

Public Works

Return to: Department of

Inspection Division

100 North Appleton

Street

Appleton, Wisconsin 54911

(920) 832-6411

### City of Appleton Application for Variance

November 27, 2023	Meeting Date	December 18, 2023 7PM
-------------------	--------------	--------------------------

Application Deadline

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) 618 W. SEYMOUR ST.	Parcel Number 31-4-0932-19
Zoning District <b>R1B</b>	Use of Property <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial
Applicant Information	
Owner Name ERIN BASTMAN	Owner Address 618 W SEYOUR ST APPLETON, WI 54915
Owner Phone Number <b>303-928-9141</b>	Owner E Mail address (optional) <a href="mailto:erin.bastman@gmail.com">erin.bastman@gmail.com</a>
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)
Variance Information	
Section 23-44(a)(1)(a)- Boundry fences in the required front yard may not be taller than three (3) feet.	
Brief Description of Proposed Project Erect a six (6) foot fence that is thirteen (13) feet from the <del>front</del> <sup>rear</sup> property line. Section 23-44(a)(1)(a) of the Zoning Ordinance requires a twenty (20) foot setback for fences	

Recp 5888-0007

**Owner's Signature (Required):**

 **Date:** 11/30/23

Public Works

Return to: Department of

Inspection Division

100 North Appleton

Street

Appleton, Wisconsin

54911

(920) 832-6411

### 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:

To erect a six foot fence that is 13 feet from my rear lot line off Riverview lane parallel ~~to~~ with my neighbor's garage to the north.

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

There would be no adverse impact on the surrounding properties. The fence would not obstruct their view when backing out of their respective driveways.

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

My home is on an interior lot with two front yards which is something I can not control.

4. Describe the hardship that would result if your variance

## Kurt Craanen

---

**From:** Erin Bastman <erin.bastman@gmail.com>  
**Sent:** Sunday, December 3, 2023 10:00 PM  
**To:** Kurt Craanen  
**Subject:** Questionnaire and photos  
**Attachments:** 20231201\_134406.jpg; 20231201\_134321.jpg; 13555.jpeg; 20231201\_134932.jpg; 20231201\_134644.jpg

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Kurt,

Thank you for taking the time to explain everything to me. Here is my answer for question four.

I am requesting this variance due to the fact that my home is located on an interior lot with roads in both the front of and back of my home. The hardship this creates for me is the scenario of "two front yards" which means fencing in my backyard results in a substantial loss of green space I am able to fence in in order to comply with the 20 foot setback requirement on Riverview lane, which functions more like an alley.

Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.

## CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor

Date: December 5, 2023

RE: Variance Application for 618 W. Seymour St. (31-4-0932-19)

### Description of Proposal

The applicant proposes to erect a six (6) foot fence, thirteen (13) feet from the front property line. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet within the twenty (20) foot front yard setback.

### Impact on the Neighborhood

In the application, the applicant stated that the proposed fence would not obstruct vision from any of the neighboring properties.

### Unique Condition

In the application, the applicant stated that her home is on an interior lot with two front yards which is something she cannot control.

### Hardship

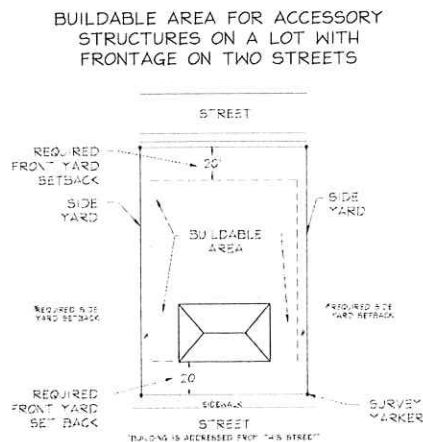
In the application, the applicant stated that her hardship is that she has two front yards, which means fencing in her back yard results in a substantial loss of green space. The applicant also states that Riverview Lane functions more like an alley than a street.

### Staff Analysis

This parcel is 7,200 sq. ft. The minimum size of a lot in the R1B district is 6,000 sq. ft. This is a normal size lot.

Section 23-50(d)(f)(4) of the Municipal Code provides and exemption for double frontage lots:

(4) Where a lot is a double frontage lot, any detached accessory structure may be permitted in the yard opposite the front yard from which the principal structure is addressed. Furthermore, the accessory structure shall meet the front yard and side yard setback requirement of the principal structure.



| The Zoning Ordinance establishes that there is a twenty (20) foot setback for both front yards, on double frontage lots. The applicant pointed out that Riverview Lane acts more like an alley and there are the fences and hedgerows near her property. The existence of violations at other properties does not mean a variance should be given in this case.

| The owner has an alternative to erect a code ~~compliance~~ compliant fence that meets the setback requirements.

