



Board of Appeals

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

Regular Meeting

Agenda

Monday, June 23, 2014

4:45 PM

De Pere City Hall Council Chambers

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a Regular Meeting of the **Board of Appeals** of the City of De Pere will be held on **June 23, 2014** 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 June 3, 2014 meeting.
3. Request submitted by Peter Nowak, 1165 Jordan Road, De Pere, Wisconsin to construct a fence on the property located at 1165 Jordan Road, De Pere, Wisconsin which would require a three (3) foot height variance within a corner side yard setback.
4. Request submitted by Steve & Lisa Basche, 1228 Rita Lane, De Pere, Wisconsin to construct a single family residence on the property located at 840 Pine Street, De Pere, Wisconsin which would require a seven (7) inch interior side yard setback variance.
5. Request submitted by Robert & McKenzie Cleek, 914 Merrill Street, De Pere, Wisconsin to construct a detached garage on the property located at 914 Merrill Street, De Pere, Wisconsin which would require a five (5) foot interior side yard setback variance.

Adjournment

Any person wishing to attend who, because of disability, requires special accommodations should contact the office of the Building Inspector at 339-4053 by noon on Monday, June 23rd, 2014 so that arrangements can be made.

AGENDA SENT TO:

Board Members

Peter & Colleen Nowak

Steve & Lisa Basche

Robert & McKenzie Cleek

Brent & Jill Boone

Joseph & Susan Hockers

Wayne Hoffman

Randy Henrigillis

City of De Pere, Wisconsin



Request For Board of Appeals Action

MEETING DATE: June 23, 2014

DEPARTMENT: Board of Appeals

FROM: David Hongisto

SUBJECT: Approval of the minutes of the June 3, 2014 meeting.

ATTACHMENTS:

- BoA_Minutes_June3-2014_draft (PDF)



Board of Appeals

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

Regular Meeting

Draft Minutes

Tuesday, June 3, 2014

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
John Fairchild	Board Member	Excused	
Bob De Groot	Board Member	Present	
Thomas Keidatz	Board Member	Present	
Jason Peebles	Board Member	Excused	
Alice Schipper	Board Member	Present	
William Vande Hei	Board Member	Present	

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

2. Approval of the minutes of the March 24, 2014 Board of Appeals meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob De Groot, Board Member
SECONDER:	William Vande Hei, Board Member
AYES:	Bob De Groot, Thomas Keidatz, Alice Schipper, William Vande Hei
EXCUSED:	John Fairchild, Jason Peebles

3. Request submitted by Gary Glatfelter, 666 River Avenue, De Pere, Wisconsin to construct a detached garage on the property located at 666 River Avenue, De Pere, Wisconsin which would require a four (4) foot interior side yard setback variance.

Keidatz read the notice of public hearing, and Building Inspector Hongisto reviewed the variance request. The homeowner wants to demolish the existing garage and reconstruct a new one in the same location, which would place the structure two feet from the property line. Phil Bredael of The Remodel Shop appeared on behalf of the property owner. He reported that size restrictions of the lot made the project a challenge; relocating the garage would have placed it directly in the middle of the owner's backyard. There is a distance of 6' 6" between the structures; the contractor has added fireproof drywall to the plans due to its proximity to the neighbor's garage. Vande Hei cautioned that downspouts must be directed away from the neighboring property. The board unanimously approved the variance request with the stipulation that water be directed away from the neighbors. Keidatz noted that based upon the evidence, the criteria for the issuance of a variance have been met considering unusual circumstances, size of lots & location of prior garage. The property owner must obtain the necessary permits and construction must commence within six months.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Bob De Groot, Thomas Keidatz, Alice Schipper, William Vande Hei
EXCUSED:	John Fairchild, Jason Peebles

4. Request submitted by Lee Aanonsen, 619 Reid Street, De Pere, Wisconsin to construct a detached garage on the property located at 619 Reid Street, De Pere, Wisconsin which would require a four (4) foot interior side yard setback variance.

Attachment: BoA_Minutes_June3-2014_draft (2331 : Approval of the minutes of the June 3, 2014 meeting.)

