

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 26, 2018** Meeting Date **March 19, 2018 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>7500 North Purdy Parkway</b>	Parcel Number <b>31-1-9221-00</b>
Zoning District <b>AG</b>	Use of Property <b>Residential</b>
Applicant Information	
Owner Name <b>MEU HOLDINGS LLC</b>	Owner Address <b>7500 N PURDY PKWY APPLETON, WI 54913</b>
Owner Phone Number	Owner E Mail address (optional)
Agent Name <b>Nicholas Blavat, Architect Deep River Partners</b>	Agent Address <b>240 N. Milwaukee St., Ste. 400, Milwaukee, WI 53202</b>
Agent Phone Number <b>414-276-8550</b>	Agent E Mail address (optional) <b>nblavat@deep-river.com</b>
Variance Information	
Municipal Code Section(s) Project Does not Comply <b>Section 23-44(a)(1)(a) – Fences in front yard may be no higher than (3) feet.</b>	
Brief Description of Proposed Project <b>The proposal is to construct a four (4) foot fence in the front yard.</b>	

Owner's Signature (Required):  Date: **2-26-18**

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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 property owner intends to install a new wood split face fence on Equestrian Trail. We are requesting the variance to have a 48" high fence within the front yard setback. The property is zoned Agricultural and the area in question is adjacent to Equestrian Trail, which is in the town of Freedom. The Equestrian Trail properties have 60" high fences along the road. The 60" high fence is located at the property line along the entire length of Equestrian Trail.

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

All of the surrounding properties are located in the Town of Freedom, which permits fence heights of 60". Therefore, there is no adverse effect on the surrounding properties. Also, this area is rural and agricultural, so the slightly taller fence in the "front" yard located out of sight of any residence does not raise the same aesthetic concerns about blocking views of the lawn and residence that might be present with regard to a front yard in a city lot with sidewalks and homes built close together where tall fences can be less desirable.

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

See response to Question #2.

Although the property is in the City of Appleton, the property is zoned Agricultural. Properties located along Equestrian Trail have horse stables and there is traffic from animals on this road. A 48" minimum height fence close to the road would prevent horses and livestock from entering the property at issue.

By not having a higher fence located at the property line, the property will not match the contextual aesthetic that is established along the entire road.

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

The requested fence height is necessary to secure the property and protect against incursions by horses and livestock maintained at the adjoining properties, which are zoned Agricultural.

The property is unique within the City of Appleton because it is zoned Agricultural and is surrounded by agricultural properties located in two different municipalities.

The public interest is not harmed and, in fact benefits, from erection of a 48" high fence. First, the proposed fence will protect property and persons in the City of Appleton against trespassing horses and livestock. Second, there are no adjoining properties located in the City of Appleton that would be impacted by this request and the permissible fence heights applicable to the adjoining properties are 60" in height. Third, the proposed fence will keep with the existing contextual aesthetic of Equestrian Trail by having fences along the property line.