



Board of Appeals

Regular Meeting

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

Agenda

Tuesday, May 26, 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 **May 26, 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.

Call to Order

1. Roll Call
2. Approval of the minutes of the March 23, 2020 Board of Appeals meeting.
3. 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).
4. 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).

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
Gary & Cindy Vande Velden
Noah & Michelle Haban
Carly Maricque
Andrew Dugan
Patricia Walsh
Mildred Walsh
Donn & Sara Foote
Eleanor Hinz



City of De Pere, Wisconsin

Request For Board of Appeals Action

MEETING DATE: May 26, 2020

DEPARTMENT: Planning

FROM: Kelly Barker

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

ATTACHMENTS:

- BoA_Mar2020_Minutes_Draft (PDF)



Board of Appeals

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

Regular Meeting

Draft Minutes

Monday, March 23, 2020

4:45 PM

Call to Order

The meeting was called to order at 4:45 PM by Chairman Bob De Groot

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

Also present: Development Services Director Daniel Lindstrom, Zoning Administrator Peter Schleinz, and members of the public.

- Approval of the minutes of the January 27, 2020 Board of Appeals meeting.

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

- Consideration and possible action regarding a requested 9 foot variance to encroach the 30 foot minimum rear yard setback for proposed R-2 (Single and Two-Family Residence District) zoning for a new sunroom located at 901-903 S Superior ST (Parcel ED-371-G-13).

Bob De Groot read the notice of public hearing and Zoning Administrator Peter Schleinz reviewed the variance request for a 9 foot rear yard setback variance to rebuild an existing 12x12 sunroom at 901-903 S Superior Street, which requires a 30 foot rear yard setback. Peter explained that there is an existing sunroom on the property that the homeowner wishes to rebuild. However, due to current setback requirements, a building permit was denied because it would encroach 9 feet into the rear yard setback. Jim Stadler moved, seconded by Andy Van Remortel, to approve the variance request. Upon vote, motion carried unanimously.

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

- Consideration and possible action regarding a requested 17.1 foot variance to encroach the 30 foot minimum front yard setback, and a 25 foot variance to encroach the 30 foot minimum rear yard setback for proposed R-3 (Multiple Family Residence District) zoning for a new building located at 261 N Lawrence DR (Parcel WD-VA450-1).

Attachment: BoA_Mar2020_Minutes_Draft (9610 : Approval of the minutes of the March 23, 2020 Board of Appeals meeting.)

Bob De Groot read the notice of public hearing and Zoning Administrator Peter Schlein reviewed the variance request. The petitioner is requesting a 17.1 foot front yard setback variance and a 12.1 foot rear yard setback variance to build a 10 unit multi-family building. Garritt Bader addressed the board. He provided an overview of the apartment development and invited questions from the board. Jim Stadler asked what comments were received from the Wisconsin DOT. Garritt stated that he had already provided staff with a letter from the DOT stating that they do not have any issues with the development. Bill Vande Hei asked if there is going to be a circle turnaround in front of the building. Peter stated that it is a proposed cul-de-sac at this time, but the final continuation or end of the street has not been established. Michelle Manke asked if there has been any feedback from the area residents. Peter noted that all property owners within 300 feet were notified and staff received no comments by email, telephone, or in person. Bill Vande Hei moved, seconded by Michelle Manke, to approve the rear yard setback variance. Upon vote, motion carried unanimously. Michelle Manke moved, seconded by Scott Bonfigt, to approve the front yard setback variance. Upon vote, motion carried unanimously. Bob De Groot reminded the applicant to apply for a building permit within the next six months.

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

Adjournment

Andy Van Remortel motioned, seconded Scott Bonfigt, by to adjourn the meeting at 5:15 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker

Attachment: BoA_Mar2020_Minutes_Draft (9610 : Approval of the minutes of the March 23, 2020 Board of Appeals meeting.)



City of De Pere, Wisconsin

Request For Board of Appeals Action

MEETING DATE: May 26, 2020

DEPARTMENT: Planning

FROM: Peter Schlein

SUBJECT: 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).

ATTACHMENTS:

- BoA_May2020_Public Hearing Notice - Virtual Meeting Revised (DOC)
- Report to Board of Appeals - accessory building in side yard - 1311 George ST (DOCX)
- Petitioner Letter to BOA (PDF)
- Application Form (PDF)
- Inspection Documents - DENIED (PDF)

Publish: May 16, 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 Tuesday, May 26, 2020 at 4:45 PM, on the following matters:

1. An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-13(5)(b) submitted by Gary Vande Velden, 1311 George Street, De Pere, WI 54115. Said appeal requests a building permit to construct an accessory building in the side yard rather than the rear yard on the property located at 1311 George Street, De Pere, Wisconsin.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14-13(5)(b), which states that accessory structures shall be permitted only in the rear yard.

2. An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-39(6)(3)(b) submitted by Andrew Dugan, 802 Bomier Street, De Pere, WI 54115. Said appeal requests a building permit to rebuild an existing garage on the property located at 802 Bomier Street, De Pere, Wisconsin which would require a 1 foot 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 6 foot 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 16th day of May, 2020

BY ORDER OF THE BOARD OF APPEALS

Peter Schlein, Zoning Administrator

On May 11, 2020 the property owner proposed placing an accessory structure in the side yard because the structure does not fit practicably in the double fronted year yard. The building would also be less than 5 feet from the primary structure.

STAFF REVIEW:

The petitioner proposes the new construction of a storage shed on the east side of the house. The structure would be less than 5 feet from the house.

- Accessory buildings must be in the rear yard, with the exception of corner lots. 1311 George Street is not a corner lot.
- Detached accessory buildings must be at least 5 feet away from other accessory buildings and primary building.

