



# Board of Appeals

## Regular Meeting

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

### Agenda

Monday, June 22, 2020

4:45 PM

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 22, 2020** at **4:45 PM**.

**Due to the current public health emergency, the meeting will be held electronically and the public may attend this meeting electronically or telephonically by accessing either:**

Computer/smart phone accessing <https://www.gotomeet.me/DePere>

OR

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(312\) 757-3117](tel:+13127573117)

Access Code: 154-883-285

**THIS MEETING WILL NOT BE HELD IN PERSON.**

*This meeting may also be rebroadcast on Spectrum Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at [www.depere.tv](http://www.depere.tv).*

#### I. Call to Order

1. Roll Call
2. Approval of the minutes of the May 26, 2020 Board of Appeals meeting.
3. Consideration and possible action regarding a requested variance to build an attached garage that is set back 19 feet from the corner side yard line, instead of being set back 30 feet from the corner side yard line, for an R-1 (Single Family Residence District) zoned property at 814 Jordan RD (Parcel ED-124-18).

#### Adjournment

Any person wishing to attend this meeting, who, because of disability, requires special accommodations should contact the City Planner's office at 339-4043 by noon on the day of the meeting so that arrangements can be made.

\*Items with an asterisk require City Council approval.

#### Agenda Sent To:

Alderspersons  
City Administrator  
Mayor  
Department Heads  
TV, Newspapers & Radio Stations  
Kress Family Library  
De Pere Chamber of Commerce  
Christine Schroeder

Adam Salentine  
Lauren Chamberlain  
Christopher & Alice Wood



City of De Pere, Wisconsin

**Request For Board of Appeals Action**

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**MEETING DATE:** June 22, 2020

**DEPARTMENT:** Planning

**FROM:** Kelly Barker

**SUBJECT:** Approval of the minutes of the May 26, 2020 Board of Appeals meeting.

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**ATTACHMENTS:**

- BoA\_May2020\_Minutes\_Draft (PDF)



# Board of Appeals

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

## Regular Meeting

### Draft Minutes

Tuesday, May 26, 2020

4:45 PM

#### Call to Order

The meeting was called to order at 4:45 PM by Board Member Andy Van Remortel

Attendee Name	Title	Status	Arrived
Scott Bonfigt	Board Member	Present	
Bob De Groot	Chairman	Excused	
Paul De Leeuw	Board Member	Present	
Michelle Manke	Board Member	Present	
James Stadler	Board Member	Present	
William Vande Hei	Board Member	Present	
Andy Van Remortel	Board Member	Present	

Also in attendance: Zoning Administrator Peter Schleinzi and members of the public.

- Approval of the minutes of the March 23, 2020 Board of Appeals meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Stadler, Board Member
<b>SECONDER:</b>	Scott Bonfigt, Board Member
<b>AYES:</b>	Bonfigt, De Leeuw, Manke, Stadler, Vande Hei, Van Remortel
<b>EXCUSED:</b>	Bob De Groot

- Consideration and possible action regarding a requested variance to place an accessory structure in the side yard and less than 5 feet from the primary structure, instead of in the rear yard of a R-1 (Single Family Residence District) zoned property at 1311 George ST (Parcel ED-1435-73).

Andy Van Remortel read the notice of public hearing and Zoning Administrator Peter Schleinzi reviewed the variance request. Because this is a double-fronted lot, the petitioner would like to place the accessory building in the side yard rather than the rear yard. Bill Vande Hei asked if the triangle property at 1301 George Street is City-owned property. Peter Schleinzi replied that it is an undeveloped City-owned parcel. Bill then asked that since there are no houses on that triangle, could the board consider that as the backyard since there are no houses on that lot. Andy Van Remortel opened the meeting. Cindy Vande Velden, stated that, as the petitioner, she was on the call to answer any questions. Scott Bonfigt moved, seconded by Michelle Manke, to approve the variance request. Upon vote, motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Scott Bonfigt, Board Member
<b>SECONDER:</b>	Michelle Manke, Board Member
<b>AYES:</b>	Bonfigt, De Leeuw, Manke, Stadler, Vande Hei, Van Remortel
<b>EXCUSED:</b>	Bob De Groot

- Consideration and possible action regarding a requested variance to remove a garage located 1 foot from the side yard property line and replace with a new larger garage located at 1 foot from the side yard property line of an R-2 (Single and Two-Family Residence District) zoned property at 802 Bomier ST (Parcel ED-1423-24).

