



Board of Appeals

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Agenda

Monday, June 27, 2016

4:45 PM

De Pere City Hall Council Chambers

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Board of Appeals** of the City of De Pere will be held on **June 27, 2016 at 4:45 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

Call to Order

1. Roll Call
2. Approval of the minutes of the May 23, 2016 Board of Appeals meeting.
3. Request submitted by Jing Jin Chen, 1801 N Sunkist Circle, De Pere, Wisconsin to construct a 6' high vinyl fence on the property located at 1801 N Sunkist Circle, De Pere, Wisconsin which would require a variance to allow a fence higher than 3' in a corner side yard setback.
4. Request submitted by the City of De Pere, 335 S Broadway, De Pere, Wisconsin to reduce the front yard building setback on the property, located at 2128 Ryan Road, De Pere, Wisconsin from 30' to 25' which would require 5' front yard setback variance.
5. Request submitted by Gene Bosacki, 804 N Clay Street, De Pere, Wisconsin to construct a replacement detached garage on the property located at 804 N Clay Street, De Pere, Wisconsin which would require a 3' interior side yard setback variance.

Adjournment

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the office of the Building Inspector at 339-4053 by noon on the day of the meeting so that arrangements can be made.

Agenda Sent To:

Alderspersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Jing Jin Chen
Jay A & Amanda K Schillinger
John M Kolstad
Occam LLC
Gary A Faulkner
Troy W & Jennifer A Cox
David J & Susan A Bergman
David F & Laurie A Goblisch
Matthew A Fischer
Jesse R Linsmeyer
Brett & Holly King
Gerald J & Judy M Finnel

Adam R Ford
Gene & Debra Bosacki
Daniel E Fox

City of De Pere, Wisconsin



Request For Board of Appeals Action

MEETING DATE: June 27, 2016

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Approval of the minutes of the May 23, 2016 Board of Appeals meeting.

ATTACHMENTS:

- BoA_May2016_Minutes_Draft (PDF)



Board of Appeals

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Draft Minutes

Monday, May 23, 2016

4:45 PM

De Pere City Hall Council Chambers

Call to Order

The meeting was called to order at 4:45 PM by Board Member Thomas Keidatz

Attendee Name	Title	Status	Arrived
Scott Bonfigt		Present	
Bob De Groot	Board Member	Present	
Paul De Leeuw	Board Member	Excused	
Roger Galler	Board Member	Present	
Thomas Keidatz	Board Member	Present	
James Stadler	Board Member	Present	
William Vande Hei	Board Member	Present	

Also present: Building Inspector Dave Hongisto and members of the public.

- Approval of the minutes of the April 25, 2016 Board of Appeals meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Stadler, Board Member
SECONDER:	Bob De Groot, Board Member
AYES:	Bonfigt, De Groot, Galler, Keidatz, Stadler, Vande Hei
EXCUSED:	Paul De Leeuw

- Request submitted by Brett Anderson, 109 N. Ontario St, De Pere, Wisconsin to construct a 15'x20' addition to existing 18'x20' detached garage on the property located at 109 N. Ontario St, De Pere, Wisconsin which would require a 3' interior side yard setback variance.

Keidatz read the notice of public hearing and Hongisto reviewed the variance request. Homeowner Brett Anderson explained his request to add a 15'x20' addition to his existing detached garage, requiring a 3 ft interior side yard variance to maintain the same lines of the existing garage. He explained that he has a substandard size lot and would like to maintain the 1800 sq ft of green space in his yard, which is the reason he would rather not move the garage. He stated that he wants to ensure that the garage looks nice and adds to his property. This request was approved by the board over a year ago, and now since the variance approval has expired, he would like to get approval again so he can move forward with his addition. Neighbors on both sides had no issues with him building the addition the first time he made the request and they were all notified of this second request also. DeGroot recommended keeping the downspouts toward the alleyway so water does not run into the neighbors' yards, which Mr. Anderson agreed to do. DeGroot motioned, seconded by Keidatz, to approve the variance request. Upon vote, motion carried unanimously, with the condition that the downspouts are positioned toward the alleyway. Keidatz noted that the homeowner must obtain the appropriate permit(s) prior to construction.

