



City of Appleton

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

Meeting Agenda - Final-revised Board of Zoning Appeals

Monday, June 21, 2021

7:00 PM

6th Floor Committee Room D

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[21-0886](#) Minutes from May 17, 2021

Attachments: [Minutes 5-17-21.pdf](#)

4. Public Hearings/Apearances

5. Action Items

- [21-0885](#) **1702 W. Reeves St. (31-5-0155-02)** The applicant proposes to erect a six (6) foot fence in the front yard of a double frontage lot. Section 23-44(a) (1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the required front yard.

Attachments: [1702 W. Reeves 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.



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100 North Appleton Street
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Meeting Minutes - Final Board of Zoning Appeals

Monday, May 17, 2021

7:00 PM

6th Floor Council Chambers

1. Call meeting to order

Meeting called to order by McCann @ 7:01pm

2. Roll call of membership

Present: 4 - McCann, Engstrom, Loosen and Croatt

Excused: 2 - Sperl and Cain

3. Approval of minutes from previous meeting

[21-0673](#)

Minutes from April 19, 2021

Attachments: [Minutes 4-19-21.pdf](#)

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

Excused: 2 - Sperl and Cain

4. **Public Hearings/Appearances**

5. **Action Items**

[21-0672](#)

6 Hycrest Ct. (31-3-1522-00) The applicant proposes to erect a five (5) foot fence in the front yard. Section 23-44(a)(1)(a) of the Zoning Ordinance limits fence height to three (3) feet in the required front yard.

Attachments: [6 Hycrest Ct.pdf](#)

Engstrom moved, seconded by Loosen, that the Report Action Item be approved. Roll Call. Motion failed by the following vote:

Nay: 4 - McCann, Engstrom, Loosen and Croatt

Excused: 2 - Sperl and Cain

6. **Information Items**

7. Adjournment

A motion was made by Croatt, seconded by Loosen, that the meeting be adjourned at 7:40pm. The motion carried by the following vote:

Aye: 4 - McCann, Engstrom, Loosen and Croatt

Excused: 2 - Sperl and Cain

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 | 31-5-0155-02 |
| 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):  Date: 5/17/21
Rebecca Bowers 5/17/2021

Recp 2135-0004

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
Appleton, Wisconsin 54911
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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:

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

