



# 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, October 16, 2017

7:00 PM

6th Floor Council Chambers

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1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting  
[17-1572](#) Minutes from September 18, 2017.

**Attachments:** [September 18, 2017.pdf](#)

### 4. Public Hearings/Apearances

### 5. Action Items

- [17-1573](#) 1610 W. Wisconsin Ave (31-5-9538-02) The applicant proposes to add a section to an existing parking lot that will be paved up to the east lot line. Section 23-172(h) Table 2 of the Zoning Ordinance requires that a five (5) foot landscape buffer be created between all C2 zoning properties abutting parking lot.

**Attachments:** [1610 w wisconsin \(map\).pdf](#)  
[1610 w wisconsin.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

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Monday, September 18, 2017

7:00 PM

6th Floor Council Chambers

---

1. Call meeting to order

2. Roll call of membership

**Present:** 4 - Smith, Joosten, Engstrom and Sperl

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

3. Approval of minutes from previous meeting

[17-1276](#)

Minutes from July 17, 2017.

**Attachments:** [July 17, 2017 minutes.pdf](#)

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

**Aye:** 4 - Smith, Joosten, Engstrom and Sperl

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

4. Public Hearings/Appearances

5. Action Items

[17-1277](#)

181 S. Riverheath Way (31-4-0828-04) The applicant proposes to erect a sign that is four (4) feet six (6) inches high on the front lot line. Section 23-525(c) of the Zoning Ordinance limits sign height to three (3) feet if closer than fifteen (15) feet from the front property line. The applicant also plans to use the sign to advertise businesses not located on this parcel. Section 23-505(d) of the Zoning Ordinance prohibits off premise signs.

**Attachments:** [181 Riverheath Way.doc](#)  
[181 Riverheath Way Application.doc](#)

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

**Aye:** 4 - Smith, Joosten, Engstrom and Sperl

**Absent:** 2 - McCann and 2nd Alternate Maloney

**17-1278**

6800 N. Purdy Pkwy (31-1-9201-00) The applicant proposes to construct an accessory building (garage) on a lot prior to the construction of the principal residential building. Section 23-43(d)(1) of the Zoning Ordinance prohibits accessory buildings to be constructed prior to the principal building. The applicant also proposes to construct a garage that is 2,358 sq. ft. Section 23-43(i)(2) of the Zoning Ordinance limits the cumulative size of accessory structures on residential lots to 1,600 sq. ft.

**Attachments:**    [6800 Purdy Parkway.doc](#)  
                              [6800 N. Purdy Parkway application.doc](#)

*Engstrom moved to deny request for variance to Section 23-43(d)(1), seconded by Sperl, the Action Item since there will be no house on the property. Roll Call. Motion carried by the following vote: Aye: 4-Engstrom, Smith, Joosten & Sperl*

**Smith moved, seconded by Sperl, that the Report Action Item request for variance to Section 23-43(i)(2) be approved after a house is built on the property. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Smith, Joosten, Engstrom and Sperl

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

**17-1431**

2 Olde Paltzer Lane (31-6-4007-00) The applicant proposes to erect a fence that will be six (6) feet tall and located one (1) foot from 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 setback.

**Attachments:**    [2 Olde Paltzer Lane.doc](#)  
                              [2 olde palter9.pdf](#)  
                              [2 olde palter9\(map\).pdf](#)  
                              [2 Olde Paltzer La.doc](#)

**Sperl moved, seconded by Smith, that the Report Action Item be approved to allow 6' fence to be 8' from front property line. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Smith, Joosten, Engstrom and Sperl

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

**17-1432**

2508 N. Richmond St. (31-6-7695-00) The applicant is appealing the decision of the Inspection Supervisor who is considering the proposed butterfly enclosure to be a structure. Section 23-43(f)(2)(a) of the Zoning Ordinance requires accessory structures to be at least five (5) feet from the north property line and eight (8) feet, two (2) inches from the east

property line. The proposed butterfly enclosure will be on the property lines.

**Attachments:**     [2508 N. Richmond St.doc](#)  
                              [2508 n Richmond.doc](#)  
                              [2508 N. Richmond\(map\).pdf](#)  
                              [2508 N. Richmond.pdf](#)

*Engstrom moved, seconded by Sperl, that the Report Action Item for adm. appeal be denied. Roll Call. Motion carried by the following vote: Aye: 4-Engstrom, Sperl, Smith & Joosten.*

**Smith moved to deny variance request to Section 23-43(f)(2)(a), seconded by Sperl, that the Report Action Item be denied. Roll Call. Motion carried by the following vote:**

