



Board of Appeals

Regular Meeting

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

Agenda

Monday, April 24, 2017

4:45 PM

De Pere City Hall Council Chambers

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 **April 24, 2017** 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 March 20, 2017 Board of Appeals meeting.
3. Request submitted by Donald Sliwka, 510 Acreview Dr, De Pere, Wisconsin, to construct a 5 foot high fence on the property located at 1343-1345 Fox River Drive, De Pere, Wisconsin, which would require a variance to allow a fence higher than 3 feet in a corner side yard setback.
4. Request submitted by Amy Zwicky, 320 S. Erie Street, De Pere, Wisconsin, to construct a deck addition on the property located at 320 S. Erie Street, De Pere, Wisconsin, which would require a 7 foot interior side yard setback.

Adjournment

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

Agenda Sent To:

Alderspersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Donald Sliwka
Cindy Vanveghel
Amy Zwicky
Christopher & Elizabeth Button

City of De Pere, Wisconsin



Request For Board of Appeals Action

MEETING DATE: April 24, 2017

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Approval of the minutes of the March 20, 2017 Board of Appeals meeting.

ATTACHMENTS:

- BoA_Mar2017_Minutes_Draft (PDF)



Board of Appeals

Regular Meeting

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

Draft Minutes

Monday, March 20, 2017

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 Bob De Groot

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

Also present: Building Inspector Dave Hongisto.

- Approval of the minutes of the January 23, 2017 Board of Appeals meeting.

RESULT:	ADOPTED [UNANIMOUS]
SECONDER:	Roger Galler, James Stadler
AYES:	Bonfigt, De Groot, De Leeuw, Galler, Stadler, Vande Hei
EXCUSED:	Thomas Keidatz

- Request submitted by Green Bay Packaging, 2275 American Boulevard, De Pere, Wisconsin to construct a building addition on the property located at 2275 American Boulevard, De Pere, Wisconsin which would require a 25.3 foot corner side yard setback variance.

Bob De Groot read the notice of public hearing and Building Inspector Dave Hongisto reviewed the variance request for Green Bay Packaging. The 30,000 addition would be 14.7 feet from the north lot line, so a 25.3 foot corner side yard setback variance would be required. He stated that the site plan for this addition will be going before the Plan Commission at it's March 27th meeting, subject to the variance being approved by the Board of Appeals. Bill Vande Hei moved, seconded by Jim Stadler, to approve the variance request. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Bonfigt, De Groot, De Leeuw, Galler, Stadler, Vande Hei
EXCUSED:	Thomas Keidatz

Adjournment

Bill Vande Hei moved, seconded by Jim Stadler, to adjourn the meeting at 4:51 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker

Attachment: BoA_Mar2017_Minutes_Draft (5730 : Minutes)

City of De Pere, Wisconsin

**Request For Board of Appeals Action**

MEETING DATE: April 24, 2017

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Request submitted by Donald Sliwka, 510 Acreview Dr, De Pere, Wisconsin, to construct a 5 foot high fence on the property located at 1343-1345 Fox River Drive, De Pere, Wisconsin, which would require a variance to allow a fence higher than 3 feet in a corner side yard setback.

ATTACHMENTS:

- BoA_1343 Fox River Dr_Notice of Public Hearing (PDF)
- BoA_1343 Fox River Dr_Attachments (PDF)

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

Publish: April 14, 2017

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 April 24, 2017 at 4:45 PM 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, Section 8-22(C) submitted by Donald Sliwka, 510 Acreview Dr, De Pere, Wisconsin. Said appeal requests a building permit to construct a 5' high fence on the property located at 1343-1345 Fox River Dr, De Pere, Wisconsin which would require a two (2) foot height variance.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Section 8-22(C) which requires a maximum three (3) foot high fence in a corner side yard setback.