Keidatz read the notice of public hearing. Hongisto reviewed the variance request. The existing garage has been torn down, and the homeowner would like to replace it in the same location. The distance between the structures would be 10 feet. The board unanimously approved the variance request with the stipulation that downspouts be directed away from the neighboring property. Keidatz noted that based upon the evidence, the statutory requirements for the issuance of a variance have been met considering the neighbor's lack of objection, size of lots, and location of the prior garage. The property owner must obtain the necessary permits and construction must commence within six months.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Bob De Groot, Thomas Keidatz, Alice Schipper, William Vande Hei
EXCUSED:	John Fairchild, Jason Peebles

5. Request submitted by Joshua Error, 133 S. Ontario Street, De Pere, Wisconsin to construct a fence on the property located at 133 S. Ontario Street, De Pere, Wisconsin which would require an 8" height variance.
-

Keidatz read the notice of public hearing. Hongisto explained the variance request: municipal code allows for a maximum fence height of 3' in front yard or corner side yard; the homeowner would like to install a 44" high picket fence. Homeowner Joshua Error then addressed the board and stated that the side street (Charles) has quite a bit of traffic because of Legion Park; the extra fence height would give them an added sense of security for their young children. It is a picket-style fence so it would not hinder visibility. The board unanimously approved the variance request. Keidatz noted that based upon the evidence submitted, the request is reasonable and is not detrimental to the neighborhood. The property owner must obtain the necessary permits and construction must commence within six months.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Bob De Groot, Thomas Keidatz, Alice Schipper, William Vande Hei
EXCUSED:	John Fairchild, Jason Peebles

Adjournment

De Groot motioned, seconded by Schipper, to adjourn the meeting at 5:05 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen

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

MEETING DATE: June 23, 2014

DEPARTMENT: Board of Appeals

FROM: David Hongisto

SUBJECT: Request submitted by Peter Nowak, 1165 Jordan Road, De Pere, Wisconsin to construct a fence on the property located at 1165 Jordan Road, De Pere, Wisconsin which would require a three (3) foot height variance within a corner side yard setback.

ATTACHMENTS:

- BoA_1165 Jordan Rd_Notice of Public Hearing (PDF)
- BoA_1165 Jordan Rd_Attachments (PDF)

Publish: June 14, 2014

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 23, 2014 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(c) submitted by Peter Nowak, 1165 Jordan Road, De Pere, Wisconsin. Said appeal requests a building permit to construct a 6' high fence on the property located at 1165 Jordan Road, De Pere, Wisconsin which would require a three (3) foot height variance within a corner side yard setback.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 8.22(c) which imposes a three (3) foot height limit within a corner side yard setback.

Dated this 12th day of June, 2014.

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Building Inspector

Attachment: BoA_1165 Jordan Rd_Notice of Public Hearing (2332 : 1165 Jordan Rd)

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$ 120.00
		Receipt #: 93179
		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) Peter Nowak	Authorized Representative	Title	
Mailing Address 1165 Jordan Rd	City De Pere	State WI	ZIP Code 54115
Email Address peter.william.nowak@gmail.com	Phone Number (incl. area code) (920) 264-8936	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)	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: 1165 Jordan Rd De Pere, WI 54115	Parcel Number(s):
Legal Description: Danen's Saddlebrook 3rd addition Lot 64	ED-2023

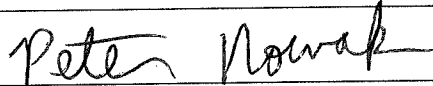
SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	Residential Fences - Chapter 8-22
Ordinance Provision:	allows a maximum 3 foot high fence within a corner side yard setback
Project Description:	6 foot tall wood privacy fence (shadowbox style)
Variance Requested:	6 foot tall fence within a corner side yard setback
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	See attached letter
Describe the hardship(s) that would result if the variance is not granted:	See attached letter
Describe how the variance would not have adverse effects on surrounding properties:	See attached letter

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) Peter Nowak	Title	Phone Number (920) 264-8936
Signature of Applicant 		Date Signed 5/31/14

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

May 29, 2014

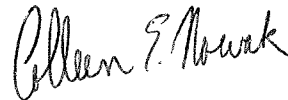
Zoning Board of Appeals,

We are requesting a variance to allow a 6 foot tall wood privacy fence in a corner side yard setback. This variance would eliminate various hardships that we would face if the variance is not granted and the variance would not have any adverse effects on the surrounding properties.