City staff cannot issue a building permit because the proposed construction on an R-1 zoned parcel requires placement in the rear yard at a distance of 5 or greater feet from the principal building, per Municipal Codes 14-13(5)(b) and 14-12(5).

REVIEW PROCESS:

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.

City of De Pere
335 South Broadway
De Pere WI. 54115

May 22, 2020

Dear City of De Pere Board of Appeals,

This proposal letter is to request and seek the grant of a permit variance for our residence at 1311 George Street.

We are requesting a side yard variance for an eight by twelve garden shed. This garden shed will be constructed of quality metal siding and roofing. The appearance and structure will compliment and visually match our home.

This garden shed will not adversely affect the property or infringe on the surrounding neighboring owner's rights, use, or enjoyment of their own property.

We have a nontraditional **double fronted lot**. George Street in the front and Franklin Street in the rear of our home. Due to our unusual lot situation this is creating a hardship with our shed placement and thus the request for the variance. With the required setback there is not adequate or reasonable space to place the shed in the rear of the home due to the property lot situation. Placing the shed in the rear of the house in an adverse place would be unbecoming to our property.

Granting the proposed variance allows the proposed shed to accommodate our property favorably while maintaining the integrity of our neighborhood.

Thank you for your consideration on this proposal request.

Respectfully submitted,

Gary & Cindy Vande Velden
1311 George Street
920-629-6291 Gary 920-629-6298 Cindy
cvandevelden@cvcoop.com

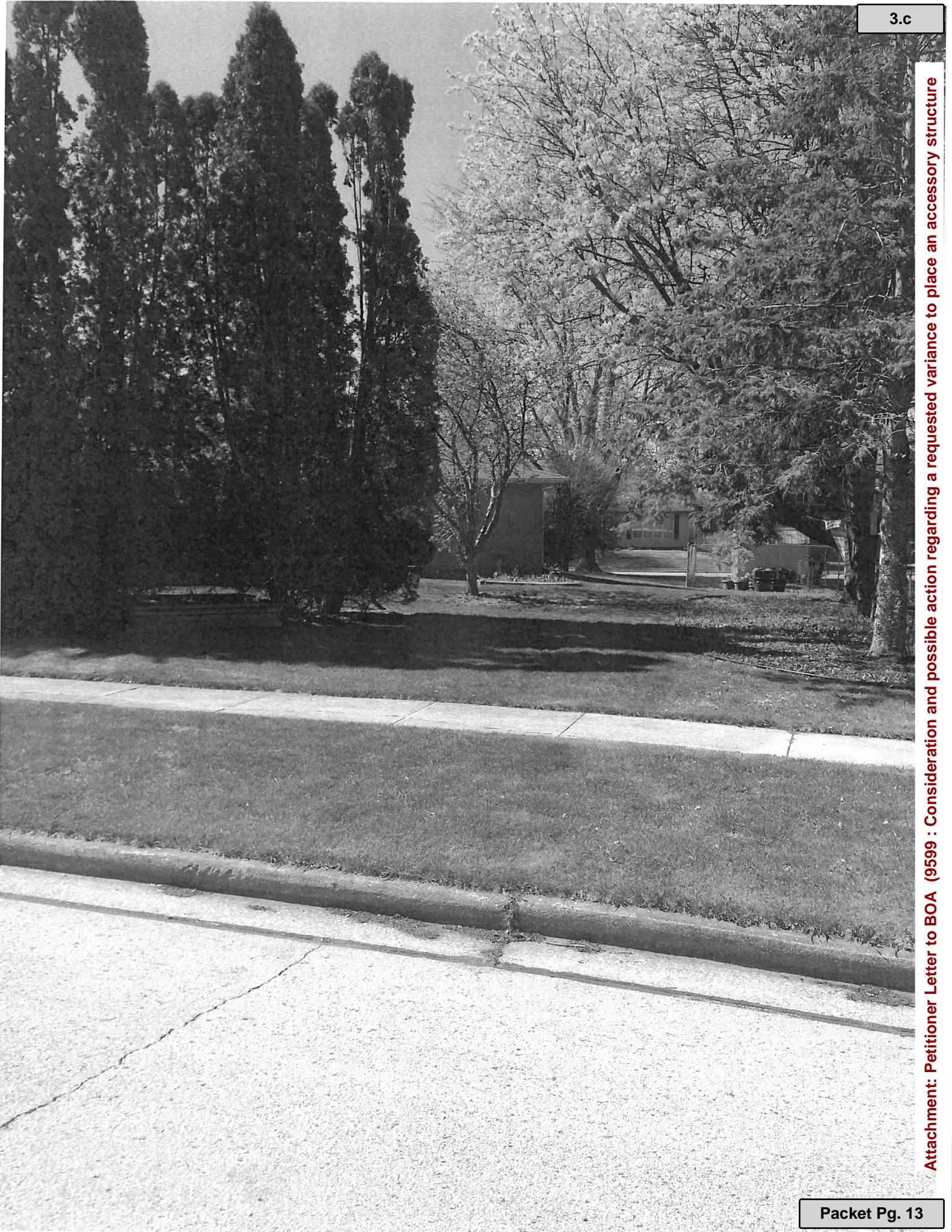
Enclosure: Pictures



Attachment: Petitioner Letter to BOA (9599 : Consideration and possible action regarding a requested variance to place an accessory structure




Attachment: Petitioner Letter to BOA (9599 : Consideration and possible action regarding a requested variance to place an accessory structure



Attachment: Petitioner Letter to BOA (9599 : Consideration and possible action regarding a requested variance to place an accessory structure



Attachment: Petitioner Letter to BOA (9599 : Consideration and possible action regarding a requested variance to place an accessory structure