Attachment: BoA_May2016_Minutes_Draft (4875 : Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob De Groot, Board Member
SECONDER:	Thomas Keidatz, Board Member
AYES:	Bonfigt, De Groot, Galler, Keidatz, Stadler, Vande Hei
EXCUSED:	Paul De Leeuw

4. Request submitted by Mark Loritz, 313 Waterview Road, De Pere, Wisconsin to widen a driveway on the property located at 313 Waterview Road, De Pere, Wisconsin which would require a seven (7) foot width variance at the property line, and a five (5) foot width variance at the street side of the city sidewalk.

Keidatz read the notice of public hearing and Hongisto reviewed the appeal for a variance request. Property owner Mark Loritz returned for a second time regarding the variance request to widen his driveway. He addressed the board, ensuring them that the integrity of the gutter will be maintained within the building code, at 34 ft., which was a concern at the April 25 meeting. Mr. Loritz is requesting to widen his driveway at the sidewalk to 32 ft, which is a 7 ft variance. Hongisto read part of a memo written by Planning Director Kim Flom, stating that current zoning code requires a maximum width of 25 ft at the sidewalk, with a 5 ft flare on both sides, with a maximum opening at the street of 35 ft. Hongisto explained that this ordinance went into effect in 1983 with the intent of regulation for aesthetic purposes to limit the expanse of concrete. Board members discussed other possible solutions such as angling the flare 10 ft on one side, rather than 5 ft on each side. Mr. Loritz stated that this would not solve his problem of getting his boat in and out of his driveway easier. Hongisto stated that in order for a variance to be approved, it needs to be shown that it is unique to the property and needs to show a hardship to the owner, not a mere inconvenience. Mr. Loritz commented that there are other driveways in his neighborhood which are wider than the code allows. Keidatz stated that the city is not responsible for property owners who expanded their driveways without the consent of the board.

Keidatz polled the members, with DeGroot and Galler voting aye, Vande Hei passing, and Keidatz, Stadler and Bonfigt voting nay. Upon vote, the variance request was denied. After the vote, Mr. Loritz asked the board what his next step would be if he wants to continue with his variance request. Keidatz suggested he resubmit a different plan or appeal the decision. He also suggested that Mr. Loritz should speak to his alderpersons who in turn could speak to the Plan Commission about changing the zoning code. Keidatz concluded that the board is bound by their decision.

RESULT:	DEFEATED [2 TO 3]
AYES:	Bob De Groot, Roger Galler
NAYS:	Scott Bonfigt, Thomas Keidatz, James Stadler
ABSTAIN:	William Vande Hei
EXCUSED:	Paul De Leeuw

Adjournment

Keidatz declared the meeting adjourned at 5:21 P.M.

Respectfully submitted,
Carey Danen

Attachment: BoA_May2016_Minutes_Draft (4875 : Minutes)

City of De Pere, Wisconsin

**Request For Board of Appeals Action**

MEETING DATE: June 27, 2016

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Request submitted by Jing Jin Chen, 1801 N Sunkist Circle, De Pere, Wisconsin to construct a 6' high vinyl fence on the property located at 1801 N Sunkist Circle, De Pere, Wisconsin which would require a variance to allow a fence higher than 3' in a corner side yard setback.

ATTACHMENTS:

- Notice of Public Hearing_N Sunkist (DOC)
- BoA_1801 Sunkist_Attachments (PDF)

Publish: June 17, 2016

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Zoning Board of Appeals of the City of De Pere, Brown County, Wisconsin, on Monday, June 27, 2016 at 4:45 P.M. in the Common Council Chambers, Second Floor, City Hall, 335 S. Broadway Street, De Pere, Wisconsin, on the following matter:

An appeal for a variance from the City of De Pere Municipal Code, Chapter 8-22 submitted by Jing Jin Chen, 1801 N. Sunkist Circle, De Pere, Wisconsin. Said appeal requests a building permit to construct a 6' high vinyl fence on the property located at 1801 N. Sunkist Circle, De Pere, Wisconsin, which would require a three (3) foot corner side yard setback variance.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 8-22 which requires a three (3) foot corner side yard setback variance.

