

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: **September 30, 2019** Meeting Date: **October 21, 2019 at 7:00 pm**

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 non-refundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) <b>306 W. Washington St.</b>	Parcel Number <b>31-2-0428-00</b>
Zoning District <b>CBD</b>	Use of Property <b>Commercial</b>

Applicant Information	
Owner Name <b>Crescent Lofts- Appleton LLC</b>	Owner Address <b>230 Ohio Street Oshkosh, WI 54902</b>
Owner Phone Number <b>920-303-9404</b>	Owner E Mail address (optional) <b>andy@alliancedevelopment.biz</b>
Agent Name <b>Jonathan Brinkley</b>	Agent Address <b>100 Camelot Drive Fond du Lac, WI 54935</b>
Agent Phone Number <b>920-322-1708</b>	Agent E Mail address (optional) <b>Jonathan.b@ExcelEngineer.com</b>

Variance Information
<b>Municipal Code Section(s) Project Does not Comply</b> Section 23-43(f)(2)(a)- Refuse containers are required to be setback five (5) feet from side lot line.
<b>Brief Description of Proposed Project</b> The proposed plan is to locate refuse containers in the parking lot south of the building ten feet (10') from the property line and even with the west building line (outside of the front yard) but less than five feet (5') from the side lot line which is contrary to Section 23-43(f)(2)(a) of the Zoning Ordinance.

Owner's Signature (Required): Cal Schly Date: 09/26/2019

Recp 14469

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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 rests 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:

*The proposal includes adaptive reuse and expansion of an existing office building for multi-family residential apartments. In response to City staff comments received after the initial City submittal, the proposed dumpster enclosure has been shifted east to be outside of the front yard associated with the public right-of-way known as "Adkins Alley". Because this location is less than five feet (5') from the side (south) lot line, a variance is being requested to allow the enclosure (an accessory structure) to be located less than five feet (5') to the side lot line. The variance will allow the placement of the enclosure to occupy existing parking stalls in a location that allows for efficient access for the service truck without being so close to the building as to create sanitary concerns regarding smell or fire-protection concerns should the refuse start on fire.*

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

*Granting of the variance will allow the placement of the dumpsters and enclosure in the existing parking lot in an area that can be described as the "service area" of both the subject property and the adjacent property to the west as it is in proximity to the proposed electrical transformer (at the end of the alley) and the dumpster and shipping/receiving area of the appliance store to the west as evidenced by the attached photo and aerial photograph.*

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

*The only other building on the block is the appliance store to the west; the main entrance for this use is on the street side of the building. A majority of the residential entrance points into the Crescent Lofts development are on the south side of the proposed addition and the west side of the existing building; in addition to providing efficient access for the service truck, the enclosure location was chosen because it is*

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*remote from the points of building access thereby limiting the potential for odors, flies, and other undesirable effects resulting from the storage of refuse materials.*

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

*The dumpster enclosure, if located on the interior (building side) of the drive aisle of this small and compact site, would result in a challenging sanitary condition with multiple dwelling units within the existing repurposed building facing directly at the trash enclosure. One of the challenges when adapting old buildings for new purposes is that dwelling units often end up on interior sides of the building. In this case, to preserve the front doors and windows of multiple dwelling units from the smell of trash, we ask that the dumpster enclosure be allowed to be in what is a very appropriate place on the site rather than directly outside of dwelling units.*



CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: October 2, 2019

RE: Variance Application for 306 W. Washington St (31-2-0428-00 & 31-2-0425-00)

**Description of Proposal**

The applicant is proposing to locate a dumpster enclosure one (1) foot from the side lot line. Section 23-43(f)(2)(a) of the Zoning Ordinance requires dumpsters to be at least five (5) feet from the side lot line.

**Impact on the Neighborhood**

In the application, the applicant states that if the variance is granted to place the dumpster in the "service area" it will be in close proximity to the dumpster and shipping area of the neighboring property.

**Unique Condition**

In the application, the applicant states that the only other building on the block is the appliance store to the west. In addition, a majority of the residential entrance points to this development are on the south side of the proposed addition.

**Hardship**

In the application, the applicant states that if the variance is not granted the dumpster enclosure would need to be located closer to the dwelling units, resulting in challenging sanitary conditions.

