



City of Appleton

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

Meeting Agenda - Final Board of Zoning Appeals

Monday, March 20, 2023

7:30 PM

6th Floor Council Chambers

1. Call meeting to order

2. Roll call of membership

3. Approval of minutes from previous meeting

[23-0242](#) Minutes from February 20, 2023

Attachments: [Minutes from February 20, 2023.pdf](#)

4. **Public Hearings/Appearances**

5. **Action Items**

[23-0238](#) **1000 W. Northland Ave. (31-5-9494-00)** The applicant proposes to build a detached accessory structure (canopy) in the required front yard, eight (8) feet, seven (7) inches from the front property line. Section 23-43(f)(2)(e) of the Zoning Ordinance prohibits accessory structures in the front yard.

Attachments: [1000 W. Northland Ave.pdf](#)

[23-0239](#) **416 E. Haddonstone Dr. (31-6-5105-00)** The applicant proposes to install a pool that would increase the lot coverage to 46.4%. Section 23-92(g)(2) of the Zoning Ordinance limits lot coverage to a maximum of 40% in the R1A Zoning District.

Attachments: [416 E. Haddonstone Dr.pdf](#)

[23-0240](#)

2626 S. Oneida St. (31-9-4374-01) The applicant proposes to replace a large section of an existing sign. The total area of the proposed sign would be two hundred and seven (207) sq. ft. Section 23-523(a) of the Zoning Ordinance limits the area of a ground sign to one hundred and fifty (150) sq. ft.

Attachments: [2626 S. Oneida St.pdf](#)

[23-0241](#)

602 N. Lawe St. (31-1-0256-00) The applicant proposes to change from residential to a commercial (tavern) with a maximum capacity of forty-nine (49). The proposed plan has three (3) parking spaces. Section 23-172(m) of the Zoning Ordinance requires tavern uses to provide one (1) parking space for each three (3) persons allowed based on maximum capacity. Seventeen (17) parking spaces are required.

Attachments: [602 N. Lawe 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.

**We are currently experiencing intermittent issues/outages with our audio/video equipment. Meeting live streams and recordings are operational but unreliable at times. This is due to delays in receiving necessary system hardware components. We continue to look for solutions in the interim and we hope to have these issues resolved soon.*



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
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Meeting Minutes - Final Board of Zoning Appeals

Monday, February 20, 2023

7:30 PM

6th Floor Council Chambers

1. Call meeting to order

Meeting called to order by McCann at 7:35pm

2. Roll call of membership

Present: 5 - McCann, Engstrom, Cain , Loosen and Babbitts

Excused: 1 - Sperl

3. Approval of minutes from previous meeting

[23-0143](#)

Minutes from November 21, 2022

Attachments: [Minutes from 11-21-22.pdf](#)

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

Aye: 4 - Engstrom, Cain , Loosen and Babbitts

Excused: 1 - Sperl

Abstained: 1 - McCann

4. **Public Hearings/Appearances**

*Mark Dorsett- 2511 Brookdale Ct
Chris Croatt- Dist. 14 Alderperson
Vered Meltzer- Dist. 2 Alderperson*

5. **Action Items**

[23-0144](#)

516 E. Pacific St. (31-1-0150-00) The applicant proposes to build a detached accessory dwelling unit that is seven (7) feet six (6) inches from the rear property line. Section 23-55(h)(2)(d) of the Zoning Ordinance requires detached accessory dwelling units to meet the rear setback of the principal building. Section 23-94(g)(5) of the Zoning Ordinance requires a rear yard setback of twenty-five (25) feet.

Attachments: [516 E. Pacific St.pdf](#)

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

Nay: 4 - Engstrom, Cain , Loosen and Babbitts

Excused: 1 - Sperl

Abstained: 1 - McCann

[23-0145](#)

314 S. Badger Ave (31-3-0797-00) The applicant proposes construction of a two (2) story accessory building. Section 23-43(f)(1)(h) of the Zoning Ordinance limits accessory buildings to one (1) story.