Attachment: BoA\_May2020\_Minutes\_Draft (9724 : Approval of the minutes of the May 26, 2020 Board of Appeals meeting.)

Andy Van Remortel read the notice of public hearing and Zoning Administrator Peter Schleinz reviewed the variance request. The existing garage is quite dilapidated and the homeowner wants to raze it and build a new garage on the same footprint, at a slightly larger size. Peter Schleinz reported that staff received an email from the next door neighbor at 812 Bomier Street who has a concern regarding an existing drain between the two properties. As long as the drain is maintained, she does not have any issue with the new garage. Andy Dugan, the petitioner spoke to his builder, who said there is no issue with maintaining the drain. Bill Vande Hei moved, seconded by Scott Bonfigt, to approve the variance request. Upon vote, motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	William Vande Hei, Board Member
<b>SECONDER:</b>	Scott Bonfigt, Board Member
<b>AYES:</b>	Bonfigt, De Leeuw, Manke, Stadler, Vande Hei, Van Remortel
<b>EXCUSED:</b>	Bob De Groot

#### Adjournment

Michelle Manke moved, seconded by James Stadler, to adjourn the meeting at 5:00 pm. Upon vote, motion carried unanimously.

Respectfully submitted,  
Kelly Barker



City of De Pere, Wisconsin

**Request For Board of Appeals Action**

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**MEETING DATE:** June 22, 2020

**DEPARTMENT:** Planning

**FROM:** Peter Schlein

**SUBJECT:** Consideration and possible action regarding a requested variance to build an attached garage that is set back 19 feet from the corner side yard line, instead of being set back 30 feet from the corner side yard line, for an R-1 (Single Family Residence District) zoned property at 814 Jordan RD (Parcel ED-124-18).

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**ATTACHMENTS:**

- BoA\_Jun2020\_Public Hearing Notice (DOC)
- Report to Board of Appeals - attached garage in corner side yard - 814 Jordan RD (DOCX)
- Application Form (PDF)
- Submittal Information - For BOA (PDF)
- Denied Inspection Documents (PDF)

Publish: June 12, 2020

### 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 22, 2020 at 4:45 PM, on the following matters:

1. An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-38 (6)(1)(b) submitted by Adam Salentine, 313 Steele Street, Algoma, WI 54201. Said appeal requests a building permit to replace an attached garage located at 814 Jordan Road, De Pere, Wisconsin, which would require a 19 foot corner side 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 foot corner side yard setback.

Due to the public health emergency, the meeting will be held electronically and the public may attend this meeting electronically or telephonically by accessing either: Computer/smart phone accessing <https://www.gotomeet.me/DePere> OR dial by phone: United States (Toll Free): 1-866 899-4679 United States: +1 (312) 757-3117 Access Code: 154-883-285.