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$ 168.00
		Receipt #: _____
		Date: _____

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

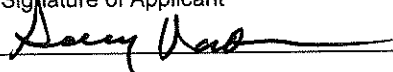
SECTION 1: Applicant / Permittee Information			
Applicant Name (Ind., Org. or Entity) GARY VANDE VELDEN		Authorized Representative	
Mailing Address 1311 GEORGE STREET		City DE PERE	
Email Address CVANDEVOLDEN@CVCOOP. +		Phone Number (incl. area code) 920-619-6291	
		Title HOME OWNER	
		State WI	ZIP Code 54115
		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	
Mailing Address		City	
Email Address		Phone Number (incl. area code)	
		Title	
		State	ZIP Code
		Fax Number (incl. area code)	
SECTION 3: Project or Site Location			
Project Address:		Parcel Number(s):	
Legal Description:			
SECTION 4: Variance Information			
Section of De Pere Code which creates need for Variance:		14-13(5)(b)	
Ordinance Provision:		"Accessory Structures shall be permitted only in the rear yard except for corner lots..."	
Project Description:		Request to place a storage shed in the side yard of a double fronted lot.	
Variance Requested:		SHED TO BE PLACED TO RIGHT OF HOUSE	
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:		ODD SHAPED LOT FOR PLACING IN BACK YARD	
Describe the hardship(s) that would result if the variance is not granted:		WE WOULD HAVE TO CUT DOWN TREES AND PAY FOR CONCRETE WE ALREADY (see enclosed) +	
Describe how the variance would not have adverse effects on surrounding properties:		THERE ARE ONLY 2 OTHER HOUSES ON THE BLOCK AND WOULD NOT AFFECT (see enclosed) +	

Attachment: Application Form (9599 : Consideration and possible action regarding a requested variance to place an accessory structure in)

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) GARY R VANDE VELDEN	Title HOME OWNER	Phone Number 920-619-6291
Signature of Applicant 		Date Signed 4-16-20

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

Property: 1311 George Street wells plat lot 2 west 60 ft of lot 1 block 11 Parcel # ED-1435-73

Property lot is odd shaped with George Street in front and Franklin Street in the back.

Garden shed to be placed to the right of garage on concrete slab already there. (Drawing layout was submitted) There is a very large tree behind where we want to put the shed with tree roots that are surfaced so we cannot set back any farther. There are no houses to the right just the open lot the City of De Pere owns. The two houses to the left would have no view of the shed and have no adverse effect on them or their property.

Shed will be a garden shed with curb appeal and match our garage color.

If a variance is not granted – there is no practical or aesthetic place to put the shed in the back of the yard. We feel the shed would look out of place in the back of the house with the lot size and road. We would also have to hire a contractor to cut down mature trees and hire for a concrete slab. This would be a large expense.

We appreciate your consideration on our variance request.

Gary & Cindy Vande Velden

Gary – 920-619-6291

Cindy – 920-619-6298

GARY & CINDY VANDE VELDEN OF 1311 GEORGE STREET ARE REQUESTING
 A VARIANCE FROM THE CITY OF DE PERE TO PUT A GARDEN SHED TO THE RIGHT OF THEIR GARAGE

NAME OF NEIGHBOR	ADDRESS	DATE	APPROVE	OBJECT
CAROL MARICAW	1308 Franklin St DePere WI 54115	4/14/20	✓	
NOAH HARBAN	1305 GEORGE ST DEPERE WI 54115	4/14/20	✓	
PAUL FORSTER	1306 George St DePere, WI 54115	4-15-20	✓	
JR	1301 Franklin St 54115		✓	
Laurie Trobe	1320 George St 54115		✓	
Jill Garrity	1309 Franklin St DePere WI 54115	4-14-20	✓	
	1337 Franklin	4-15-20	✓	Verbal - Approve
	1315 Franklin - tried 3x			No Response Pandemic
	1301 Franklin	4-15-20	✓	Verbal - approve

Attachment: Application Form (9599) : Consideration and possible action regarding a requested variance

DENIED 04-24-2020

[Handwritten signature]

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



ACCESSORY BUILDING PERMIT

Application and Record

Permit #: _____
Fee: _____
Receipt #: _____
Date: _____

PROJECT LOCATION

GENERAL CONTRACTOR

Owner's Name:
GARY & CINDY VANDE VELDEN

Address:
1311 GEORGE STEET

Phone #:
920-619-6298

E-mail:
CVANDEVELDEN@CVCOOP.COM

Parcel #: _____ Lot #: _____ Zoning: _____

Company Name: _____

Address: _____

Phone #: _____

E-mail: _____

Dwelling Contractor Credential: _____ Dwelling Contractor Qualifier Credential: _____

PROJECT INFORMATION

Square Footage: _____ Cost of Construction: **3500.00**

Type of work to be done:
OUTSIDE STORAGE SHED *placed in side yard*

14-13 (5)(b) Accessory structures shall be permitted in rear yard only

14-12 (5) Separation between buildings min 5-ft.

Please include a sketch where applicable. Show all setback measurements as required for the project.

SUBCONTRACTORS (if applicable)

Electrical: _____ Accessory buildings shall not be located in utility or drainage easements.

Plumbing: _____ HVAC: _____

CAUTIONARY STATEMENT TO OWNERS OBTAINING BUILDING PERMITS

101.65(1r) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that:
If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654(2)(a), the following consequences might occur:
(a) **The owner may be held liable** for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence of the contractor that occurs in connection with the work performed under the building permit.
(b) **The owner may not be able to collect from the contractor damages** for any loss sustained by the owner because of a violation by the contractor of the one- and two- family dwelling code or an ordinance enacted under sub. (1)(a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

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.