Dated this 11th day of April, 2017

BY ORDER OF THE BOARD OF APPEALS

David R. Hongisto, Building Inspector

Attachment: BoA_1343 Fox River Dr_Notice of Public Hearing (5750 : 1343-1345 Fox River Drive)

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$ 160.00
		Receipt #: 120578
		Date: 3-28-17

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) Donald J. Sliwka		Authorized Representative	
Mailing Address 510 Acreview Dr.		City De Pere	State WI
Email Address KD103076@MSN.com		Phone Number (incl. area code) 920-339-0906	ZIP Code 54115
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	State
Email Address		Phone Number (incl. area code)	ZIP Code
		Fax Number (incl. area code)	
SECTION 3: Project or Site Location			
Project Address: 1343/1345 Fox River Dr.		Parcel Number(s):	
Legal Description: Fox River Drive Estates Lot 57		ED-371-B-57	
SECTION 4: Variance Information			
Section of De Pere Code which creates need for Variance:	De Pere Municipal Code, Section 8-22(c)		
Ordinance Provision:	Allows a 3' maximum height variance in a corner side yard.		
Project Description:	Privacy fence (5' High)		
Variance Requested:	Request for a fence placed 15 feet from a side lot line		
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	It is a corner lot and, with it being a duplex, backyards are limited in size. The variance would keep the backyard more useable		
Describe the hardship(s) that would result if the variance is not granted:	Safety with kids playing in the backyard		
Describe how the variance would not have adverse effects on surrounding properties:	As specified, the fence would still give neighbors good sight lines		

March 25, 2017

Subject: Fence project at 1343/5 Fox River Dr (ED-371-B-57)
Application for variance by Don Sliwka

To: Mr. David Hongisto, City of De Pere Building Inspector

I am the owner of 408 N. Good Hope (ED-371-B-56). My west side lot line is the rear lot line of the above project. I am certainly the most affected in the neighborhood.

Mr. Sliwka and I have consulted to come up with a plan that is able to meet the safety goals of his property and maintain my current safety conditions. Placing the 5 foot high fence 15 feet off the inside sidewalk line and adding the 45 degree cutoff at the NE corner will enable me to back my vehicle out of my garage and still easily see pedestrians walking on the sidewalk.

With the above specifications, I am in favor of granting the variance and would ask you to allow its completion.

Sincerely,



Cindy Van Veghel

Subject: Variance request

This variance request for a fence closer to the side lot line is made with several factors in mind:

1343 and 1345 Fox River Dr are both 3 bedroom duplexes with a high likelihood of tenants with children. 1345 currently have 4 although none are younger than 12. 1343 have 2, both under six. Safety is the concern.

There are two large ash trees in the backyard of 1343 Fox River Dr. It would look much more appealing to have both within the fenced area. They would almost appear to be centered in backyard space. Without the variance, the more northerly tree would be outside the fenced area.

Without the variance, a fence would so severely limit the yard space for 1343 Fox River Dr. that it would be perceived as a negative by prospective tenants. As such, the project would not proceed.

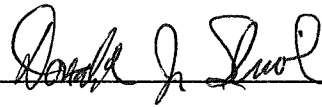
The requested variance measurements were chosen after consultation with the owner of 408 N. Good Hope.

15 feet from the side lot line will achieve getting both ash trees into the fenced area

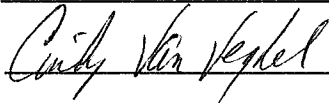
15 feet from the side lot line will make the 1343 Fox River Dr. back yard much more useable.

Most importantly, 15 feet from the side lot line along with the 45 degree angle at the NE corner will give 408 N. Good Hope good site lines when backing a vehicle out of their garage and being able to see sidewalk pedestrians unobstructed.

Owner 1343/5 Fox River Dr.