Attachments: [314 S. Badger Ave.docx](#)

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

Aye: 4 - Engstrom, Cain , Loosen and Babbitts

Excused: 1 - Sperl

Abstained: 1 - McCann

[23-0146](#)

1410 E. Pershing St. (31-1-4507-00) The applicant proposes to build a detached accessory dwelling unit that is six (6) feet from the rear property line. Section 23-55(h)(2)(d) of the Zoning Ordinance requires detached accessory dwelling units to meet the rear setback of the principal building. Section 23-94(g)(5) of the Zoning Ordinance requires a rear yard setback of twenty-five (25) feet.

Attachments: [1410 E. Pershing St.pdf](#)

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

Nay: 4 - Engstrom, Cain , Loosen and Babbitts

Excused: 1 - Sperl

Abstained: 1 - McCann

6. Information Items

7. Adjournment

A motion was made by Loosen, seconded by Babbitts, that this meeting be adjourned at 9:11pm. The motion carried by the following vote:

Aye: 4 - Engstrom, Cain , Loosen and Babbitts

Excused: 1 - Sperl

Abstained: 1 - McCann

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 28, 2023 Meeting date: March 20, 2023 7:30p

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) 1000 W. Northland Ave	Parcel Number 31-5-9494-06
Zoning District C2	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial

Applicant Information	
Owner Name WFBT 2 LLC	Owner Address 450 7 th Ave. 45 th Floor New York, NY 10123
Owner Phone Number	Owner E Mail address (optional)
Agent Name Joe Vavrina	Agent Address
Agent Phone Number 815-759-8363	Agent E Mail address (optional) jvavrina@hrgreen.com

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-43(f)(2)(e) of the Zoning Ordinance prohibits accessory structures in the front yard.
Brief Description of Proposed Project The applicant proposes to build a detached accessory structure (canopy & trash enclosure) in the required front yard, eight (8) feet, seven (7) inches & twenty-one (21) feet, three (3) inches respectively from the front property line. Section 23-43(f)(2)(e) of the Zoning Ordinance prohibits accessory structures in the front yard.

Owner's Signature (Required):  Date: _____

Return to: Department of Public Works
 Inspection Division
 100 North Appleton Street
 Appleton, Wisconsin 54911
 (920) 832-6411



▶ 1391 Corporate Drive | Suite 203
McHenry, IL 60050
Main 815.385.1778 + Fax 713.965.0044
▶ HRGREEN.COM

Variance Questionnaire – Chick-fil-A – Appleton, WI

The following variances are being request from the City's Municipal Code:

- ❖ Section 23-43(f)(2)(e) – Accessory structures shall not be located in the required front yard.
 - Chick-fil-A is proposing to install a detached drive-thru lane canopy and trash enclosure (accessory structures) within the required front yard.
- **Explain your proposed plans and why you are requesting a variance:**

Chick-fil-A (CFA) is proposing the construction of a free-standing restaurant, dual drive-thru lane facility with free-standing canopies, and parking lot improvements within the existing Northland Mall parking lot. The proposed CFA improvements will be located on the south side of the mall parking lot along the W. Northland Avenue (CTH OO) frontage.

The CFA site has been configured in way to achieve the following: provide/maintain the maximum number of parking stalls around the new building & within the overall mall development; provide a sufficiently long drive-thru lane to promote efficient restaurant operations; and to provide adequate visibility to the new store. The drive-thru lane and associated free-standing canopy have been positioned along the south side of the building and within the front yard to create a separation between dine-in and drive-thru traffic. Providing this separation creates a safe/unobstructed path of travel from the parking lot to the CFA building for customers. This separation will also help promote efficient traffic flow throughout the mall parking lot by reducing potential congestion between the two types of customers.

If the drive-thru lane & free-standing canopy were positioned on the north side of the building, dine-in customers would need to cross the drive-thru lane in order to access the building, potentially creating safety concerns. CFA has a shared parking agreement with the mall and installing the drive-thru lane on the north side of the building would create a barrier between this available parking and the building.

