



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final Board of Zoning Appeals

Monday, April 17, 2017

7:00 PM

6th Floor Council Chambers

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[17-493](#) Minutes from March 20, 2017.

Attachments: [March 20, 2017 minutes.pdf](#)

4. Public Hearings/Apearances

5. Action Items

- [17-494](#) 1309 S. Oneida St. (31-4-0537-00) The applicant proposes to convert this existing residential dwelling into an office. The proposed plans for the new parking lot have a five (5) foot landscape buffer along the west side of the property. Section 23-172(h) of the Zoning Ordinance requires a fifteen (15) foot landscape buffer. The proposed parking lot will have five (5) parking spaces. Section 23-172(m) of the Zoning Ordinance requires eleven (11) parking spaces. The proposed plan will cause 65% of the lot to be covered. Section 23-111(h)(2) of the Zoning Ordinance limits lot coverage to 60% of the lot.

Attachments: [1309 S. Oneida St.doc](#)
[1309 s oneida st.pdf](#)

[17-495](#)

421 N. Lawe St. (31-1-0696-00) The applicant is requesting an Administrative Appeal to a decision made by the Inspections Supervisor, per Section 23-68 of the Zoning Ordinance. Section 23-43(f)(1)(h) of the Zoning Ordinance prohibits accessory buildings to be two (2) stories. The applicant disagrees with how this section is being interpreted. The applicant would like to maintain a floor below the roof system.

Attachments: [421 N. Lawe St\(2\).doc](#)
[421 N.Lawe 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.



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final Board of Zoning Appeals

Monday, March 20, 2017

7:00 PM

6th Floor County Chambers

1. Call meeting to order

2. Roll call of membership

Present: 5 - McCann, Smith, Joosten, Engstrom and Sperl

Excused: 1 - Schoenbohm

3. Approval of minutes from previous meeting

[17-348](#)

Minutes from February 20, 2017

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

Joosten moved, seconded by Engstrom, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - Smith, Joosten, Engstrom and Sperl

Excused: 1 - Schoenbohm

Abstained: 1 - McCann

4. Public Hearings/Appearances

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 23-524-525(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](#)

Joosten moved, seconded by Engstrom, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - Smith, Joosten, Engstrom and Sperl

Excused: 1 - Schoenbohm

Abstained: 1 - McCann

[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](#)

Joosten moved, seconded by Engstrom, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - Smith, Joosten, Engstrom and Sperl

Excused: 1 - Schoenbohm

Abstained: 1 - McCann

6. Information Items

7. Adjournment

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

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

Excused: 1 - Schoenbohm

April 10, 2017
April 11, 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 17th day of April, 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:

1309 S. Oneida St.

Tax Key Number: 31-4-0537-00

The applicant proposes to convert this existing residential dwelling into an office. The proposed plans for the new parking lot have a five (5) foot landscape buffer along the west side of the property. Section 23-172(h) of the Zoning Ordinance requires a fifteen (15) foot landscape buffer. The proposed parking lot will have five (5) parking spaces. Section 23-172(m) of the Zoning Ordinance requires eleven (11) parking spaces. The proposed plan will cause 65% of the lot to be covered. Section 23-111(h)(2) of the Zoning Ordinance limits lot coverage to 60% of the lot.

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 **March 27, 2017** Meeting Date **April 17, 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) 1309 S. Oneida St.	Parcel Number 31-4-0537-00
Zoning District CO	Use of Property Residential
Applicant Information	
Owners Names Anastasia Burkham George Koenig	Owners Address 310 N. Durkee St. Appleton, WI 54911
Owner Phone Number 920 - 202 - 4217	Owner E Mail address (optional) aburkham@sigmanlegal.com
Agent Name Carey Lynn Sorenson	Agent Address 1709 Carriage Lane Appleton, WI 54914
Agent Phone Number 414 - 841 - 6052	Agent E Mail address (optional) careyla2@hotmail.com
Variance Information	
Municipal Code Section(s) Project Does not Comply Section 23-172(h)- Landscape buffering abutting property zoned R1B Section 23-172(m)- Number of parking spaces required for commercial personal services Section 23-111(h)(2)- Lot coverage.	
Brief Description of Proposed Project This property is currently a nonconforming use. The land is zoned CO and the building has always been used as a residential dwelling. It is being proposed to convert this dwelling to an office and add a parking lot to the rear of the property. In order to provide adequate parking at this site, variances are needed. The plan shows that the landscape buffing to the west would be five (5) feet. Section 23-172(h) of the Zoning Ordinance requires a fifteen (15) foot landscape buffer. The plan shows five (5) parking spaces. Section 23-172(m) of the Zoning Ordinance requires eleven (11) parking spaces. The plan shows that **% of the lot will be covered. Section 23-111(h)(2) of the Zoning Ordinance requires that no more than 60% of the lot is covered.	

Owners' Signatures (Required):  Date: 3/27/17

Owners' Signatures (Required):  Date: 3/27/17

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:

The proposed plan is to install a parking lot behind the building and a new driveway to be installed on the North side of the building to ensure a safe entrance and exit with appropriate sight lines. With the impending Oneida Street project and the proposition to remove approximately 1,500 sq/ft of the front yard the existing driveway will pose an extreme safety issue. The front of the house will block visibility to the north and make exiting the driveway quite dangerous. Additionally, making these updates will bring value to the area, as the property will be restored to a viable and conforming use.

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

The home to the South of the property is also zoned CO and is currently a rental property and not exposed to the back side of this site, the lot to the North of the home is bare land and is zoned CO and is not exposed to the back side of this site, and the lot behind the home is zoned residential; however, its current use is as Riverview Gardens and no homes are located on the property. The parking lot will not encroach on the surrounding areas. If added it will add value to the property and surrounding areas, as it will allow the property to be used for its intended purpose and the proposed use of a holistic mental health and healing center for children and adolescents will be a viable asset to the community.

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

The building was being used in a nonconforming manner, as residential, and in order to be a viable property once more it needs to be changed to its intended, zoned use of CO. However, there is only so much land available to accommodate the needs specified by the ordinances for commercial use. The lot to the north is currently bare land and the lot to the south is a legal nonconforming use zoned CO but is being used as a residential rental property.

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

If the variances are not granted the parking lot would not be installed ultimately rendering the building unusable for its intended purpose. This, coupled with the Oneida Street widening project, would put a great usability strain on the property as its zoning would continuously require

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
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parking and residential use would become less likely due to the impending proximity of the future road to the front of the house.

1) The plan shows that the landscape buffering to the west would be five (5) feet. Section 23-172(h) of the Zoning Ordinance requires a fifteen (15) foot landscape buffer.

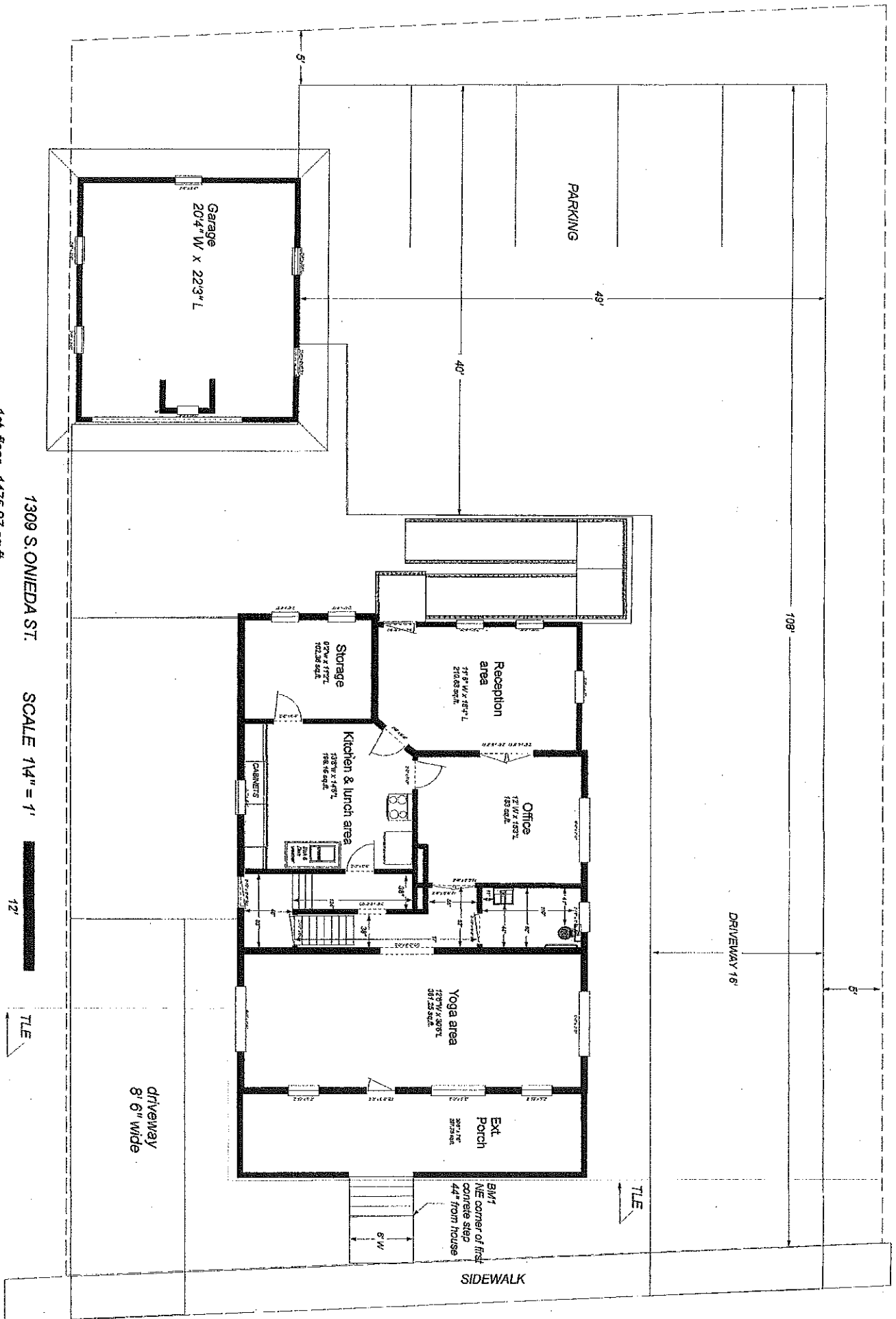
If this ordinance of 15 feet is respected the parking lot admissible would not be large enough to accommodate the proposed building usage.