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: *[Handwritten Signature]*
Date: **APRIL 14, 2020** *[Handwritten Signature]*

Inspector: _____
Date: _____ Certification #: _____

Attachment: Inspection Documents - DENIED (9599) : Consideration and possible action regarding a requested variance to place an accessory

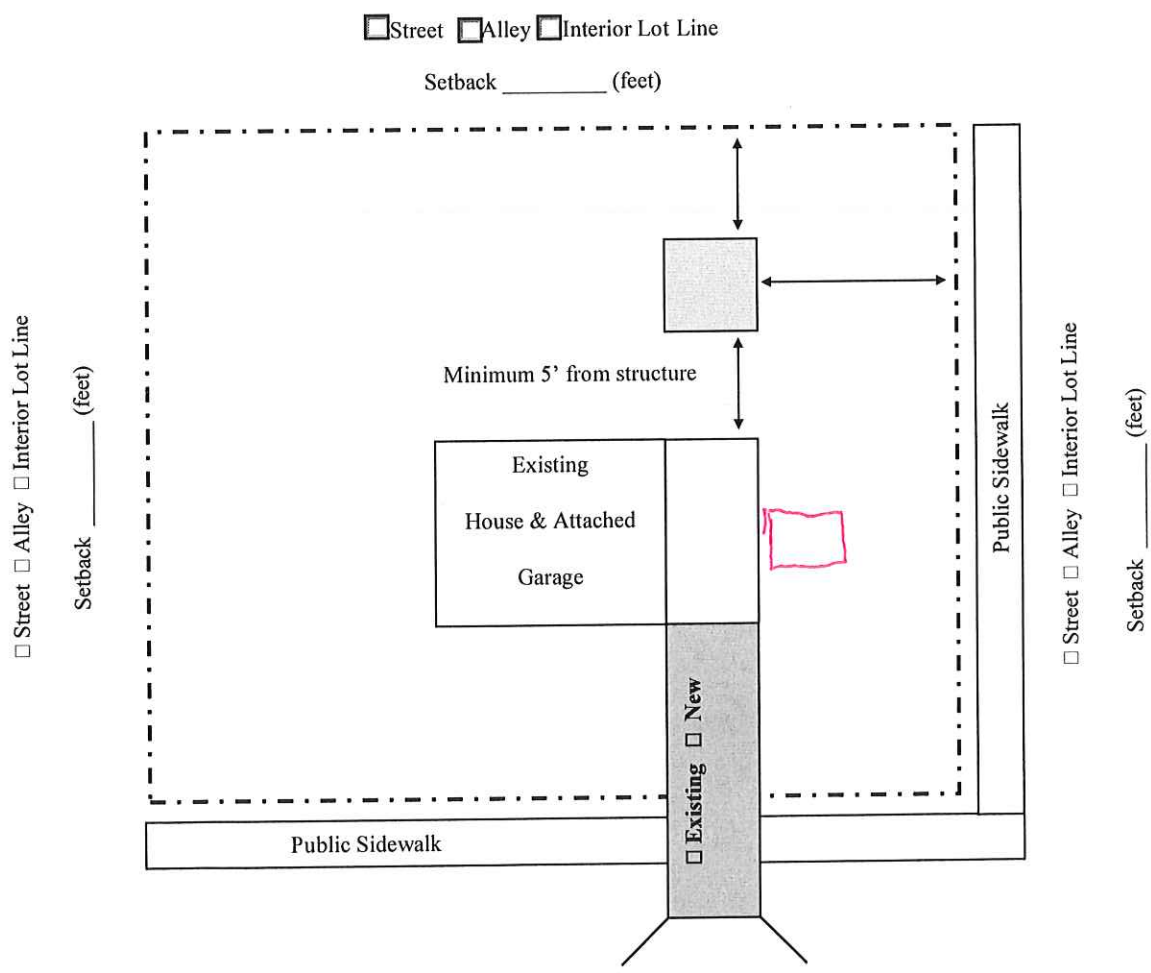
ACCESSORY BUILDING WORKSHEET

Property Address: 1311 GEORGE STREET

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will this building be used for any commercial or home occupation purpose?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will you need a new or additional curb cut and/or driveway?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will this building or addition have more than one story?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will water or sanitary sewer be provided to this building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will electrical service be provided to this building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will this building be used for dwelling purposes?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will an existing building be removed to make room for the proposed building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will the proposed building or addition be moved from another site?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will the proposed building be constructed as a pole building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will the proposed building have a foundation other than a concrete slab?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Are there any other detached accessory buildings on this property?

If yes, provide square footage here: _____

Building Height: _____ (grade to ridge)	Building Dimensions: _____	Roof Style: _____ (gable/mansard/shed)
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Attachment: Inspection Documents - DENIED (9599 : Consideration and possible action regarding a requested variance to place an accessory



City of De Pere, Wisconsin

Request For Board of Appeals Action

MEETING DATE: May 26, 2020

DEPARTMENT: Planning

FROM: Peter Schlein

SUBJECT: 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).

ATTACHMENTS:

- BoA_May2020_Public Hearing Notice - Virtual Meeting Revised (DOC)
- Report to Board of Appeals - new garage in side yard - 802 Bomier ST (DOCX)
- Application Form (PDF)
- Permit - Denied by Inspection (PDF)

Publish: May 16, 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 Tuesday, May 26, 2020 at 4:45 PM, on the following matters:

1. An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-13 (5)(b) submitted by Gary Vande Velden, 1311 George Street, De Pere, WI 54115. Said appeal requests a building permit to construct an accessory building in the side yard rather than the rear yard on the property located at 1311 George Street, De Pere, Wisconsin.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14-13(5)(b), which states that accessory structures shall be permitted only in the rear yard.

