



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final Board of Zoning Appeals

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Monday, November 15, 2021

7:00 PM

6th Floor Council Chambers

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

[21-1615](#) Minutes 10-18-21

Attachments: [Minutes 10-18-21.pdf](#)

#### 4. Public Hearings/Apearances

#### 5. Action Items

[21-1528](#) **1016 E. Pacific St. (31-1-0843-00)** The applicant proposes to use the property for a restaurant with an occupancy of thirty (30) and provide no off-street parking. Section 23-172(m) of the zoning ordinance requires one (1) space for every three (3) people allowed per maximum capacity or, in this case, ten (10) off street parking spaces.

Attachments: [1016 E. Pacific 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  
Appleton, WI 54911-4799  
www.appleton.org

## Meeting Minutes - Final Board of Zoning Appeals

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Monday, October 18, 2021

7:00 PM

6th Floor Council Chambers

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1. Call meeting to order

*Meeting called to order by McCann at 7:25 pm.*

2. Roll call of membership

**Present:** 4 - McCann, Sperl, Cain and Croatt

**Excused:** 3 - Engstrom, Loosen and Joosten

3. Approval of minutes from previous meeting

[21-1426](#)

Minutes 9-20-2021

**Attachments:** [Minutes 9-20-21.pdf](#)

**Sperl moved, seconded by Cain, that the Minutes be approved. Roll Call.  
Motion carried by the following vote:**

**Aye:** 4 - McCann, Sperl, Cain and Croatt

**Excused:** 3 - Engstrom, Loosen and Joosten

4. **Public Hearings/Appealances**

5. **Action Items**

[21-1276](#)

**2105 E. Enterprise Ave. (31-1-6510-38)** The applicant proposes to install a sign that is 694 sq. ft. Section 23-529(c)(2) of the Zoning Ordinance limits the area of a sign in this location to 200 sq. ft.

**Attachments:** [2105 E Enterprise Ave.pdf](#)

**Croatt moved, seconded by Sperl, that the Report Action Item be approved.  
Roll Call. Motion failed by the following vote:**

**Nay:** 4 - McCann, Sperl, Cain and Croatt

**Excused:** 3 - Engstrom, Loosen and Joosten

21-1424

**1600 S Clara St (31-4-5407-00)** The applicant proposes to cover 56% of the lot with the building, pavement and other impervious material. Section 23-92(g)(2) of the Zoning Ordinance limits lot coverage to 40% in the R1A zoning district.

**Attachments:** [1600 S Clara St.pdf](#)

*Hardship is the small size of the lot. Nonconforming lot of record.*

**Croatt moved, seconded by Sperl, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - McCann, Sperl, Cain and Croatt

**Excused:** 3 - Engstrom, Loosen and Joosten

21-1425

**66 Garden Court (31-4-1222-00)** The applicant proposes to construct a detached garage, eighty-six (86) feet from the front property line, which is closer to the front property line than the principal building. Section 23-43(f)(1)(e) of the Zoning Ordinance prohibits accessory buildings from the front yard.

**Attachments:** [66 Garden Ct.pdf](#)

*Hardship is unique position of house on the lot.*

**Sperl moved, seconded by Cain, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - McCann, Sperl, Cain and Croatt

**Excused:** 3 - Engstrom, Loosen and Joosten

## 6. Information Items

## 7. Adjournment

**A motion was made by Sperl, seconded by Cain, that this meeting be adjourned at 9:25 pm. The motion carried by the following vote:**

**Aye:** 4 - McCann, Sperl, Cain and Croatt

**Excused:** 3 - Engstrom, Loosen and Joosten

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 October 25, 2021 Meeting Date November 15, 2021 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 nonrefundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) 1016 E PACIFIC ST	Parcel Number 31-1-0843-00
Zoning District C2	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial

Applicant Information	
Owner Name SNP ENTERPRISES LLC	Owner Address 920 HYLAND AVE APPLETON, WI 54130
Owner Phone Number 920-759-9870	Owner E Mail address (optional)
Agent Name Adam Marty	Agent Address 429 E Roosevelt St, Appleton, WI, 54911
Agent Phone Number 920-840-0180	Agent E Mail address (optional) Adam.J.Marty@gmail.com

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-172(m) Minimum required off street parking spaces for restaurant use.
Brief Description of Proposed Project Use the property for a restaurant use with an occupancy of thirty (30) and provide no off-street parking. Section 23-172(m) of the zoning ordinance requires one (1) space for every three (3) people allowed per maximum capacity or, in this case, ten (10) off street parking spaces.

