



Board of Appeals

Regular Meeting

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

Final Minutes

Monday, May 23, 2016

4:45 PM

De Pere City Hall Council Chambers

Call to Order

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

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

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

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

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

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

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

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

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

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

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

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

Adjournment

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

Respectfully submitted,
Kelly Barker