2) The plan shows five (5) parking spaces. Section 23-172(m) of the Zoning Ordinance requires eleven (11) parking spaces.

The dimensions of the land only permit space for the parking spaces in the proposed plan; the size of the lot is limiting more parking spaces to be added.

3) The plan shows that more than 60% of the lot will be covered. Section 23-111(h)(2) of the Zoning Ordinance requires that no more than 60% of the lot is covered.

The city is taking 1500 square feet of property on the front side of the building with the Oneida street widening project and requiring that a parking lot be installed rendering the property bereft of adequate 'soft surface' to meet this ordinance. The requirements posed by the city to add a parking lot, coupled with the current 'soft surface' removal in the front yard due to the Oneida street project make it impossible for the owner to meet this ordinance standard.



1st. floor 1475.27 sq.ft.

1309 S. ONIEDA ST.

SCALE 1/4" = 1'

12'

TILE

SIDEWALK

April 10, 2017
April 11, 2017
Acct. 15520

City of Appleton

NOTICE OF ADMINISTRATIVE APPEAL

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 17th day of April, 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:

421 N. Lawe St.

Tax Key Number: 31-1-0696-00

The applicant is requesting an Administrative Appeal to a decision made by the Inspections Supervisor, per Section 23-68 of the Zoning Ordinance.

Section 23-43(f)(1)(h) of the Zoning Ordinance prohibits accessory buildings to be two (2) stories. The applicant disagrees with how this section is being interpreted. The applicant would like to maintain a floor below the roof system.

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.**

421 N Lawe St, Appleton WI

Appeal to install permanent decking in attic of garage

Updated: 04/04/17

Contents

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Owners

- Bobby and Allison Fleshman
421 N Lawe St
Appleton, WI 54911
(405) 627-0167
bfleshman@gmail.com

1 Appeal application

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

City of Appleton Application for Administrative Appeal

Application Deadline **March 27, 2017** Meeting Date **April 17, 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) 421 N. Lawe St.	Parcel Number 31-1-0696-00
Zoning District RIC	Use of Property Residential
Applicant Information	
Owner Name Bobby L. Fleshman	Owner Address 421 N. Lawe St. Appleton, WI 54911
Owner Phone Number 405-627-0167	Owner E Mail address (optional) bfleshman@gmail.com
Variance Information	
Municipal Code Section(s) Section 23-68 of the Zoning Ordinance, Administrative Appeal. Appealing the decision of the Inspection Supervisor who is considering garage being constructed to be two (2) stories. Section 23-43(f)(1)(h) prohibits garages to have two (2) stories.	
Brief Description of Proposed Project <ul style="list-style-type: none">• We are requesting permission to install plywood permanently on top of our garage ceiling.• The ceiling is lowered from where the rafters sit for structural reasons and to create attic sensible storage space in within a low hip roof.• The pitch/style of the roof has been chosen to match with the property's historical architectural constraints.• This permission has absolutely no effect on property exterior.	

Owner's Signature (Required): Bobby L. Fleshman Date: 4/4/17

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

SUMMARY BULLET POINTS

- The structure will not / can not be finished as a second level. As designed, it would serve precisely the same function as an attic in a gable roof. Further, the exterior is not affected by the zoning criteria in any way whatsoever.
- The communication has been poor and the facts ill communicated throughout this process. We feel we are having to take full responsibility when it should be shared by the inspections department. Relying on an internal memo that makes no mention of hipped roofs is not a sound *modus operandi*.
- This case warrants a discussion with the historical committee. The repercussions of blindly upholding an internal memo without regard to architecture speaks poorly of the inspections team and of Appleton's desire to marry its architectural future with its past. There is only praise for this project from our neighbors, and in the end, the city should represent its citizens priorities.

These and the following comments must go on record, and must be forwarded with any materials passed on to the appeals committee:

COMPLAINTS

- Documentation was presented in an untimely and discombobulated manner:
 - Our first notice that the ceiling was in the wrong location came 4 months after it was installed
 - Any ambiguity should have been more pro-actively addressed by the inspectors before it got this far along.
 - There is no excuse for lack of action in these intermediate 4 months. We are on one of the most visible streets in Appleton (Lowe St), and our process was so slow, there should have been ample opportunity to halt progress. We clearly were not trying to skirt a regulation being we were so exposed, slow, and methodical with this project.
 - It was only after these four months that we were made privy to the wording of an INTERNAL memo sent out to the inspections division.
- The said internal memo is not itself consistent with the permit application.
 - Though not directly relevant to the present issue: one example regards the inconsistent definition of maximum accessory building height.
 - This sort of ambiguity and disconnect with the permit application is a problem that must be addressed now and in the future.
 - As it pertains to us, the memo makes no mention to hip roofs, and we therefore recommend its revision to include cases such as the one at hand with very low hip roofs seeking to possess attic storage space, which requires one lower the floor to accommodate.

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

- o One recommendation is to look at the maximum VOLUME of attic storage made available in cases such as ours. This would dictate apples-to-apples requirements.

ADDITIONAL COMMENTS AND CONCERNS

- The chief issue here is the lack of parity with our style roof and a steep gable roof. As written, the internal memo does not allow one to achieve attic storage space, while simultaneously being sympathetic to the neighborhood's architectural character.
- We feel the need to reiterate that a revision to the interpretation of the memo to include shallow hipped roofs is necessary, and would have absolutely no effect on the exterior of the property.
- The historical goals of the city do not harmonize with blind application of inconsequential building regulations. Where do the city's priorities lie as a whole?
- From the standpoint of strength alone, the structure will be too greatly compromised to relocate the ceiling.

2 Supporting text and figures

SUPPORTING TEXT for Appeals Committee:
421 N LAWE ST, APPLETON
PREPARED 4/4/17

EXPLANATION OF ISSUE:

We are requesting permission to install plywood (decking) on top of our garage ceiling, so as to make that space useful for storage.

Section 23-43(f)(1)(h) defines attic space for a single-story accessory building (garage) as the space created by the intersection of the roof system and ceiling/floor system. The design of this garage follows the historical architecture of the property (shown in **Figure 1**)—decorative rafter tails, balloon framing, and low-hip roof described in point #3—and therefore does not have such an intersection of the roof system/ceiling system. The location of the ceiling systems optimizes the structural integrity of the building, and can therefore not be relocated. A variance to the definition of this attic space, by allowing the permanent attachment of plywood to the ceiling system, will create a functional storage space that is not feasible in historic homes such as this.

LACK OF IMPACT TO SURROUNDINGS:

The requested variance only affects the interior of the garage. There are no exterior aspects of the garage that require a variance. In addition, the granting of this variance will increase the functionality of the garage, as well as compliment the historical character of the property, located in the Appleton City Park Historic District.

UNIQUE CONDITIONS:

The property is registered as the Edwin J. Falck House (Ref# 40489) on the National Registry of Historic Places. The historical description is given below¹:

PROPERTY FEATURES

Year Built: **1920**, Survey Date: **1991**, Historic Use: **house**, Architectural Style: **Prairie School**, Property Type: **Building**, Structural System: **Balloon Frame**, Wall Material: **Clapboard**

Additional Information: The house retains its original front porch and such characteristic features as banded windows, low hip roof and high-waisted first floor clapboard siding. Garage.

The garage design has historical character similar to the house, including unique hand crafted rafter tails. The two underlined characteristics of the house description are unique to the property. First, the *balloon frame* involves tall, uninterrupted vertical studs that create the exterior walls. The ceiling cannot be located at the junction of the roof joists for two reasons:

¹ Information from <http://www.wisconsinhistory.org/>

-
- 1) This would jeopardize the structural integrity of the walls. The ceiling is therefore located at the optimum position along the walls by suspension.
 - 2) The location of the ceiling (4' below the top of the wall) optimizes the attic space.

The *low hip roof* (design required by the home's architecture) enforces a low-pitch that if the ceiling joists were placed atop the walls, the resulting attic space would be rendered useless.

To demonstrate our situation, **Figure 2** shows the limitations of maintaining the low hip character and optimizing the attic space. The figure also shows that the height and all exterior code requirements are still met.

Our requested **variance is to allow us to permanently attaching decking to the ceiling system**, which is further explained in a diagram in **Figure 3**.

The hardship for this property is the low-hip roof system. A gabled roof, with a high pitch, would not be sympathetic to the historical character of the house. We ask for a variance for the garage to make the attic space functional while still complimenting the unique character of the house, one of very few prairie school houses in the City Park historic district.