Regarding the trash enclosure the proposed location is the only spot a garbage truck could access it from a drive aisle. As the proposed site layout is carved into the existing parking we have to maintain the surrounding drive aisle configurations for circulation while minimizing the loss of parking stalls. As such the only area available that will allow for the garbage truck to pull into the trash enclosure is the location proposed.

- **Describe how the variance would not have an adverse impact on the surrounding properties:**

Chick-fil-A believes that granting a variance to allow the free-standing drive-thru canopy to be located within the front yard will not have an adverse impact to the surrounding properties. The CFA development is located within a commercially zoned district and is completely surrounded by other commercial properties. Positioning the free-standing drive-thru canopy & associated drive-thru lane within the front yard will allow for a maximized and efficient site layout that promotes a safe and free-



flowing traffic pattern throughout the mall parking lot. The CFA drive-thru lane has been designed to accommodate a sufficient queue of cars and by positioning it along the Northland Avenue frontage will help prevent backups within the mall parking lot and adjacent access drives.

The trash enclosure is located far from the surrounding uses and will not impact use of their properties.

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

The CFA development is unique since it is a carve out of the existing mall parking lot, not a standalone lot. As a result, the CFA site had to be configured in a way to provide/maintain as much parking as possible within the overall development while separating dine-in and drive-thru lane traffic. Providing this separation will help alleviate traffic issues and backups within the mall parking lot. Also since CFA has a shared parking agreement with the mall, a safe path of travel from the mall parking lot and CFA building needs to be provided. Having pedestrians continually cross the drive-thru lane could lead to safety concerns.

- **Describe the hardship that would result if your variance were not granted:**

Chick-fil-A believes that if this variance were not granted, it could lead to traffic congestion within the mall parking lot as well as creating pedestrian safety issues. It is CFA's goal to configure the site in a way that promotes the highest safety for its' customers, reduces potential traffic congestion & backups within the parking lot, and provides efficient restaurant operations.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: March 10, 2023

RE: Variance Application for 1000 W. Northland Ave. (31-5-9494-06)

Description of Proposal

The applicant proposes to build a detached accessory structure (canopy) in the required front yard, eight (8) feet, seven (7) inches from the front property line. Section 23-43(f)(2)(e) of the Zoning Ordinance prohibits accessory structures in the front yard.

Impact on the Neighborhood

In the application, the applicant states that having the drive-thru in the front yard will not adversely impact surrounding properties because the development is in a commercially zoned area and the proposed design will best accommodate traffic and prevent back-ups.

Unique Condition

In the application, the applicant states that the development is unique in that it is carved out of the existing mall parking lot, not a standalone lot. The applicant also states that, because of this, the site had to be configured in such a way so that pedestrians are not continually crossing the drive-thru lane.

Hardship

In the application, the applicant states that if the variance is not granted, a hardship would be created in the form of traffic congestion and pedestrian safety.

Staff Analysis

This lot is 356,106 sq. ft (8.17 acres). The minimum size of a parcel in the C2 zoning district is 14,000. However, the applicant plans to create a new, smaller parcel, separate from the current parcel.

This is a unique case because a new lot will be created within a much larger lot and situated within an existing parking lot. The amount of traffic that is created by this particular business is also unique and meeting the standard may create issues with traffic congestion. This application meets the review criteria for a variance.

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:

We would like to put a pool in our backyard, but we are currently at the maximum of greenspace coverage for our property. Please see attached slide deck for proposed plan. Further description would be provided in person at application meeting.

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

The pool would be entirely on our property and would not impact neighboring properties.

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

Easement located behind our yard limits the amount of useable space in our yard

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

We would like our backyard space to be useable for our family. Under current circumstances, due to the easement, the backyard is not functional space for our family. Putting in a pool would allow us to maximize the useable space of the limited yard we have.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: September 21, 2022

RE: Variance Application for 416 E. Haddonstone Dr. (31-4-6203-00)

Description of Proposal

The applicant proposes to install a pool that would increase the lot coverage to 55%. Section 23-92(g)(2) of the Zoning Ordinance limits lot coverage to a maximum of 40% in the R1A Zoning District.

