

BOARD OF APPEALS

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Wednesday, June 18, 2025 at 4:00 PM

AGENDA

In-Person

1. Roll Call.
2. Correspondence.
3. Approval of Minutes.
 - [a.](#) Approval of minutes from February 5th, 2025
 - [b.](#) Approval of minutes from April 16th, 2025
4. Public Hearing/Appearances
 - [a.](#) Hear appeal of that Dustin Morrison, 706 E. Wilson Avenue Appleton, WI 54915 has applied for a variance to the Zoning Board of Appeals for a decision of the City Building inspector as follows:
ADDRESS OF AFFECTED PARCEL: 3553 Ridgecrest Lane, Kaukauna, WI 54130
The applicant is requesting a variance to increase the maximum lot coverage of all garage areas. The proposed total garage size would be 1,529 square feet for construction of a new detached garage, whereas Kaukauna Municipal Ordinance Section 17.16 (4) (b) 2. e. Structure Area: the maximum lot coverage by the total of all garage area, whether attached, detached, or combined, shall not exceed 1,400 square feet or exceed, in combination with the principal structure, 30 percent of the lot area.
5. Adjourn.

NOTICES

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.

BOARD OF APPEALS

A Meeting of The Board of Appeals was called to order by Chair Werschem at 4:00 P.M. on Wednesday, February 5, 2025.

Members present: Sundelius, Vandeberg, Nisler, and Werschem.

Absent & Excused: Fallona, Brandt, Nisler, and Kavanaugh.

Also Present: Dir. of Plan. & Com. Dev. Kittel, Planning/Eng. Tech. Holmes, Attorney Greenwood, applicants, and interested citizens.

Motion by Sundelius, seconded by Vandeberg to excuse the absent members.

All Members Present voted aye.

Motion carried.

1. Approval of Minutes

a) Approval of minutes from December 18, 2024.

Motion by Vandeberg, seconded by Nisler to approve the Board of Appeals minutes of December 18, 2024.

All Members Present voted aye.

Motion carried.

b) Approval of minutes from January 22, 2025.

Motion by Vandeberg, seconded by Nisler to approve the Board of Appeals minutes of January 22, 2025.

All Members Present voted aye.

Motion carried.

2. Public Hearing/ Appearances

a) Appeal- Justin Fogler, 621 Buchanan Road, Kaukauna, WI 54130.

Justin Fosler, 621 Buchanan Road, Kaukauna, WI 54130 has applied for a variance to the Zoning Board of Appeals for a decision of the City Building Inspector as follows: ADDRESS OF AFFECTED PARCEL: 621 Buchanan Road, Kaukauna, WI 54130 The applicant is requesting a variance to construct a second detached garage. Whereas Kaukauna Municipal Ordinance 17.16 (2) (d) One attached garage, one detached garage, one utility storage structure, and other allowed accessory structures customarily incidental to the residential principal use when located on the same lot. Discussion held and questions answered.

Motion by Nisler, seconded by Vandeberg to approve variance to Justin Fogler, 621 Buchanan Road, Kaukauna, WI 54130.

All members present voted aye.

Motion carried.

b) Appeal- Abbie Quella and Mandy Waite, 301 West 7th Street, Kaukauna, WI 54130.

Abbie Quella and Mandy Waite 301 West 7th Street, Kaukauna, WI 54130 have applied for a variance to the Zoning Board of Appeals for a decision of the City Building Inspector as follows:
ADDRESS OF AFFECTED PARCEL: 301 West 7th Street, Kaukauna, WI 54130 The applicant is requesting a variance to construct an addition to the building without the landscaped buffer. Whereas Kaukauna Municipal Ordinance 17.52 8. Landscaped buffer. The use of properly planted and maintained buffer areas may reduce and ease potential incompatibility between and among different uses of land in proximity to each other. All commercial, institutional, industrial, and multi-family uses, adjacent to single or two-family residential uses, shall include a buffer yard on all sides that immediately abut the single or two-family residential use.
Discussion held and questions answered.

Motion by Sundelius, seconded by Vandeberg to deny the variance to Abbie Quella and Mandy Waite, 301 West 7th Street, Kaukauna, WI 54130.
All members present voted aye.
Motion carried.

3. Adjourn.

Motion by Sundelius, seconded by Nisler to adjourn.
All members present voted aye.
Motion carried.