**FIGURE 1: FRONT ELEVATION OF
GARAGE, KEEPING WITH PRAIRIE
SCHOOL HOUSE STYLE**

421 N LAWE ST
APPLETON, WI

APPEAL TO INSTALL DECKING IN GARAGE
ATTIC SPACE

UPDATE 4/4/17



**FIGURE 2: ATTIC VOLUMES
ASSUMING JOISTS ATOP WALL**

421 N LAWE ST
APPLETON, WI

APPEAL TO INSTALL DECKING IN GARAGE
ATTIC SPACE

UPDATE 4/4/17

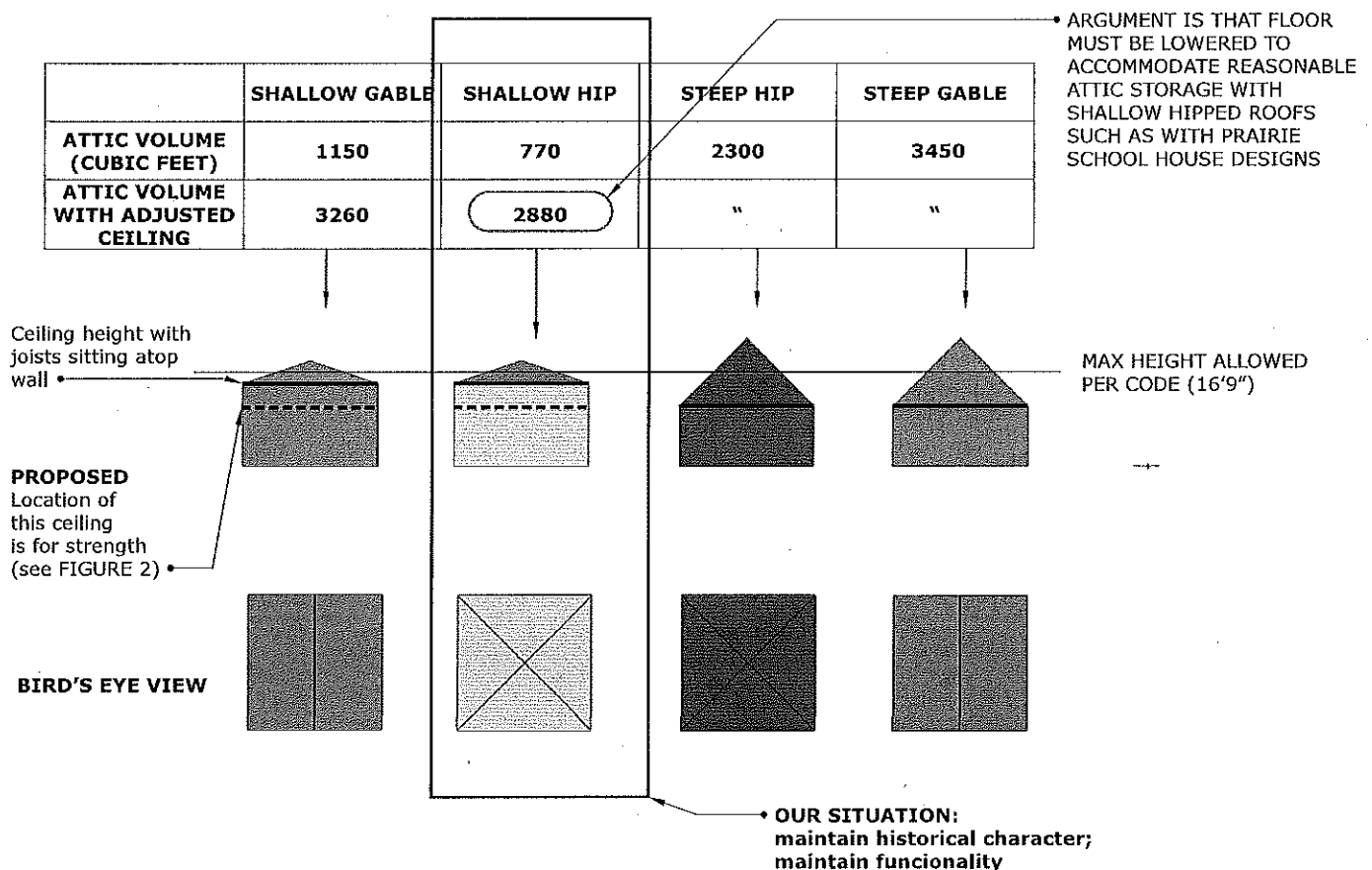


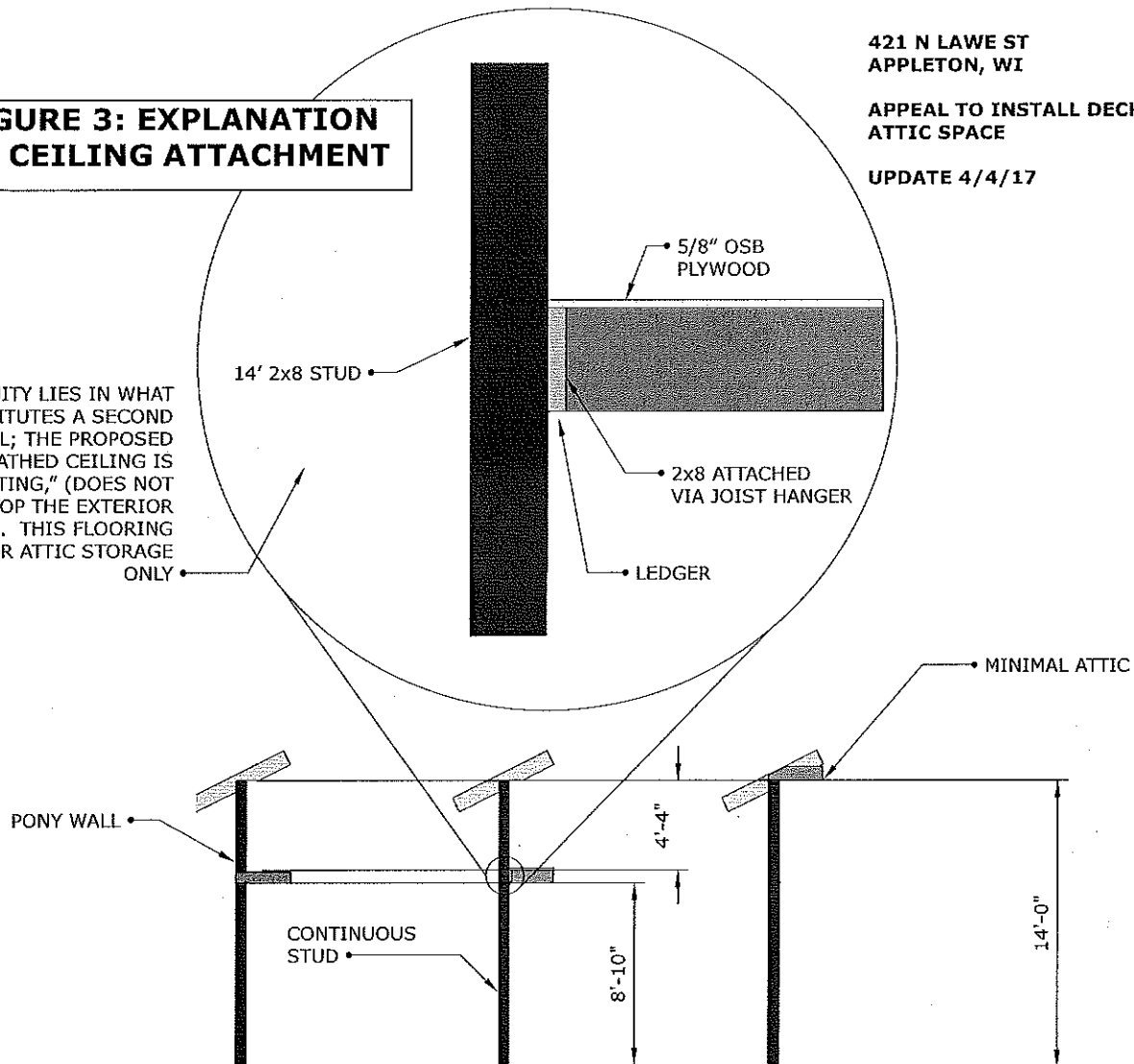
FIGURE 3: EXPLANATION OF CEILING ATTACHMENT

421 N LAWE ST
APPLETON, WI

APPEAL TO INSTALL DECKING IN GARAGE
ATTIC SPACE

UPDATE 4/4/17

AMBIGUITY LIES IN WHAT
CONSTITUTES A SECOND
LEVEL; THE PROPOSED
SHEATHED CEILING IS
"FLOATING," (DOES NOT
SIT ATOP THE EXTERIOR
WALL). THIS FLOORING
IS FOR ATTIC STORAGE
ONLY



3 Pertinent timeline

PERTINENT TIMELINE

4/11/16:

Permit granted for original garage demo and construction of new garage.

6/1/16:

Attic decking installed.

10/3/16:

Owners first notified of a 2009 internal memo regarding said flooring.
Recommended by Inspections Supervisor, Kurt Craanen to file an appeal with ruling to remove attic decking.

4/4/17:

Application for appeal submitted.