Owner 408 N. Good Hope



North Good Hope

408
garage

21' 27'

15'

64'

15' 17'

Patio

1343

1345

Garage

Garage

Patio

Storage building

Cindy VanLeghel

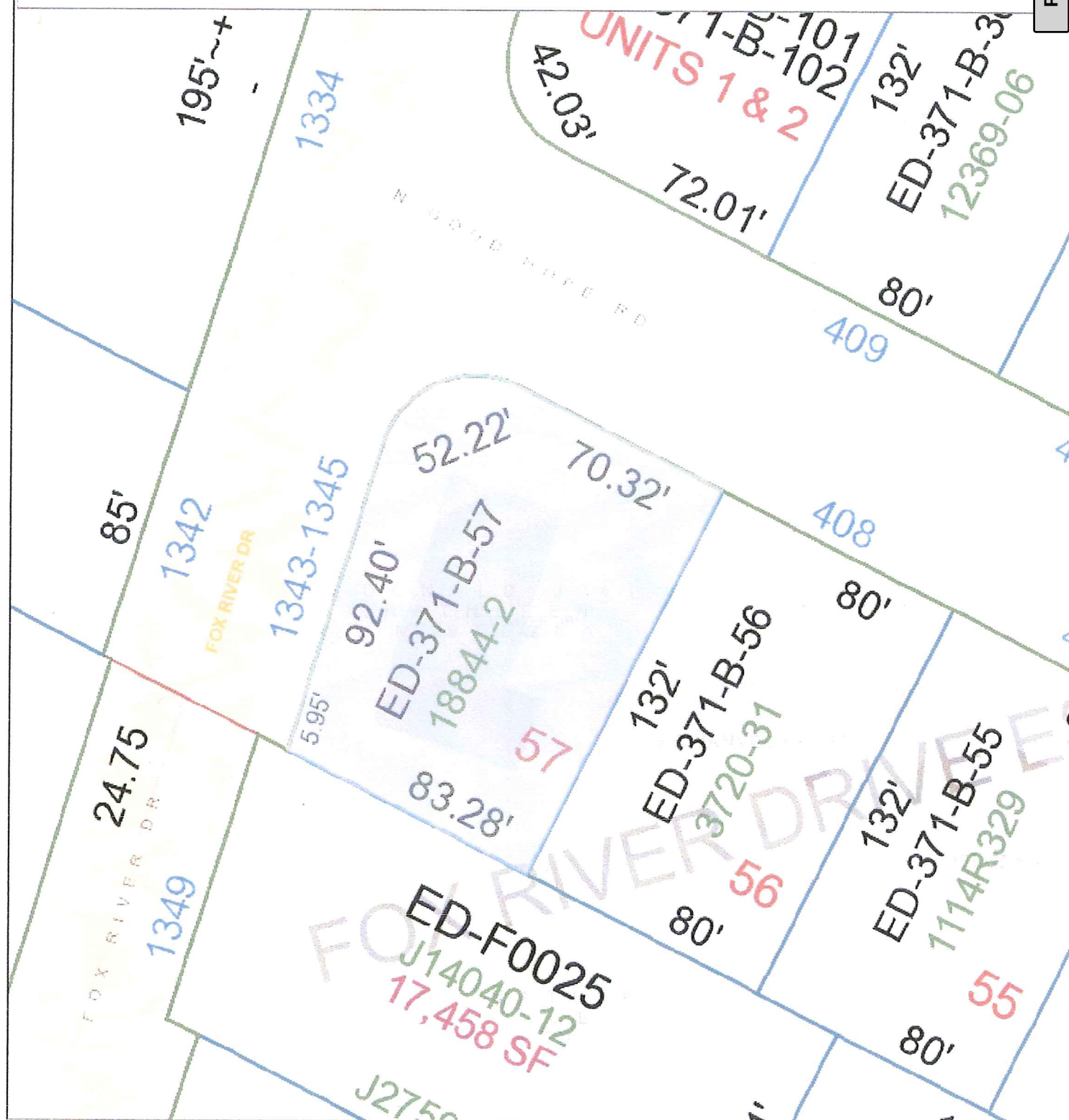
Fox River Drive

5' fence by 408 N. Good Hope

6' fence by 1343/5 Fox River

proposed 5' fence by 1343/5 Fox River

<Title>



Map provided by the Brown County Planning & Land Services Department - Land Information Office (LIO)

A map key (legend) and other information about this map is available at: maps.gis.co.brown.wi.us

This map is intended for advisory purposes only. It is based on sources believed to be reliable, but Brown County distributes this information on an "As Is" basis. No warranties are implied. Boundaries shown on this map are general representations only and should not be used for legal documentation, boundary survey determinations, or other property boundary issues.