Meeting adjourned at 4:39 P.M.

Kayla Nessmann, Clerk

BOARD OF APPEALS

A Meeting of The Board of Appeals was called to order by Chair Werschem at 4:00 P.M. on Wednesday, April 16, 2025.

Members present: Sundelius, Vandeberg, Nisler, Werschem, and Kavanaugh.

Absent & Excused: Fallona and Brandt.

Also Present: Dir. of Plan. & Com. Dev. Kittel, Planning/Eng. Tech. Holmes, applicants, and interested citizens.

Motion by Sundelius, seconded by Vandeberg to excuse the absent members.

All Members Present voted aye.

Motion carried.

1. Public Hearing/ Appearances

a) Appeal- The Andersons, 310 Farmland Court, Kaukauna, WI 54130.

The Andersons, 310 Farmland Court, Kaukauna, WI 54130 have applied for a variance to the Zoning Board of Appeals. The applicant is requesting a variance to construct a liquified propane storage tank storage facility. The proposed facility is 9 feet from the front property line, whereas Kaukauna Municipal Ordinance Section 17.25 5.a. (3) requires a 25-foot front yard setback. Discussion held and questions answered.

Motion by Sundelius, seconded by Nisler, to table this item until more information is provided from the Anderson company on a business justification for why three tanks is needed instead of two.

Roll call vote: Sundelius- aye, Vandeberg- aye, Nisler- aye, Werschem- aye, Kavanaugh, aye.

Motion carried.

2. Adjourn.

Motion by Sundelius, seconded by Vandeberg to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 4:22 P.M.

Kayla Nessmann, Clerk

STAFF REVIEW**BOARD OF APPEALS****June 18, 2025**

ITEM #1 3553 Ridgecrest Lane, Kaukauna – Dustin Morrison, 706 E. Wilson Avenue Appleton, WI

General Description/Background

The applicants are requesting a variance to increase the maximum lot coverage of all garage areas. The proposed total garage size would be 1,524 square feet for construction of a new detached garage, whereas Kaukauna Municipal Ordinance Section 17.16 (4) (b) 2. e. Structure Area: the maximum lot coverage by the total of all garage area, whether attached, detached, or combined, shall not exceed 1,400 square feet or exceed, in combination with the principal structure, 30 percent of the lot area.

The surrounding land use pattern can be described as follows:

The area surrounding the subject property is zoned Residential. The area consists of single and two-family homes.