4 Internal memo and email exchange regarding

DEPARTMENT OF PUBLIC WORKS
Inspection Division
100 North Appleton Street
Appleton, WI 54911
Phone (920) 832-6474
FAX (920) 832-6489

TO: Inspections Division Staff
FROM: Kurt W. Craanen, Inspections Supervisor
SUBJECT: Policy for Determining Second Story of Accessory Buildings
DATE: January 5, 2009

Section 23-43(f)(1)(h) states that detached accessory building shall not exceed fifteen (15) feet in height and shall not exceed one (1) story in height. The following policy is aimed at providing clarification on how Inspections staff shall apply the one story standard to detached accessory buildings.

It is common for an attached accessory building to be built with a "bonus" room over the garage. This was made popular with the introduction of material capable of spanning longer distances such as engineered lumber products and "attic trusses" or "bonus room" trusses. While this may created a room above the first floor of the detached garage, it does not constitute an additional story if the following was met:

- 1) The building must meet the height requirements
- 2) The attic/bonus room must be kept within the confines of the areas created by the roof planes and the ceiling/floor system separating such room from the main level of the garage.
- 3) The planes of the roof must connect/intersect with the ceiling/floor system described in condition two. (Meaning there cannot be any exterior walls above this ceiling/floor system. Exterior walls above the ceiling/floor structure would reclassify the structure as multi-story).

These criteria were established because it was determined that detached accessory buildings with bonus rooms over the first level of the building are similar in nature to a single story home with a walk-up attic. Typically, one thinks of a multi-story building as one that has exterior walls above the first floor ceiling. Therefore it was determined as long as the garage roof came down to intersect with the first floor ceiling, this would not be viewed as being a multi-story building, just as a house with a walk up attic is not considered a multi-story building. Additionally, from the outside, there is no visible difference between a garage with a non-usable attic vs. one with a usable attic (other than possibly a window in the gable ends). As long as the room is contained within the confines of the roof system, it still qualifies as a single story garage.

From: Kurt Craanen Kurt.Craanen@Appleton.org
Subject: RE: 412 N Lawe garage follow up
Date: October 3, 2016 at 9:46 AM
To: bobby fleshman bfleshman@gmail.com, Chris Jensen Chris.Jensen@Appleton.org
Cc: Allison M. M. Fleshman allison.m.fleshman@lawrence.edu



Bobby:

Attached is a policy memo I did back in 2009 specifying how we define a second story.

We plan on stopping out there this morning.

-----Original Message-----

From: bobby fleshman [mailto:bfleshman@gmail.com]
Sent: Monday, October 03, 2016 8:51 AM
To: Chris Jensen <Chris.Jensen@Appleton.org>
Cc: Allison M. M. Fleshman <allison.m.fleshman@lawrence.edu>; Kurt Craanen <Kurt.Craanen@Appleton.org>
Subject: Re: 412 N Lawe garage follow up

Chris,

My apologies if I'm not around when you guys come over. If we don't cross paths, I wanted to mention that I think the issue at hand comes down to an interpretation of what it means to have a walled and finished second level.

The second level will not be finished, except have plywood sheathing. No plumbing, flooring, etc, so as to make it in anyway livable. It is purely a storage space.

As for what it means to be walled, my interpretation is that the first floor wall would have the ceiling joist sitting atop. Then on top of this would be a separate wall extending above to create the 2nd level wall. See the attached sketch. This was the primary reason we dealt with the 14' studs to begin with.

The floor in my interpretation could never strictly support a second level (as a living space) as constructed, begin that it is 'floating' rather than sitting atop a wall of any sort. This further supports the definition of it being an attic space. Finally, the only access is via attic drop down ladder---no staircase.

I hope to be here when you come, but no less wanted less document these thoughts while they were fresh.

Thanks Chris.

On Oct 1, 2016, at 7:32 AM, bobby fleshman <bfleshman@gmail.com> wrote:

Chris,

Thank you for the call yesterday. (Sorry if it took me a moment to get oriented. I was at the brewery, dealing with the myriad inspections and decisions on that side. Certainly not a dull time in our lives to say the least.)

I'll have the side door open for you and Kurt Monday so you can have a look inside the garage. Please let Allison or me know if either of you need anything at all from us.

Have a great weekend.

-bobby



define story of
access...trs.doc

5 Project documents

6 Construction permit

City of Appleton
Inspection Division 100 N. Appleton St. Appleton WI 54911
Phone (920) 832-6411 Fax (920) 832-6464

Permit No. 148
Key No. 1-096-00
Receipt No. 45-23399
Permit Fee: 80.00
Date: 4/11/16

BUILDING PERMIT

Owner/Contractor Bobby Fleshman Address 421 N Lawe St
Project Type Demo Existing Garage (also, replacing driveway; see attached renderings)
Lot # 1 and 2, Block 31 Subdivision Lawsburg Plat Zoning Residential R2C
Comments See attached sketch for lot description Application Date 4/11/16

Why Issued		Type of Building	
<input checked="" type="checkbox"/> New Building	<input type="checkbox"/> Moving	<input type="checkbox"/> One Family	<input type="checkbox"/> Garage-Attached
<input type="checkbox"/> Addition	<input type="checkbox"/> Siding	<input type="checkbox"/> Two Family	<input checked="" type="checkbox"/> Garage-Separate
<input type="checkbox"/> Remodel-Interior	<input type="checkbox"/> Fence	<input type="checkbox"/> Multi-Family	Other _____
<input type="checkbox"/> Remodel-Exterior	Other _____	<input type="checkbox"/> Commercial	
<input type="checkbox"/> Deck	Estimated \$ <u>20,000</u>		

Building Size Information		Set Backs Accessory Bldg	Lot information
O.A. Dimension <u>38'x26' (w/overhang)</u>	1st Floor <u>528 sq ft</u>	PROPOSED STRUCTURE (Garage)	<input checked="" type="checkbox"/> Corner
Basement Area _____	2nd Floor <u>Storage</u>	Front <u>25' (East)</u>	<input type="checkbox"/> Interior
Garage Area <u>528 ft^2 (22'x24')</u>	3rd Floor <u>N/A</u>	Main Bldg <u>14' S of Main Bldg</u>	Type <u>Residential?</u>
No. Stories <u>Single</u>	Volume <u>~5300 cu ft</u>	Side Yard <u>5' (South)</u>	Size <u>80'x103' (depth x width)</u>
Height <u>16' 9" to ridge</u>	Total Area <u>528 sq ft</u>	Rear Yard <u>32' (West)</u>	Area <u>8276 sq ft</u>

Main Bldg Setbacks	Type of Construction	Foundation	Type of Foundation
Set Back <u>17' (East)</u>	<input checked="" type="checkbox"/> Frame	<input type="checkbox"/> Full Bsmt	<input checked="" type="checkbox"/> Concrete
Side Yard <u>55' (South)</u>	<input type="checkbox"/> Masonry	<input type="checkbox"/> Partial Bsmt	<input type="checkbox"/> Block
Side Yard <u>21' (North)</u>	<input type="checkbox"/> Steel	<input type="checkbox"/> Crawl Space	<input type="checkbox"/> Pier Supports-Per Engineering
Rear Yard <u>18' (West)</u>	Exterior Finish <u>Wood siding</u>	<input type="checkbox"/> Frost Wall	<input type="checkbox"/> Steel <input type="checkbox"/> Wood
		<input checked="" type="checkbox"/> Concrete Slab	<input type="checkbox"/> Posts No. _____

Contractor Bobby Fleshman (self) Address 421 N Lawe St, Appleton, WI Telephone 405.627.0167

Contractor E-mail bfleshman@gmail.com

Architect/Designer (self) Address " " Telephone " "

The undersigned agrees to construct the above-described building in accordance with plans and specifications submitted herewith, and in strict compliance with all the provisions of the Building Code and Zoning Ordinance of the City of Appleton and the Building Code of the State of Wisconsin, and to grant permission for reasonable inspections by a City Building Inspector or City Assessor as a condition of receiving this permit.

Applicant (signature) Bobby Fleshman

Applicant (print) Bobby Fleshman

State DC # _____ State DCQ# _____

Approved by [Signature]

