



Board of Appeals

Regular Meeting

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

Agenda

Monday, November 27, 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 **November 27, 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 October 23, 2017 Board of Appeals meeting.
3. Request submitted by Keith Shier, 3939 School Road., Denmark, Wisconsin to construct a building addition to a single family residence on the property located at 609 S Huron Street., De Pere, Wisconsin which would require a 5 foot interior side yard setback variance.

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
Keith Shier
Patrick & Ashley Bocker
Bruce & Mary Zuelke
Gerald & Barbara Brebner
Rick & Sherri Geurts

City of De Pere, Wisconsin



Request For Board of Appeals Action

MEETING DATE: November 27, 2017

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Approval of the minutes of the October 23, 2017 Board of Appeals meeting.

ATTACHMENTS:

- BoA_Oct2017_Minutes_Draft (PDF)



Board of Appeals

Regular Meeting

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

Draft Minutes

Monday, October 23, 2017

4:45 PM

De Pere City Hall Council Chambers

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	
Roger Galler	Vice Chairman	Present	
James Stadler	Board Member	Present	
William Vande Hei	Board Member	Present	
Andy Van Remortel	Board Member	Present	

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

- Approval of the minutes of the August 28, 2017 Board of Appeals meeting.

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

- Request submitted by Chad Mishleau, 809 S Melcorn Circle, De Pere, Wisconsin, to construct a deck on the property located at 809 S Melcorn Circle, De Pere, Wisconsin which would require a 3 foot rear yard setback variance.

Chairman Bob De Groot read the notice of public meeting and Building Inspector Dave Hongisto reviewed the variance request. He noted that the typical rear yard setback is 30 feet, but since this address is located in a P.D.D overlay district, the rear yard setback is reduced to 25 feet. Because of this, the petitioner is requesting a 3 foot rear yard setback variance. A representative from the contractor, Creative Decks addressed the board. He stated that the size of the proposed deck is 14'x20'. Dave added that the entire subdivision depth-wise is deficient to adequately lay out a deck on the property. Discussion followed and it was determined that a double fee would be applied to the permit because the work was started without the proper permit. Bill Vande Hei moved, seconded by Jim Stadler, to approve the variance request. Upon vote, motion carried unanimously. Bob De Groot reminded the petitioner to obtain the proper permit.

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

- Request submitted by Ralph Solano, 845 S Melcorn Circle, De Pere, Wisconsin, to construct a deck on the property located at 845 S Melcorn Circle, De Pere, Wisconsin which would require an 11 foot rear yard setback variance.

Attachment: BoA_Oct2017_Minutes_Draft (6445 : Approval of the minutes of the October 23, 2017 Board of Appeals meeting.)

Chairman Bob De Groot read the notice of public meeting and Building Inspector Dave Hongisto reviewed the variance request. Like the previous agenda item, this property is located in the same subdivision, with lots that are mostly too shallow to allow for proper layout of a deck. In this case, the petitioner is requesting an 11 foot rear setback variance. Homeowner Ralph Solano addressed the board. Discussion followed with several questions from the board. Mr. Solano has a fence on his property, which is 7 feet in from the property line. He is proposing to build the deck so it is 4 feet from the fence line, which is a total of 11 feet from his property line, and about 8 or 9 inches off the ground. Bill Vande Hei stated that his major concern with this location is that when a house is built on the lot behind Mr. Solano's, a person sitting on the deck would possibly be looking directly into a bedroom window. Roger Galler then asked what the closest rear yard setback variance was that the board approved and Dave replied that this request is the closest that he can recall. Several board members raised their concern with the variance request. Dave Hongisto then suggested that perhaps Mr. Solano should amend his variance request to be greater than the 11 feet he originally proposed, by moving the deck closer to the house. Discussion followed and it was agreed that the petitioner would move the deck closer to the house by another 7 feet, therefore requesting an 18 foot rear yard setback variance. With this stipulation, Roger Galler moved, seconded by Scott Bonfigt, to approve the variance request. Upon vote, motion carried unanimously. Bob De Groot reminded the homeowner to obtain the proper building permit and to begin construction within the next six months.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roger Galler, Vice Chairman
SECONDER:	Scott Bonfigt, Board Member
AYES:	Bonfigt, De Groot, Galler, Stadler, Vande Hei, Remortel
EXCUSED:	Paul De Leeuw

5. Request submitted by Jenny Kraftcheck, 918 Fourth Street, De Pere, Wisconsin to construct a porch replacement on the property located at 918 Fourth Street, De Pere, Wisconsin which would require a 5 foot front yard setback variance.