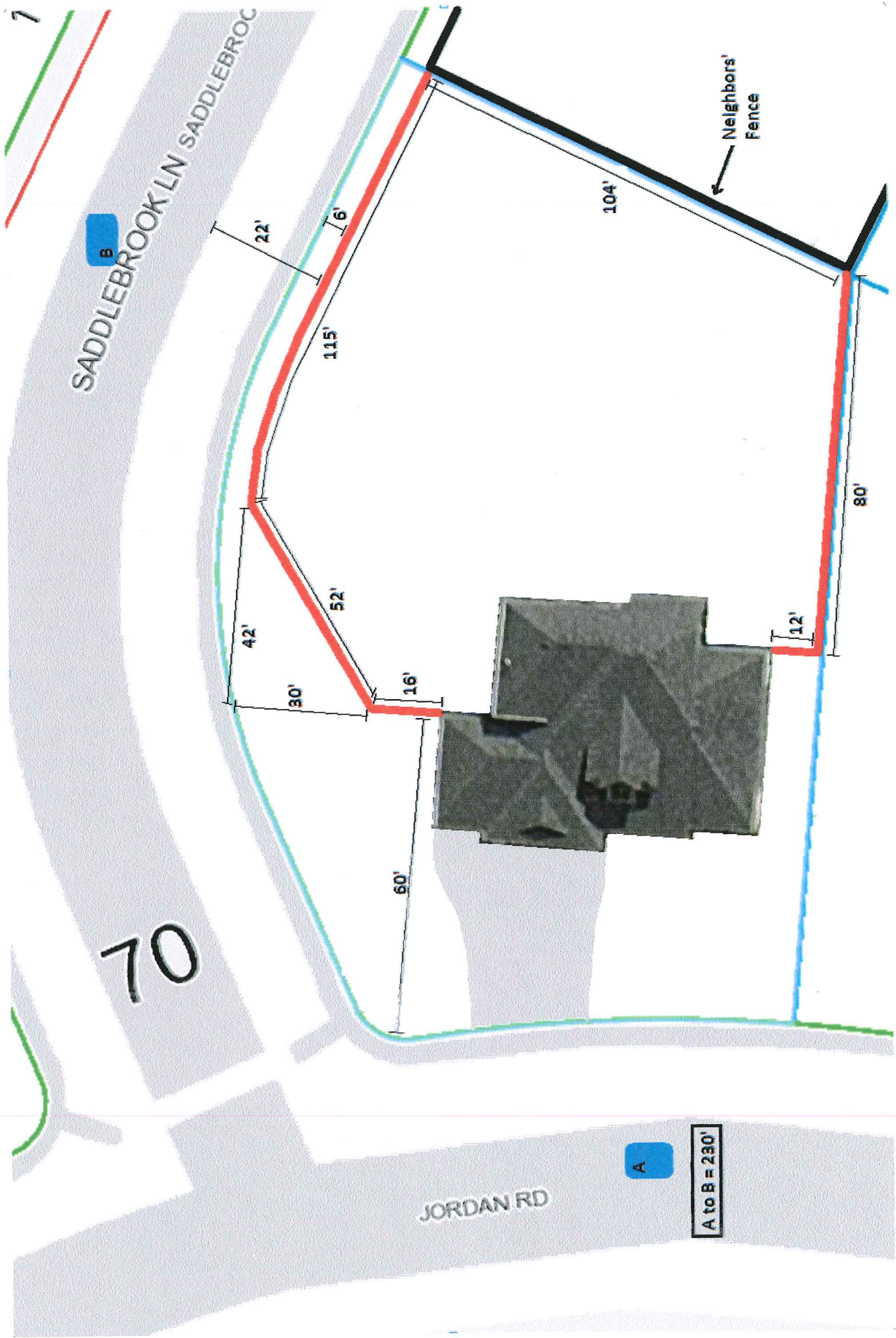
There are various hardships that would result for us if the variance is not granted. We are dog owners and our dog could likely jump over a 3 foot tall fence which would be very problematic. We are planning on having children in the near future. A small child could easily climb over a 3 foot fence which would be extremely dangerous as we are on a fairly busy corner. Our side yard is very exposed and a 3 foot fence would not provide any privacy for us and our future family. It would also be very detrimental if we had to build a 6 foot fence but had to set it back 30 feet from the sidewalk. We have an oddly shaped lot that is very long and narrow. Because of our lot shape, a 30 foot setback would cause us to lose roughly one-third of our usable backyard. Recently, our mailbox was demolished by a drunk driver at 11 o'clock in the morning. We want to have a large fenced-in backyard to encourage our future children to want to play and spend time in the backyard as opposed to a more dangerous front or side yard.