Permits granted by: ☐ Board of Appeals ☐ Board of Building Inspections

State Bldg Permit # _____ Stormwater # _____

THIS PERMIT DOES NOT COVER PLUMBING, ELECTRICAL OR HEATING INSTALLATIONS

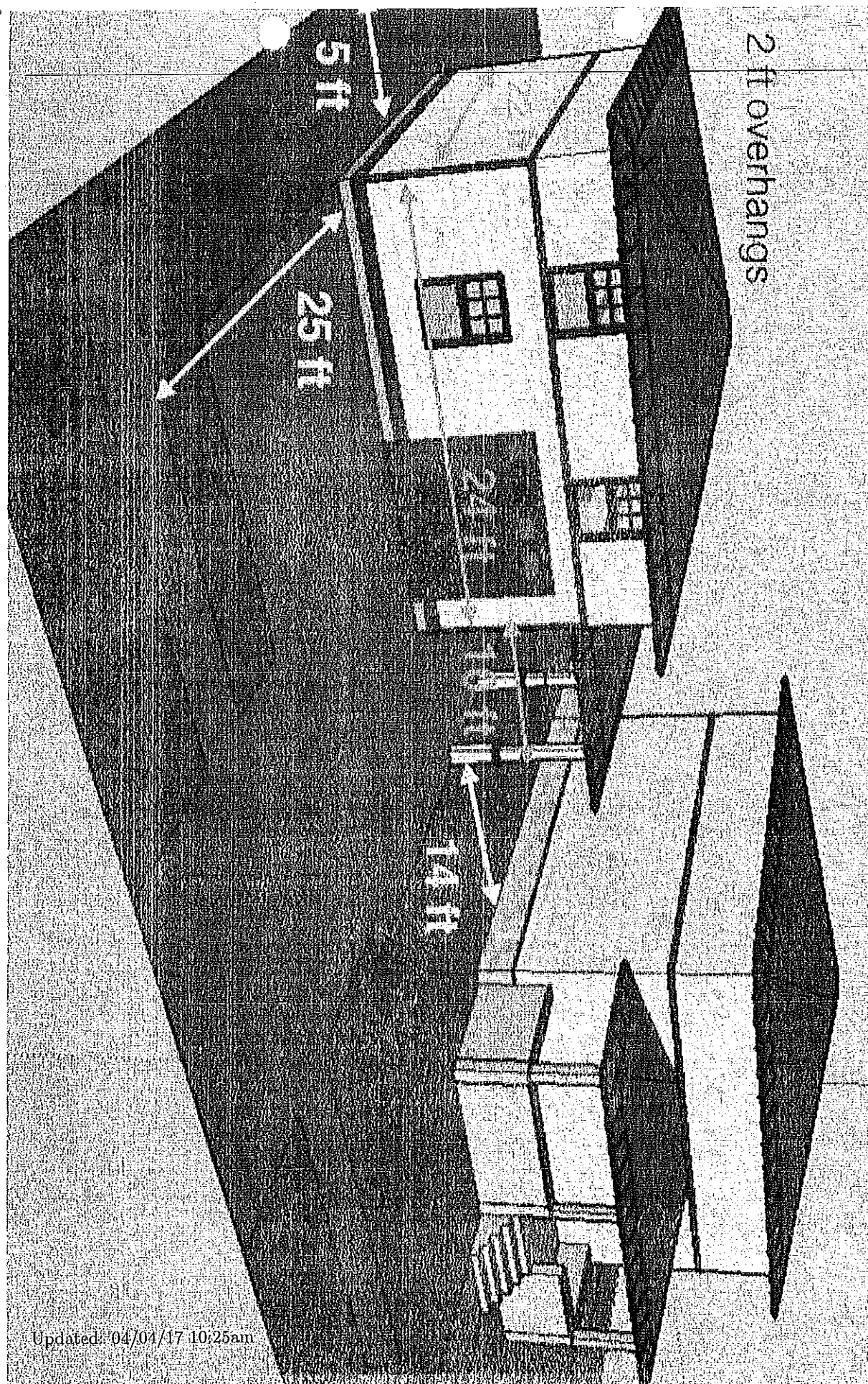
APPLICANT SHALL CALL THE INSPECTION DIVISION FOR REQUIRED INSPECTION: 920-832-6411

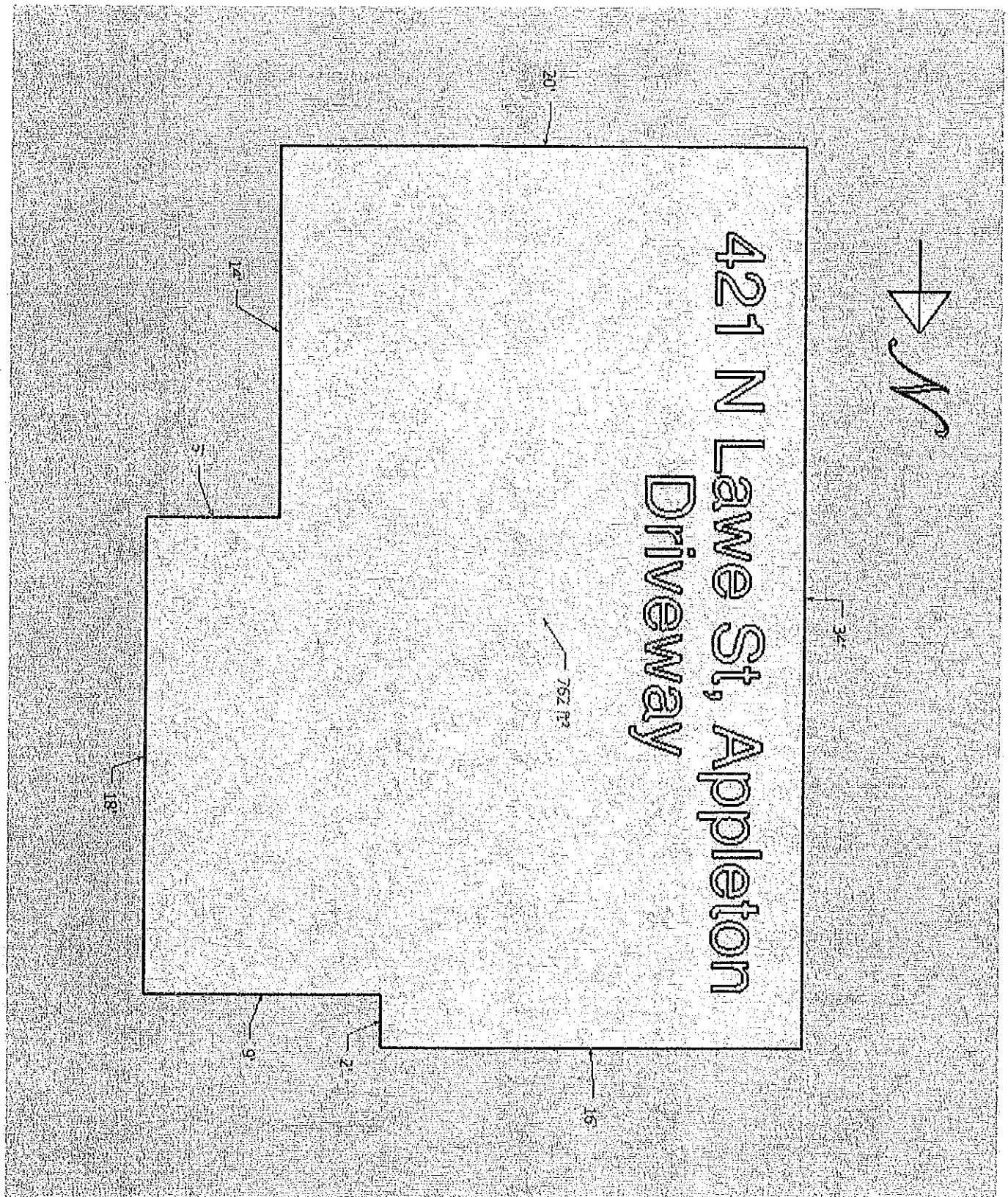
Reasonable Accommodations for persons with disabilities will be made upon request and if feasible.

White-Office

Pink- Assessor

Goldenrod-Applicant







ACCESSORY BUILDINGS

One and Two-Family Residential

Plans must be submitted for new or replacement accessory buildings before a building permit can be issued. The plans will be examined by a building inspector to ensure they conform to all relevant building, zoning and right-of-way regulations.

Plan review

Items the building inspector looks for when reviewing plans for accessory buildings are as follows:

- ◆ The total combined gross floor area of all attached garages, attached carports, and/or detached accessory buildings including but not limited to detached garages, detached carports, tool/garden sheds, storage sheds, gazebos or pool houses shall not exceed the total gross floor area of the principal building.
- ◆ Detached Accessory Buildings: the maximum total combined gross floor area of all detached accessory buildings including but not limited to detached garages, detached carports, tool/garden sheds, storage sheds, gazebos or pool houses shall be one thousand six hundred (1,600) square feet.
- ◆ Attached Accessory Buildings: the maximum total square footage allowed for all attached garages, attached carports or any attached accessory building may not exceed a total of 1600 sq. ft. or 35% of the total gross area of the principal building whichever is greater.
- ◆ Garage setbacks are usually measured from the enclosing walls. However, if a detached garage has a carport or covered patio attached, then the setback is measured from the supporting columns of the carport or patio roof. Roof overhangs may extend 24 inches into a required yard or setback.
- ◆ For interior lots, where the accessory building is set back at least 60 feet from the street property line, the setbacks must be at least 3 feet from side and rear property lines, and at least 5 feet from an alley line.
- ◆ A garage may be as close as 5 feet to a house, if adequate fire protective measures are taken. Otherwise, it must be at least 10 feet away.
- ◆ An accessory building cannot be built on a vacant lot.
- ◆ No second floors or dormers are permitted.

Submitting plans

Walk-in service is available for the review of garage plans if you come in when inspectors are available in the office. Office hours are 8:00 to 9:30 a.m. and 12:30 to 1:30 p.m. Monday through Friday. Inspectors are also responsible for making field inspections; therefore they are not in the office at all times. Call 832-6411 to confirm inspector availability.