Impact on the Neighborhood

In the application, the applicant states that the pool will be entirely on their property and would not impact neighboring properties.

Unique Condition

In the application, the applicant states that there is an easement located in the yard that limits the amount of useable space in the yard.

Hardship

In the application, the applicant states that if the variance is not granted, their family would not be allowed to maximize the useable space in their yard.

Staff Analysis

This parcel is 12,219 sq. ft. The minimum size parcel in the R1A zoning district is 8,000 sq. ft.

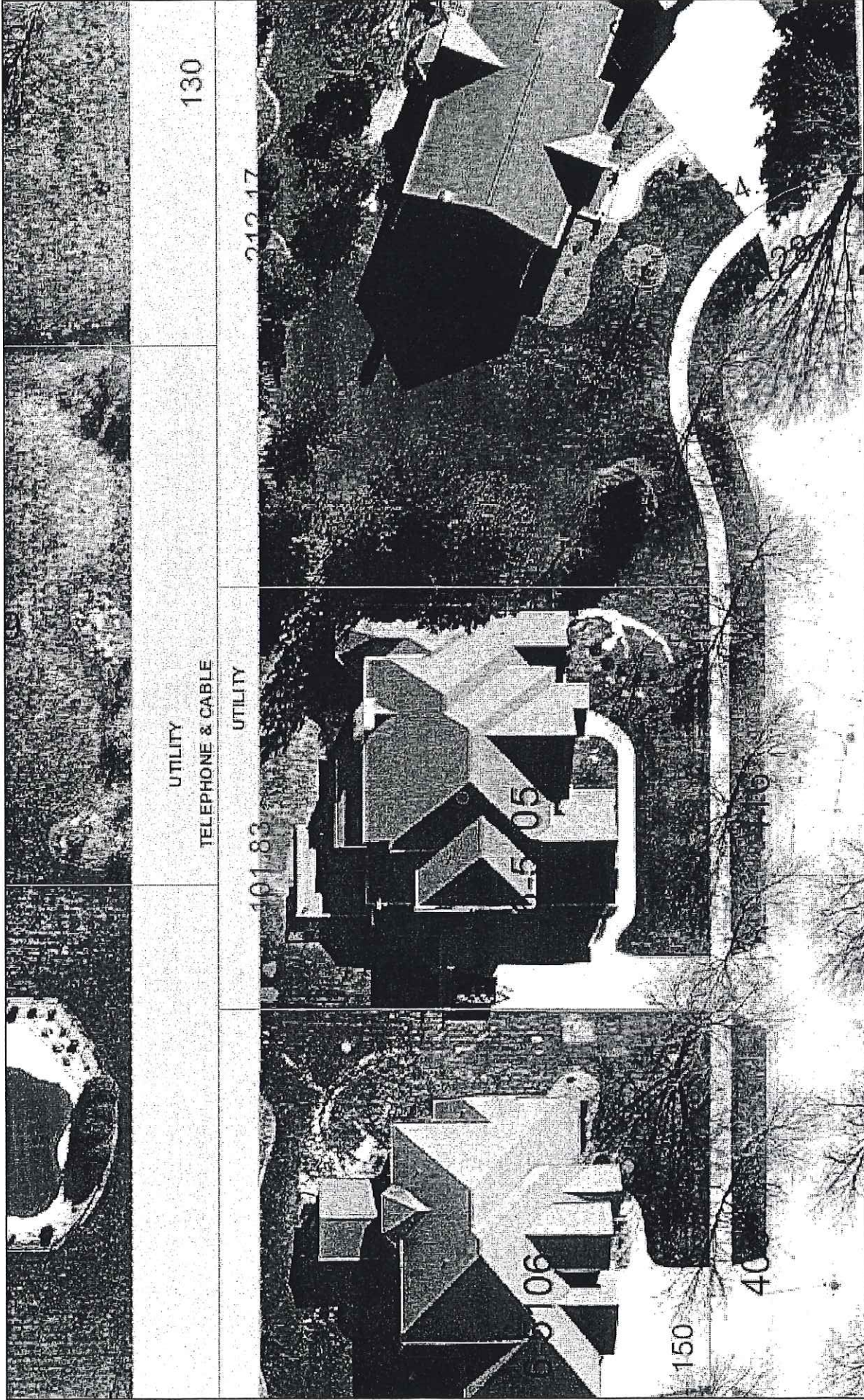
This parcel is not exceedingly small nor uniquely shaped, and the hardship only exists because the owner prefers to have a pool. Section 23-67(g)(4) & (5) of the Zoning Ordinance specify standards for granting variances. Not having space for a pool does not meet the review criteria for a variance because the lot is not unique, a pool is a personal preference and not essential for use of the property.

