



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final Board of Zoning Appeals

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Monday, March 20, 2017

7:00 PM

6th Floor County Chambers

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1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting  
[17-348](#) Minutes from February 20, 2017

**Attachments:** [February 20, 2017 Minutes.pdf](#)

### 4. Public Hearings/Apearances

### 5. Action Items

- [17-349](#) 1703 S. Oneida St (31-4-0552-00) The applicant proposes to move an existing sign to a new location on the same lot. The new location would be ten (10) feet from the right of way line. Section 23-524(c) of the Zoning Ordinance states that if a sign is less than fifteen (15) feet from the right of way line, there must be a ten (10) foot underclearance.

**Attachments:** [1703 S. Oneida St.doc](#)  
[1703 S. oneida st.pdf](#)

- [17-350](#) 355 W. Lawrence St (31-2-0116-00) The applicant proposes to utilize the right of way on Elm St. to maneuver vehicles when loading onto the property. Section 23-172(n)(1)(g) of the Zoning Ordinance states that all off-street parking and loading areas shall be designed to provide all maneuvering to occur within the property line(s).

**Attachments:** [355 W. Lawrence St.doc](#)  
[355 W.Lawrence St.pdf](#)

### 6. Information Items

7. Adjournment

*Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.*

*Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.*



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## Meeting Minutes - Final Board of Zoning Appeals

---

Monday, February 20, 2017

7:00 PM

6th Floor Council Chambers

---

1. Call meeting to order

2. Roll call of membership

**Present:** 5 - McCann, Smith, Joosten, Schoenbohm and Engstrom

**Excused:** 2 - 2nd Alternate Maloney and Sperl

3. Approval of minutes from previous meeting

[17-175](#)

Minutes from January 16, 2017

**Attachments:** [January 16, 2017 minutes.pdf](#)

Schoenbohm moved, seconded by Engstrom, that the Minutes be approved.

Roll Call. Motion failed by the following vote:

**Aye:** 5 - McCann, Smith, Joosten, Schoenbohm and Engstrom

**Excused:** 2 - 2nd Alternate Maloney and Sperl

4. Public Hearings/Appealances

5. Action Items

[17-176](#)

229 S. Morrison St. (31-2-0152-00) The applicant proposes to erect six (6) directional signs that display the name of the facility and are five (5) feet tall. Section 23-504 of the Zoning Code specifies that directional signs may only provide information secondary to the use of the lot and Section 23-524(c) of the Zoning Ordinance specifies that directional signs may not be taller than three (3) feet if closer than fifteen (15) feet from the right-of-way.

**Attachments:** [229 N. Morrison St..doc](#)

[229 N. Morrison St\(maps\).pdf](#)

*Appearance of Kelli Lax-Creative Sign*

Schoenbohm moved, seconded by Engstrom, that the Report Action Item be

denied due to lack of hardship. Roll Call. Motion approved by the following vote:

Aye: 5 - McCann, Smith, Joosten, Schoenbohm and Engstrom

Excused: 2 - 2nd Alternate Maloney and Sperl

## 6. Information Items

*Kurt Craanen stated that new member Kelly Sperl plans on attending next months meeting. Schoenbohm stated he would not be at the March meeting and his term will expire in May, so April will be the last meeting he will attend.*

## 7. Adjournment

Smith moved, seconded by Joosten, that the be adjourned. Roll Call. Motion carried by the following vote:

Aye: 5 - McCann, Smith, Joosten, Schoenbohm and Engstrom

Excused: 2 - 2nd Alternate Maloney and Sperl

March 13, 2017  
March 14, 2017  
Acct. 15520

City of Appleton

### **NOTICE OF HEARING FOR VARIANCE**

NOTICE IS HEREBY GIVEN that a meeting of the Board of Appeals, established under the provisions of Chapter 23 of the Ordinance, and known as the Zoning Ordinance, to be held on the 20th day of March, 2017, at 7:00 P.M., in Committee Room "6A/B", 6th Floor, City Hall, 100 North Appleton Street, of the City of Appleton, Wisconsin, will be heard to consider the Appeal of:

from the ruling of the City Building Inspector in granting a permit for the construction, alteration, rebuilding, or occupancy of a nonconforming building on, or for the use of the property known and described as follows:

**1703 S. Oneida St.**

**Tax Key Number: 31-4-0552-00**

The applicant proposes to move an existing sign to a new location on the same lot. The new location would be ten (10) feet from the right of way line. Section 23-524(c) of the Zoning Ordinance states that a sign is less than fifteen (15) feet from the right of way line, there must be a ten (10) foot underclearance.