Building Permit Application Worksheet

One or Two-Family Residential Accessory Building

-- Must be filled out by applicant --

PLEASE COMPLETE THE FOLLOWING. MISSING ITEMS MAY CAUSE DELAY

☒ New ☐ Addition ☐ Remodel ☒ Detached Garage ☐ Detached Storage Shed ☐ Other _____

Job Site Address 421 N Lawe St Property ID# _____

Property Owner Bobby Fleshman

Genl. Contractor Self State DC# _____ State DCQ# _____

Electrical Contractor Bissing Electric ☐ No Electrical Work Proposed

Applicant Bobby Fleshman Applicant's Address 421 N Lawe St

City Appleton State WI Zip 54911 Day Ph. 405.627.0167 Cell _____ Fax _____

CHECK LOT FRONTAGE CONDITION: ☒

S t r e e t	Left Corner (a)	Interior (b)	Right Corner (c)	S t r e e t
Street				
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>				

Alley, Trail or other Right-of-Way				
S t r e e t	Corner with Alley (d)	Interior with Alley (e)	Corner with Alley (f)	S t r e e t
Street				
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				

Street	Through Lot (g)	Street
<input type="checkbox"/>		

ENTER THE HEIGHT AND STYLE OF YOUR BUILDING ☒

Half the dimension from top plate to ridge

Height= **16.75 ft.**

☐ **HIP ROOF**

☐ **Gable**

☐ **Mansard**

☐ **Shed**

ANSWER THESE QUESTIONS: ☒

1. ☐ Yes ☒ No Will this building be used for any commercial or home occupation purpose?
2. ☐ Yes ☒ No Will you need a new or additional curb cut?
3. ☐ Yes ☒ No Will this building or addition have more than one story?
4. ☐ Yes ☒ No Will water or sanitary sewer be provided to this building?
5. ☐ Yes ☒ No Will this building be used for dwelling purposes?
6. ☐ Yes ☒ No Will an existing building be removed to make room for the proposed building?
7. ☐ Yes ☒ No Will the proposed building or addition be moved from another site?
8. ☐ Yes ☒ No Will the proposed building be constructed as a pole building?
9. ☐ Yes ☒ No Will the proposed building have a foundation other than a concrete slab?

SIGN IF TRUE:

The information above is complete and accurate to the best of my knowledge. I am the owner of subject property or I am legally authorized to apply for a permit on the owner's behalf.

x Bobby Fleshman
Signature of Applicant

8/20/15

Date

Checklist: Typical Wood Frame Garage

- ♦ To be filled out and signed by applicant
- ♦ One copy must be attached to the permit application
- ♦ One copy must be provided to applicant

Note: Roof must be designed for 30# live load.

- 1) Engineered trusses: _____ o.c.
or
- 2) Rafters: 2 X 6 _____ with ceiling joists and collar ties 16 _____ o.c.
- 3) 5/8 inch OSB _____ (type) sheathing installed per manufacturer's specification.
- 4) Approved Asphalt Composite _____ (type) roof covering installed over 15# felt underlayment.
- 5) Hurricane clips or approved fasteners.

A wall brace plan from a lumber supplier is required.

- 6) 6" Bevelled Clapboard Pine _____ (type) siding
- 7) 1/2 in. OSB _____ (type) wall sheathing
- 8) 2x6 _____ wood studs at 16 _____ inches o.c.
- 9) Pressure treated wood plate
- 10) Minimum 6"x 1/2" anchor bolts @ maximum 8'oc
- 11) Minimum 6x6" inch slab edge
- 12) Minimum 4" slab
- 13) Reinforcement: ☒ 1/2" re-bar @ 24"oc (both ways)
or ☐ steel mesh reinforcement.

14) **Minimum 4" granular fill**

header

Double shoulder studs required for openings greater than 6'

Overhead Door Header

- 15) Width of opening ? 9 ft.
- 16) Header carries roof load? ☒ yes ☐ no
- 17) Describe header:
LVL (5.5" x 10")
- 18) Shoulder Studs: ☐ Single ☒ Double

Submitter:

Bobby Fleck

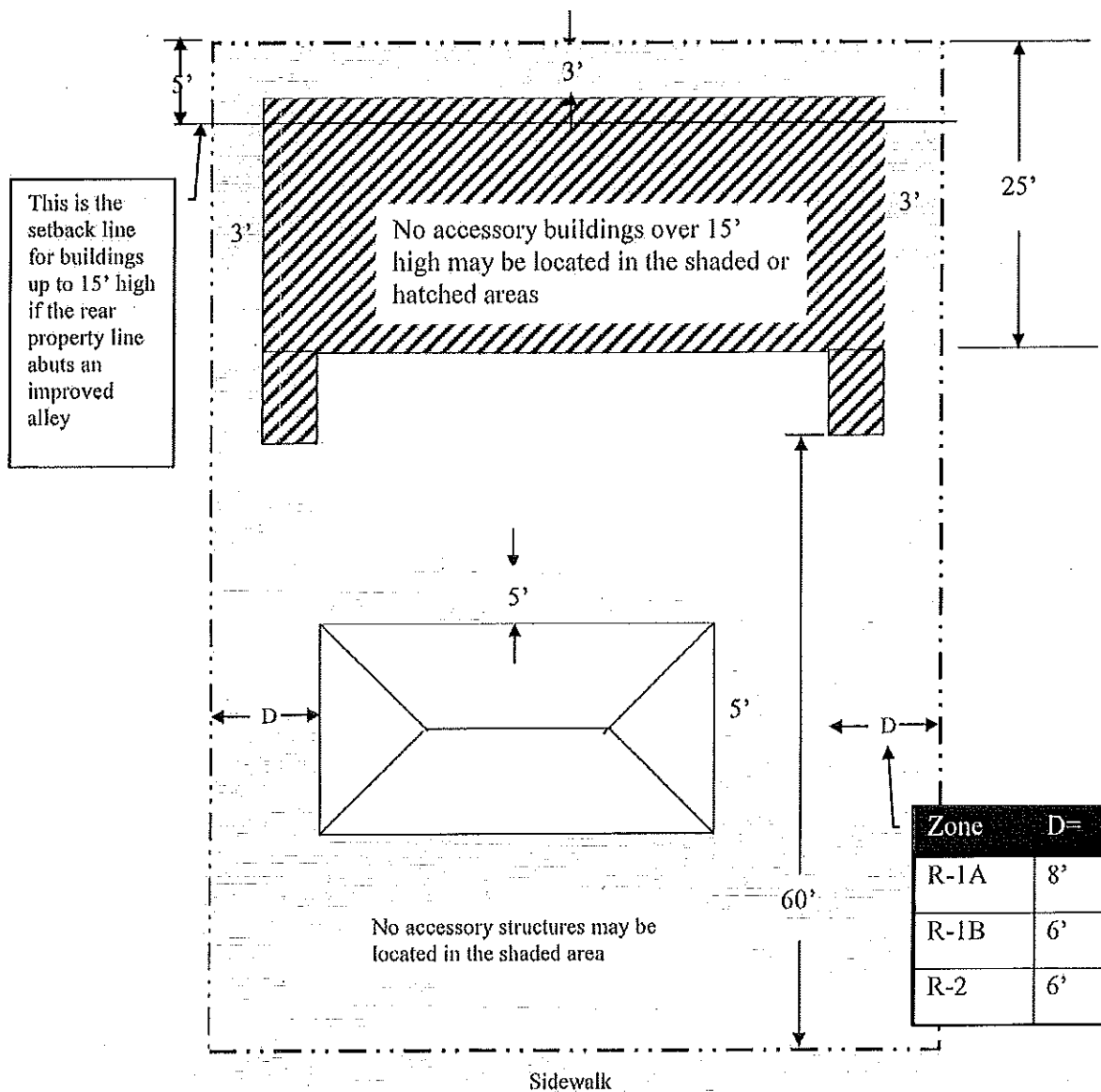
8/20/15



Signature

Date

DIAGRAM 101. ZONING

Location of an Accessory Building on a Typical Interior Lot

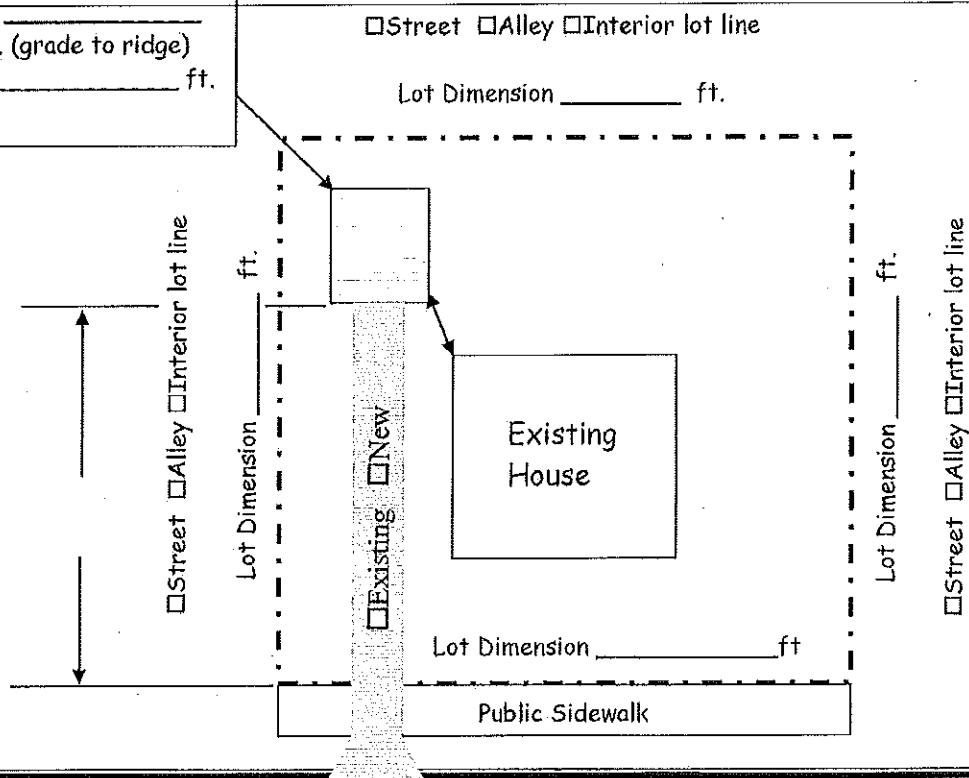


-  Unbuildable areas (setbacks) for all accessory buildings
-  Additional unbuildable areas (setbacks) for accessory buildings over 15 feet in height.