Analysis/Recommendation for Findings of Fact

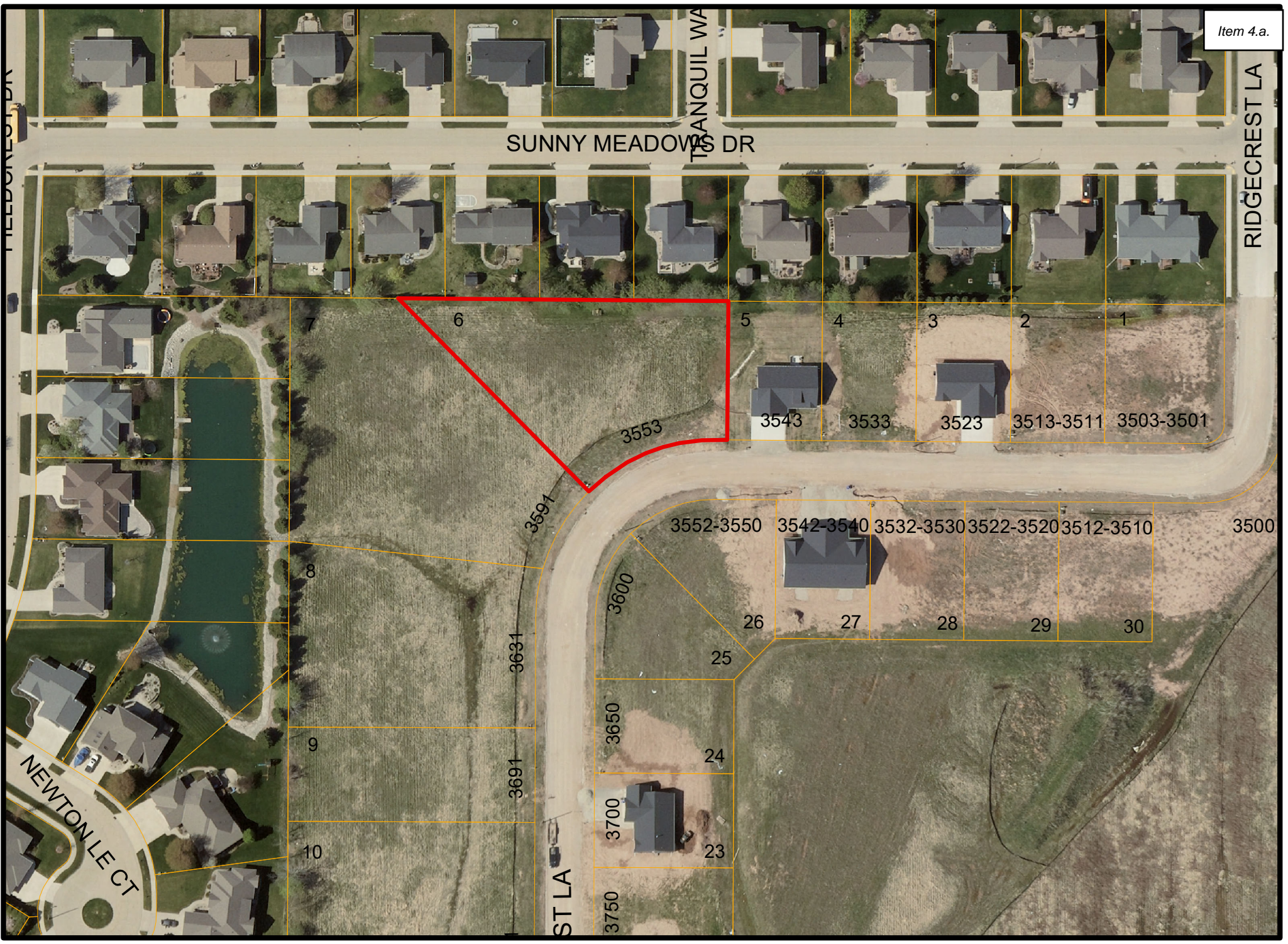
In reviewing a variance request, the following questions should be addressed. Is there an unusual or unique characteristic about the subject property which creates a hardship? Is the hardship self-created? Is the variance being requested the least possible to remove any hardship? Will granting of the variance have a considerable adverse impact on the neighboring properties?

This property does not have an unusual or unique characteristic which creates a hardship.

This hardship is self-created. The lot is .92 acre however the zoning code limits the total allowed garage area to 1400 square feet regardless of the lot size. The proposed attached garage is 974 square feet. The proposed new detached garage is 550 square feet.

The variance that is being requested is the minimum amount needed to allow the desired garage to be built. All setbacks will be met with the new structure.

The granting of this variance will have a minimal effect on the neighboring properties due to the large size of the lot and the nature of the adjacent properties.



**APPLICATION: VARIANCE FORM**

To: Board of Zoning Appeals, City of Kaukauna, Outagamie County, WI

Complete this application if you are seeking a variance from the Municipal Zoning Code.
Please note that a hardship must be demonstrated for variance requests to be considered.

Petitioner Information:

Name: Dustin Morrison

Mailing Address: 706 E Wilson Ave Appleton, WI 54915

Phone Number: 920-915-6687

Email: dustin_morrison_92@yahoo.com

Property Owner Information (If Not Petitioner):

Name:

Mailing Address:

Phone Number:

Email:

Property Information:

Site Address/Location: 3553 Ridgecrest lane Kaukauana, WI 54130

Lot Dimensions and Area: These will be included on the drawing of the property.

Current Zoning: Residential

Please explain your proposed plans and the specific ordinance(s) you are requesting a variance from:

We are requesting a variance from the city's 1400 SQ foot size limit for attached/detached garages. We propose building a 30 x 40 detached garage, which exceeds the allowable garage square footage with the existing attached garage.

Describe why you feel there is "unnecessary hardship". How does complying with the petitioned ordinance standard unreasonably prevent you from using the property for a permitted use, or renders conformity with such restrictions unnecessarily burdensome:

The hardship arises from the limitations imposed by the current zoning ordinances, which restrict the size of garages. Regardless of individual property needs or use cases. In our case the size limit prevents us from building a detached garage that can accommodate our storage requirements and provide a safe, organized workspace for a personal woodworking workshop.

Woodworking is a deeply rooted hobby of mine that requires sufficient square footage for equipment, materials, and safe movements. Attempting to fit this into a smaller structure, as required by the ordinance, would create a workspace that is congested, insufficient and potentially dangerous.

This restriction makes it unduly burdensome to enjoy our property for a permitted residential use that supports both everyday functionality and personal wellbeing. The variance is not for luxury or excess, but to allow for reasonable and safe use of our property consistently with our long-term plans when we chose to build here.

Describe any special circumstances that apply to your lot or structure that do not apply to adjacent properties:

Our lot has unique characteristics compared to the surrounding properties. Specifically, the size and shape of the lot as well as being a corner lot. The surrounding properties are smaller in size and cannot accommodate a larger detached garage. These features make it suitable for a slightly larger garage without negatively impacting neighboring properties.

Additionally, the placement of our home on the lot allows for a detached garage of this size to be construction in a way that maintains appropriate distances from property lines and preserves open space. These special circumstances make a larger structure reasonable and compatible with the layout of our property.

Describe how the stated hardship is not self-created:

The hardship is not self-created, as it stems from the limitations imposed by the current zoning ordinances and not from an actions we have taken. We carefully planned our home building and intended to include a garage space that would accommodate both vehicle storage and a woodworking area.

The need for additional space arises from a long-standing personal hobby and accumulation of equipment overtime, which is typical for homeowners with such interest. The restrictions imposed cause a barrier to our plans unbeknownst to us as we were never made aware. This creates an unintended barrier to using our property as intended, but the desire to build a functional detached garage has always been a part of our original vision.

Describe how you feel the granting of this variance would not harm public interests, considering the general purpose of the ordinance and the specific provision being petitioned:

Granting this variance would not harm public interest, as the proposed detached garage will be designed to compliment the aesthetics and scale of the neighborhood. It will be used solely for personal storage and a private woodworking hobby with no commercial activity involved.

The structure will meet all required setbacks and will be placed in a manner that maintains appropriate separation from neighboring properties, insuring no negative impact on privacy, safety or visibility.

The general purpose of the ordinance, which is to prevent overbuilding and protect neighborhood character, will still be upheld, as the garage will be appropriately sized relative to our lot and will not dominate the property or surrounding area. In fact, by allowing secure storage, it may reduce outdoor clutter and improve overall appearance and property value.

Additional Requirements: A site plan must be submitted with this application, showing the entire affected parcel, all structures, lot lines, and streets with distances to each. The site plan may be hand drawn. Additional information may also be requested as may be appropriate per the proposal being made.

Special Exception Permit Fee Schedule: \$100.00

Signature of Petitioner:

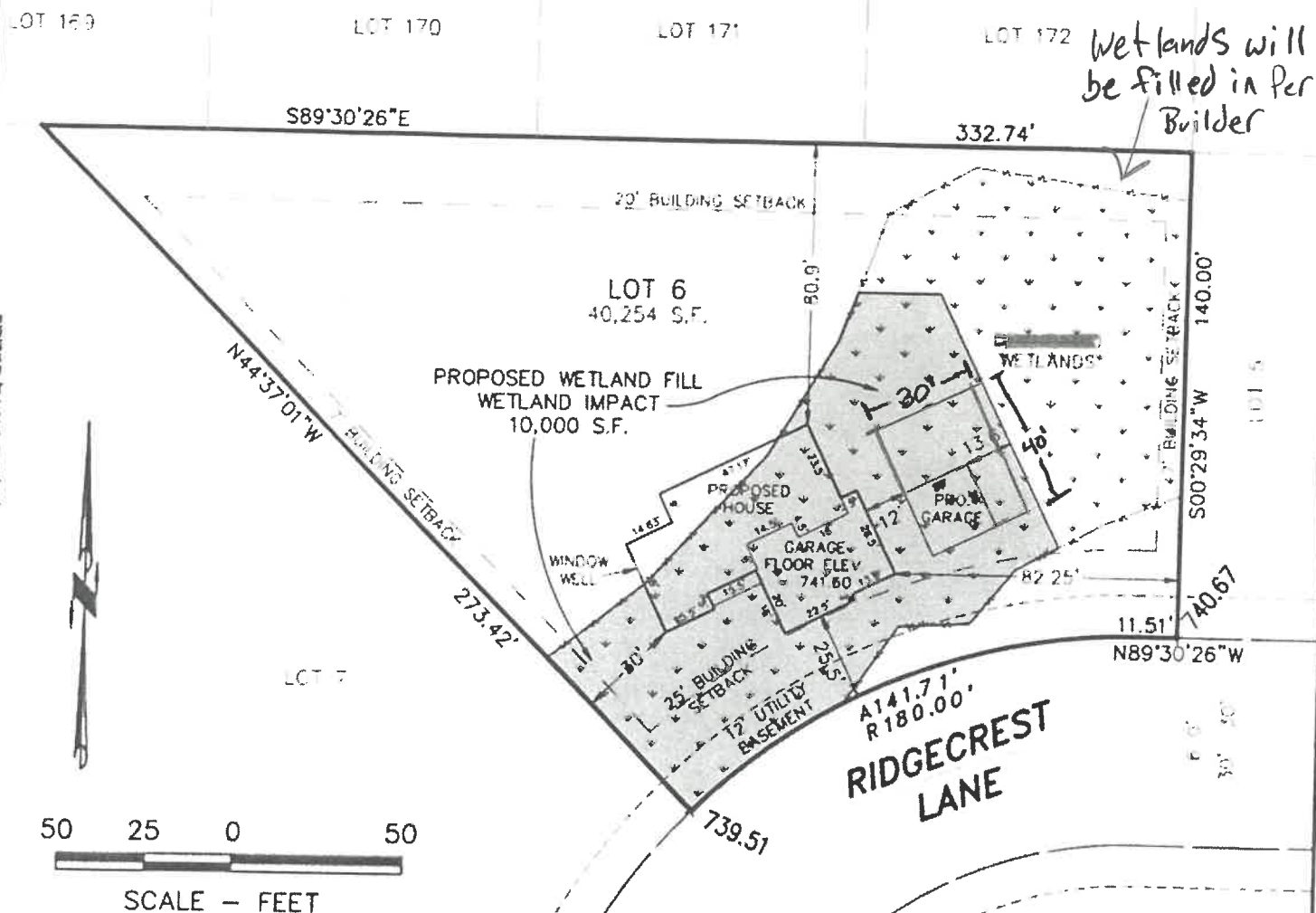


Signature of Owner (If Not Petitioner):

Date Submitted to City of Kaukauna: 5/4/25

HOUSE LAYOUT

LOT 6, INSIDE THE PARK PLACE,
CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN



LEGEND

- * 740.67 - PROPOSED GRADE
- ~ - PROPOSED DRAINAGE DIRECTION
- 741.0 - GRADE AT FOUNDATION
- 741.68 - PROPOSED TOP OF WALL ELEVATION ($\pm 0.67'$ FROM GRADE AT FOUNDATION)

FOR: -CORBETT CONSTRUCTION & REALTY
-101 W. EDISON AVE., SUITE 203
-APPLETON, WI 54915
-PHONE: (920) 750-9917

NOTE:

THIS IS NOT A PROPERTY SURVEY. THE BOUNDARY AS SHOWN IS FOR THE RECORDED PLAT OR SURVEY OF RECORD.

THE HOME BUILDER IS RESPONSIBLE FOR VERIFYING THAT THE LOCATION OF THE FOUNDATION AS SHOWN IS IN CONFORMANCE WITH ALL RECORDED EASEMENTS, PRIVATE COVENANTS AND BUILDING SETBACKS.

FIELD STAKING OF THE FOUNDATION WILL BEGIN UPON THE APPROVAL FROM THE HOME BUILDER FOR THE LOCATION AS SHOWN.

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY PROPOSED SITE GRADES BY FIELD CHECKING TWO (2) BENCHMARKS AND A MINIMUM OF ONE (1) SITE FEATURE AS SHOWN ON THIS PLAN. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY MCMAHON OF ANY VERTICAL DISCREPANCY.

McMAHON
ENGINEERS ARCHITECTS

Project No. C1073 092500333 Date APRIL 2025 Scale 1"=50'

Drawn By CWK Field Book Page

1445 McMAHON DRIVE NEENAH, WI 54956
Mailing P O BOX 1025 NEENAH, WI 54957-1025
Tel (920) 751-4200 Fax (920) 751-4284

File No.

STAFF REVIEW**BOARD OF APPEALS****June 18, 2025**

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