



City of Appleton

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

Meeting Agenda - Final Board of Zoning Appeals

Monday, June 17, 2019

7:00 PM

6th Floor Council Chambers

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[19-0856](#) Minutes from May 20, 2019

Attachments: [Minutes 5-20-19.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[19-0854](#) **1309 S. Oneida St. (31-4-0537-00)** The applicant is proposing to expand office space by 829 sq. ft. and not add to the ten (10) existing parking spaces. Section 23-172(m) of the Zoning Ordinance requires one (1) parking space for every 250 sq. ft. of gross floor area. After the proposed addition, the total gross floor area will be 3,240 sq. ft., which would require thirteen (13) parking spaces.

Attachments: [1309 S. Oneida 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
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Meeting Minutes - Final Board of Zoning Appeals

Monday, May 20, 2019

7:00 PM

1. Call meeting to order

Meeting called to order by McCann at 7:00 pm

2. Roll call of membership

Present: 4 - McCann, Joosten, Engstrom and Sperl

3. Approval of minutes from previous meeting

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

Aye: 4 - McCann, Joosten, Engstrom and Sperl

[19-0506](#)

Minutes from February 18, 2019

Attachments: [Minutes 02-8-19.pdf](#)

4. **Public Hearings/Appealances**

Greg Brahe, 1515 N. Durkee St.

5. **Action Items**

[19-0504](#)

318 E. Brewster St. (31-6-0545-00) The applicant is proposing to locate refuse containers on the west side of building along Durkee St. This location would be in the front yard. Section 23-47(b) of the Zoning Ordinance requires refuse containers to be located in the side or rear yards only.

Attachments: [318 E. Brewster St.pdf](#)

Motion fails to receive four required votes. Variance request fails 3-1 (Mark Hansel appearing for AASD)

Joosten moved, seconded by Engstrom, that the report action item be approved. Roll Call. **Motion failed by the following vote:**

Aye: 3 - McCann, Joosten and Engstrom

Nay: 1 - Sperl

[19-0671](#)

2400 W. College Ave. (31-7-0026-00) The applicant is proposing to develop the site with 87.7% lot coverage. Section 23-113(h)(2) of the Zoning Ordinance requires a maximum lot coverage of 75%.

Attachments: [Amended 2400 W College Ave.pdf](#)
[2400 w. college ave\(map\).pdf](#)

Sperl moved, seconded by Joosten, that the variance to allow 87.7% lot coverage for new lot, contingent on approval of proposed CSM on file, be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - McCann, Joosten, Engstrom and Sperl

[19-0672](#)

2911 N. Drew St. (31-6-3216-00) The applicant is proposing to build a deck that is 26' 8" from the rear property line. Section 23-96(g)(5) of the Zoning Ordinance requires a minimum rear yard setback of 35 feet.

Attachments: [2911 N. Drew St..pdf](#)

Joosten moved, seconded by Sperl, that the motion for a 30' setback be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - McCann, Joosten, Engstrom and Sperl

6. Information Items

7. Adjournment

A motion was made by Joosten, seconded by Sperl, that this meeting was adjourned at 8:40 pm the motion carried by the following vote:

Aye: 4 - McCann, Joosten, Engstrom and Sperl

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor

Date: June 11, 2019

RE: Variance Application for 1309 S. Oneida St. (31-4-0537-00)



Description of Proposal

The applicant is proposing to expand office space by 829 sq. ft. and not add to the ten (10) existing parking spaces. Section 23-172(m) of the Zoning Ordinance requires one (1) parking space for every 250 sq. ft. of gross floor area. After the proposed addition, the total gross floor area will be 3,240 sq. ft., which would require thirteen (13) parking spaces.

Impact on the Neighborhood

In the application, the application states that providing additional space to rent out to mental health practitioners will be good for the community. In addition, the applicant states that granting a variance to waive the need to provide additional parking spaces will not affect surrounding areas.

Unique Condition

In the application, the applicant states that this lot is a small and constricting commercial lot. It is not possible to add more parking spaces to the surrounding lot area.

Hardship

In the application, the applicant states that the hardship is that the lot is too small. The lot is 8,720 sq. ft. and the minimum lot area in the CO zoning district is 9,000 sq. ft.

Staff Analysis

The property is a nonconforming lot of record. The minimum lot size for a property in the CO zoning district is 9,000 sq. ft. This property is 8,720 sq. ft.

This property already has multiple variances: lot coverage (4/17/17) and parking lot dimension (6/17/17 and 7/16/18).

The proposed plan to remodel the existing attic space into habitable space is a project that is not required for the use of the property. The owner is choosing to do this project, which is exasperating the already limited parking situation.