**Aye:** 3 - Smith, Engstrom and Sperl

**Nay:** 1 - Joosten

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

## **6. Information Items**

## **7. Adjournment**

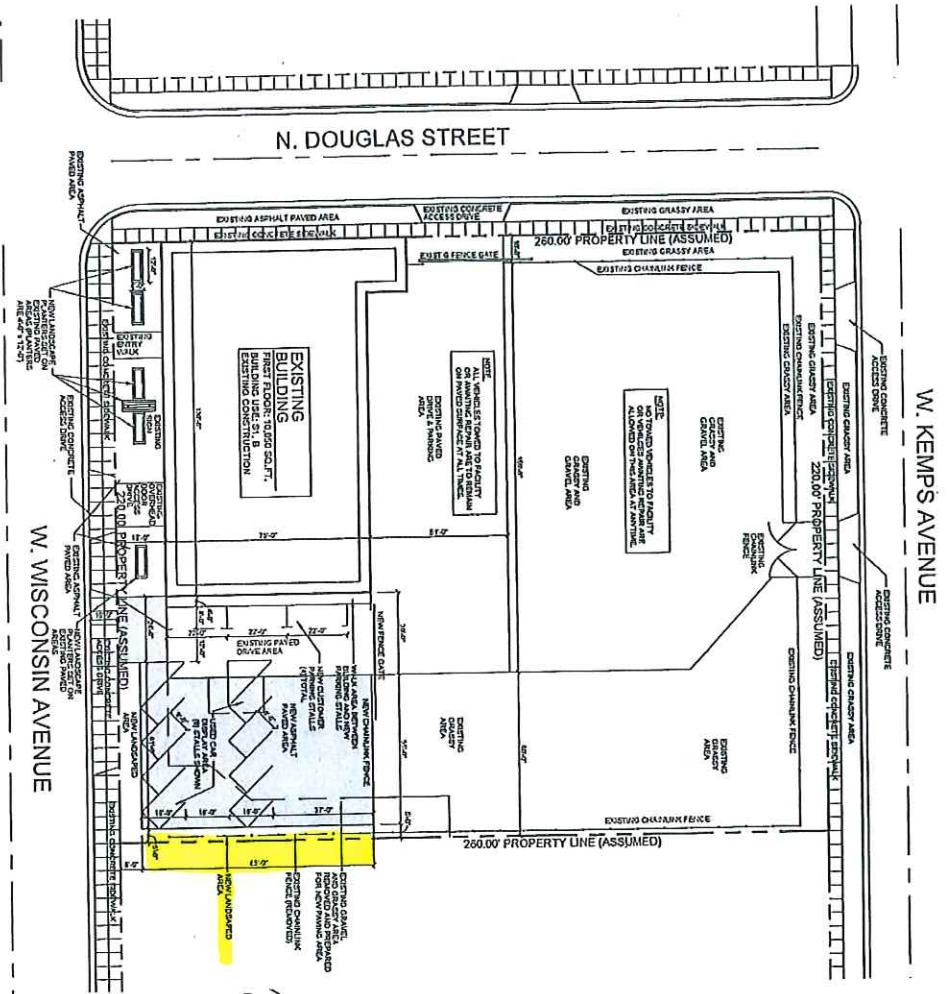
**Engstrom moved, seconded by Sperl, that the meeting be adjourned. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Smith, Joosten, Engstrom and Sperl

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



SITE PLAN  
SCALE: 1" = 20.00'



No Buffer

1610 West Wisconsin Avenue  
Special Use Permit - Used Automobile Sales,  
Auto Body and Paint Facility, Towing Business

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 3, 2017**

Meeting Date: **October 16, 2017 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>1610 W. Wisconsin Ave.</b>	Parcel Number <u>31-5-9538-02</u>
Zoning District <b>C2</b>	Use of Property <b>Commercial</b>

Applicant Information	
Owner Name <b>Apple Valley Concrete and Construction</b>	Owner Address <b>1610 W. Wisconsin Ave Appleton, WI 54914</b>
Owner Phone Number <u>(920) 213-3700</u>	Owner E Mail address (optional) <b>applevalleyconcrete@yahoo.com</b>
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)

Variance Information
Municipal Code Section(s) Project Does not Comply <b>Section 23-172(h) Table 2- A five (5) foot landscape buffer is required for parking lot adjacent to other C2 zoned properties.</b>
Brief Description of Proposed Project <b>No landscape buffer will be installed in front parking area on the east of end of the property.</b>

Owner's Signature (Required):  Date: 10-3-17

## 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:

Drive Parking lot without land scape  
at property lines Due to Damage  
from snow plows + Piles From  
Neighboring property

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

There is a Car Dealership Next  
to us That Has Asphalt All the way  
to property line

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

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

over The Next years to come  
many repairs to landscape areas  
from Damage in winter months