2. An appeal for a variance from the City of De Pere Municipal Code, Chapter 14-39(6)(3)(b) submitted by Andrew Dugan, 802 Bomier Street, De Pere, WI 54115. Said appeal requests a building permit to rebuild an existing garage on the property located at 802 Bomier Street, De Pere, Wisconsin which would require a 1 foot 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 6 foot 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 16th day of May, 2020

BY ORDER OF THE BOARD OF APPEALS

Peter Schlein, Zoning Administrator

- Item 4:** 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).

SITE MAP



- REQUESTED ACTION:** Variance Request.
- The demolition of an old garage and the construction of a new larger garage that is 1 foot from the side yard property line.*
- COMMON DESCRIPTION:** 802 Bomier ST, located south and west from the Bomier ST and S Erie ST intersection.
- PARCEL NUMBERS:** ED-1423-24
- EXISTING ZONING:** R-2 (Single and Two-Family Residence District)
- SURROUNDING LAND USES:** Single family residential (R-2) to the north, south, east, and west.
- COMPREHENSIVE PLAN:** Neighborhood Residential (Including Multifamily)
- APPLICANT / OWNER:** Andrew E. Dugan
802 Bomier ST
De Pere, WI 54115-3224
- SITE HISTORY:** The subject site is part of the residential subdivision titled, "Valley Fair Subdivision." The site was used for agricultural purposes until the 1950's when the residential neighborhood developed.
- On May 11, 2020 the property owner proposed tearing down an existing 484 SF (22'x22') garage, including base/foundation, and replacing it with a new 572

SF (26'x22') larger garage. The existing garage sits at 1 foot from the side yard property line and the new garage is also proposed to be 1 foot from the side yard property line.

STAFF REVIEW:


The petitioner proposes the new construction of a garage within the R-2 side yard setback.

- Accessory buildings must be located at least 6 feet from the side yard setback in the R-2 District.

City staff cannot issue a building permit because the proposed construction on an R-2 zoned parcel requires a setback of 6 feet or more, per Municipal Codes 14-39(6)(3)(b).

REVIEW PROCESS:

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.

	CITY OF DE PERE	Fee: \$ 168.00
	APPLICATION FOR VARIANCE	Receipt #: CK# 2901
		Date: 05/11/2020

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

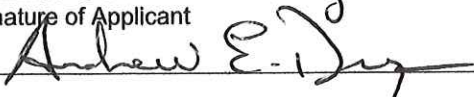
SECTION 1: Applicant / Permittee Information			
Applicant Name (Ind., Org. or Entity)	Authorized Representative	Title	
Andrew E. DUGAN			
Mailing Address	City	State	ZIP Code
802 Bomier St.	DePere	WI	54015
Email Address	Phone Number (incl. area code)	Fax Number (incl. area code)	
dugana68@yahoo.com	920 639 7785		
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: 802 Bomier St. DePere, WI 54115		Parcel Number(s):	
Legal Description: Detached GARAGE (Rebuild w/new slab.)		ED-1423-24 (1682-18)	
SECTION 4: Variance Information			
Section of De Pere Code which creates need for Variance:			
Ordinance Provision:			
Project Description:	TEAR DOWN garage / Remove old slab and pour new concrete slab and erect new garage		
Variance Requested:	Existing garage lies within 1' of property line TO neighbor. New garage will be built right where existing garage is now		
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	property line lies within 1' of garage		
Describe the hardship(s) that would result if the variance is not granted:	current garage slabs deteriorated to the point where walls lean 5 1/2" on 4' towards street. Needs to be ReBUILT before it FALLS		
Describe how the variance would not have adverse effects on surrounding properties:	Due to covid 19 and Millie WALSH's age - (neighbor next door) I am reluctant to potentially infecting or being infected by getting a letter from her.		

Attachment: Application Form (9600 : Consideration and possible action regarding a requested variance to remove a garage located 1 foot f)

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.