Dated this 15th day June, 2016

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Building Inspector

Attachment: Notice of Public Hearing_N Sunkist (4876 : 1801 N Sunkist)

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$ 160.00	
		Receipt #: 00113264	
		Date: 6-6-16	

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity) Jing Jin Chen	Authorized Representative	Title	
Mailing Address 1801 N. SunKist Circle	City De Pere	State WI	ZIP Code 54115
Email Address	Phone Number (incl. area code) (414) 737-2833	Fax Number (incl. area code)	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity) Jing Jin Chen	Contact Person	Title	
Mailing Address 1801 N. SunKist Circle	City De Pere	State WI	ZIP Code
Email Address	Phone Number (incl. area code) (414) 737-2833	Fax Number (incl. area code)	

SECTION 3: Project or Site Location

Project Address: 1801 N. SunKist Circle	Parcel Number(s):
Legal Description: Lot 1 in 18 CSM 303	ED-P0001-1

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	Chapter 8-22
Ordinance Provision:	Allows a 3' maximum high fence in a corner side yard
Project Description:	6' high vinyl fence
Variance Requested:	3' height variance
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	It is similar to the fence across the street
Describe the hardship(s) that would result if the variance is not granted:	We would not have the privacy from Lebrun St.
Describe how the variance would not have adverse effects on surrounding properties:	The fence will help enhance property values

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Variance Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print) <i>Jing Jin chen</i>	Title <i>owner</i>	Phone Number <i>(414) 737-2833</i>
Signature of Applicant <i>Jin chen</i>		Date Signed <i>6/6/2016</i>

Maps and scaled drawings which help explain the request are strongly encouraged. Attach additional sheets if necessary.

1801 N. Sunkist Circle



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map.

Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010



06/06/2016
Scale 1:240

City of De Pere, Wisconsin**Request For Board of Appeals Action**

MEETING DATE: June 27, 2016

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Request submitted by the City of De Pere, 335 S Broadway, De Pere, Wisconsin to reduce the front yard building setback on the property, located at 2128 Ryan Road, De Pere, Wisconsin from 30' to 25' which would require 5' front yard setback variance.

ATTACHMENTS:

- Notice of Public Hearing_Ryan Rd (DOC)
- BoA_2128 Ryan Rd_Attachments (PDF)

Publish: June 17, 2016

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Zoning Board of Appeals of the City of De Pere, Brown County, Wisconsin, on Monday, June 27, 2016 at 4:50 P.M. in the Common Council Chambers, Second Floor, City Hall, 335 S. Broadway Street, De Pere, Wisconsin, on the following matter:

An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-38 (6) (1) (b) submitted by the City of De Pere, 335 S. Broadway, De Pere, Wisconsin. Said appeal is made to facilitate a sale of the vacant property located at 2128 Ryan Road, De Pere, Wisconsin for construction of a single family residence which would require a five (5) foot front yard setback variance.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14-38 (6) (1) (b) which requires a 30' front yard building setback.

Dated this 15th day June, 2016.

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Chief Building Inspector

Attachment: Notice of Public Hearing_Ryan Rd (4877 : 2128 Ryan Rd)

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$160.00	
		Receipt #: <i>Waived</i>	
		Date:	

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity) <i>City of DePere</i>	Authorized Representative <i>David R. Hongisto</i>	Title <i>Chief Building Inspector</i>	
Mailing Address <i>335 S. Broadway</i>	City <i>DePere</i>	State <i>WI</i>	ZIP Code <i>54115</i>
Email Address <i>dhongisto@mail.de-pere.org</i>	Phone Number (incl. area code) <i>(920) 339-4053</i>	Fax Number (incl. area code)	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity) <i>Same as above</i>	Contact Person	Title	
Mailing Address	City	State	ZIP Code
Email Address	Phone Number (incl. area code)	Fax Number (incl. area code)	

SECTION 3: Project or Site Location

Project Address: <i>2128 Ryan Road</i>	Parcel Number(s):
Legal Description: <i>Trailside Estates Lot 92</i>	<i>ED 2714</i>

