

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 October 25, 2021 Meeting Date November 15, 2021 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) 1016 E PACIFIC ST	Parcel Number 31-1-0843-00
Zoning District C2	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial

Applicant Information	
Owner Name SNP ENTERPRISES LLC	Owner Address 920 HYLAND AVE APPLETON, WI 54130
Owner Phone Number 920-759-9870	Owner E Mail address (optional)
Agent Name Adam Marty	Agent Address 429 E Roosevelt St, Appleton, WI, 54911
Agent Phone Number 920-840-0180	Agent E Mail address (optional) Adam.J.Marty@gmail.com

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-172(m) Minimum required off street parking spaces for restaurant use.
Brief Description of Proposed Project Use the property for a restaurant use with an occupancy of thirty (30) and provide no off-street parking. Section 23-172(m) of the zoning ordinance requires one (1) space for every three (3) people allowed per maximum capacity or, in this case, ten (10) off street parking spaces.

Owner's Signature (Required)  Date: \_\_\_\_\_

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- 1) The Plan, if approved, is to open a restaurant that is community based. The building that I plan to put the restaurant in, has zero opportunity for a parking lot and currently allows for zero off street parking.
- 2) The Variance would not have an adverse impact on surrounding properties because of the amount of on street spots needed. The other businesses in the area i.e., moon water café, have no off-street parking and it does not affect Jacobs or surrounding properties. Also, the restaurant will be open for public business 3-4 days a week thus eliminating the parking needed half the time.
- 3) The commercial building is built in the middle of a community, when it was built there were no parking areas available to build. Currently there are other property owners that occupy any space where off street parking could be accommodated
- 4) Test 1: There are no parking spots currently dedicated to the building. I have not done any modification to the property. I would not be able to operate without some (10), non-designated parking spots.  
Test 2: There is no available property to expand into to create off-street parking.  
Test 3: This business will not hinder public interest; it will allow community members to have a place to dine with their neighbors and promote the neighborhood itself to prosper.



CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: November 10, 2021

RE: Variance Application for 1016 E. Pacific St. (31-1-0843-00)

**Description of Proposal**

The applicant proposes to use the property for a restaurant with an occupancy of thirty (30) and provide no off-street parking. Section 23-172(m) of the zoning ordinance requires one (1) space for every three (3) people allowed per maximum capacity or, in this case, ten (10) off street parking spaces.

**Impact on the Neighborhood**

In the application, the applicant states other businesses in the area do not provide parking and there is no adverse impact on the neighborhood. Also, the business will only be open 3-4 days a week.

**Unique Condition**

In the application, the applicant states that this building was built in the middle of a residential neighborhood and there are no adjacent properties that are available to be used for parking.

**Hardship**

In the application, the applicant states that: 1) without this variance he would not be able to operate a business, 2) there is not available property to expand into to create off-street parking and 3) it will allow community members to have a place to dine with their neighbors and promote the neighborhood itself to prosper.

**Staff Analysis**

This parcel is 1,500 sq ft. The minimum size lot permitted in the C2 zoning district is 14,000 sq. ft. This lot is a nonconforming lot of record and exceptionally small.

There is no alternative to provide parking on this property.

A variance was granted by the Board on August 20, 2017, to allow a photography studio at this location without off-street parking.

The applicant has met the review criteria for a variance because there are no alternatives and the lot is exceptionally unique and small.