However, because of the limited size of the lot, the applicant meets the review criteria for a variance, because of the dimensional limitations of the lot.

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 May 27, 2019 Meeting Date June 17, 2019 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	
Owner Name Be. A Center for Holistic Mental Health and Healing	Owner Address 1309 S. Oneida St. Appleton, WI 54915
Owner Phone Number 920-903-8841	Owner E Mail address (optional) careyla2@hotmail.com
Agent Name Carey Lynn Sorenson	Agent Address 2995 West Honeysuckle Lane Appleton, WI 54913
Agent Phone Number 920-621-3638	Agent E Mail address (optional) Careyla2@hotmail.com
Variance Information	
Municipal Code Section(s) Project Does not Comply Section 23-172(m) – Minimum spaces required for an office use.	
Brief Description of Proposed Project The proposed plan is to expand habitable workspace in the facility by 829 sq. ft., making the total gross floor area 3240 sq. ft. and to not being required to add ANY additional parking spaces. Section 23-172(m) of the Zoning Ordinance requires one (1) space for every 250 sq. ft. of gross floor area for personal service uses. For this addition 4 total parking spaces would be required to be added to the 10 spaces already provided on-site. This variance requests that no more parking spaces are required to be added despite the amount of square footage added to the existing building structure due to the existing hardship of the lot's size. This lot is 8,720 sq. ft. The minimum lot area in the CO zoning district is 9,000 sq. ft. (23-111(h)(1)).	

Owner's Signature (Required): Carey Sorenson, PhD Date: May 23, 2019

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
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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 proposed plan is to expand rentable space within the existing structure located at 1309 South Oneida Street. There are numerous viable ways to expand this property to maximize the amount of usable space; however, expansions are always contingent on providing additional parking spaces. The ability to provide additional parking spaces on the current lot has been completely exercised. I have built a parking lot and have provided all the spaces possible based on lot structure and size.

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

Adding extra space within 1309 South Oneida Street would allow the space to provide more rental space for practitioners providing mental health and healing services. These services provide a wonderful value to the community and increase economic revenue. Granting a variance to waive the need to provide additional parking spaces will not affect surrounding areas as there is no construction to the outside of the property that would impact any of the surrounding areas.

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

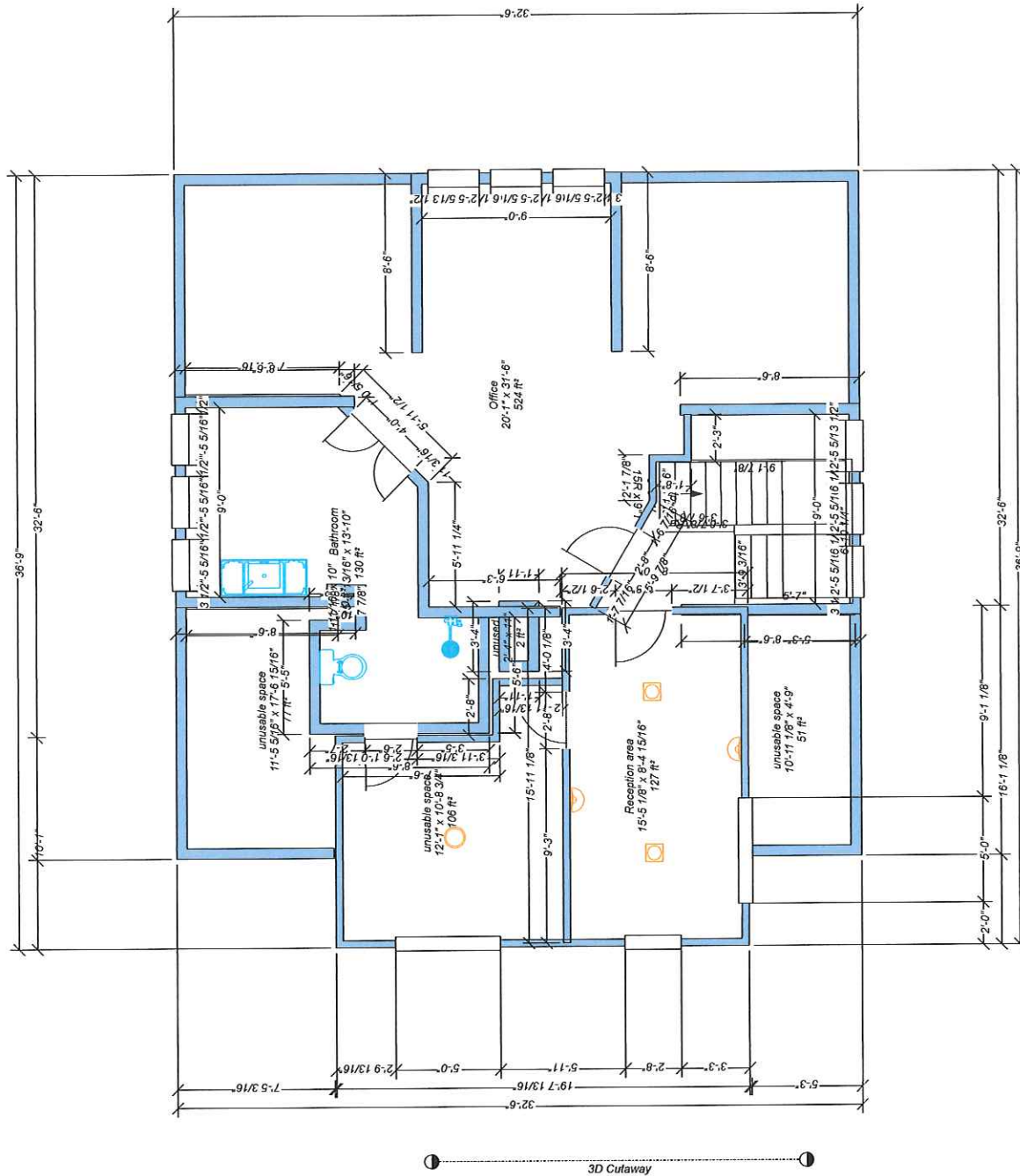
It is a small and constricting commercial lot. It is not possible to add any more parking spaces to the surrounding lot area; all outside space has been fully maximized, allotting 10 spaces in total to be provided. The lot structure and size are not conducive to adding additional onsite parking.