The proposed variance would not have any adverse effect on the surrounding properties or property values. We discussed the proposed variance with both of our adjacent neighbors and they have signed statements saying they are not opposed to the variance. The variance will not cause any impairment in vision to drivers or pedestrians that would be detrimental. After initially talking to the De Pere building inspector, we have modified our plan to increase the setback of the fence to 60 feet from the front sidewalk and having incorporated a 30 foot vision triangle to ensure there is more than enough vision around the corner of our property.

Thank you for your time and consideration.



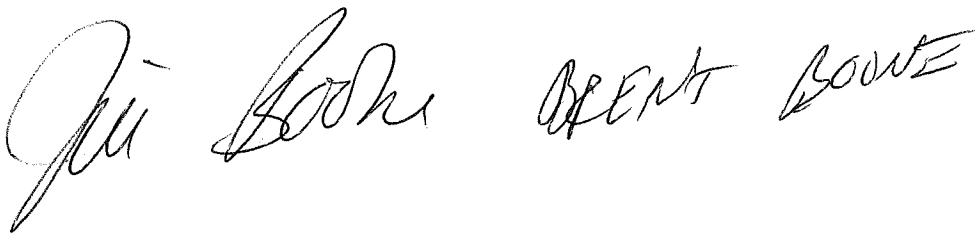
Peter and Colleen Nowak
1165 Jordan Road
De Pere, WI 54115



May 29, 2014

To the City of De Pere,

As adjacent neighbors to the Nowaks, at address 1162 Shetland Place, De Pere, we are not opposed to a variance to allow a 6 ft high fence wood privacy fence in a corner side yard setback along the north side of the Nowaks' property line.

A handwritten signature in black ink, appearing to read "Jill Boone BRENT BOONE". The signature is written in a cursive, flowing style.

Brent and Jill Boone
1162 Shetland Place
De Pere, WI 54115

May 29, 2014

To the City of De Pere,

As adjacent neighbors to the Nowaks, at address 1167 Jordan Rd, De Pere, we are not opposed to a variance to allow a 6 ft high fence wood privacy fence in a corner side yard setback along the north side of the Nowaks' property line.

A handwritten signature in black ink, appearing to read "Joseph and Susan Hockers". The signature is fluid and cursive, with the last name "Hockers" being more prominent.