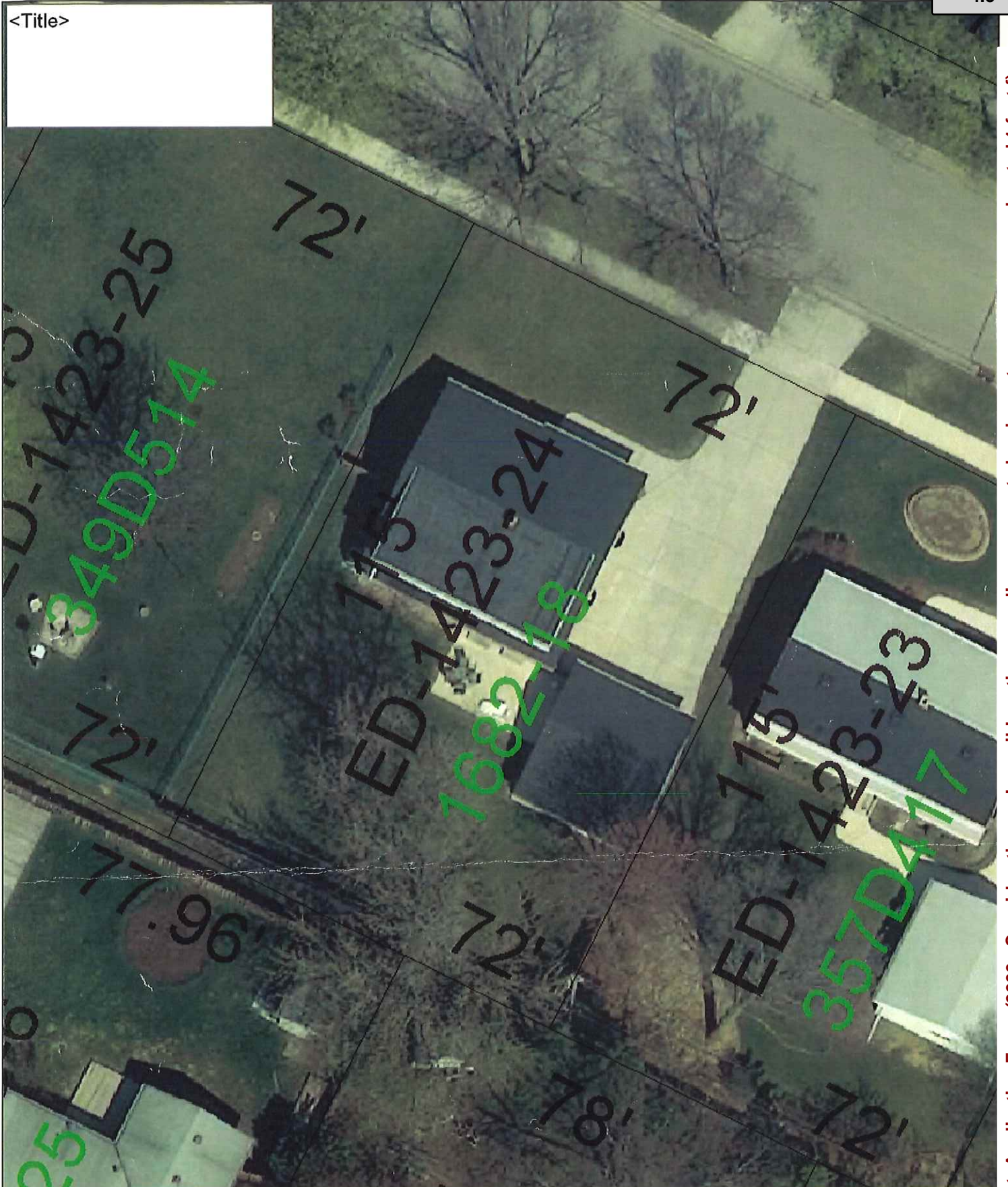
Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print)	Title	Phone Number
Andrew E. Dugon	owner	920 639 7785
Signature of Applicant	Date Signed	
	05/11/2020	

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

Attachment: Application Form (9600 : Consideration and possible action regarding a requested variance to remove a garage located 1 foot f)

<Title>




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



Attachment: Application Form (9600 : Consideration and possible action regarding a requested variance to remove a garage located 1 foot f)

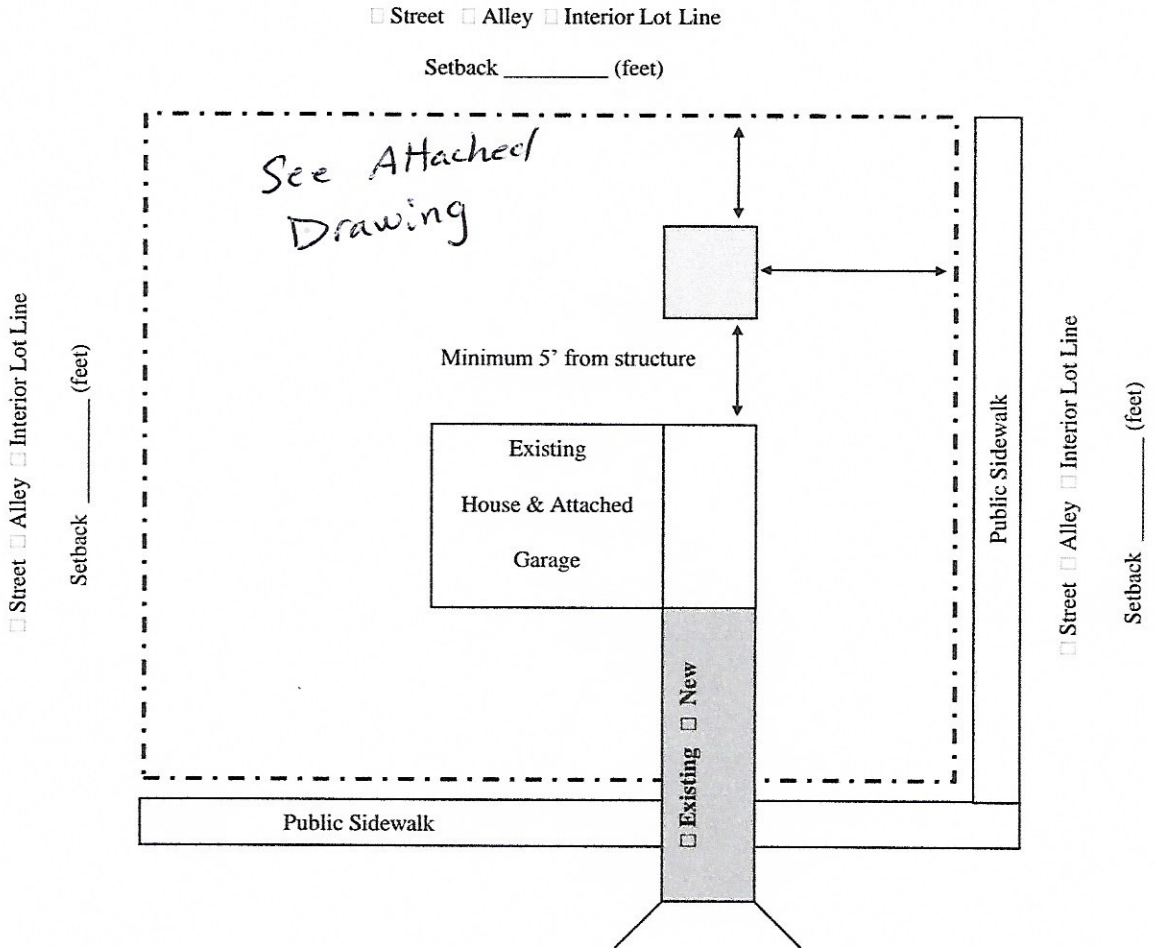
City of De Pere 335 S. Broadway De Pere, WI 54115 (920) 339-4053 dpbldg@mail.de-pere.org		ACCESSORY BUILDING PERMIT Application and Record	Permit #: _____ Fee: _____ Receipt #: _____ Date: _____
PROJECT LOCATION		GENERAL CONTRACTOR	
Owner's Name: <u>Andrew Dugan</u>		Company Name: <u>American Garage Builders</u>	
Address: <u>802 Bomier St</u>		Address: <u>1710 N Perkins St</u>	
Phone #: <u>920-639-7785</u>		Phone #: <u>920-470-0771</u>	
E-mail: <u>dugana68@yahoo.com</u>		E-mail: <u>garagepaul71@gmail.com</u>	
Parcel #:	Lot #:	Zoning:	Dwelling Contractor Credential: <u>908032</u>
			Dwelling Contractor Qualifier Credential: <u>1901</u>
PROJECT INFORMATION			
Square Footage: <u>572</u>		Cost of Construction: <u>29,495⁰⁰</u>	
Type of work to be done: <u>Demo existing 22x22 garage & concrete slab. Construct new 26x22 garage</u>			
Please include a sketch where applicable. Show all setback measurements as required for the project.			
SUBCONTRACTORS (if applicable)			
Electrical: <u>Wick Electric</u>		Accessory buildings shall not be located in utility or drainage easements.	
Plumbing:		HVAC:	
CAUTIONARY STATEMENT TO OWNERS OBTAINING BUILDING PERMITS			
101.65(lr) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that:			
If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654(2)(a), the following consequences might occur:			
(a) The owner may be held liable for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence of the contractor that occurs in connection with the work performed under the building permit.			
(b) The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one- and two- family dwelling code or an ordinance enacted under sub. (1)(a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.			
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.		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: <u>Paul AL</u>		Inspector: _____	
Date: <u>5/12/2020</u>		Date: _____ Certification #: _____	