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	<i>DePere Municipal Code, Chapter 14.38(6)(1)(b)</i>
Ordinance Provision:	<i>Requires a 30' front yard building setback</i>
Project Description:	<i>Single Family Residence</i>
Variance Requested:	<i>5' front yard building setback variance</i>
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	<i>Lot only has 2 sides and a radius front</i>
Describe the hardship(s) that would result if the variance is not granted:	<i>Residence will have a very small rear yard</i>
Describe how the variance would not have adverse effects on surrounding properties:	<i>It will not create a vision/safety hazard for motorists/pedestrians.</i>

SECTION 5: Certification and Permission		
Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Variance Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws. Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.		
Name of Owner/Authorized Representative (please print)	Title	Phone Number
City of DePue / David R. Hongisto	Chief Building Inspector	(920) 339-4053
Signature of Applicant		Date Signed
David R. Hongisto		6-14-2016

Maps and scaled drawings which help explain the request are strongly encouraged. Attach additional sheets if necessary.

2128 Ryan Road (ED-2714)



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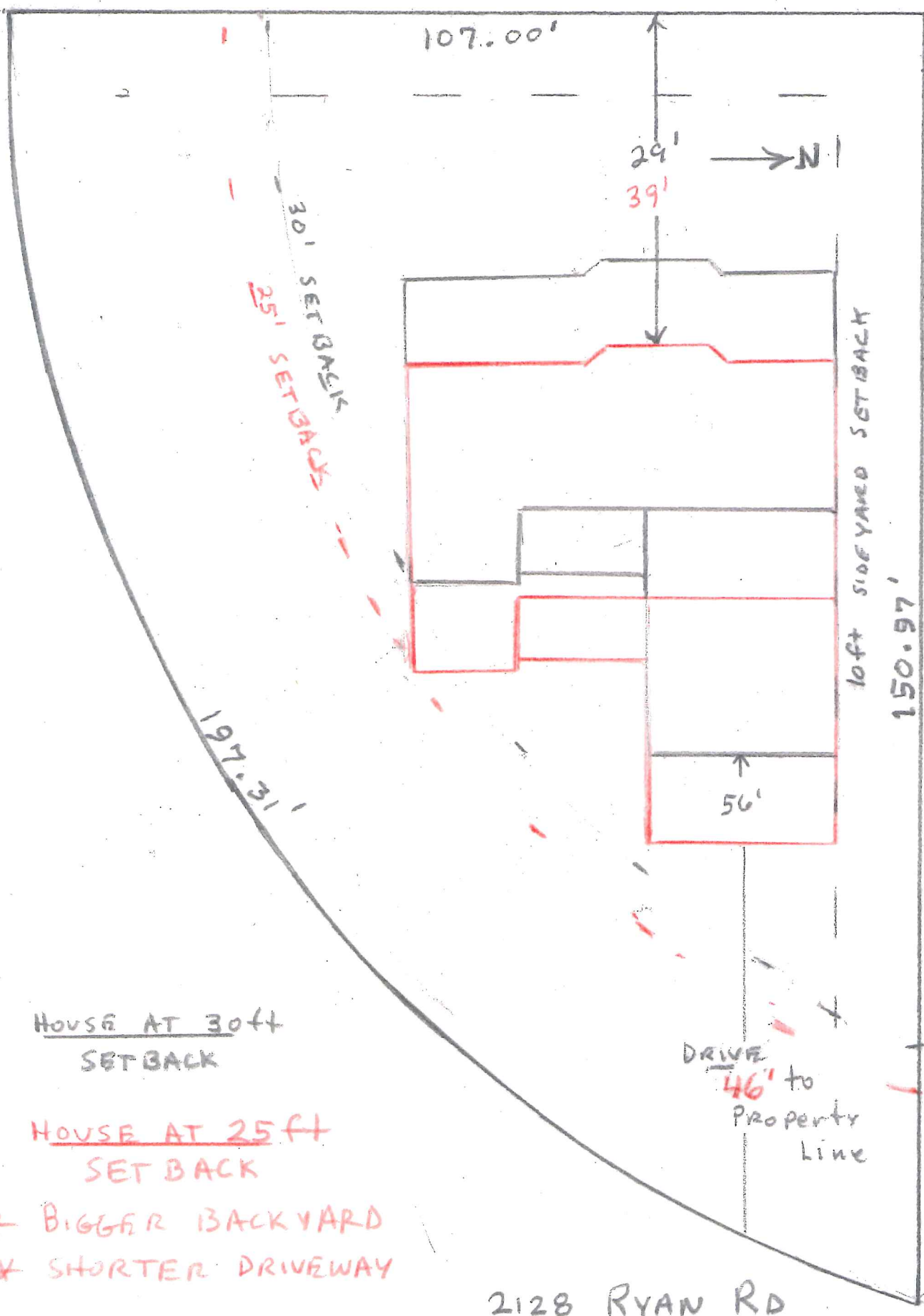
Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010