Joseph and Susan Hockers
1167 Jordan Road
De Pere, WI 54115



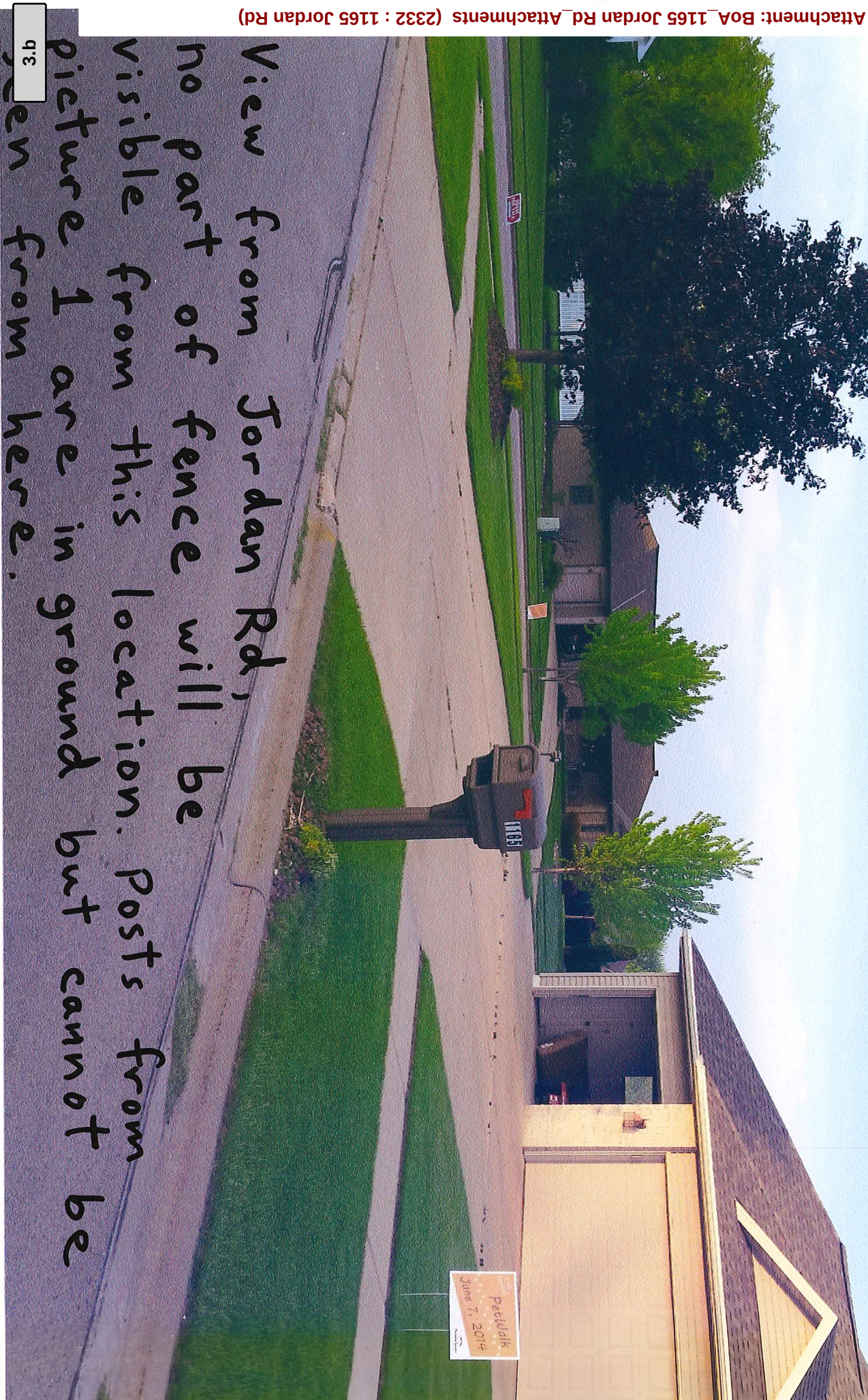
Picture 1

Attachment: BoA_1165 Jordan Rd_Attachments (2332 : 1165 Jordan Rd)



View from Saddlebrook Ln, the two posts are in the exact locations that the corners of the fence would be and therefore not inhibit vision around corner from this location

Picture 2



View from Jordan Rd,
no part of fence will be
visible from this location. Posts from
picture 1 are in ground but cannot be
seen from here.

Picture 3
View from
northwest corner
of proposed fence.



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

MEETING DATE: June 23, 2014

DEPARTMENT: Board of Appeals

FROM: David Hongisto

SUBJECT: Request submitted by Steve & Lisa Basche, 1228 Rita Lane, De Pere, Wisconsin to construct a single family residence on the property located at 840 Pine Street, De Pere, Wisconsin which would require a seven (7) inch interior side yard setback variance.

ATTACHMENTS:

- BoA_840 Pine St_Notice of Public Hearing (PDF)
- BoA_840 Pine St_Attachments (PDF)

Publish: June 14, 2014

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 23, 2014 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 14.39(6)(1)(a) submitted by Steve & Lisa Basche, 1228 Rita Lane, De Pere, Wisconsin. Said appeal requests a building permit to construct a single family residence on the property located at 840 Pine Street, De Pere, Wisconsin which would require a seven (7) inch interior side yard setback variance.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14.39(6)(1)(a) which requires a ten (10) foot interior side yard building setback.

Dated this 12th day of June, 2014.

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Building Inspector

Attachment: BoA_840 Pine St_Notice of Public Hearing (2333 : 840 Pine St)



CITY OF DE PERE
APPLICATION FOR
VARIANCE

Fee: \$ 120.00

Receipt #: 93702

Date: 6-13-14

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) STEVE AND LISA BASCHE	Authorized Representative	Title	
Mailing Address 1228 RITA LN.	City DEPERE	State WI	ZIP Code 54115
Email Address SG BASCHE@NEW.RR.COM	Phone Number (incl. area code) 920 336 5126	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) SAME AS BELOW	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: 840 PINE STREET DEPERE	Parcel Number(s):
Legal Description: LOT 2 OF 57 CSM 66	WD-570-2