Note: Accessory buildings over 20' high are not permitted

Proposed Bldg:

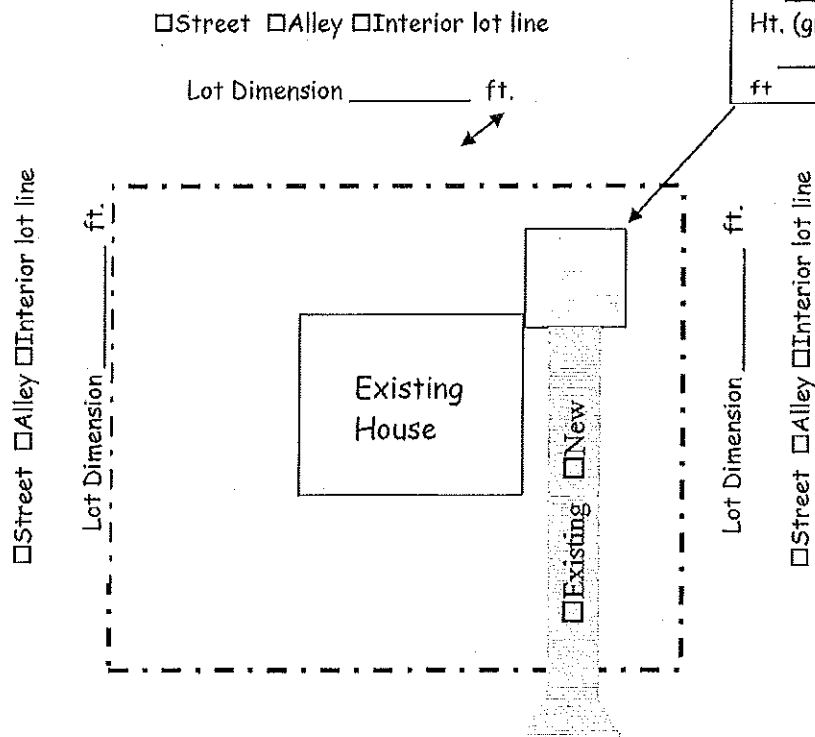
 Ht. (grade to ridge)
 _____ ft.



Street Name: _____

Proposed Bldg:

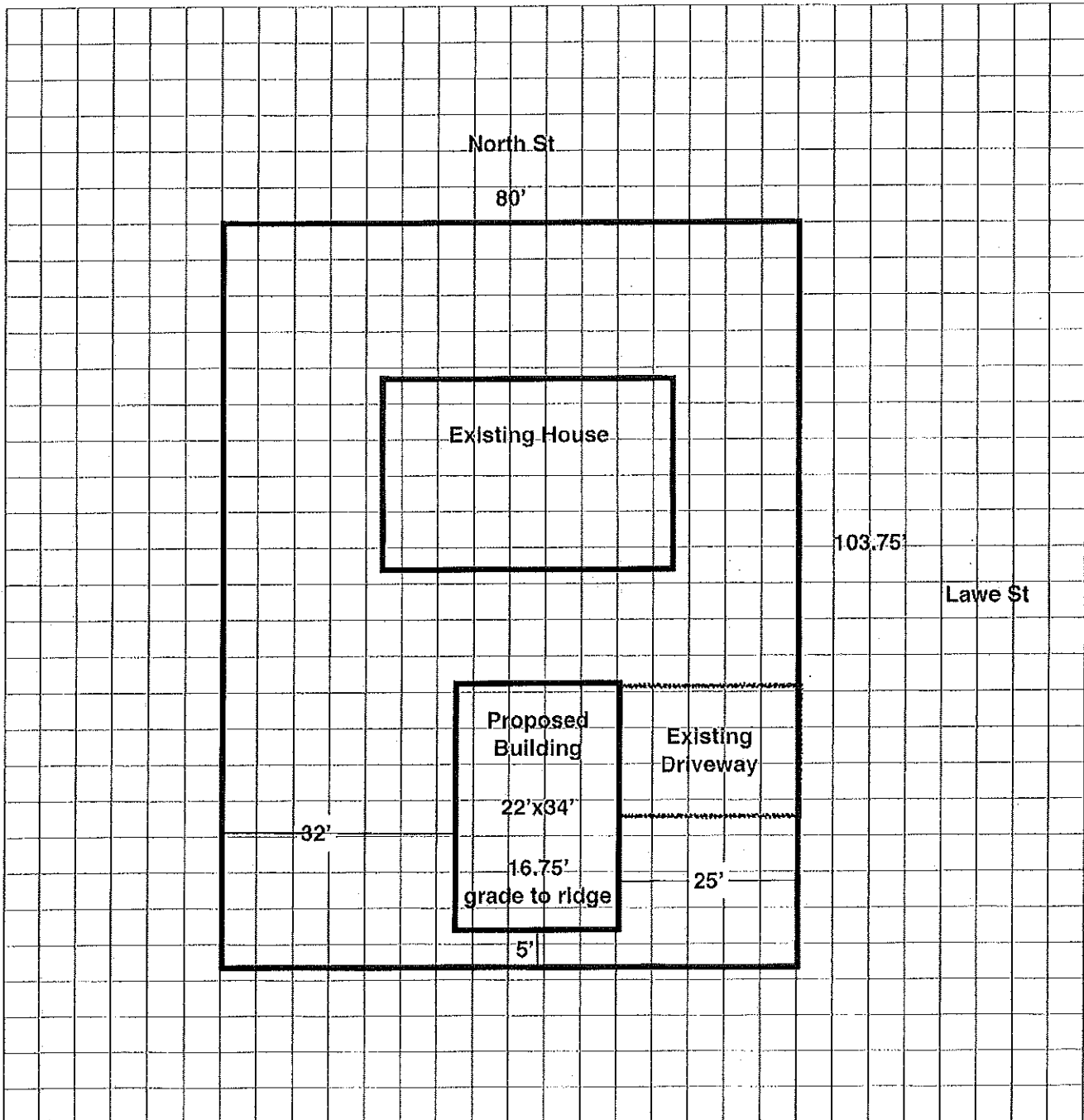
 Ht. (grade to ridge)
 _____ ft.



Street Name: _____

1. All lines must be drawn with a straightedge. Free hand drawings cannot be accepted.
2. All lot lines and all buildings must be shown and dimensioned. Partial plot plans cannot be accepted.
3. Driveway(s) and curb cuts must be shown and labeled "proposed" or "existing".
4. Irregular shaped lots must be drawn to scale.

5 Foot Grid



PLOT PLAN

Project:

Detached New Garage

Scale: 1" = 20 Ft.

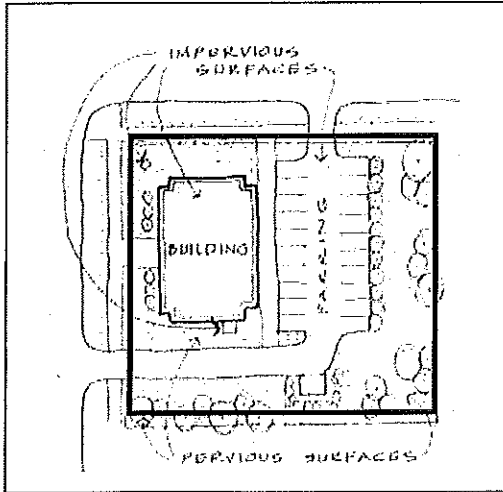
Address:

421 N Lawe St

Foundation Note

An accessory building of greater area than 100 square feet must have a concrete slab foundation.

Calculation: Impervious surface ratio.



Impervious surface means an area that releases, as runoff, all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways and parking lots are examples of surfaces that are typically impervious. Surfaces in the public right-of-way, such as a street, driveway apron or public sidewalk, are not counted in this calculation—only areas on your property.

Impervious surface ratio means the measure of intensity of land use, determined by dividing the total of all impervious surfaces on a site by the gross area of the site.

Required for new buildings of any kind, additions, porches, patios, driveways, and walks—anything impervious to water.

MAXIMUM LOT COVERAGE: R1A 40%, R1B 50%, **R1C 75% R2 60%**

Component	Area (square feet)
1. House (including porches, patios, attached garage)	1216 w/overhang Sq. ft
2. New Detached Garage	988 w/overhang Sq. ft
3. Storage shed	N/A Sq. ft
4. Driveway	450 Sq. ft
5. Sidewalks (private)	56 Sq. ft
6. Total of all impervious surfaces on the site (sum of lines 1-5)	2710 Sq. ft
7. Gross area of the site (lot area)	8300 Sq. ft
Impervious surface ratio (line 6 ÷ line 7 X 100= %)	33 %

Example: If #6 is 4,000 and #7 is 10,000 the ratio would be $4,000 \div 10,000 \times 100 = 40\%$

NOTE: Existing garage not included in calculation; will be demolished 2016.