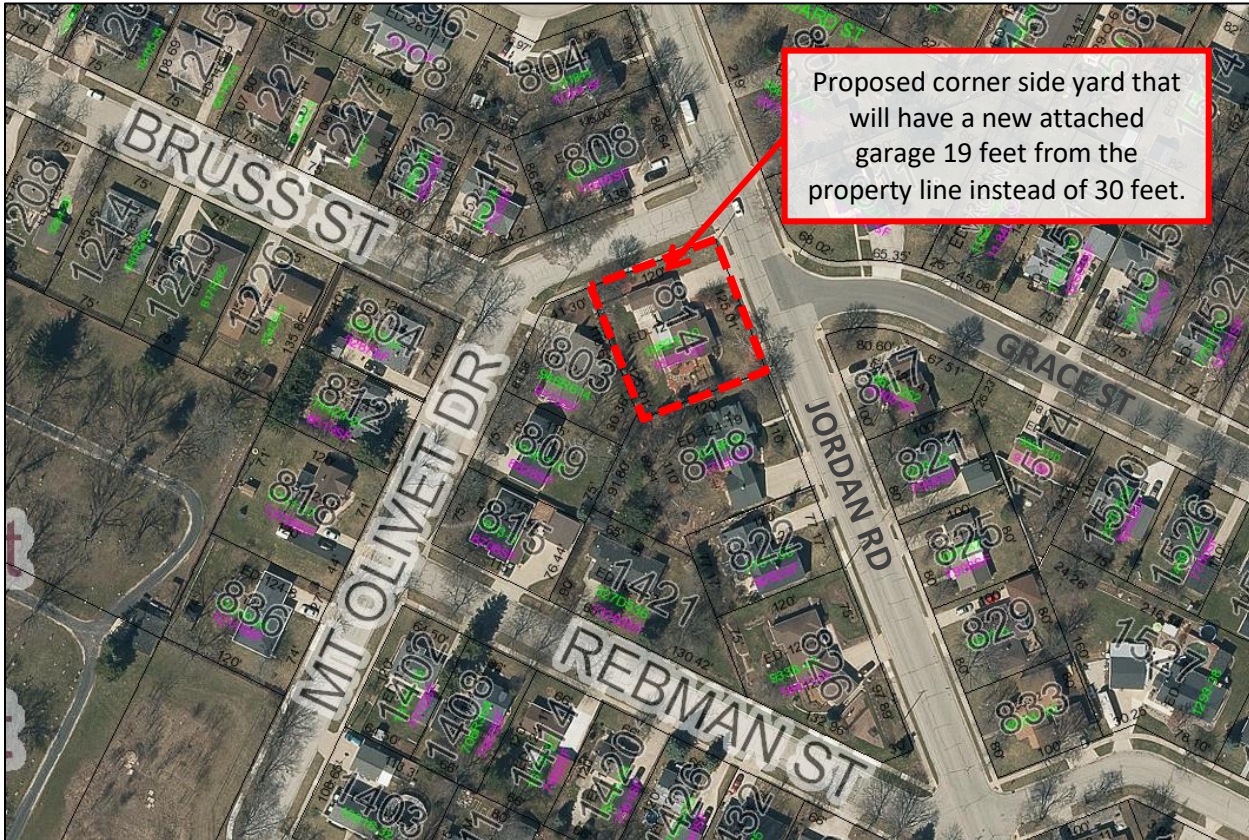
Dated this 12<sup>th</sup> day of June, 2020

BY ORDER OF THE BOARD OF APPEALS

Peter Schlein, Zoning Administrator

**Item 3:** Consideration and possible action regarding a requested variance to build an attached garage that is set back 19 feet from the corner side yard line, instead of being set back 30 feet from the corner side yard line, for an R-1 (Single Family Residence District) zoned property at 814 Jordan RD (Parcel ED-124-18).

**SITE MAP**



**REQUESTED ACTION:** Variance Request.

*An attached garage is being removed and replaced with a new garage at the northwest end of an existing house on a corner lot. The new garage is part of the primary structure, which needs to be 30 feet from the corner side yard property line.*

**COMMON DESCRIPTION:** 814 Jordan RD, located southwest from the Jordan RD and MT Olivet DR intersection.

**PARCEL NUMBERS:** ED-124-18


**EXISTING ZONING:** R-1 (Single Family Residence District)

**SURROUNDING LAND USES:** Single-family residential (R-2) to the north.  
Single-family residential (R-1) to the south, east, and west.

**COMPREHENSIVE PLAN:** Neighborhood Residential (Including Multifamily)

Attachment: Report to Board of Appeals - attached garage in corner side yard - 814 Jordan RD (9723 : Consideration and possible action

