

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: June 15, 2021

RE: Variance Application for 1702 W. Reeves (31-5-0155-02)

Description of Proposal

The applicant proposes to erect an eight (8) foot fence in the front yard of this double frontage lot two (2) feet from the lot line. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fences to three (3) feet in the front yard setback.

Impact on the Neighborhood

In the application, the applicant states that the property the fence would boarder already has well established arborvitae plants that are over fifteen (15) feet tall.

Unique Condition

In the application, the applicant states that their property is the only property along Winnebago St. near Appleton West High School that does not have some sort of barrier. They have noticed an increase in trash in their back yard.

Hardship

In the application, the applicant states that if the variance is not granted the hardship would be that they would have to continue to clean up the trash left by Appleton West High School students and deal with trespassing onto the property.

Staff Analysis

This lot is 8,348 sq. ft. The minimum size lot in the R1B zoning district is 6,000 sq. ft.

The lot is a unique shape and has double frontage. However, the zoning ordinance does not provide any exception for double frontage lots, unless one of the streets is an arterial street with access restrictions. This property does not qualify for that exemption.

Being a double frontage lot is not a hardship because it is not a unique condition. Because of this the applicant has not met the review criteria for a variance.

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 24, 2021

Meeting Date

June 21, 2021

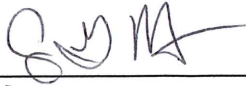
Please write legibly and also submit a complete reproducible site plan (maximum size 11" x 17"). A complete site plan includes, but is not limited to, all structures, lot lines and streets with distances to each. There is a non-refundable \$125.00 fee for each variance application. The non-refundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested)	Parcel Number
1702 W. Reeve St, Appleton, 54914	31-5-0155-08
Zoning District	Use of Property
	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial

Applicant Information	
Owner Name	Owner Address
Cory Newhouse & Rebecca Bowers	1702 W. Reeve St, Appleton, 54914
Owner Phone Number	Owner E Mail address (optional)
920-809-5664 & 920-540-9458	
Agent Name	Agent Address
Agent Phone Number	Agent E Mail address (optional)

Variance Information
Municipal Code Section(s) Project Does not Comply
Brief Description of Proposed Project
Extending pre-existing six foot property fence out to the property border on the backside of property.

Owner's Signature (Required):


Rebecca Bowers

Date:

5/17/21

5/17/2021

Recp 2135-0004

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:

Looking to extend the pre-existing 6 (six) foot privacy fence in the backyard to the property line. The variance is to allow the 6 (six) foot fence height due to an abnormal amount of foot traffic due to the Appleton West High School students throughout the day.

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

The property the fence would border already has well established arborvitae plants that are over 15 (fifteen) feet tall.

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

We are the only remaining backyard property along Winnebago, along the walking path of the Appleton West High School students, that does not already have a barrier. We have noticed an increase in the past years of pedestrian generated trash accumulating in our backyard.

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

Continued clean up of Appleton West High School students trash and overall trespass onto our property. Being that it seems that it has become a spot for congregations on the path to the parking lot, we either must create a barrier to limit litter & trespass, or a new parking lot should be provided to Appleton West students on school grounds. Due to recent increased costs of a natural fence line, it would increase the cost of creating a barrier to over 5 times the cost of a wooden →

6 (six) foot fence, making a barrier unaffordable.

W Winnebago St

W Winnebago St

1721

50

73

12.6

51

124.75

5-0155

91.3

1628

1627

5-0155-9

5-0155-3

5-0155-2

Garage

5-0155-1

House

Front yard

5-0155-4

1706

1702

1705

1701

5-0157

5-0157-3

1630

1629

W Reeve St