23-67 (g) Review and determination by Board of Appeals.

- (4) Any variance granted must be due to conditions unique to the property rather than considerations personal to the property owner.
- (5) The variance cannot be granted if the hardship was created by the property owner.

It appears the review criteria for a variance has not been met by the applicant.

ArcGIS Web Map



8/29/2022, 12:00:33 PM

- City Limits
- City Parcels
- Easements

Carrow

416 E. Haddonstone Dr



Request for Variance Outline

- View of original backyard in 1997
- Current day view of back yard
- View of Electrical/underground wire & easement
- Outline of potential pool options
 - Request for additional green space coverage
 - Request for variance off lot line





Hot tub part of
original build in
1997

-
- 12 x 12 concrete slab under hot tub

Current view with hot tub removed



Reduced impermeable surface area by 144 sq ft.

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 27, 2023 Meeting Date March 20, 2023

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) 2626 S Oneida St.	Parcel Number 31-9-4374-01
Zoning District C2PD	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial

Applicant Information	
Owner Name Community First Credit Union	Owner Address 1575 Dresang Way, Neenah WI 54956
Owner Phone Number 920.830.7234	Owner E Mail address (optional) jeff.Schweitzer@communityfirstcu.org
Agent Name Kelli Lax - Creative Sign Company	Agent Address 505 Lawrence Dr., De Pere WI 54115
Agent Phone Number 920.676.7757	Agent E Mail address (optional) kelli@creativesigncompany.com

Variance Information
Municipal Code Section(s) Project Does not Comply
Brief Description of Proposed Project: The cab and cap of the existing sign is being replace with a new and different size and shape. The total area of the proposed sign would be two hundred and seven (207) sq. ft. Section 23-523(a) of the Zoning Ordinance limits the area of a ground sign to one hundred and fifty (150) sq. ft.

DocuSigned by:
Owner's Signature (Required): Jeff Schweitzer **Date:** 2.20.2023
 Jeff Schweitzer
 Community First Credit Union

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:

We are proposing to remove the top cabinet of existing pylon and fabricate and install a new cabinet. The sign was approved through the Master Sign Plan (permit attached) We are not requesting a larger cabinet.

2. Current Cabinet - 111.125 SF New Cabinet - 103.1875 SF (noted on artwork)

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

It would have no adverse affect. Again, the overall size of the sign will be less than it currently is, complying with the Master Signage Plan approval in 2003

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

The sign is 20 years old and is due to be replaced.

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

We are requesting a replacement cabinet due to the age of the sign. The sign was approved under the Master Signage Plan in 2003. Permit attached. We are not requesting a larger sign. The new cabinet is a slightly different shape but slightly smaller than the existing, so still complying with the original approved Master Signage Plan.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor 

Date: March 10, 2023

RE: Variance Application for 2626 S. Oneida St. (31-9-4374-01)

Description of Proposal

The applicant proposes to replace a large section of an existing sign that is legal nonconforming. The total area of the proposed sign would be two hundred and seven (207) sq. ft. Section 23-523(a) of the Zoning Ordinance limits the area of a ground sign to one hundred and fifty (150) sq. ft.