<b>APPLICANT / OWNER:</b>	Adam Salentine Authorized Representative Pioneer Contracting LLC 313 Steele ST Algoma, WI 54201	Christine Schroeder Property Owner 814 Jordan RD De Pere, WI 54115
<b>SITE HISTORY:</b>	<p>The subject site is part of the residential subdivision titled, "The Bruss Addition." The site was used for agricultural purposes until the 1950's when the residential neighborhood developed. The property is a corner lot.</p> <p>On June 4, 2020, an authorized representative for the property owner proposed the removal and rebuilding of a garage that is attached to the primary structure (house). The new garage is proposed to be larger and the driveway is proposed to connect to MT Olivet DR instead of Jordan DR.</p>	
<b>STAFF REVIEW:</b>	<p>The petitioner proposes the removal of an attached garage and the new construction of an attached garage on the northwest end of the primary structure (house). The garage will be part of the primary structure.</p> <ul style="list-style-type: none"> <li>• Primary structures must be set back 30-feet from the corner side yard property line.</li> <li>• The proposed new construction will be set back 19-feet from the corner side yard property line.</li> </ul> <p><i>City staff cannot issue a building permit because the proposed construction on an R-1 zoned parcel requires a corner side yard setback of 30 feet for primary structures, per Municipal Codes 14-38(6)(1)(b).</i></p>	
<b>REVIEW PROCESS:</b>	<p>For variance applications, the Board of Appeals holds a public hearing, reviews the petition, and then makes a final decision of approval or denial within 30 days of the date the petition was filed. If the Board of Appeals decision is approval, the petitioner must obtain proper permits and begin the project within six months of the approval. One variance appeal per year may be petitioned.</p>	

	<p><b>CITY OF DE PERE</b></p> <p><b>APPLICATION FOR VARIANCE</b></p>	<p>Fee: \$ 168.00</p> <p>Receipt #: _____</p> <p>Date: _____</p>
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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>Pioneers Contracting LLC</i>	Authorized Representative <i>Adam Salentine</i>	Title <i>Owner / Project Manager</i>	
Mailing Address <i>313 Steele Street</i>	City <i>Algoma</i>	State <i>WI</i>	ZIP Code <i>54201</i>
Email Address <i>adams@pioneerscontracting.org</i>	Phone Number (incl. area code) <i>920-255-4246</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>Christine Schroeder</i>	Contact Person <i>Christine Schroeder</i>	Title <i>Home - Owner</i>	
Mailing Address <i>814 Jordan Rd</i>	City <i>De Pere</i>	State <i>WI</i>	ZIP Code <i>54115</i>
Email Address <i>finaschroeder85@gmail.com</i>	Phone Number (incl. area code) <i>520-240-0373</i>	Fax Number (incl. area code) _____	

**SECTION 3: Project or Site Location**

Project Address: <i>814 Jordan Rd, De Pere, WI, 54115</i>	Parcel Number(s): <i>ED-124-18</i>
Legal Description: <i>The Bruss Addition, Lot #1, Block #4</i>	

**SECTION 4: Variance Information**

Section of De Pere Code which creates need for Variance:	<i>Article V 14-37 General Requirements Chapter 14 Zoning Ordinance</i>
Ordinance Provision:	<i>Side setback requirement is 30'</i>
Project Description:	<i>Tear down existing garage. Build new garage with proper front and rear setback. (old rear setback not up to code). New proposed garage will be shifted over 2' so new driveway is suitable for parking.</i>
Variance Requested:	<i>Side setback to be 19'</i>
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	<i>Being on a corner lot with where the existing house is located there would only be enough room to build approximately a 10' wide garage with the existing ordinances in place.</i>
Describe the hardship(s) that would result if the variance is not granted:	<i>The resulting hardships that would follow if this variance is not granted are there will not be enough room to build a new garage. Also, the homeowner pointed out that there is a lot of traffic on Jordan Rd and they have 3 sons. It's difficult for them to back out on a busy road and dangerous w/ the existing driveway.</i>
Describe how the variance would not have adverse effects on surrounding properties:	<i>If the variance is approved there will not be an adverse effect on the surrounding properties since this is a corner lot. The new location of the driveway will not be intruding on the neighbor at 803 Mt. Olivet as there is a fence separating the properties and the new driveway will be well over 40' away from the neighbors. Also across the road on Mt. Olivet the neighbor on 808 Jordan rd, which is also a corner lot has two driveway entrances, one on Mt. Olivet and the other on Jordan Rd, so there will be no adverse effects for them as they have 2 entrances/exits.</i>

Attachment: Application Form (9723 : Consideration and possible action regarding a requested variance to build an attached garage that is)

**SECTION 4: 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>Adam Salentia</i>	Title <i>General Contractor</i>	Phone Number <i>920-255-4246</i>
Signature of Applicant <i>Adam Salentia</i>		Date Signed <i>6-2-2020</i>