**Staff Analysis**

This property will be 71,614.56 sq. ft. when lots are combined. The minimum size lot in the CBD zoning district is 2,400 sq. ft.

The stated hardship of the applicant is that if the variance were not granted, the dumpster enclosure would need to be relocated to be closer to the dwelling units. Although, not desirable, that is an alternative.

In addition, this property is zoned CBD. No parking spaces are required in this district. If the proposed parking stalls were adjusted or eliminated, room could be made to accommodate a compliant location.

**PROJECT INFORMATION**

**SITE INFORMATION:**

PROPERTY AREA: AREA = 71,823 S.F. (1.64 ACRES).  
 EXISTING ZONING: CENTRAL BUSINESS DISTRICT (CBD)  
 PROPOSED ZONING: CENTRAL BUSINESS DISTRICT (CBD)  
 EXISTING USE: VACANT OFFICE/PUBLISHING FACILITY WITH PAVED PARKING  
 PROPOSED USE: MULTI-FAMILY RESIDENTIAL APARTMENTS: EXISTING BUILDING RENOVATION ALONG WITH NEW 4 STORY ADDITION TO THE EXISTING BUILDING.  
 DWELLING UNITS: 69 TOTAL (AVG 42.07 UNITS PER ACRE)  
 GROSS FLOOR AREA: 134,154 SF (EXISTING+NEW ADDITION)

AREA OF SITE DISTURBANCE: 42,850 SF (0.98 AC)  
 SETBACKS: NO MINIMUM BUILDING OR PAVEMENT SETBACKS IN CBD  
 PROPOSED BUILDING HEIGHT= 49 FT (MAX. HEIGHT ALLOWED= 200 FT)  
 PARKING REQUIRED: NO OFF-STREET PARKING REQUIREMENTS IN CBD  
 PARKING PROVIDED: 136 SPACES TOTAL ONSITE (EXTERIOR+UNDERGROUND)  
 \*ADDITIONAL OVERFLOW PARKING PROVIDED ON LEASED LOT DIRECTLY NORTH OF W FRANKLIN ST.

HANDICAP STALLS REQUIRED: 4 (PER ADA REQUIREMENTS FOR R2 OCCUPANCY)  
 HANDICAP STALLS PROVIDED: 4 (2 EXTERIOR, 2 UNDERGROUND)

BUILDING OCCUPANCY CLASSIFICATION = R2  
 CLASS OF BUILDING CONSTRUCTION: EXISTING BUILDING= TYPE 3B  
 NEW BUILDING= TYPE 5A


EXISTING BUILDING=3 STORIES  
 PROPOSED BUILDING ADDITION=4 STORIES  
 NOTE: SNOW STORAGE AREAS TO BE LOCATED IN LEASED OVERFLOW PARKING AREA NORTH OF W FRANKLIN ST.  
 FIRE PROTECTION NOTE: BUILDING IS TO BE FULLY SPRINKLED IN ACCORDANCE WITH NFPA 13 WITH FIRE ALARMS PER BUILDING CODE. KNOX BOXES ARE TO BE FURNISHED AT THE ENTRANCES REQUESTED BY THE FIRE DEPARTMENT. SEE ARCHITECTURAL PLANS FOR THE LOCATION AND PRESENCE OF ALL FIRE RELATED WALL ASSEMBLIES.


EXISTING SITE DATA			
	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	1.64	71,823	
BUILDING FLOOR AREA	0.72	31,351	43.8%
PAVEMENT (ASP. & CONC.)	0.92	39,867	55.7%
TOTAL IMPERVIOUS	1.63	71,218	99.1%
LANDSCAPE/ OPEN SPACE	0.01	408	0.6%

PROPOSED SITE DATA			
	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	1.64	71,823	
BUILDING FLOOR AREA	1.00	43,400	60.8%
PAVEMENT (ASP. & CONC.)	0.57	25,043	35.0%
TOTAL IMPERVIOUS	1.57	68,443	95.6%
LANDSCAPE/ OPEN SPACE	0.07	3,180	4.4%