Notice is further given that the said meeting is open to the public and that the appellant and any other person interested may appear and be heard for or against the granting of aforesaid permit by this Board.

CITY OF APPLETON,  
Appleton, Wisconsin  
The Board of Appeals

**REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES  
WILL BE MADE UPON REQUEST AND IF FEASIBLE.**

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 **February 27, 2017** Meeting Date **March 20, 2017 at 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 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>1703 S. Oneida St.</b>	Parcel Number <b>31-4-0552-00</b>
Zoning District <b>C2</b>	Use of Property <b>Office</b>
Applicant Information	
Owner Name <b>SEYMOUR LLC</b> <b>Agent: Michael J Dejno</b> <b>Healthcare Management Consultants</b>	Owner Address <b>1350 Wittman Drive</b> <b>Menasha, WI 54952</b>
Owner Phone Number	Owner E Mail address (optional)
Agent Name <b>James Fletcher</b>	Agent Address <b>2835 W College Ave.</b> <b>Appleton, WI 54914</b>
Agent Phone Number <b>(920) 428-9024</b>	Agent E Mail address (optional) <a href="mailto:jfletcher@pcfcom.com">jfletcher@pcfcom.com</a>
Variance Information	
Municipal Code Section(s) Project Does not Comply <b>Section 23-524 of the Zoning Ordinance requires signs that are over three (3) feet tall to be at least fifteen (15) feet from the right of way line.</b>	
Brief Description of Proposed Project <b>The sign must be moved due to the S. Oneida St. road construction project. The proposed location would be ten (10) feet from the right of way line along Oneida St.</b>	

Owner's Signature (Required):

  
*Seymour LLC*  
*menasha*

Date:

*2/20/17*

Return to: Department of Public Works  
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 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:

We propose to move the sign 10 ft from the new right away line established by the City with their work being done on Oneida Street This is the same variance that we were given when we built the building a few years ago and feel that if not given it we will have an issue with the drive around for Fire Departments as well as the possibility of losing much needed parking spaces.

2. Describe how the variance would not have an adverse effect on the surrounding properties: None

3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures: This was caused by a major undertaking of Oneida street by the City and not by anything in our control or design.

Return to: Department of Public Works  
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Appleton, Wisconsin 54911  
(920) 832-6411

4. Describe the hardship that would result if your variance were not granted:  
As a result of the Oneida Street works without this variance we stand to lose signage or be forced to do an expensive redesign of our parking lot which could then possibly put us in a non-conforming parking situation.



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Application Deadline February 27, 2017

Meeting Date March 20, 2017 at 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 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>1703 S. Oneida St.</b>	Parcel Number <b>31-4-0552-00</b>
Zoning District <b>C2</b>	Use of Property <b>Office</b>
Applicant Information	
Owner Name <b>SEYMOUR LLC</b> <b>Agent: Michael J Dejno</b> <b>Healthcare Management Consultants</b>	Owner Address <b>1350 Wittman Drive</b> <b>Menasha, WI 54952</b>
Owner Phone Number	Owner E Mail address (optional)
Agent Name <b>James Fletcher</b>	Agent Address <b>2835 W College Ave.</b> <b>Appleton, WI 54914</b>
Agent Phone Number <b>(920) 428-9024</b>	Agent E Mail address (optional) <a href="mailto:jfletcher@pcfcom.com">jfletcher@pcfcom.com</a>
Variance Information	
Municipal Code Section(s) Project Does not Comply <b>Section 23-524 of the Zoning Ordinance requires signs that are over three (3) feet tall to be at least fifteen (15) feet from the right of way line.</b>	
Brief Description of Proposed Project <b>The sign must be moved due to the S. Oneida St. road construction project. The proposed location would be ten (10) feet from the right of way line along Oneida St.</b>	

Owner's Signature (Required):