ACCESSORY BUILDING WORKSHEET

Property Address: 802 Bomier St Deperre WI 54115

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will this building be used for any commercial or home occupation purpose?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will you need a new or additional curb cut and/or driveway?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will this building or addition have more than one story?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will water or sanitary sewer be provided to this building?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will electrical service be provided to this building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will this building be used for dwelling purposes?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will an existing building be removed to make room for the proposed building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will the proposed building or addition be moved from another site?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will the proposed building be constructed as a pole building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will the proposed building have a foundation other than a concrete slab?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Are there any other detached accessory buildings on this property?
If yes, provide square footage here: <u>120</u>		

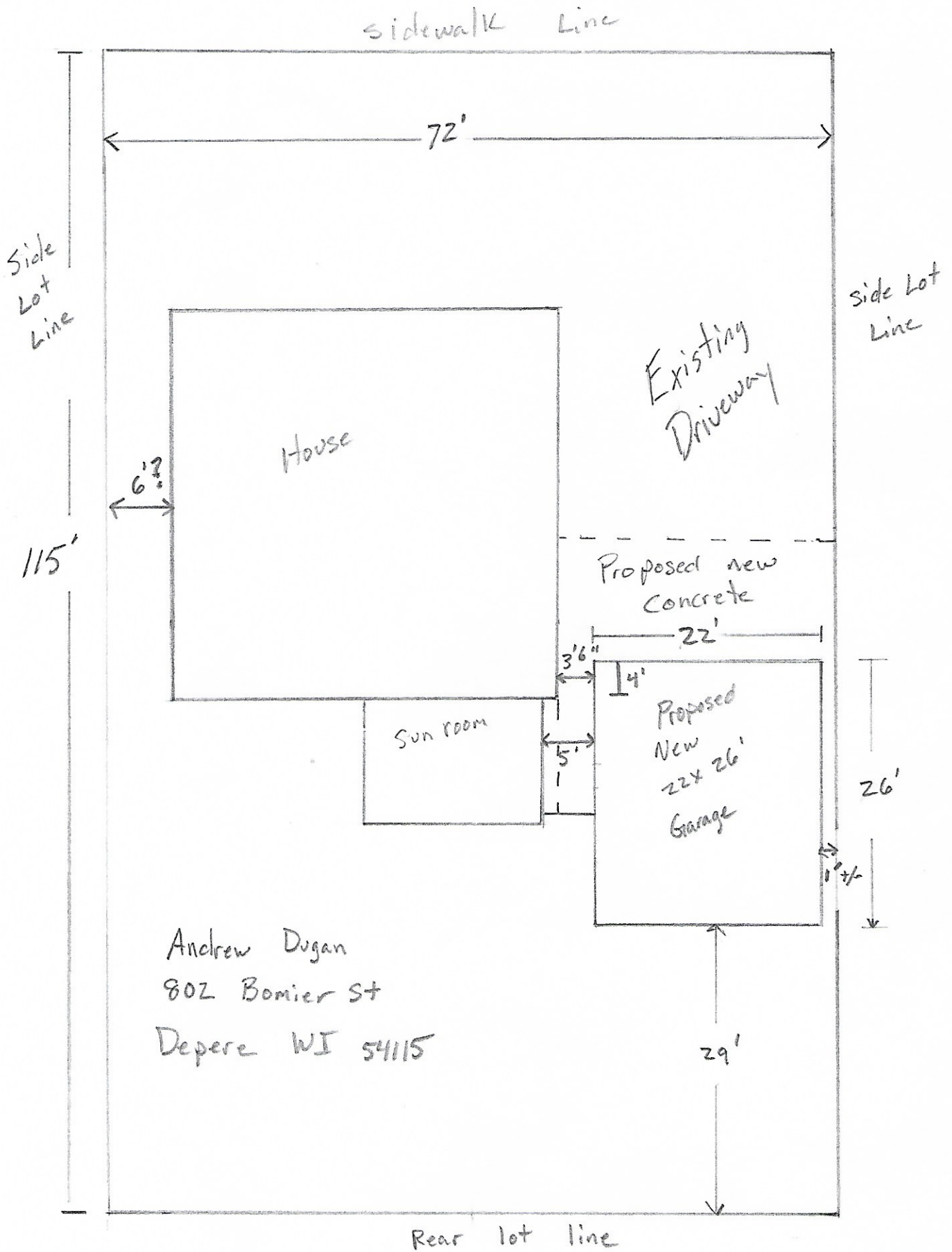
Building Height: <u>15</u> (grade to ridge)	Building Dimensions: <u>26x22</u>	Roof Style: <u>Gable</u> (gable/mansard/shed)
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Attachment: Permit - Denied by Inspection (9600 : Consideration and possible action regarding a requested variance to remove a garage

