



## AGENDA

### VILLAGE OF LITTLE CHUTE PLAN COMMISSION MEETING

PLACE: Little Chute Village Hall – Village Board Room

DATE: Monday, November 11, 2024

TIME: 5:00 p.m.

Join Zoom Meeting: <https://us06web.zoom.us/j/88481477487>

Meeting ID: 884 8147 7487

Dial by your location: +1 312 626 6799 US (Chicago)

- A. Call to Order
- B. Roll Call
- C. Public Appearance for Items Not on the Agenda

1. Approval of Minutes from the Plan Commission Meeting of October 16, 2024
2. Public Hearing – Variance Request 609 W. Main Street
3. Discussion/Action – Variance Request 609 W. Main Street
4. Items for Future Agenda
5. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852 November 7, 2024

## MINUTES OF THE PLAN COMMISSION MEETING OF OCTOBER 14, 2024

### Call to Order

The Plan Commission meeting was called to order at 5:00 PM by President Vanden Berg

### Roll Call

PRESENT: President Vanden Berg

Jim Moes

Bill Van Berkel

Larry Van Lankvelt

Kent Taylor

Todd Verboomen

EXCUSED: Tom Lonsway

STAFF PRESENT: Jessica Titel

### Public Appearance for Items Not on the Agenda

### Approval of Minutes from the Plan Commission Meeting of September 9, 2024

*Moved by Commissioner L. Van Lankvelt, seconded by Commissioner Taylor to approve the Plan Commission Meeting Minutes of September 9, 2024.*

All Ayes – Motion Carried

### Discussion/Action – CSM Founders Estates Lots 13 & 14

Director Titel presented a CSM for Founders Estates to adjust the lot lines between two parcels owned by REO Builders. This has been reviewed and approved by Staff. Staff recommend approval to the Board

*Moved by Commissioner Moes, seconded by Commissioner Van Berkel to recommend approval of CSM to Village Board.*

All Ayes – Motion Carried

### Items for Future Agenda

### Adjournment

*Moved by Commissioner Verboomen seconded by Commissioner Van Berkel to Adjourn Plan Commission Meeting at 5:05 PM*

All Ayes – Motion Carried

## VILLAGE OF LITTLE CHUTE

By:

\_\_\_\_\_  
Michael Vanden Berg, Village President

Attest: \_\_\_\_\_

Laurie Decker, Village Clerk

**VILLAGE OF LITTLE CHUTE  
PLAN COMMISSION  
NOTICE OF PUBLIC HEARING**

**VARIANCE REQUEST**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held on November 11, 2024 at 5:00 p.m. by the Plan Commission, for consideration of the granting of Variance under authority provided in Section 44 Village Code of Ordinance. The request is for property located at:

Address: 609 W. Main Street

Parcel # 260057600

Legal Description: 2009 AMENDMENT TO THE 1917 ASSESSOR'S PLAT OF THE VILLAGE OF LITTLE CHUTE LOT 10

Current Owner: Jason & Casey Walker

Applicant: Mary Novak

Applicant is requesting a variance from Section 40-124(c)(3) for a second driveway. Section 40-124(c)(3) allows one driveway on residential properties less than 200 feet in width.

Notice is further given that the said meeting is open to the public and that the applicants and any other persons interested may appear and be heard for or against the granting of variance by this Commission.

If you have any questions, please contact the Zoning Administrator at (920) 423-3870

DATE OF HEARING:	November 11, 2024
TIME OF HEARING:	5:00pm
PLACE OF HEARING:	Village Hall Board Room 108 West Main Street Little Chute, WI 54140

Publish: October 30 and November 6, 2024

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.



## Item For Consideration Plan Commission

Plan Commission Meeting Date: 11/11/24

Prepared On: 11/5/24

Agenda Item Topic: Variance – 609 W. Main Street

Prepared By: Jessica Titel, Community Development Department

**Applicant:** Mary Novak

**Address/Parcel #:** 609 W. Main Street, Parcel #260057600

**Request:** The applicant is requesting a variance from Section 40-124(c)(3) for a second driveway. Section 40-124(c)(3) allows one driveway on residential properties less than 200 feet wide. The applicant's request and justification are attached.

**Zoning Classification:** RC Conventional Single-Family District

**Background:** The parcel is approximately 0.6 acres in area and approximately 92 feet wide. There is an existing curb cut/driveway apron that has been in that location since at least 2000, so there is no need for a new curb cut. This variance request would allow the pavement to be extended for a driveway onto the property to provide parking for one vehicle. The pavement/driveway does not lead to a garage.

The application and notice of public hearing are attached to this report. Letters of notice of this public hearing on this item have been mailed to all property owners within 100 feet and noticed in the paper.

### **RECOMMENDATION/PLAN COMMISSION ACTION:**

Staff has reviewed the request and finds no concerns regarding public health safety and welfare. It is the responsibility of the Plan Commission to review the ordinance in question and determine if there is an undo hardship from the ordinance in this situation that would warrant the approval of the requested Variance.

Respectfully Submitted,  
Jessica Titel, Community Development Director

Fee \$175  
Receipt No \_\_\_\_\_



## VILLAGE OF LITTLE CHUTE

### APPLICATION FOR REQUEST OF VARIANCE OF THE ZONING CODE

PROPERTY APPEAL SITE ADDRESS 609 W. Main St

APPLICANT MARY Novak

ADDRESS/ZIP 1319 WASHINGTON

TELEPHONE 920-788-5869

CITY/ZIP LITTLE CHUTE, WI

FAX \_\_\_\_\_

Email address tnovak1149@gmail.com

Appellant named above, files herewith this application of variance of the zoning code.

Description of variance requested, include specific provisions of ordinance involved:

Requesting addition of second driveway, ordinance is Sec. 40-124(a)  
Design location and construction requirements. Requesting specific variance  
of (2) number of driveways, ordinance allows 1 driveway on individual  
property except where deemed necessary and feasible by director of public  
works for reasonable and adequate service to property considering  
safety, convenience, topography and utility of the street.

Please respond to the following questions (Attach additional sheets as needed):

1. Describe why you feel there is "unnecessary hardship", which is defined as complying with the petitioned ordinance standard would unreasonably prevent you from using the property for a permitted use or would render conformity with such restrictions unnecessarily burdensome.

See attached sheets

2. Describe what unique property limitations exist that prevent ordinance compliance and are not common to adjacent properties

See attached sheet

3. Describe how you consider the hardship under both items above is not self-created

See attached sheet

4. Describe how you feel the granting of this variance would not harm public interests as you consider the general purpose of the ordinance and the specific provision being petitioned.

See attached sheets

**Attach any and all documentation to this application which applicant wishes to be reviewed at hearing.**

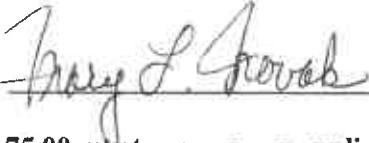
**Scale drawings of proposed and existing structures showing all heights and setbacks from property lines as well as percentage of lot coverage MUST be included with application for variance.**

Applicant or their representative should attend hearing to answer questions of the review board or commission.

Appellant herewith requests to fix a time for public hearing within as short a reasonable time as possible to give proper notice of such hearing as well as due notice to parties of interest.

**I CERTIFY THAT THIS APPLICATION AND ANY ATTACHMENTS ARE, TO THE BEST OF MY KNOWLEDGE, COMPLETE IN ACCORDANCE WITH ALL APPLICABLE CODES.**

**APPLICANT SIGNATURE**



**DATE** 10/21/24

**APPLICATION FEE of \$175.00 must accompany application at time of submittal.**

Following to be Filled out by Community Development Department:

Date received and Village person receiving application \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Decision: \_\_\_\_\_

Conditions: \_\_\_\_\_

1. An addition, in- law suite, was added to the house to care for an aging parent. Without a driveway to access the addition, the parent will have to access the living area through the main house. The parent would be able to access the addition by parking in the driveway and walking to the addition via the sidewalk and the grass/yard. Walking through the grass is difficult due to mobility issues of the aging parent. It is anticipated mobility issues will worsen with time. The suite is ADA compliant. In the event the parent is no longer mobile, the doorway to the addition was built with the ability to convert the stairs to a ramp for wheelchair access. Without a driveway, getting a wheelchair to the ramp would be difficult.
2. The ordinance, section 40-124 (2) allows for a variance to the number of driveways “where deemed necessary and feasible by the director of public works for reasonable and adequate service to the property, considering the safety, convenience, topography and utility of the street.” The current house is built on top of a hill with a steep backyard leading to the Fox River. The in-law suite was added to the house, the opposite side of the house from the driveway, to the only available space at the top of the hill. When the house was purchased in the 80s a driveway apron and gravel driveway was already in place in the area we are requesting. When Main Street was redone several years ago, the apron was poured in that location anticipating building a second home on the hill leading to the river. The apron already exists unlike other properties.
3. The above listed items are not self-created issues. Aging is a normal aging process. The location of the addition is based on the topography of the property.
4. Granting of this variance will not harm public interest based on the purpose of the ordinance. Section 40-123 which requires permits for driveways states “(a) *Purpose.* For the safety of the general public, the village shall approve the location, size, construction and number of access points to public roadways or public property within the village limits. It is the village's intent to provide safe access to properties abutting public roadways suitable for the property to be developed to its highest and best use, provided that access is not deficient or dangerous

to the general public.” The best use of the property is to care of an aging parent. Allowing a driveway is the safest access. There is nothing dangerous to the general public. Section 40-123 (d) Application Provisions states, “(1) The applicant represent all parties in interest, and that such proposed driveway is for the bona fide purpose of securing access to his property and not for the purpose of parking or servicing vehicles, advertising, storage or merchandising of goods, or for any other unlawful purpose.” The sole purpose of the driveway to secure access to the addition. The driveway is not near any intersections and there is clear visibility from either direction on the street.

606 W LATH ST Village of X Q



Percentage of lot coverage is minimal

## Linked Living

Site Plan - Novak 609 West Main St, Little Chute, WI 54140