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

Attachment: Application Form (9723 : Consideration and possible action regarding a requested variance to build an attached garage that is)



Proposed Siteplan

Jordan Rd

sidewalk

Lotline

37' front setback

fence



House

New garage addition

New Drive way

Breeze way

curb cut-out

25'

45'

23'

19' side setback

fence with gate to be built after New garage

30' rear setback

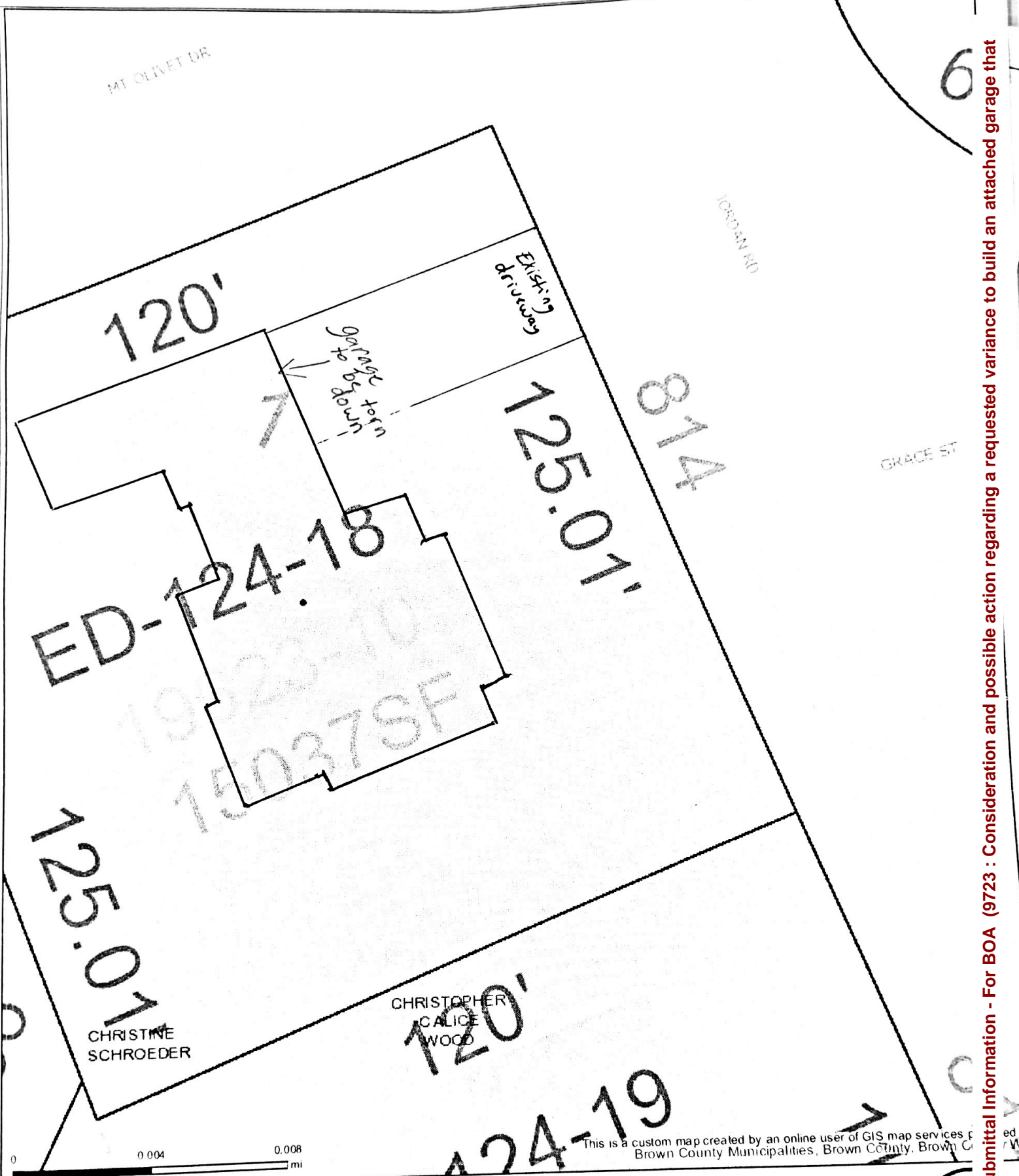
fence



Fence

Drawing NOT to Scale

MT. Olivet



Attachment: Submittal Information - For BOA (9723 : Consideration and possible action regarding a requested variance to build an attached garage that