Owner's Signature (Required)  Date: \_\_\_\_\_

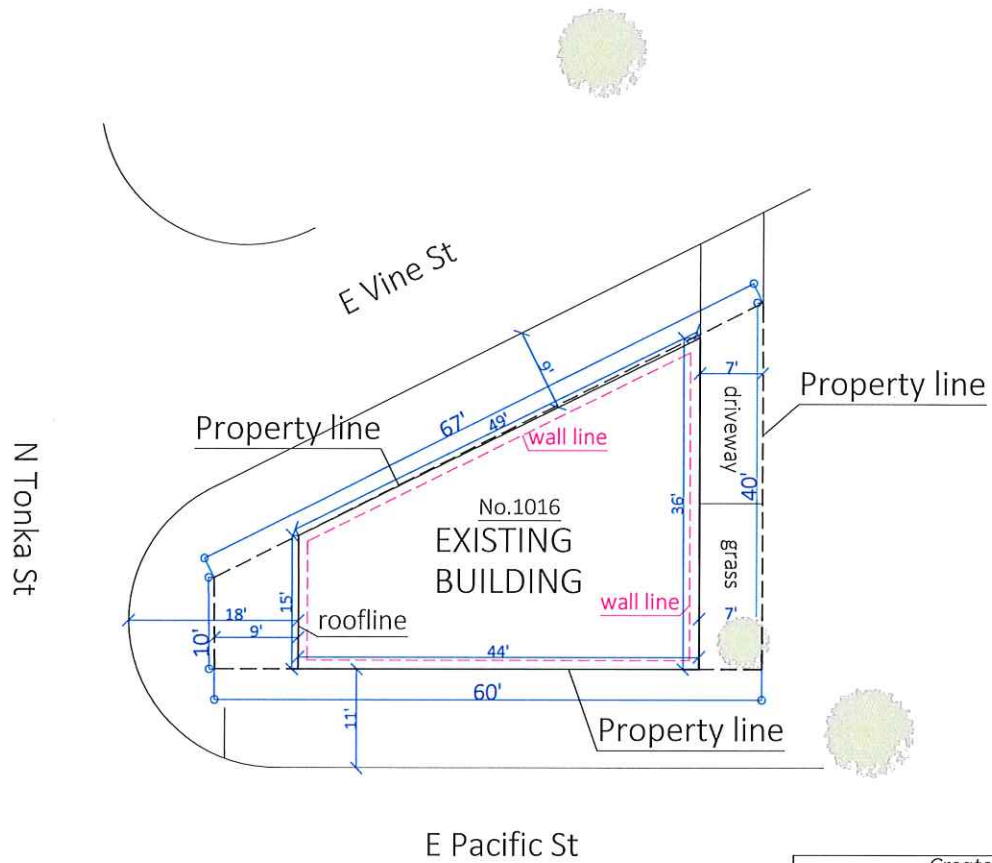
Return to: Department of Public Works

- 1) The Plan, if approved, is to open a restaurant that is community based. The building that I plan to put the restaurant in, has zero opportunity for a parking lot and currently allows for zero off street parking.
- 2) The Variance would not have an adverse impact on surrounding properties because of the amount of on street spots needed. The other businesses in the area i.e., moon water café, have no off-street parking and it does not affect Jacobs or surrounding properties. Also, the restaurant will be open for public business 3-4 days a week thus eliminating the parking needed half the time.
- 3) The commercial building is built in the middle of a community, when it was built there were no parking areas available to build. Currently there are other property owners that occupy any space where off street parking could be accommodated
- 4) Test 1: There are no parking spots currently dedicated to the building. I have not done any modification to the property. I would not be able to operate without some (10), non-designated parking spots.  
Test 2: There is no available property to expand into to create off-street parking.  
Test 3: This business will not hinder public interest; it will allow community members to have a place to dine with their neighbors and promote the neighborhood itself to prosper.



**SITE PLAN**

1016 E Pacific Street  
Appleton, WI 54911  
Parcel ID: 31-1-0843-00  
Lot area: 0.03 Acres  
Plot Size: 11"x17"



Created by:  
**GETASITEPLAN.COM**  
WITH BEST QUALITY IN SHORT TIME

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: November 10, 2021

RE: Variance Application for 1016 E. Pacific St. (31-1-0843-00)

**Description of Proposal**

The applicant proposes to use the property for a restaurant with an occupancy of thirty (30) and provide no off-street parking. Section 23-172(m) of the zoning ordinance requires one (1) space for every three (3) people allowed per maximum capacity or, in this case, ten (10) off street parking spaces.

**Impact on the Neighborhood**

In the application, the applicant states other businesses in the area do not provide parking and there is no adverse impact on the neighborhood. Also, the business will only be open 3-4 days a week.

**Unique Condition**

In the application, the applicant states that this building was built in the middle of a residential neighborhood and there are no adjacent properties that are available to be used for parking.

**Hardship**

In the application, the applicant states that: 1) without this variance he would not be able to operate a business, 2) there is not available property to expand into to create off-street parking and 3) it will allow community members to have a place to dine with their neighbors and promote the neighborhood itself to prosper.

**Staff Analysis**

This parcel is 1,500 sq ft. The minimum size lot permitted in the C2 zoning district is 14,000 sq. ft. This lot is a nonconforming lot of record and exceptionally small.

There is no alternative to provide parking on this property.

A variance was granted by the Board on August 20, 2017, to allow a photography studio at this location without off-street parking.

The applicant has met the review criteria for a variance because there are no alternatives and the lot is exceptionally unique and small.