NA

Bomier Street

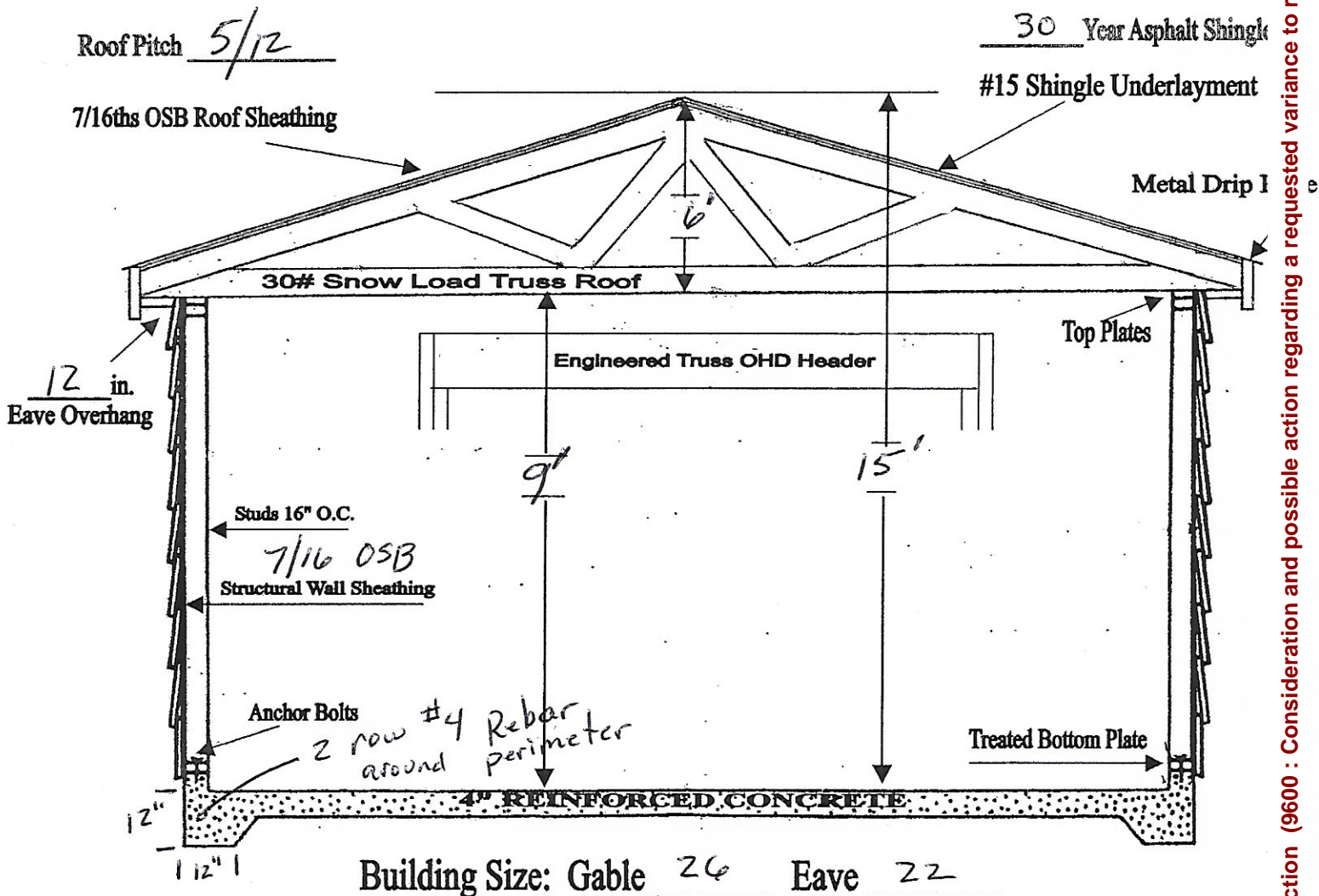


Attachment: Permit - Denied by Inspection (9600 : Consideration and possible action regarding a requested variance to remove a garage

AMERICAN GARAGE BUILDERS

Federal ID# 01-072-2880

Wisconsin Financial Certification ID # 908032



Property Owner Andrew Dugan

Job Site Address 802 Bomier St

City De Pere State WI Zip 54115

American Representative Paul Lemke Phone 920-470-0771

Attachment: Permit - Denied by Inspection (9600 : Consideration and possible action regarding a requested variance to remove a garage