Impact on the Neighborhood

In the application, the applicant states that the sign would have no adverse impact on the surrounding properties because the size of the sign will not change.

Unique Condition

In the application, the applicant states that the sign is twenty (20) years old and needs to be replaced.

Hardship

In the application, the applicant states that the sign was approved under the Master Signage Plan in 2003 and they are not requesting a larger sign, which complies with the original plan.

Staff Analysis

This parcel is 114,360 sq. ft. The minimum size of a parcel in the C2 zoning district is 14,000 sq. ft.

A permit for a ground sign was issued on 5/13/03. At that time, this sign met the standards of the Master Sign Plan and the method of determining area of a sign was calculated different than the code prescribes today.

The sign is a legal nonconforming sign. The applicant is proising to replace a large section of the sign with a section of similar size. Section 23-506(a)(2) of the Zoning Ordinance states:

“ Any nonconforming sign hereafter relocated, moved, reconstructed, extended, enlarged, changed in shape or use (not including change the copy), altered, or modified shall be made to comply with the provisions of this chapter.”

The applicant has not demonstrated that the parcel has a dimensional limitation or unique character that would require a sign larger than the minimum standards. The hardship criteria has not been met.

**City of Appleton - Department of Public Works
Sign Permit Application**

A separate application is required for each proposed sign

Site Address: 21224 S ONEIDA ST Permit No.: 40-03
 Occupancy: BANK Key No.: 9-4574-01
 Single-Tenant Multi-Tenant Receipt No.: 213 836
 Business Name: COMMUNITY FIRST CREDIT UNION Permit Fee: \$2000
 Date Issued: 5/19/03
For Finance Use Only: 15520-4407

Office Information

Site Plan No.: _____ Zoning District: C2 PD
 Master Signage Plan No.: 03-04 Street Occupancy Permit No.: _____
 BOA Variance Dated: _____ Minor Variation Dated: _____

Type of Sign

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Ground Sign | <input type="checkbox"/> Awning Sign | <input type="checkbox"/> Changeable Copy |
| <input type="checkbox"/> Wall Mounted Sign | <input type="checkbox"/> Temporary Sign
(sandwich, etc.) | <input type="checkbox"/> Freeway Oriented
On-Premise Sign |
| <input type="checkbox"/> Projecting Sign | <input type="checkbox"/> Canopy Sign | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Window Sign | <input type="checkbox"/> Portable Sign | |

Dimensions/Other Information of Sign

Width of Sign: 15' Height of Sign: 23'-5"
 Height Above Normal Grade: _____ Underclearance: 10'
 Projection into R-O-W: _____ Distance to Side Lot Line (5' min): _____
 Setback from R-O-W: _____ Setback from Driveway: _____
 Sign Contractor: APPLETON SIGN CO. Material: ALUMINUM
 Estimated Cost: \$100,000 Design Exception (Sec. 23-529) _____

Electrical Information of Sign

Illumination: Internal External Fluorescent Neon
 None Incandescent Electronic
 UL Design No: DA000904 Electrical Contractor: _____

Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. Stat. 60.045, but without charge or bond. This permit is applied for in granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinances of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Applicant: Shannon Christli Phone: 920-724-1101
 Address: 21224 S ONEIDA ST, APPLETON WI 54912
 City of Appleton - Department of Public Works

REASONABLE ACCOMMODATIONS FOR PERSONS WITH
DISABILITIES WILL BE MADE UPON REQUEST AND IF FEASIBLE

WHITE - OFFICE

YELLOW - APPLICANTS

creative Sign
company inc

505 LAWRENCE DR, DE PERE, WI 54115
920.336.8900 CREATIVESIGNCOMPANY.COM

CLIENT: COMMUNITY FIRST CU

LOCATION: W8099 CTRY RD KK APPLETON (DARBOT), WI 54915

DRAWN BY: BAILEY

SALESPERSON: KELLIL

DATE: 10/25/2022

DESIGN #: D21448

PAGE: 4

REVISION LOG: INTL DATE DESCRIPTION

BS 01/16/2023 CAPS

BS 02/07/2023 ADD SQ FT

PYLON

QUANTITY: 1
SIDES: D/F
LIGHTING: LED (WHITE)
CABINET: FABRICATED ALUM (28")
FACES: 125" ROUNDED ALUM. W/ PUSH-THRU

PUSH-THROUGH: .75" CLEAR ACRYLIC
ICON GRAPHICS: TRANS CUT VINYL, 1ST SURFACE
TEXT GRAPHICS: DIGITAL PRINT, 1ST SURFACE
VINYL: PERF WITH GLOSS LAM
FONT: SUPPLIED ART