Chairman Bob De Groot read the notice of public meeting and Building Inspector Dave Hongisto reviewed the variance request. He noted that the typical front yard setback is 30 feet, but this is an older neighborhood which looks at the average of the block to determine the front yard setback. Dave reviewed the average of the block and stated that it was 15 feet in this case. Homeowner Jenny Kraftcheck addressed the board. She explained that her porch is in need of replacement. Jim Stadler asked if the proposed roof line will meet code. Dave replied that the overhang is allowed to infringe on the setback. Bob De Groot reminded the petitioner that work must commence within 6 months and the permit is valid for one year. James Stadler moved, seconded by Roger Galler, to approve the variance request. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Stadler, Board Member
SECONDER:	Roger Galler, Vice Chairman
AYES:	Bonfigt, De Groot, Galler, Stadler, Vande Hei, Remortel
EXCUSED:	Paul De Leeuw

Adjournment

Jim Stadler moved, seconded by Bill Vande Hei, to adjourn the meeting at 5:27 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker

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

MEETING DATE: November 27, 2017

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Request submitted by Keith Shier, 3939 School Road., Denmark, Wisconsin to construct a building addition to a single family residence on the property located at 609 S Huron Street., De Pere, Wisconsin which would require a 5 foot interior side yard setback variance.

ATTACHMENTS:

- BoA_609 S Huron_Notice of Public Hearing (DOC)
- BoA_609 S Huron_Attachments (PDF)

Publish: November 17, 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 November 27, 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 Keith Shier, 3939 School Rd, Denmark, Wisconsin. Said appeal requests a building permit to construct a building addition to a single family residence on the property located at 609 S Huron St, De Pere, Wisconsin which would require a 5 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 10 foot side yard setback.

Dated this 15th day of November, 2017

BY ORDER OF THE BOARD OF APPEALS

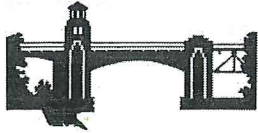
David R. Hongisto, Building Inspector

Attachment: BoA_609 S Huron_Notice of Public Hearing (6446 : 609 S Huron St)

CITY OF DE PERE
RECEIVED

NOV 9 2017

PLANNING DEPT



CITY OF DE PERE

APPLICATION FOR VARIANCE

Fee: \$ 168.00

Receipt #: 127295

Date: 11-09-17

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) Keith Shier	Authorized Representative	Title	
Mailing Address 3939 School Rd	City Denmark	State WI	ZIP Code 54202
Email Address	Phone Number (incl. area code) 920-371-1559	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) Keith Shier	Contact Person	Title	
Mailing Address 3939 School Rd	City Denmark	State WI	ZIP Code 54202
Email Address	Phone Number (incl. area code)	Fax Number (incl. area code)	

SECTION 3: Project or Site Location

Project Address: 609 S Huron	Parcel Number(s):
Legal Description: E.C. Merrill ; E.E. Dolles Addition Lot 15 Blk 5	E0-713

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	Municipal zoning code 14-39(6)(1)(a)
Ordinance Provision:	R-2 single family requires a 10-foot interior sideyard setback
Project Description:	10x22 addition to the rear of the existing dwelling
Variance Requested:	Five (5) foot interior side yard setback variance
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	
Describe the hardship(s) that would result if the variance is not granted:	The substandard lot of record would not allow this addition
Describe how the variance would not have adverse effects on surrounding properties:	It will add to property values

Attachment: BoA_609 S Huron_Attachments (6446 : 609 S Huron St)