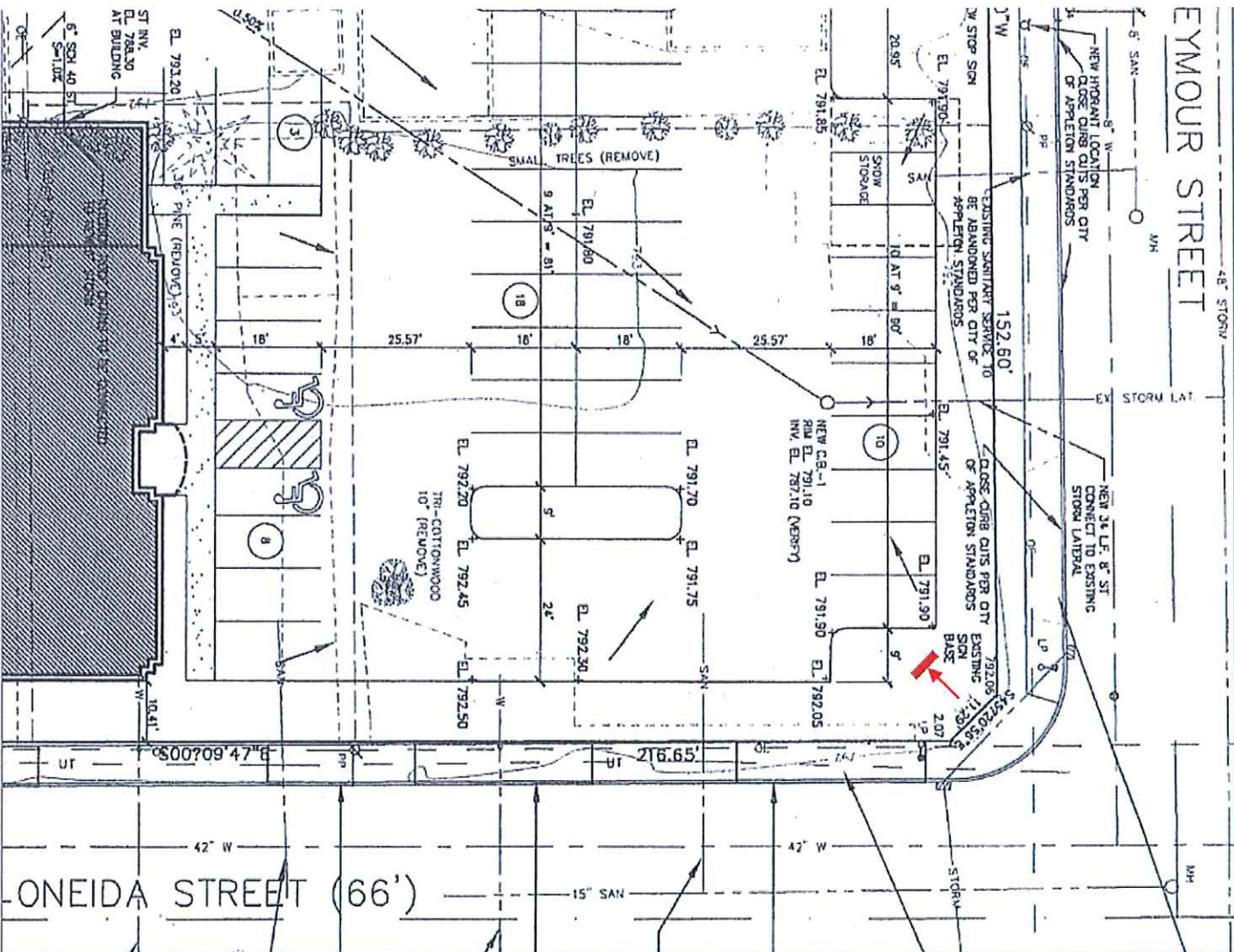
  
Michael J. Dejno

Date:

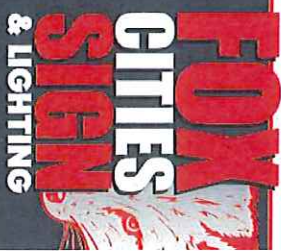
2/20/17



# EYMOUR STREET



## Existing Monument Moved 10' Back



1125D W. Tuckaway Ln.  
Menasha, WI 54952  
T: 920-378-3515  
F: 920-221-3243  
FoxCitiesSign.com  
Sales@FoxCitiesSign.com

DESIGN #:  
Client: Seymore Plaza  
Signage: Monument  
Location: Appleton, WI  
Salesperson: Sara  
Date: 3-6-2017  
Artist: Dana

© 2015 Fox Cities Sign & Lighting Services, LLC  
This drawing is a property of Fox Cities Sign & Lighting Services, LLC. The borrower agrees it shall not be produced, copied, or disposed of direct or indirectly, nor used for any purpose without permission. Failure to comply will result in compensation to Fox Cities Sign & Lighting Services, LLC for design time and effort.