NEW SQ FEET: 103.1875 SQ FT

INSTRUCTION: REMOVE & DISPOSE OF EXISTING CAB/FACES. PRODUCE AND INSTALL NEW AS SHOWN.

COLORS:

- C-1 PMS 2627 C
- V-2 3M 3630-246 TEAL
- P-3 PMS 482 C

CUSTOMER SIGNATURE FOR DESIGN APPROVAL:

SIGNATURE _____ DATE _____

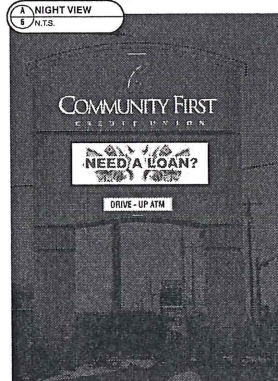


CUT POLES AS NEEDED



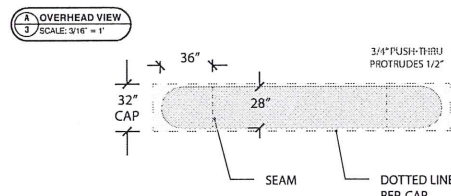
EXISTING VIEW
2 N.T.S.

EXISTING CAB SQ. FT: 111.125 SQ. FT
REMOVE EXISTING CAB AND CAPS

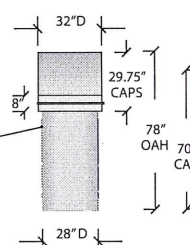


NIGHT VIEW
1 N.T.S.

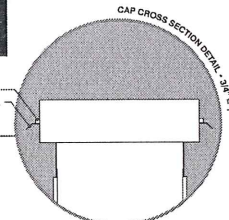
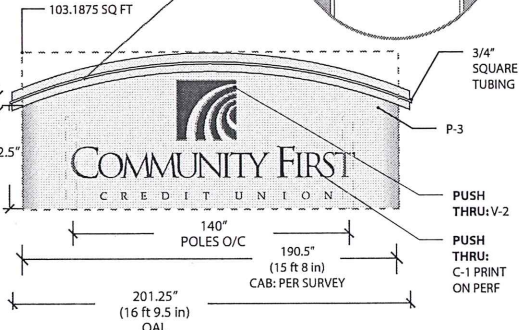
**ALT-4: LOC-4
OPTION A**



END VIEW
4 SCALE: 1/4\"/>



DETAIL VIEW
5 SCALE: 1/4\"/>



THIS DRAWING IS THE PROPERTY OF CREATIVE SIGN CO., INC.

This is an original, unpublished drawing by Creative Sign Co., Inc. It is for your personal use, in conjunction with a project being planned for you by Creative Sign Co., Inc. It is not to be shown to anyone outside of your organization nor is it to be used, reproduced, copied or exhibited in any fashion. Use of this design or the salient elements of this design in any sign done by any other company, without the expressed written permission of Creative Sign Co., Inc., is forbidden by law and carries a civil forfeiture of up to 25% of the purchase price of the sign. CONTACT YOUR SIGN CONSULTANT TO PURCHASE THE RIGHTS TO THIS DESIGN.

CONCEPTUAL DRAWING ONLY

All sizes and dimensions are illustrated for client conception of the project and are not to be understood as being exact, size or exact scale. Renderings, including lighting effects, opacities, and coloration, are an approximation.