06/23/2016
Scale 1:720

PROVINCE BUILDERS & REALTY INC.
 2269 Fox Heights Lane
 Green Bay, WI 54304
 Ph. (920) 494-7471

ED - 2174
 LOT 92 TRAILSIDE ESTATES
 CITY OF DE PERE, BROWN
 COUNTY WISCONSIN



Attachment: BoA_2128 Ryan Rd_Attachments (4877 : 2128 Ryan Rd)

City of De Pere, Wisconsin**Request For Board of Appeals Action**

MEETING DATE: June 27, 2016

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Request submitted by Gene Bosacki, 804 N Clay Street, De Pere, Wisconsin to construct a replacement detached garage on the property located at 804 N Clay Street, De Pere, Wisconsin which would require a 3' interior side yard setback variance.

ATTACHMENTS:

- Notice of Public Hearing_N Clay (DOC)
- BoA_804 N Clay_Attachments (PDF)

Publish: June 17, 2016

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Zoning Board of Appeals of the City of De Pere, Brown County, Wisconsin, on Monday, June 27, 2016 at 4:55 P.M. in the Common Council Chambers, Second Floor, City Hall, 335 S. Broadway Street, De Pere, Wisconsin, on the following matter:

An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-38 (6) (1) (g) submitted by Gene & Debra Bosacki, De Pere, Wisconsin. Said appeal is to construct a replacement detached garage on the property located at 804 N. Clay Street, De Pere, Wisconsin which would require a three (3) foot interior side yard setback variance.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14-38 (6) (1) (g) which requires a six (6) foot interior side yard building setback.

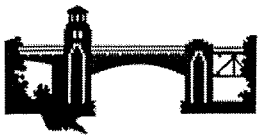
Dated this 15th day June, 2016.

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Chief Building Inspector

Attachment: Notice of Public Hearing_N Clay (4878 : 804 N Clay St)

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$ 160.00
		Receipt #: 113792
		Date: 6-22-16

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity) <i>Gene & Debra Bosacki</i>	Authorized Representative	Title	
Mailing Address <i>804 N. Clay Street</i>	City <i>De Pere</i>	State <i>WI</i>	ZIP Code <i>54115</i>
Email Address	Phone Number (incl. area code) <i>(920) 321-4244</i>	Fax Number (incl. area code)	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity) <i>Same as above</i>	Contact Person	Title	
Mailing Address	City	State	ZIP Code
Email Address	Phone Number (incl. area code)	Fax Number (incl. area code)	

SECTION 3: Project or Site Location

Project Address: <i>804 N. Clay Street</i>	Parcel Number(s):
Legal Description: <i>Le Brun Subdivision Lot 15 Block 2</i>	<i>ED 582-48</i>

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	<i>De Pere Zoning Code, Chapter 14-38(6)(i)(G)</i>
Ordinance Provision:	<i>Requires a 6' interior side yard setback</i>
Project Description:	<i>Replacement detached garage</i>
Variance Requested:	<i>3' interior side yard setback variance</i>
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	<i>Lot is an existing sub standard lot of record.</i>
Describe the hardship(s) that would result if the variance is not granted:	<i>Old garage is dilapidated. Would not have a place to store vehicles etc.</i>
Describe how the variance would not have adverse effects on surrounding properties:	<i>New garage would enhance property values.</i>