Client Approval:

Date:

WORKING DESIGN FINAL DESIGN



Ask Us About The Latest Energy Efficient Options!

Moving Existing Monument

\*Proof is an approximate simulation that may vary from final production

March 13, 2017  
March 14, 2017  
Acct. 15520

City of Appleton

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from the ruling of the City Building Inspector in granting a permit for the construction, alteration, rebuilding, or occupancy of a nonconforming building on, or for the use of the property known and described as follows:

**355 W. Lawrence St**

**Tax Key Number: 31-2-0116-00**

The applicant proposes utilize the right of way on Elm St. to maneuver vehicles when loading onto the property. Section 23-172(n)(1)(g) of the Zoning Ordinance states that all off-street parking and loading areas shall be designed to provide all maneuvering to occur within the property line(s).

Notice is further given that the said meeting is open to the public and that the appellant and any other person interested may appear and be heard for or against the granting of aforesaid permit by this Board.

CITY OF APPLETON,  
Appleton, Wisconsin  
The Board of Appeals

**REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES  
WILL BE MADE UPON REQUEST AND IF FEASIBLE.**





*"...meeting community needs...enhancing quality of life."*

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## City of Appleton Application for Variance

Application Deadline February 27, 2017

Meeting Date March 20, 2017 at 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 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>355 W. Lawrence St</b>	Parcel Number <b>31-2-0116-00</b>
Zoning District <b>CBD</b>	Use of Property <b>Assembly</b>
Applicant Information	
Owner Name <b>City of Appleton</b>	Owner Address <b>100 N. Appleton St. Appleton, WI 54911</b>
Owner Phone Number	Owner E Mail address (optional)
Agent Name <b>Dean Gazza Dir. of Parks Rec. Facilities and Grounds</b>	Agent Address <b>100 N. Appleton St. Appleton, WI 54911</b>
Agent Phone Number <b>920-832-5572</b>	Agent E Mail address (optional) <b><u>Dean.gazza@appleton.org</u></b>
Variance Information	
Municipal Code Section(s) Project Does not Comply <b>Section 23-172(e)(3)- Maneuvering to occur on site.</b>	
Brief Description of Proposed Project <b>The proposed site plan shows vehicles using the right of way on Elm St. to back up into property to utilize the loading docks for the Exhibition Center.</b>	

Owner's Signature (Required):

*Dean Gazza*

Date:

*3/9/17*

Return to: Department of Public Works  
Inspection Division  
100 North Appleton Street  
Appleton, Wisconsin 54911  
(920) 832-6411

## Questionnaire

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1. Explain your proposed plans and why you are requesting a variance:

To maximize use of the site and to leverage the overall investment being made in the Exhibition Center it is necessary to utilize Elm Street for access to the loading docks. The overall building program to accomplish the goals of Exhibition Center requires the majority of the site to be utilized for the facility. Because Elm Street is being reconstructed in conjunction with the Exhibition Center it provided a feasible solution which accommodate this need.

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

Because the loading docks are located on the west side of the building which faces the parking deck of the PD, there is no issues for occupants or users of the facility. Access to the loading docks will be occasional and not disrupt traffic flow or use of other properties.