SECTION 5: Certification and Permission

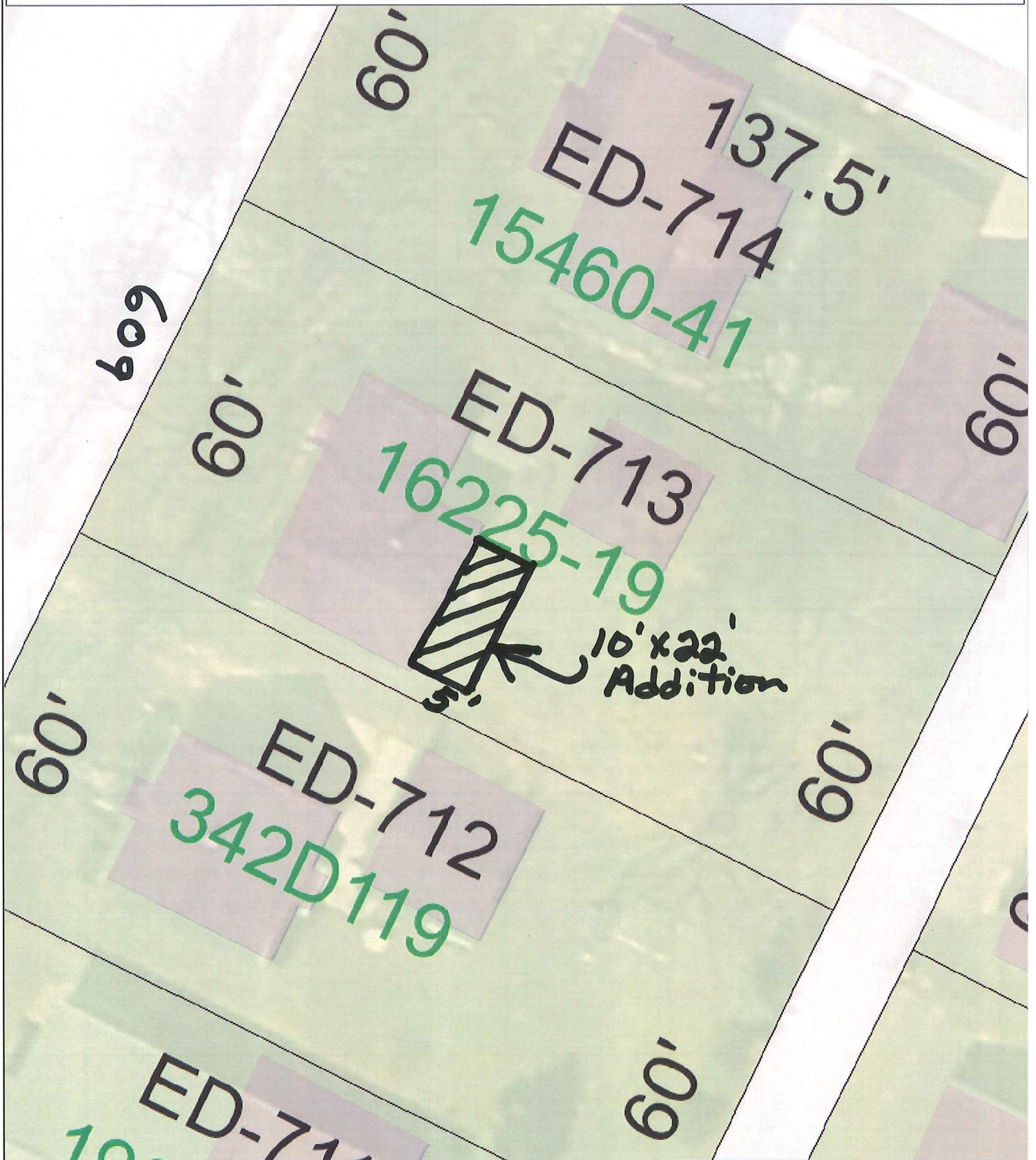
Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Variance Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance 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>Keith Shier</i>	Title <i>owner</i>	Phone Number <i>920-371-1559</i>
Signature of Applicant <i>Keith Shier</i>		Date Signed <i>11-9-17</i>

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

609 S. Huron Street



Attachment: BoA_609 S Huron_Attachments (6446 : 609 S Huron St)



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



11/28/2017
Scale 1:240