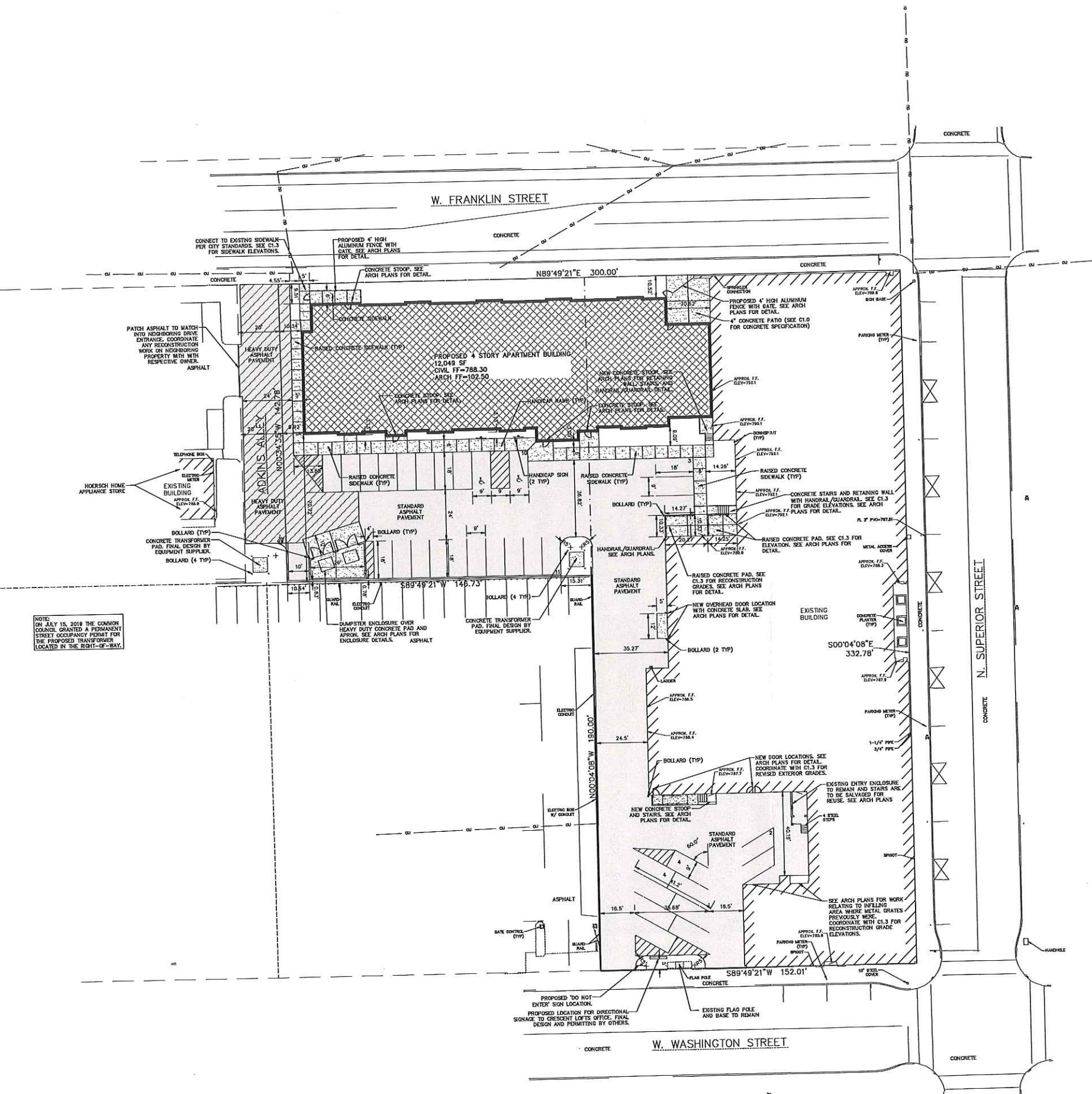
**ASPHALT PAVING LEGEND:**

 STANDARD ASPHALT

 HEAVY DUTY ASPHALT

\*SEE DETAILS ON SHEET C1.6 AND REFERENCE SECTION 32 10 00 OF THE PLAN SPECIFICATIONS ON C1.0

PROPOSED BUILDING RENOVATION  
**CRESCENT LOFTS**  
 306 W. WASHINGTON STREET • APPLETON, WI 54911



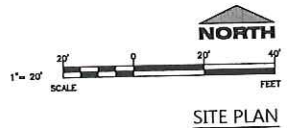
NOTE: ON JULY 15, 2019 THE COMMON COUNCIL GRANTED A PERMANENT STREET OCCUPANCY PERMIT FOR THE PROPOSED TRANSFORMER LOCATED IN THE RIGHT-OF-WAY.