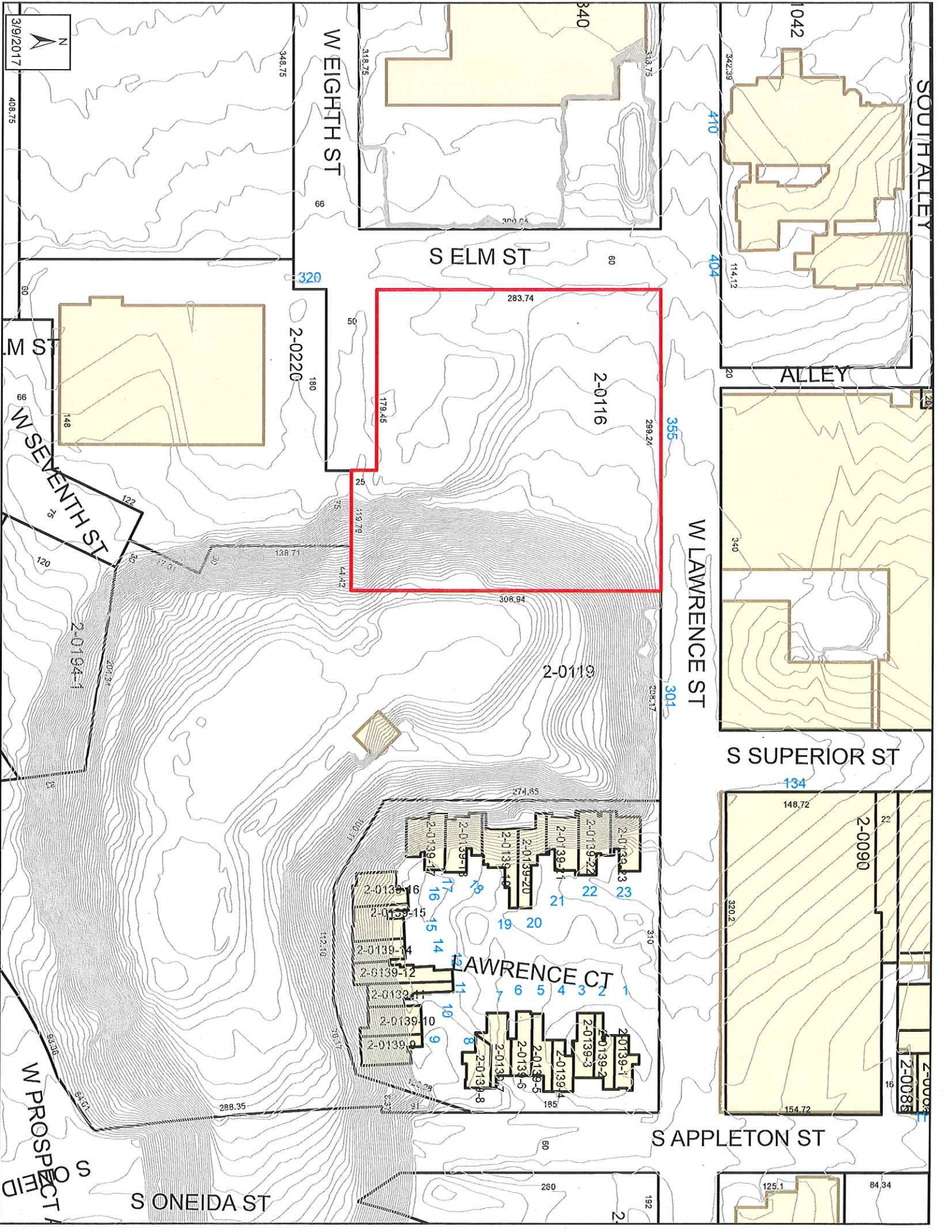
3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:

The lot is very limited in size and the facility use will require the loading and unloading of equipment from trucks as large as a semi.

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

Due to the topography and limited size of this lot for this use, a variance for maneuvering trucks in the street is required in order to use this parcel for its intended purpose. The topography of the east side of property presented a unique challenge to the designers. The elevation slopes down thirty five (35) ft. This limited the area of the site that may have been used for loading. The building needed to be the size as proposed to accommodate the events and activities required to make the project feasible. Lots that are zoned central business district are typically smaller than in other zoning districts and the building density in the downtown area is not accommodating to the loading and turning of semitrailers on site.