### Part of Brown County WI

Map printed on 6/3/2020

**1:240**

**1 inch = 20 feet\***

**1 inch = 0.00379 miles\***

*\*original page size: 8.5"x11"*

*Appropriate format depends on zoomlevel*

- Parcel ownership key**
- Parcel Boundary
  - Condominium
  - Gap or Overlap
  - Parcel line
  - Right of Way line
  - Meander line
  - Lines between deeds or lots
  - Historic Parcel Line
  - Vacated Right of Way

\*hooks\* indicate parcel ownership crosses a line

SC-190-2 Parcel ID Number  
 2020-07 Document Number  
 0.814 AC Area of parcel  
 279.8' Line Distance  
 3047 Address

A complete key (legend) is available at: <https://tinyurl.com/BrownDogKey>



(920) 4180  
maps.gis.c... wn.v

City of De Pere  
335 S. Broadway  
De Pere, WI 54115  
(920) 339-4053  
dpbldg@mail.de-pere.org



### CURB CUT/ DRIVEWAY/ PARKING LOT PERMIT Application and Record

Permit #: \_\_\_\_\_  
Fee: \_\_\_\_\_  
Receipt #: \_\_\_\_\_  
Date: \_\_\_\_\_

#### PROJECT LOCATION

Owner's Name: Christine Schroeder  
Address: 814 Jordan Rd, De Pere, WI, 5411  
Phone #: 520-240-0373  
E-mail: \_\_\_\_\_

#### DRIVEWAY CONTRACTOR

Company Name: MP Concrete LLC  
Mailing Address: \_\_\_\_\_  
Phone #: 920-562-6203  
E-mail: mpconcretelc7@gmail.com  
Signature: [Signature] 6-3-20

#### CURB CUT CONTRACTOR

Company Name: MP Concrete LLC  
Mailing Address: \_\_\_\_\_  
Phone #: 920-562-6203  
E-mail: mpconcretelc7@gmail.com  
Signature: [Signature] 6-3-20

#### JOB SPECIFICATIONS

Single Family garage     Commercial  
 Two Family                     Industrial  
 Multi Family (# of Units) \_\_\_\_\_  
Fees: Residential \$50.00    Comm/Ind/Multi \$150.00  
Curb Cut \$25.00    Total: \_\_\_\_\_

Driveway width at property line: 25'  
Setback to interior property line: 19'  
Curb width at driveway opening: 25'  
Curb Cut                     Yes     No  
Parking Lot                 New     Expansion

#### Brief Job Description:

Build new garage, pour new driveway on Mt. Olivet.  
New curb needs to be poured where old driveway was  
located on Jordan Road.

#### NOTES

**A site plan shall be submitted with this application.**

**Curb alterations at the driveway apron require a curb cut permit. The curb cut must be performed per City specifications, and by a City licensed contractor.**

#### APPROVAL CONDITIONS

#### APPLICANT'S STATEMENT

#### PERMIT APPROVAL

I certify that the information provided on this form is complete and accurate and hereby agree to comply with all applicable statutes of the State of Wisconsin and ordinances of the City of De Pere, Wisconsin. I further understand that the issuance of this permit creates no legal liability, express or implied, on the City of De Pere, Wisconsin. (General Contractor)

Upon signature of an authorized member of the Building Inspection Department, this becomes a permit to conduct the above described work in accordance with all existing laws, ordinances, and regulations.

