



Board of Appeals

Regular Meeting

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

Final Minutes

Tuesday, May 29, 2018

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 Andy Van Remortel

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

Also present: City Planner/Zoning Administrator Peter Schlein and members of the public.

2. Approval of the minutes of the April 9, 2018 Board of Appeals meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Stadler, Board Member
SECONDER:	Scott Bonfigt, Board Member
AYES:	Scott Bonfigt, James Stadler, William Vande Hei, Andy Van Remortel
EXCUSED:	Bob De Groot, Paul De Leeuw

3. Annual Election of Chair & Vice Chair.

Bill Vande Hei nominated Bob De Groot for Chair, seconded by Andy Van Remortel. Upon vote, motion carried unanimously. Bill Vande Hei moved, seconded by Jim Stadler, to nominate Andy Van Remortel as Vice Chair. Upon vote, motion carried unanimously.

4. Request a variance for a 30 foot height requirement for an amateur radio antenna to be increased by 4 feet to allow for a 34 foot antenna to be erected on a single family residential property, located at 1936 Snowy Owl Court (Parcel WD-1390). Submitted by Eugene A. Radtke, property owner.

Andy Van Remortel read the notice of public hearing and City Planner Peter Schlein reviewed the variance request. Staff identified that 30 feet is the allowable maximum height for amateur radio antennas as an accessory use in the R-1 Zoning District. He reported that since the proposed antenna is 34 feet, a variance would be required. Jim Stadler noted that the antenna is not very visible since it is so skinny. The board invited the applicant, Eugene Radtke, to address the board. He explained that the antenna is a commercially made antenna which is one inch in diameter and weighs a total of 15 pounds. He added that the antenna was installed at his previous address for years without any issues. Bill Vande Hei asked how far back from the property line the antenna would be placed. He suggested that the antenna be placed at least 30 feet from the property line so that in the event it fell, it would not hit any buildings other than the homeowner's house. Mr. Radtke agreed that he would make sure to place the antenna where it would not damage any of the neighbor's houses. Jim Stadler moved, seconded by Scott Bonfigt, to approve the variance request with the condition that it remains at least 30 feet from the property line. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Stadler, Board Member
SECONDER:	Scott Bonfigt, Board Member
AYES:	Scott Bonfigt, James Stadler, William Vande Hei, Andy Van Remortel
EXCUSED:	Bob De Groot, Paul De Leeuw

5. Request a variance for the 3 foot fence height within the corner side yard setback to be increased by 3 feet to allow for a 6 foot high fence that does not have 90 % through visibility on a single family residential property, located at 708 N. Melcorn Circle (Parcel ED-2666). Submitted by Kenneth D. Heller III, property owner.

Andy Van Remortel read the notice of public hearing and City Planner Peter Schleinzi reviewed the variance request. Bill Vande Hei asked how far away the petitioner plans on staying from the sidewalk. The board invited the applicant, Kenneth Heller, to answer any questions. He replied that he plans on placing the fence ten feet from the sidewalk. Bill Van De Hei moved, seconded by Jim Stadler, to approve the variance request. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Vande Hei, Board Member
SECONDER:	James Stadler, Board Member
AYES:	Scott Bonfigt, James Stadler, William Vande Hei, Andy Van Remortel
EXCUSED:	Bob De Groot, Paul De Leeuw

6. Request a variance for a 6 foot interior side yard setback for accessory uses to be reduced by 4 feet to allow for a reconstructed garage to have a 2 foot side yard setback on a single family residential property, located at 715 S. Michigan Street (Parcel ED-1433). Submitted by Ronald P. Hoffmann, et al., property owners.

Andy Van Remortel read the notice of public hearing and Peter Schleinzi reviewed the variance request. Peter reported that the existing garage was built two feet from the side yard and the homeowner would like to build the new garage with a two foot side yard setback as well. However, current zoning code is a 6 foot setback. The small size of the property does not allow a bigger garage that would meet the setback requirements. Bill Vande Hei noted that this area of the City has very small lot sizes which make it difficult to adhere to the required setbacks. Scott Bonfigt moved, seconded by Jim Stadler, to approve the variance request. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Bonfigt, Board Member
SECONDER:	James Stadler, Board Member
AYES:	Scott Bonfigt, James Stadler, William Vande Hei, Andy Van Remortel
EXCUSED:	Bob De Groot, Paul De Leeuw

7. Request a variance for the 30 foot front yard setback to be reduced by 10 feet to be a 20 foot front yard setback, and for the 30 rear yard setback to be reduced by 20 feet to become a 10 foot rear yard setback on two single family properties that are proposed to be combined into one lot, located at 412 Bomier Street (Parcels ED-95 & ED-104). Submitted by Pat Drury, authorized representative for Luke Russell and Megan O'leary, property owners.

Andy Van Remortel read the notice of public hearing and City Planner Peter Schleinzi reviewed the variance request. He reported that the intent is to combine the two parcels

due to the limited buildability of the lots. Peter explained that the subject lots have 30 foot front and rear yard setbacks, but due to the quirky configuration of the two lots, it is difficult to conform to those requirements. Because of this, staff suggested that if the Board of Appeals approves the variance, they should request the petitioner to combine the parcels. The property owners, along with their builder, Pat Drury, were present to answer any questions. Pat confirmed that the plan of the property owners is to combine the two lots. Jim Stadler asked for explanation of the plot map. Pat explained that only the back corner of the proposed new house would extend into the rear setback. He also pointed out that the adjacent house to the west was built with an approximate 20 foot front yard setback so the new house would better align with that house if it were built at the same 20 foot setback. Bill Vande Hei moved, seconded by Jim Stadler, to approve the variance request. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Vande Hei, Board Member
SECONDER:	James Stadler, Board Member
AYES:	Scott Bonfigt, James Stadler, William Vande Hei, Andy Van Remortel
EXCUSED:	Bob De Groot, Paul De Leeuw

Adjournment

Jim Stadler moved, seconded by Scott Bonfigt, to adjourn the meeting at 5:16 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker