

Paula Vandehey

From: Kurt Craanen
Sent: Friday, September 05, 2014 4:27 PM
To: Paula Vandehey
Subject: 1235 W. Glendale Ave.

Paula:

I have been corresponding with the daughter of the owner of 1335 W. Glendale Ave.

When they had a contractor come to pave there front yard, they were told by the contractor that they did not need a permit.

I e mailed them the code section and asked them to request a variance. Below is the request.

Can you get this on the Municipal Services agenda?

From: ChOnG VuEsTa [<mailto:chong2007@hotmail.com>]
Sent: Friday, September 05, 2014 4:25 PM
To: Kurt Craanen
Subject: RE: Front yard parking/drives

I am writing to you on behalf of my father, Thao Vue. He does not speak fluent English and would like to request a variance for his driveway extension of 15'2"x26'3"

Thank you,

Chong Vue

From: Kurt.Craanen@Appleton.org
To: chong2007@hotmail.com
CC: Paula.Vandehey@Appleton.org
Subject: Front yard parking/drives
Date: Fri, 5 Sep 2014 21:01:49 +0000

Chong:

Attached is Section 19-91 of the City Code. Subsection f details the standards for extending an existing driveway.

Subsection g states that appeals can be submitted to me and heard by the Municipal Services Committee.

If you wish, e mail me back stating that you would like to request a variance and provide how many feet you actually extended your driveway.

You will then be placed on the agenda for Municipal Services Committee.



Sec. 19-91. Parking in front and side yard in residential district; parking on terraces.

(a) *Purpose.* The purpose of this section is to clearly define acceptable areas for parking vehicles within the front yard or side yard, as defined in Chapter 23, of private properties in order to address off-street parking issues and maintain the acceptable appearance of City neighborhoods.

(b) *Residential driveway.* Residential driveway means that area leading directly from the street to a garage, carport, or rear yard parking area.

(c) *Front yard.* No person shall park or store any motor vehicle, or recreational vehicle of 26 feet or less, i.e., a "camping trailer", "fifth-wheel trailer", "motor home" or "recreational vehicle" as those terms are defined by §340.01, Stats., as well as boat trailers and boats, utilities trailers, trailered snowmobiles, trailered jet-ski(s) or fishing shanties in the front yard of any residential district except upon a residential driveway and shall be subject to temporary recreational vehicle parking restrictions set forth in §19-92. No recreational vehicle or boat greater than 26 feet in length may be parked or stored in the front yard of any residential district. Any vehicle parked in the front yard, shall be parked within the driveway area in such a manner as to maintain all wheels on the driveway surface, and shall neither obstruct the sidewalk nor extend onto the driveway apron. All driveways on one- (1-) and two- (2-) family residential properties, as well as those properties with three (3) dwelling units, shall be paved with concrete, asphalt, brick or a similar hard surface within one (1) year of construction. Those existing driveways on one- (1-) and two- (2-) family properties, as well as those properties with three (3) dwelling units, that are not currently paved with such materials shall be so paved prior to the sale of the property or, within six (6) months after the property is sold.

(d) *Side yard.* No person shall park or store any motor vehicle, "camping trailer", "fifth-wheel trailer", "motor home" or "recreational vehicle" as those terms are defined by §340.01, Stats., as well as boat trailers and trailered boats, pick-up camper tops, utilities trailers, trailered snowmobiles, trailered jet-ski(s) or fishing shanties in the side yard of any residential district unless the side yard parking area is no greater than twelve (12) feet wide and extends no farther than the rear plane of the principal structure on the property. Side yard parking areas are required to be hard surfaced and subject to the requirements of this section, including the requirement for a permit for the installation of said hard surface.

(e) *Permits.* The Inspections Supervisor shall issue a driveway extension permit or a side yard parking pad permit upon the filing of a proper application, which shall be on a form furnished by the Director and shall describe the nature of the work, material to be used, measurements, plans and/or specifications of the proposed extension as well as such other information as may be required for inspection. Permits shall be issued prior to the start of the work. Fees for this permit shall be kept on file with the City Clerk.

(f) Extensions to the driveway surface, beyond the area previously described in section (d), are permissible provided all of the following apply:

- (1) The property owner has obtained appropriate driveway extension permit; and,
- (2) Both the extension and driveway are paved as provided in sec. (d) above; and,
- (3) The extension is no greater than twelve (12) feet wide; and,
- (4) The paved area is no longer than the length of the driveway, extending from the edge of the City's right-of-way to a carport, rear yard parking area or garage. For the purpose of creating a parking pad, the paved area may extend along the side of the principal structure on the property and may extend to the rear plane of said structure; and,
- (5) Whenever practicable, the extension shall be located on the side of the driveway such that it extends toward the nearest side lot line. When such a configuration is not possible, the property owner may install an extension no greater than four (4) feet into the greater front yard. Any extension into the greater front yard of the property that is more than four (4) feet wide shall require approval from the Municipal Services Committee.

(6) This section shall not apply toward paved circular driveways.

(7) The paved area shall meet any other requirements of the Municipal Code including, but not limited to, zoning requirements and the Driveway Installation Policy.

(g) Appeals to the requirements of this section shall be filed with the Inspections Supervisor and heard by the Municipal Services Committee. In hearing and deciding appeals, the Committee shall have the power to grant relief from the terms of this section only where there are unusual and practical difficulties or undue hardships due to an irregular shape of the lot, topographical, or other conditions present, as contrasted with merely granting an advantage or convenience. Decisions of the Committee shall be consistent with the purpose and intent of this section.

(h) Relief granted by the Municipal Services Committee, pursuant to (g) above, unless granted for reasons of financial hardship, shall run with the land until the property is sold, except in the case where the property is sold within a five- (5-) year period from the granting of said relief. In that case, the relief shall terminate when five (5) years has elapsed from the approval of said decision by the Common Council. If said relief terminates pursuant to this section, the new owners must either (1) comply with the provisions of this chapter or (2) file a new request for relief with the Inspections Supervisor.

(i) Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in §1-16 of the Municipal Code.

(Code 1965, §10.04(2); Ord 179-02, §1, 8-27-02, Ord 16-05, §1, 2-22-05; Ord 126-06, §1, 10-10-06; Ord 156-10, §1, 10-26-10; Ord 157-10, §1, 10-26-10; Ord 159-10, §1, 11-9-10, Ord 144-11, §1, 6-7-11)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.