Signature: Adam Salento

Inspector: \_\_\_\_\_

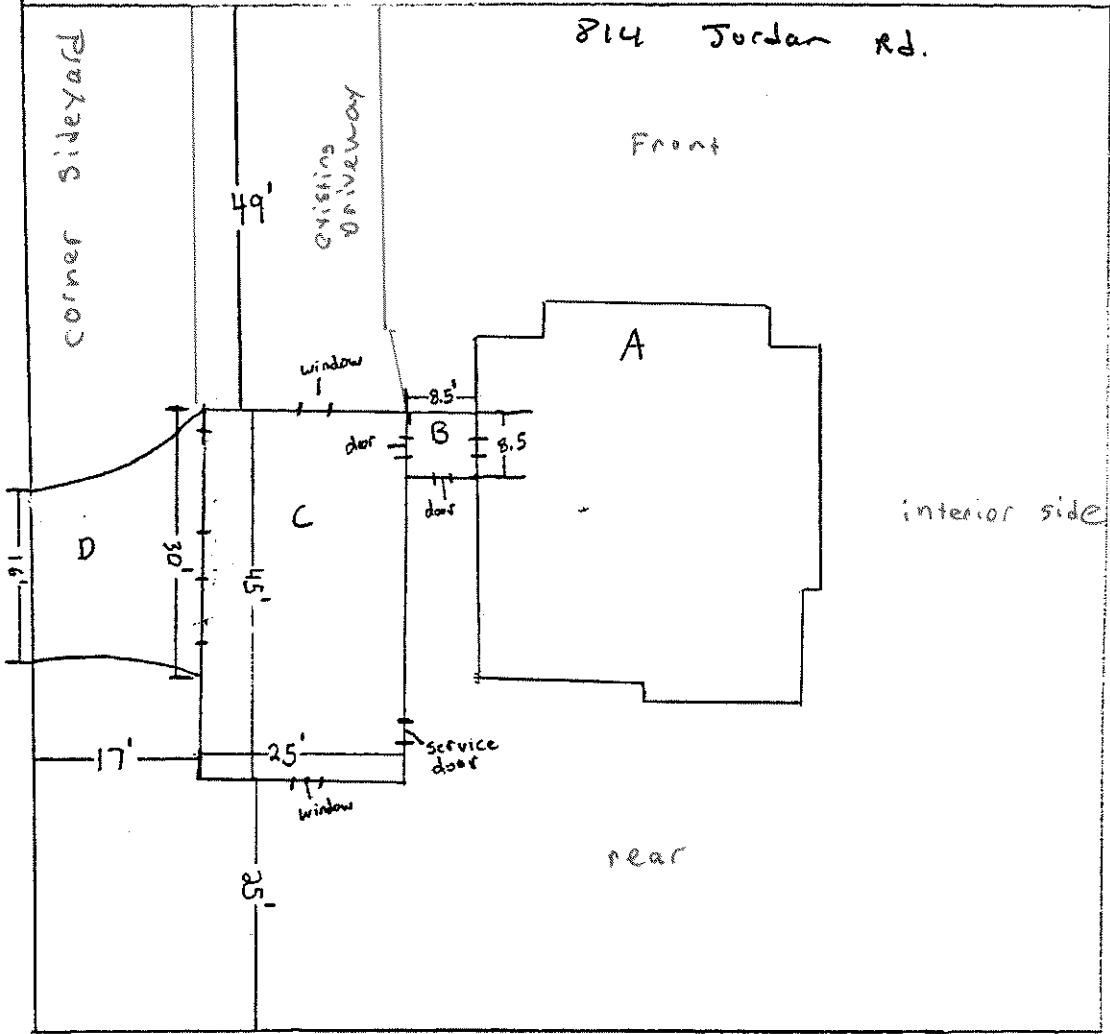
Date: 6-2-2020

Date: \_\_\_\_\_ Certification #: \_\_\_\_\_

Attachment: Submittal Information - For BOA (9723 : Consideration and possible action regarding a requested variance to build an attached garage that

Jordan Rd.

Mt. Olivet Dr.



DENIED

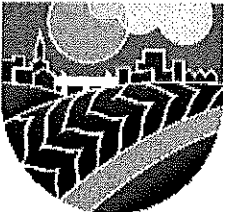
- Existing A: Existing house
- New B: Breezeway approximately 8.5' x 8.5' connecting house to new garage
- New C: Garage 25' x 45'
- New D: Proposed New driveway location

Proposed Site Plan

Attachment: Denied Inspection Documents (9723 : Consideration and possible action regarding a