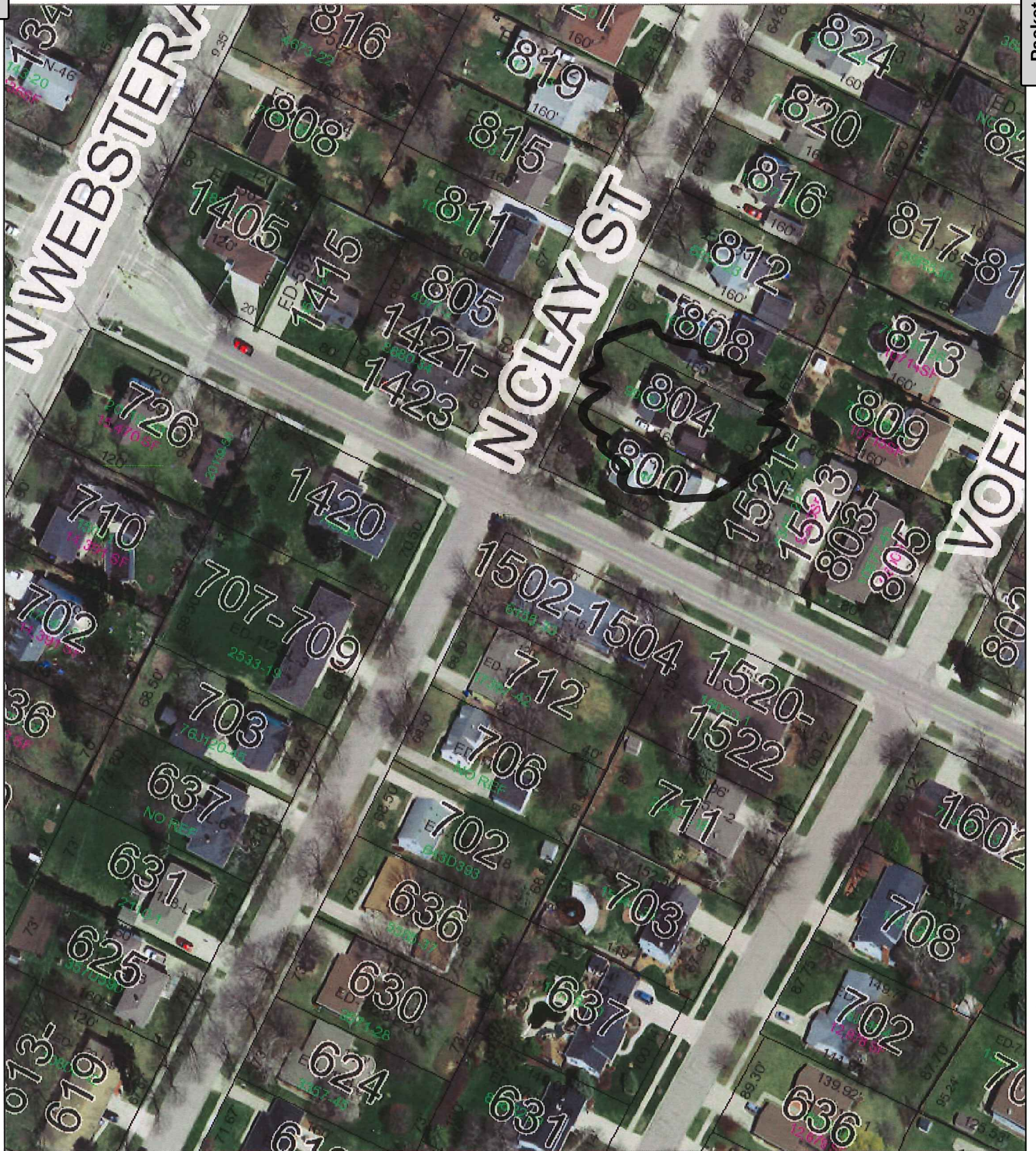
SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Variance Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print) <i>Gene Bosacki</i>	Title <i>Owner</i>	Phone Number <i>321-4244</i>
Signature of Applicant <i>Gene Bosacki</i>		Date Signed <i>6-14-16</i>

Maps and scaled drawings which help explain the request are strongly encouraged. Attach additional sheets if necessary.



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Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010

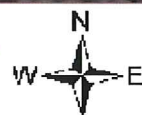
06/22/2016
Scale 1:1200

804 N. Clay Street



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Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010



06/23/2016
Scale 1:240

Detached garage location