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	CHAPTER 14-39 (6) (1) (a)
Ordinance Provision:	REQUIRES 10 FOOT INTERIOR SIDE BUILDING SETBACK
Project Description:	SINGLE FAMILY RESIDENCE
Variance Requested:	7 INCH SIDE YARD SETBACK VARIANCE
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	SEE ATTACHED LETTER
Describe the hardship(s) that would result if the variance is not granted:	SEE ATTACHED LETTER
Describe how the variance would not have adverse effects on surrounding properties:	SEE ATTACHED LETTER

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
STEVE AND LISA BASCHE	OWNER	920-336-5126
Signature of Applicant		Date Signed
Stephen G. Basche Lisa Basche		06-06-14

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

TO: CHAIRMAN THOMAS KEIDATZ AND
MEMBERS OF THE ZONING BOARD OF APPEALS
335. S. BROADWAY DEPERE 54115

RE: VARIANCE REQUEST

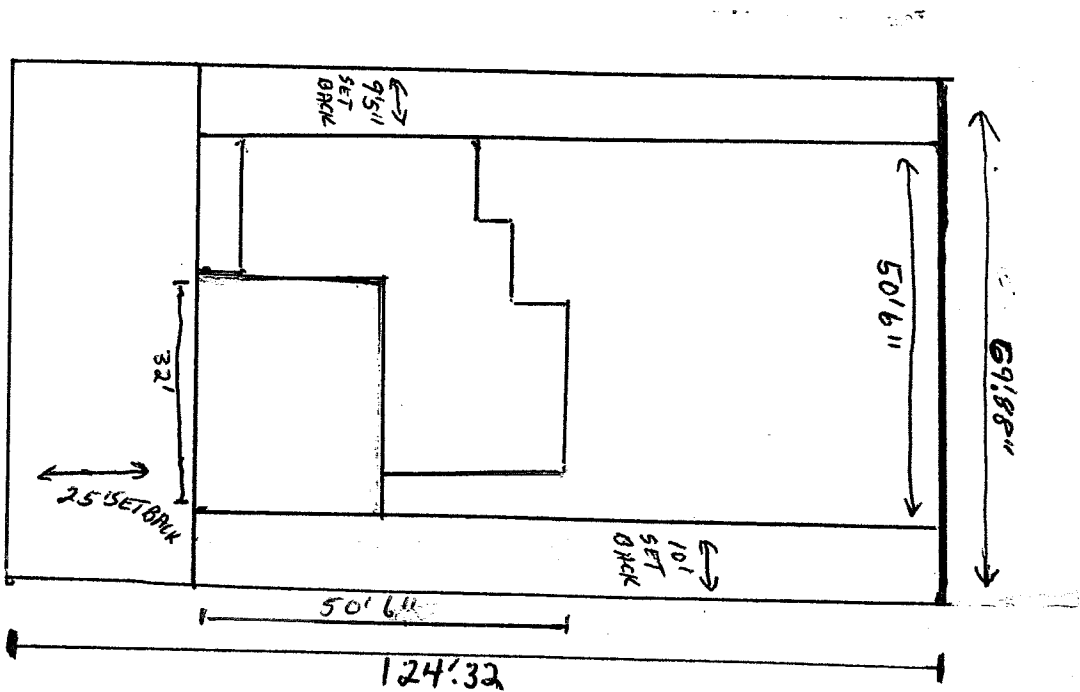
WE COME TO YOU TO REQUEST A VERY
MINOR VARIANCE OF 7" (INCHES). GRANTING
OF THE VARIANCE WILL ALLOW THE BLUEPRINT
FROM BEING REVISED. OUR NEW HOME WILL
BLEND INTO THE NEIGHBORHOOD AND ENHANCE
PROPERTY VALUES WITHOUT BEING HARMFUL OR
UNSITELY. IT WILL NOT CREATE ADVERSE
CONDITIONS IN ANYWAY TO ANYONE HEALTHWISE,
TRAFFICWISE, OR DANGERWISE. PLEASE CONTACT
VS @ 920-336-5126 FOR ANY FURTHER INPUT.
THANK YOU FOR YOUR COOPERATION.

RESPECTFULLY,
Stephen Basche
Luce Basche

I WAYNE HOFFMAN, OWNER OF
844 PINE STREET, HAVE NO
OBJECTIONS TO THE BASCHE'S
PROPOSED 7" SETBACK VARIANCE.

Wayne Hoffman
WAYNE HOFFMAN

6/12/14
DATE



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

MEETING DATE: June 23, 2014

DEPARTMENT: Board of Appeals

FROM: David Hongisto

SUBJECT: Request submitted by Robert & McKenzie Cleek, 914 Merrill Street, De Pere, Wisconsin to construct a detached garage on the property located at 914 Merrill Street, De Pere, Wisconsin which would require a five (5) foot interior side yard setback variance.