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

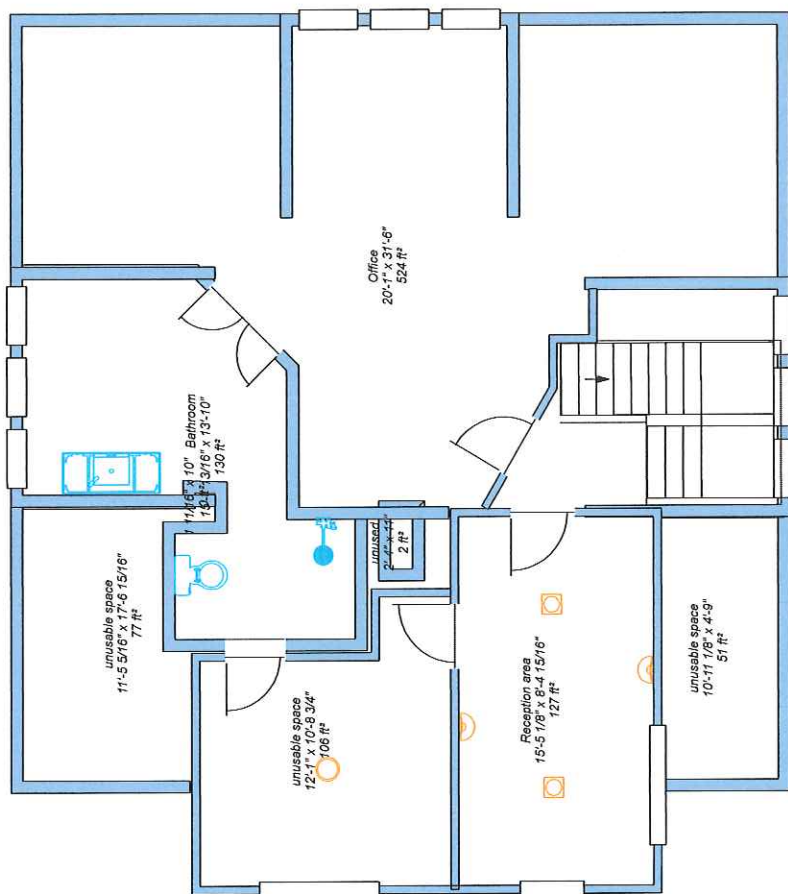
The unnecessary hardship is that my lot is too small, it is a nonconforming lot of 8,720 sq. ft. The minimum lot area in the CO zoning district is 9,000 sq. ft. (23-111(h)(1).

I am asking that despite adding additional square footage that I am no longer asked to continue to meet this ordinance as I have fully maximized my ability to do so.

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1309 S. Onieda St.
3rd. floor
830 sq. ft.
Scale 1/8" = 1'



1309 S. Onieda St.

3rd. floor

830 sq.ft.

Scale 1/8" = 1'