03/24/20
Scale 1:4

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

MEETING DATE: April 24, 2017

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Request submitted by Amy Zwicky, 320 S. Erie Street, De Pere, Wisconsin, to construct a deck addition on the property located at 320 S. Erie Street, De Pere, Wisconsin, which would require a 7 foot interior side yard setback.

ATTACHMENTS:

- BoA_320 S Erie St_Notice of Public Hearing (PDF)
- BoA_320 S Erie St_Attachments (PDF)

Publish: April 14, 2017

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 April 24, 2017 at 4:45 PM 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 Amy Zwicky, 320 S.Erie St, De Pere, Wisconsin. Said appeal requests a building permit to construct a deck addition on the property located at 320 S. Erie St, De Pere, Wisconsin, which would require a seven (7) foot 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 setback.

Dated this 11th day of April, 2017

BY ORDER OF THE BOARD OF APPEALS

David R. Hongisto, Building Inspector

Attachment: BoA_320 S Erie St_Notice of Public Hearing (5751 : 320 S Erie Street)

	CITY OF DE PERE APPLICATION FOR VARIANCE	APR 13 2017 RECEIVED	Fee: \$ 168.00
		PLANNING DEPT.	Receipt #: 121079
		Date: 4-13-17	

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>Amy Zwicky</i>	Authorized Representative <i>Joel Zwicky</i>	Title <i>Owner</i>	
Mailing Address <i>320 S. Erie St.</i>	City <i>DePere</i>	State <i>WI</i>	ZIP Code <i>54115</i>
Email Address <i>amyzcocoon@gmail.com</i>	Phone Number (incl. area code) <i>920.360.4283</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>Same</i>	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: <i>320 S. Erie St.</i>	Parcel Number(s): <i>ED-1034</i>
Legal Description: <i>Original plat of DePere Lot 4 Block 41</i>	

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	<i>14-39 (6) (1) (a)</i>
Ordinance Provision:	<i>Requires a ten (10) foot interior side yard Setback.</i>
Project Description:	<i>Deck addition</i>
Variance Requested:	<i>Seven (7) foot interior side yard setback.</i>
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	<i>See attached letter.</i>
Describe the hardship(s) that would result if the variance is not granted:	<i>" " "</i>
Describe how the variance would not have adverse effects on surrounding properties:	<i>" " "</i>

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) <i>Amy Zwicky / Joel Zwicky</i>	Title <i>owner</i>	Phone Number <i>920 360 4283</i>
Signature of Applicant <i>Amy Zwicky</i>		Date Signed <i>4/13/17</i>

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

April 12, 2017

Zoning Board of Appeals
335 S. Broadway
De Pere, WI 54115

Dear Members of the ZBA,

I'm looking to construct a deck addition within 3 feet of my fence along my north property line. Please see the attached plan. I have a large tree directly behind my existing deck that I would have to cut down if the variance is not granted. This is the main reason I cannot expand the deck straight out.

- My neighbors, Mr. and Mrs. Button have no objection.
- The deck will not impair natural light to the Button's.
- The deck will help improve property values.

Thank you in advance for your cooperation in granting my variance request. This will help me to utilize my back yard to its fullest.

Feel Free to contact me at 920.360.4283 if you have any questions.

Sincerely,

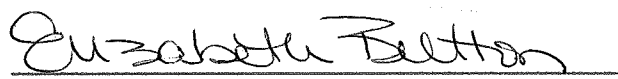


Amy Zwicky

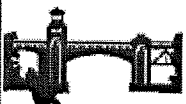
April 12, 2017

We have no objection to Amy Zwicky's proposed variance request to construct a new deck three (3) feet from our south property line.


Christopher Button


Elizabeth Button

Owners of 314 S. Erie Street, DePere, WI 54115



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



04/19/2017
Scale 1:240