ATTACHMENTS:

- BoA_914 Merrill St_Notice of Public Hearing (PDF)
- BoA_914 Merrill St_Attachments (PDF)

Publish: June 14, 2014

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 23, 2014 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 14.39(6)(3)(b) submitted by Robert & McKenzie Cleek, 914 Merrill Street, De Pere, Wisconsin. Said appeal requests a building permit to construct a detached garage on the property located at 914 Merrill Street, De Pere, Wisconsin which would require a five (5) foot interior side yard setback variance.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14.39(6)(3)(b) which requires a six (6) foot interior side yard building setback.

Dated this 12th day of June, 2014.

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Building Inspector

CITY OF DE PERE APPLICATION FOR VARIANCE		FEE: \$120.00 RECEIPT # <u>93810</u> DATE: <u>6-16-14</u>
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Please print or type using black ink for duplicating purposes.

A. **Property Owner:** Name: Robert A + McKenzie C Clerk
Mailing Address: 914 Merrill St
Phone: 920.471.8425
Signature: [Signature] Date: 6-1-14
email: rob @ navitus.com

I hereby appoint the following as my agent for purposes of this application:

Agent: Name: Ben Hermans
Mailing Address: 1180 S. Erie St
Phone: 920.883.5112
Signature: [Signature] Date: 6-1-14
email: benhermans@live.com

B. **Property Information:**

Tax Key/Parcel: ED 1203-Q-3

Address/Location of Property: 914 Merrill St

Legal Description: Thrifty Homes Addition Lot 3

Block 1 + E 1/2 vac alley adj sly

Parcel Dimension: 60' x 104.6'

Parcel Area: 6,276 square feet

Zoning: R2 Single + Two Family Residence District

C: Variance Application:De Pere Municipal Code, Section(s): 14.39 (6)(3)(b)Ordinance Provision(s): Requires a 6' interior side yardProposed Use: New detached 22' x 30' garageVariance(s) Requested: Five (5) foot interior side yard
set back variance

Describe the exceptional or extraordinary circumstances or conditions that apply to your property and not to surrounding properties:

See attached letter

Describe the hardship(s) that would result if the variance is not granted:

See attached letterDescribe how the variance would **not** have adverse affects on surrounding properties:See attached letter

Additional comments may be in the form of a letter to the Zoning Board of Appeals and attached to this application.

To:
Chairman Tom Keidatz
Chairman of Zoning Board of Appeals and Members of the ZBA
335 S Broadway St
De Pere Wi, 54115

We are requesting a variance to install a new 22' x 30' detached garage on our property. Our existing garage was built in 1947 and it is in serious need of replacement. Parts of the foundation are rotting and the concrete is bulging due to water issues. We are in need of a variance due to our lot being on a sub-standard lot of record. The existing garage is currently on the lot line and is blocking the view of my neighbor, Randy Henrigillis. The new code requires that an accessory building needs to be six feet away from the side yard. We are asking that you reduce that to one foot, in order to accommodate the size of the new structure.

The new garage that we are proposing will be backed up on the lot line, which will provide Randy more light and air. In the event of an issue with the garage, the placement of the garage will actually reduce the risk of damage/injuries to Randy's house. New drain tiles and gutters will be installed so that water issues, that we both experience during the spring thaw, will be reduced. This new garage will enhance the neighborhood, my direct neighbors living experience, and the overall property value of my property and the neighborhood.

My neighbor Randy Henrigillis has been informed of my proposed request approves of this development and has expressed his agreement that the garage will enhance both of our property.

The following attestation reflects Randy's approval:

I, Randy Henrigillis of 918 Merrill St., approve of the proposed garage development being proposed by Rob & McKenzie Cleek on 914 Merrill St. I feel the development proposed will enhance my property value and provide better light and air for my property.

Signed: Randy Henrigillis Dated: 6/15/14

Rob Cleek
914 Merrill St.
De Pere Wi, 54115
Rob.cleek@navitus.com
cell - 920.471.8425
office - 920.221.4290





Proposed accessory building with placement of accessory building in green color. (image modified to better reflect how the modified parcel would look)



Existing parcel outlining the current accessory building and placement in bold red.



me<