PROFESSIONAL SEAL

PRELIMINARY DATES  
 AUG. 13, 2019  
 SEPT. 26, 2019

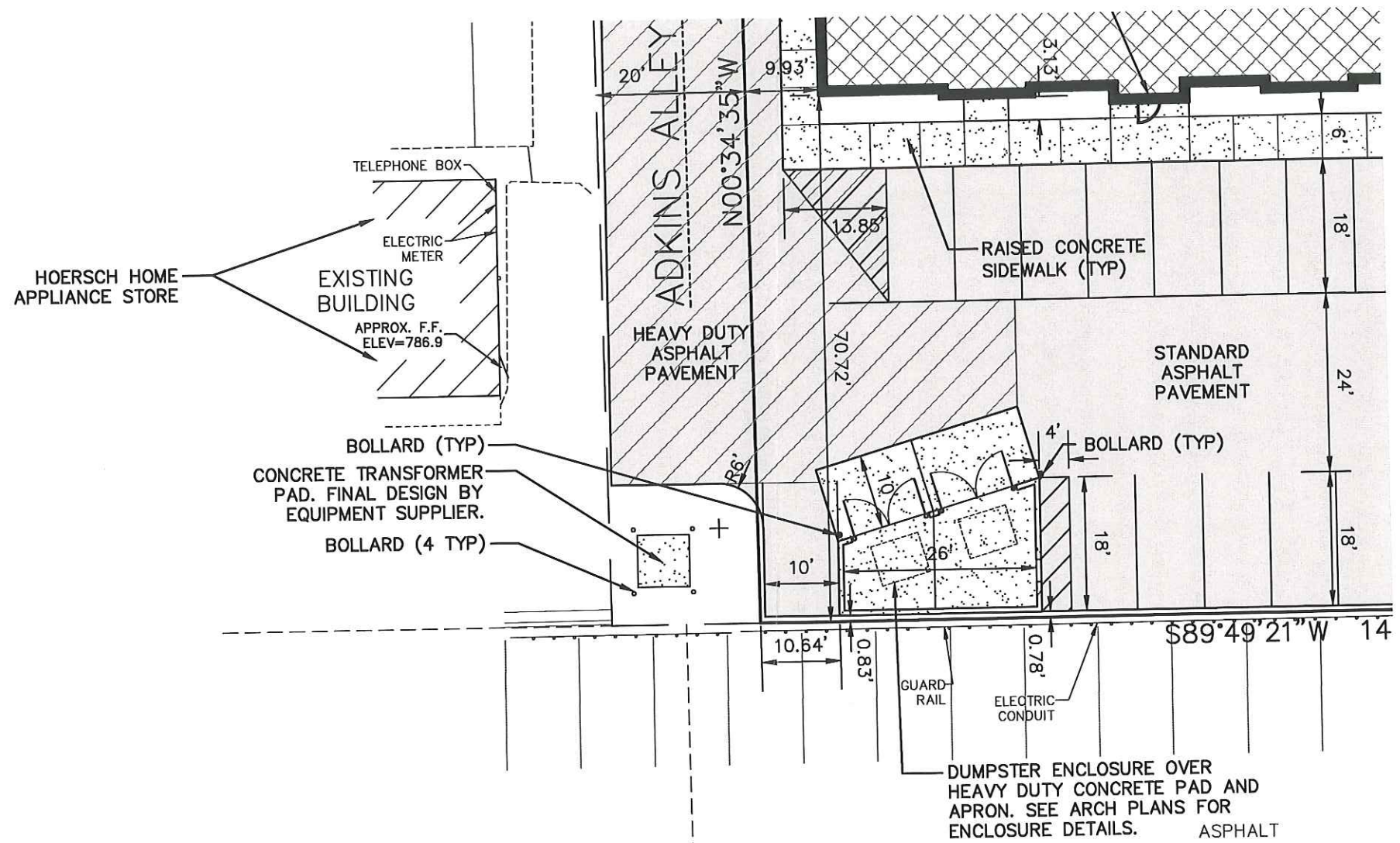
JOB NUMBER  
 1819880

SHEET NUMBER  
**C1.2**



NOT FOR CONSTRUCTION





# DUMPSTER ENCLOSURE LAYOUT

