

Public Works

Return to: Department of

Inspection Division

100 North Appleton

Street

Appleton, Wisconsin 54911

(920) 832-6411

### City of Appleton Application for Variance

Recp. 146164069

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) <b>1007 N. Badger Ave</b>	Parcel Number <b>31-5-0074-00</b>
Zoning District <b>R1B</b>	Use of Property X Residential Commercial

Applicant Information	
Owner Name Collen Vandenheuvel	Owner Address 1007 N. Badger Ave. Appleton, WI 54914
Owner Phone Number <b>920-205-9411</b>	Owner E Mail address (optional) <a href="mailto:cvabva@yahoo.com">cvabva@yahoo.com</a>
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)
Variance Information	
Municipal Code Section(s) Project Does not Comply Section 23-44(a)(1)(a) Fence height is limited to three (3) feet in the required front yard.	

Brief Description of Proposed Project

Existing fence in the front yard is four (4) feet tall. Owner would like to keep the fence. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the required front yard.

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

Colleen Anderson Date: 11-14-2023

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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: I run a licensed daycare which requires a 4ft fence.
2. Describe how the variance would not have an adverse impact on the surrounding properties: The fence has been there for the 17yrs I have owned the house with no issues
3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures: I run a licensed daycare

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

I ~~run~~ have run a licensed daycare for 33 yrs in this home. The state requires a 4ft fence to have my license. If I could not keep it I would not be able to do my job and the families that I have would lose their daycare when there are no openings in this area. I would also not be able to pay my bills or keep my home.

When I bought this house the fence was already here and it was 6ft high I cut it down to 4ft for more air flow the trees and lilacs were also very established I have maintained them for the past 17 yrs. with no issues.

## CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor

Date: December 5, 2023

RE: Variance Application for 1007 N. Badger Ave (31-5-0074-00)

### **Description of Proposal**

The applicant proposes to maintain a four (4) foot fence along the front property line. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the front yard.

### **Impact on the Neighborhood**

In the application, the applicant states that the fence has been there for the seventeen (17) years that she has owned the business and there have been no issues.

### **Unique Condition**

In the application, the applicant states that she runs a licensed day care from this house.

### **Hardship**

In the application, the applicant states that she has run a licensed day care at this house for seventeen (17) years and a four (4) foot fence is required for her to keep her license. The applicant states that if she is not granted this variance, she could lose her license and livelihood.

### **Staff Analysis**

This parcel is 10,922 sq. ft. The minimum size of lot allowed in the R1B zoning district is 6,000 sq, ft.

On August 16, 2023, the applicant was granted a Terrace Occupancy Permit by the Appleton City Council to allow a fence in the right of way at this location.

The property is used as a daycare. ~~This is a permitted use in the R1B zoning district.~~ If the variance is not approved the applicant could not use the property for a day care, which is a permitted use in the R1B zoning district. It appears the applicant meets the review criteria for a hardship.