7 Engineering calculations

NOTES:

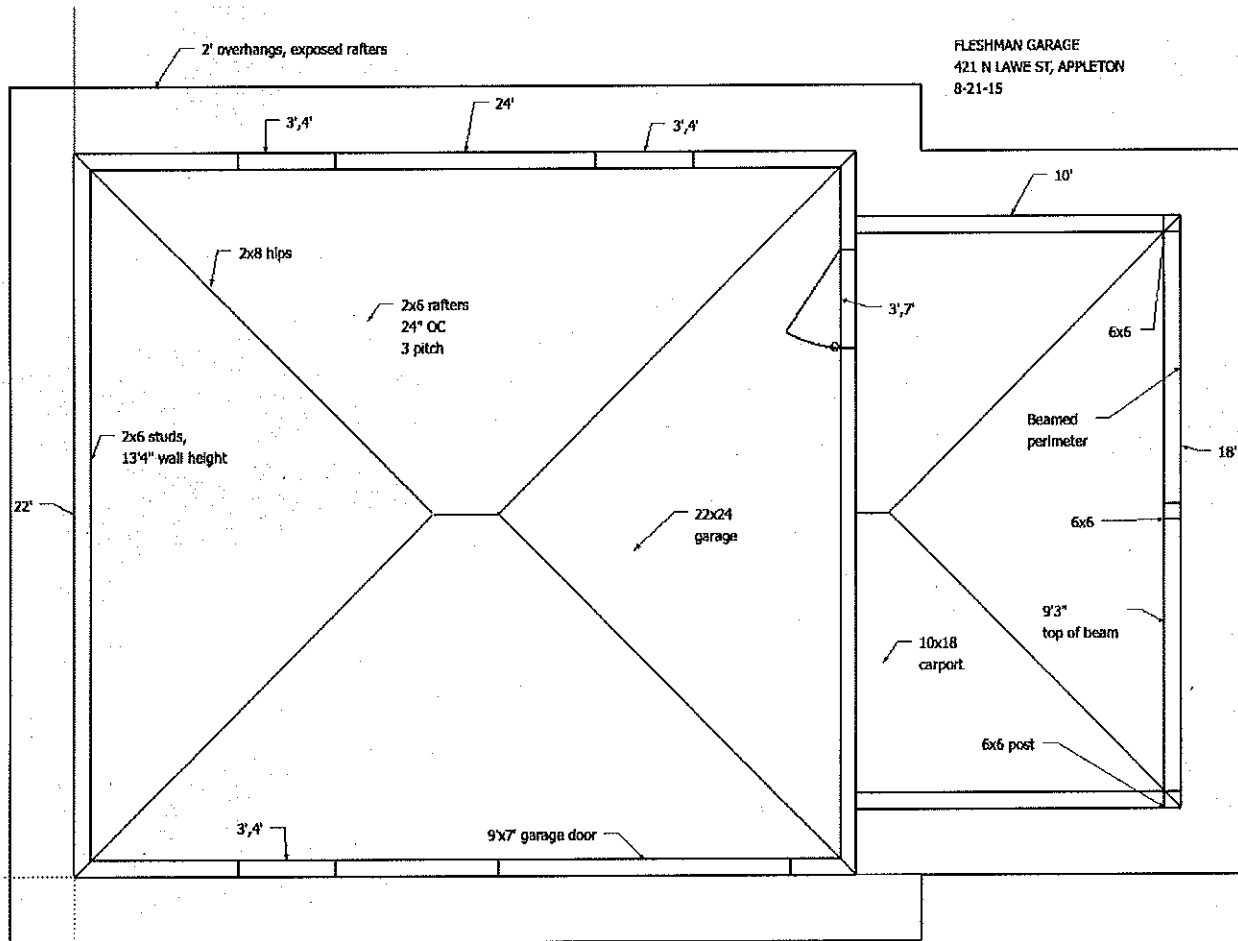
Four (4) additional windows of equal size (3'x4') are to be installed above those shown.

Three (3) 5 1/2" x 1' beams 10' length to span carport and garage

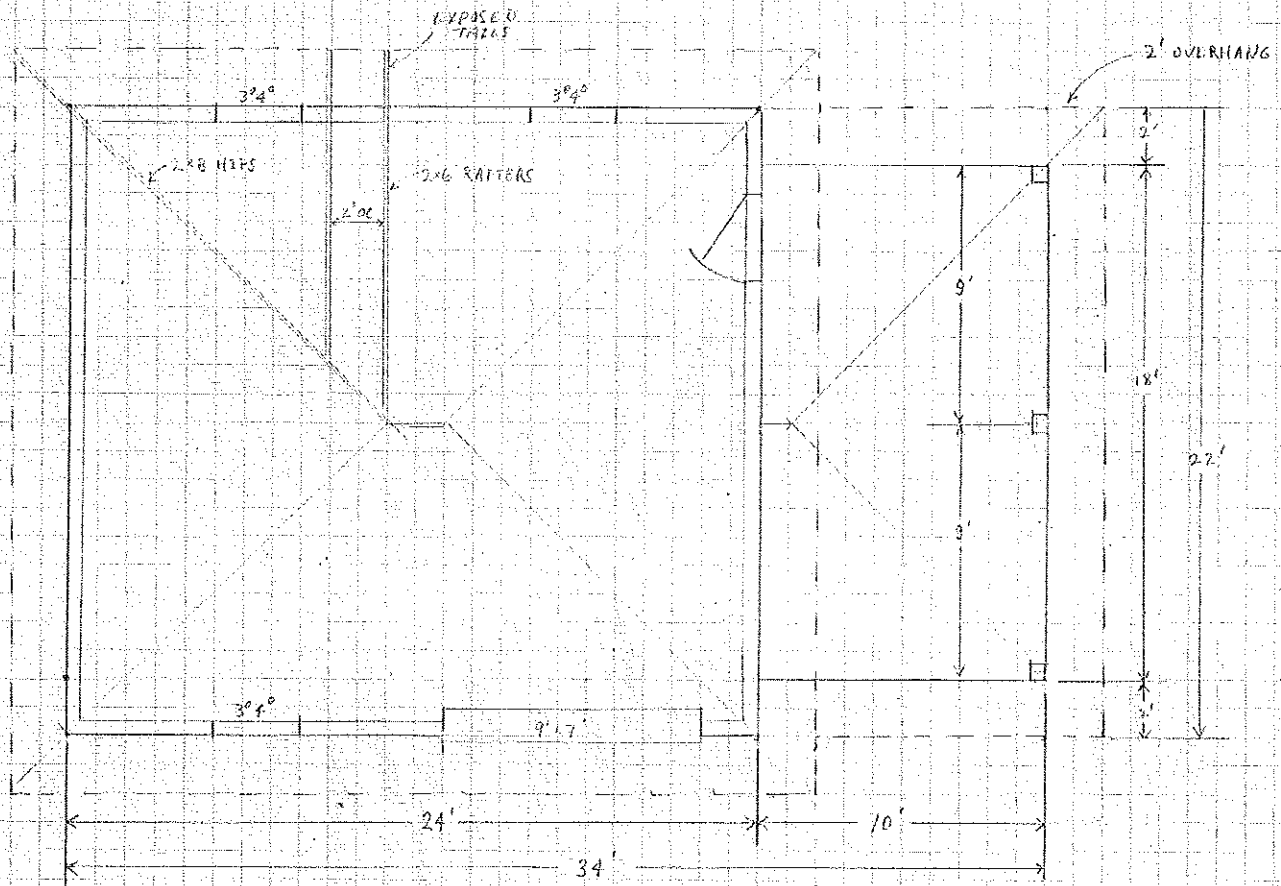
Two (2) 5 1/2" x 1' beams 11' length to span carport

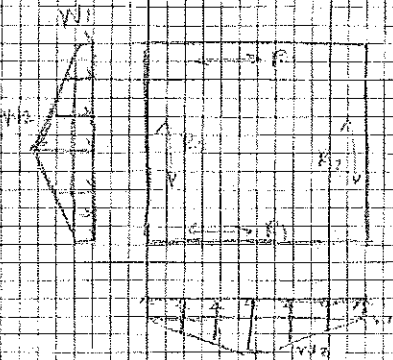
Specs and materials

Walls	sheathing	1/2" OSB	Roof	sheathing	5/8" OSB w/clips
	tot height	13'4"		felt	30#
	studs	2x6		shingles	asphalt composi
	vapor barrier	?		rafter tails	exposed
	windows	(7) 3'x4'		facia	decorative
	garage door	9'x7'		gutters	integrated
	insulation	walls+ceilings		rafters	2x6
				hips	2x8
				pitch	3



FLESHMAN B-21-15
421 N. LAWE ST.
APPLETON, WI





$$W_1 = 2.17(2.00) = 4.34 \text{ kips}$$

$$V_1 = 3.11(2.47(2.0)) = 3.55 \text{ kips}$$

$$R_1 = 2.00(1.22(2.17) + 3.55(2.0/1.5))$$

$$= 11.00 \text{ kips}$$

$$R_2 = 2.5/2(3.55(2.0)) = 6.375 \text{ kips}$$

$$= 19.25 \text{ kips}$$

SEE FOLLOWING FOR SHEAR WALL CALCULATIONS

USE 12" DEEP WALLS & 12" DEEP
CRACKED & 12" DEEP
INTERMEDIATE STRENGTH
INTERIOR SHEAR WALLS

