


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

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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 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

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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.

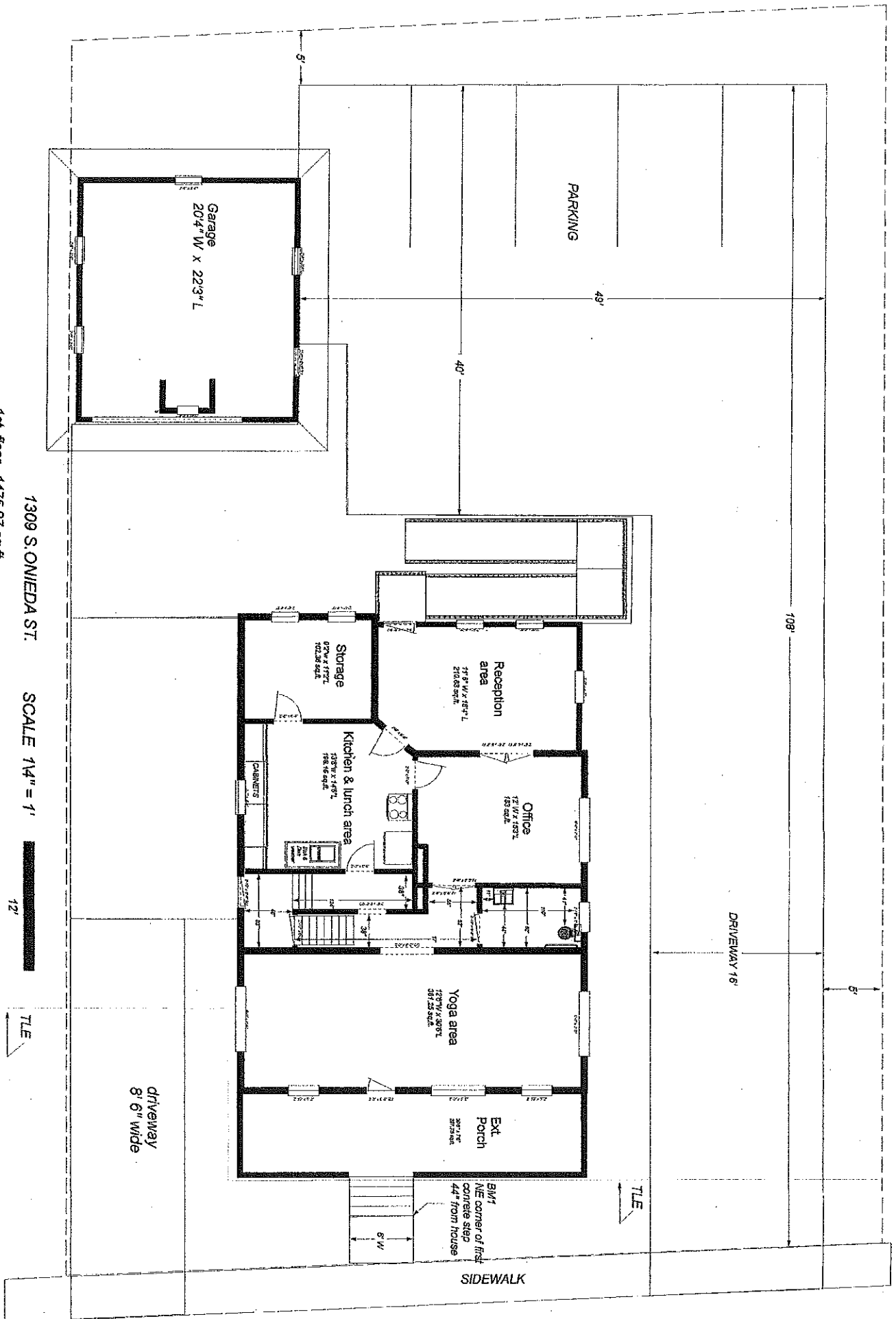
If this ordinance of 15 feet is respected the parking lot admissible would not be large enough to accommodate the proposed building usage.

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