3/9/2017



*"...meeting community needs...enhancing quality of life."*

## MEMO

---

**TO:** Board of Zoning Appeals

**FROM:** Paula Vandehey, Director of Public Works *PAV*

**DATE:** March 8, 2017

**SUBJECT:** Application for Variance for vehicles using the Elm Street right-of-way for maneuvering purposes.

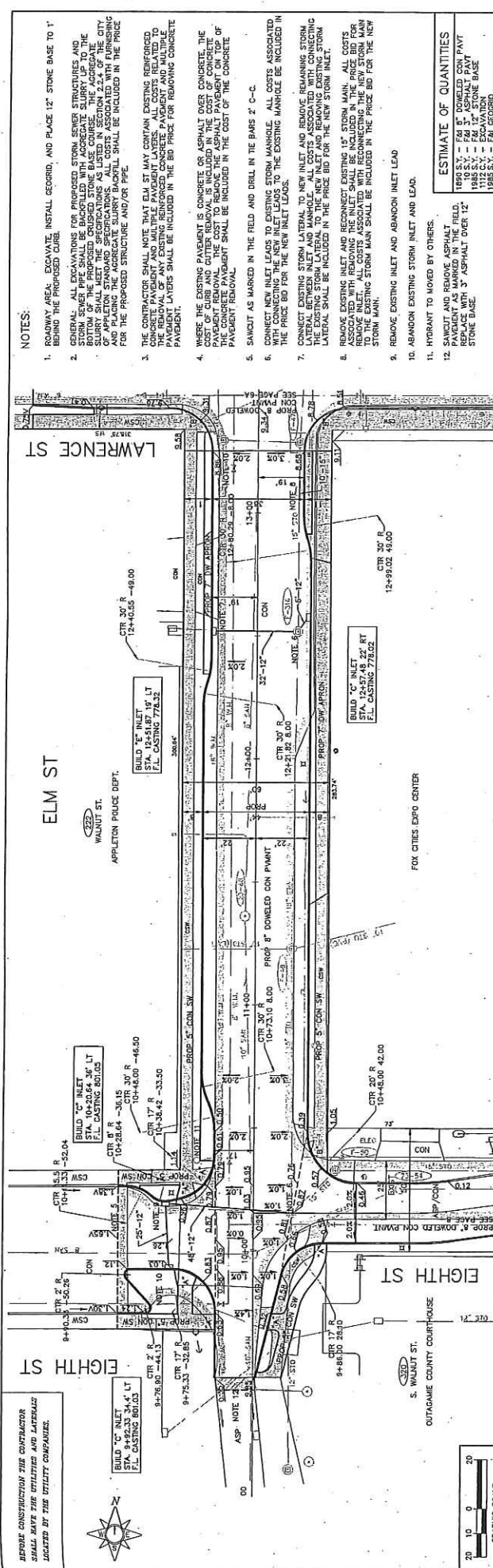
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As part of the design process for the Fox Cities Exhibition Center, it became apparent early on that the site constraints were going to make vehicle maneuvering on-site impracticable. Due to terrain constraints and the required size of the exhibition space, the loading docks could feasibly only be located on the Elm Street side of the facility. Knowing this site constraint, the Department of Public Works designed the reconstruction of Elm Street to accommodate the truck maneuvering by widening the street based on turning movements, paving the terrace areas and installing thicker sidewalk (see attached plan sheet 7A).

Therefore, the Department of Public Works supports the variance request and believes that Elm Street was designed to accommodate the necessary vehicle maneuvering within the Elm Street right-of-way.

Attachment





1200 SF - CON DRIVE APRON 1200 SF - CON DRIVE APRON 4000 SF - CON SIDEWALK 360 SF - CON SIDEWALK 1635 SF - CON HANDICAP RAMP 1635 SF - CON HANDICAP RAMP 3705 SF - CON PAVT REMOVAL 3705 SF - CON PAVT REMOVAL 400 SF - ASPH/CON HD RAMP REMOVAL 27 EA - CON SIDEWALK REMOVAL 175 SF - CON SIDEWALK REMOVAL 175 SF - CON SIDEWALK REMOVAL 5 EA - ASPH/CON HD RAMP REMOVAL 5 EA - ASPH/CON HD RAMP REMOVAL 2 EA - ASPH/CON HD RAMP REMOVAL 2 EA - ASPH/CON HD RAMP REMOVAL 1 EA - ASPH/CON HD RAMP REMOVAL 110 LF - ASPH/CON HD RAMP REMOVAL 110 LF - ASPH/CON HD RAMP REMOVAL	1200 SF - CON DRIVE APRON 1200 SF - CON DRIVE APRON 4000 SF - CON SIDEWALK 360 SF - CON SIDEWALK 1635 SF - CON HANDICAP RAMP 1635 SF - CON HANDICAP RAMP 3705 SF - CON PAVT REMOVAL 3705 SF - CON PAVT REMOVAL 400 SF - ASPH/CON HD RAMP REMOVAL 27 EA - CON SIDEWALK REMOVAL 175 SF - CON SIDEWALK REMOVAL 175 SF - CON SIDEWALK REMOVAL 5 EA - ASPH/CON HD RAMP REMOVAL 5 EA - ASPH/CON HD RAMP REMOVAL 2 EA - ASPH/CON HD RAMP REMOVAL 2 EA - ASPH/CON HD RAMP REMOVAL 1 EA - ASPH/CON HD RAMP REMOVAL 110 LF - ASPH/CON HD RAMP REMOVAL 110 LF - ASPH/CON HD RAMP REMOVAL		
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