CUSTOMER RESPONSIBILITIES

Please review all drawing details closely, as Creative Sign will produce signs as approved drawing indicates. Some changes may occur based on production needs. While Creative Sign will make all efforts to correct any obvious spelling or grammatical errors, the customer is responsible for confirming that the above copy, including names and titles, appear as desired. Creative Sign will make every effort to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying compatibility of surface materials and paints used.

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 28, 2023 Meeting Date March 20, 2023 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) 602 N. Lawe St	Parcel Number 31-1-0256-00
Zoning District C2	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial
Applicant Information	
Owner Name NEIGHBORHOOD INVESTMENTS LLC	Owner Address 11 BELLAIRE CT APPLETON, WI 54911
Owner Phone Number	Owner E Mail address (optional) daneandrew@gmail.com
Agent Name Andrew Dane	Agent Phone Number 920-585-3593
Variance Information	
Municipal Code Section(s) Project Does not Comply Section 23-172(m)- Minimum required parking spaces for a tavern use.	
Brief Description of Proposed Project It is proposed that the use change from residential to a commercial (tavern) with a maximum capacity of forty-nine (49). The proposed plan has three (3) parking spaces. Section 23-172(m) of the Zoning Ordinance requires tavern uses to provide one (1) parking space for each three (3) persons allowed based on maximum capacity. Seventeen (17) parking spaces are required.	



Owner's Signature (Required):

February 28, 2023

Date: _____

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:

I am proposing a tavern with beer, wine, and limited food menu. This is located in a highly walkable mixed-use neighborhood characterized by a mix of single family, multi-family, light industrial, and neighborhood oriented commercial uses.

I am requesting a variance because the City's existing parking requirements are not possible on a small infill lot of this size. Furthermore, the requirements are excessive for a neighborhood oriented business that will draw a significant portion of visitors on foot and on bicycle.

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

The variance will not have an adverse impact on the surrounding properties because there are 20 on-street parking stalls located adjacent the property on Pacific Street. Furthermore, there is only one residential property abutting the proposed tavern, and that property has a private driveway and garage which also serve as a visual and auditory buffer from the subject property. Finally, I have a verbal agreement to utilize Jacobs Meat Market parking lot for overflow parking should parking become an issue for the neighborhood.

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

The size of the lot does not afford adequate room to construct a parking lot. It is a corner lot that was designated commercial prior to the widespread adoption of vehicle usage.

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

Without the variance I will be unable to construct the tavern, and the property would likely remain in residential use despite being zoned Commercial. This location, on a heavily trafficked street adjacent two other mixed use buildings, makes economic sense.

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: March 10, 2023

RE: Variance Application for 602 N. Lawe St. (31-1-0256-00)

Description of Proposal

It is proposed that the use change from residential to a commercial (tavern) with a maximum capacity of forty-nine (49). The proposed plan has three (3) parking spaces. Section 23-172(m) of the Zoning Ordinance requires tavern uses to provide one (1) parking space for each three (3) persons allowed based on maximum capacity. Seventeen (17) parking spaces are required.

Impact on the Neighborhood

In the application, the applicant states that the variance would not have an adverse effect on the neighborhood because: 1) there are twenty (20) on-street parking spaces adjacent to the property, 2) the one (1) residential property nearby has a detached garage as a buffer and 3) there is a verbal agreement with the owner of Jacobs Market to allow the use of his parking lot.

Unique Condition

In the application, the applicant states that the size of the lot does not afford adequate room to construct a parking lot because it is a corner lot that was designated commercial prior to the widespread adoption of vehicle usage.

Hardship

In the application, the applicant states that without the variance, the applicant will be unable to construct the tavern and the property would likely remain in residential use despite being zoned commercial.

Staff Analysis

This parcel is 6,848 sq. ft. The minimum size lot allowed in the C2 zoning district is 14,000 sq. ft. This is a nonconforming lot of record. The building that is on this parcel was built for residential use, however, the land is zoned commercial. Because of the limited size of the parcel, the applicant is unable to meet the parking requirements and has met the review criteria for a variance.