DE PERE

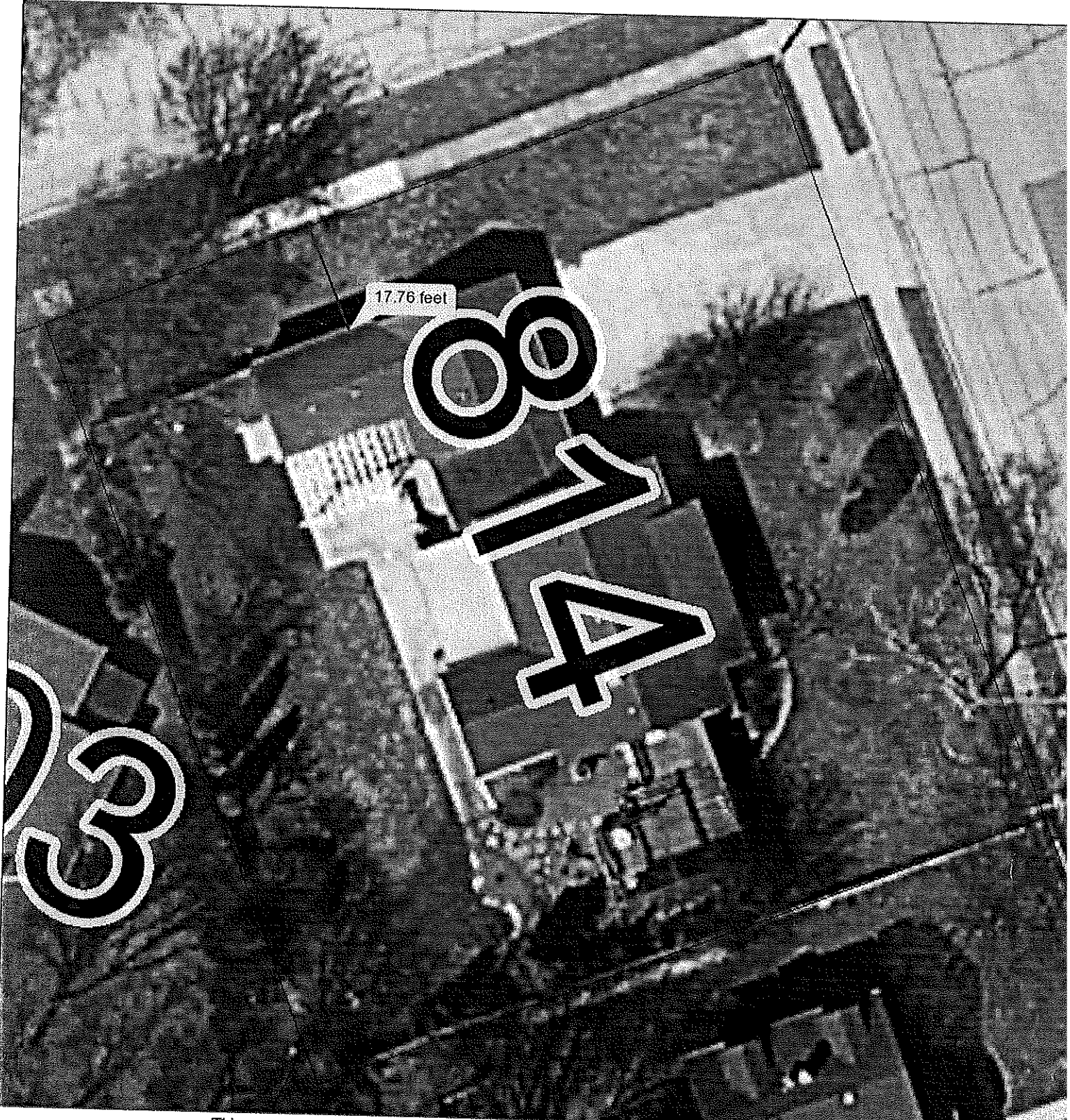


This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness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

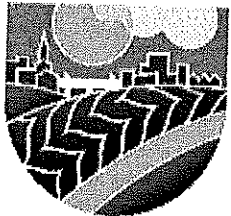
W

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

Attachment: Denied Inspection Documents (9723 : Consideration and possible action regarding a requested variance to build an attached



DE PERE



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

WV

Attachment: Denied Inspection Documents (9723 : Consideration and possible action regarding a requested variance to build an attached