included the plans. The permit was signed and granted with no additional limitations, notes, or checklists for inspections. Our Contractor proceeded with the plans as they were granted by the City of Appleton. Upon completion of the rough in the City of Appleton Inspector was called for an inspection prior to proceeding and we were then notified that the garage was 12" to close to our home. I would like to note again that we are fire rating the entire garage as we had planned prior to this build which meets the code for an attached garage. Our Contractor nor us meant for this to happen as based on the approval we had thought we were following the proper standards by the City.

Not granting the variance would cause great distress financially and put strain on our property as we would have to tear down the entire garage and rebuild, not to mention the project has already been delayed due to the oversight by the City of Appleton on the approved plans.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor

Date: December 4, 2023

RE: Variance Application for 611 S. Clara St. (31-4-5336-00)

Description of Proposal

The applicant proposes to construct an accessory building that is four (4) feet from the principal building. Section 23-43(f)(1)(a) of the Zoning Ordinance requires a five (5) foot separation from the principal building.

Impact on the Neighborhood

In the application, the applicant states that the construction of the garage will have no impact on the neighborhood.

Unique Condition

In the application, the applicant states that there are no special conditions to this parcel, and it is a normal size lot.

Hardship

In the application, the applicant states that the contractor submitted a plan to the Inspections Division and that the plan was approved, and a permit was issued. The applicant also states that if this variance is not granted, there would be great distress financially on the family because the newly built building would need to be torn down. The applicant also stated that the project has been delayed because of the City's oversight on the plans.

Staff Analysis

This lot is 8,140 sq ft (74x110). The minimum sized lot allowed in the R1B zoning district is 6,000 sq ft. This is not a small or uniquely shaped lot.

The owner's contractor, J Buck Construction, was issued a permit on 9/11/2023. On the application form a distance of forty three (43) feet entered in the field "Distance from main building". The site plan that was submitted was handwritten and not to scale. The plan shows the garage close to the house, but no indication of the distance from the principal building.

The first inspection, (a rough-in inspection), was called in by the contractor on November 14, 2023. It was at that inspection the inspector noticed that the garage was built too close to the house. No stake out inspection was called in by the contractor, which is normal procedure.

The inside of the garage will have two layers of 5/8" drywall, which provides a one hour rating for the garage. This is required by the Uniform Building Code (UDC). With this one hour rating, the garage could be built closer or connected to the building.

