



Board of Appeals

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Agenda

Monday, November 23, 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 **November 23, 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:

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/DePere>

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 <http://deperewi.com/>.

Call to Order

1. Roll Call
2. Approval of the minutes of the October 26, 2020 Board of Appeals meeting.
3. Consideration and possible action on a request for a variance to build a primary structure addition with less than a 1 foot interior side yard setback, instead of a 10 foot interior side yard setback, for an R-2 (Single and Two-Family Residence District) zoned property at 721 Cedar ST (Parcel WD-470).

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

Daniel Doyen
Stephanie & Michael Gubics
Hannah & Tyler Johnson
Shane Jauquet
David Rice
Tyler Terrell



City of De Pere, Wisconsin

Request For Board of Appeals Action

MEETING DATE: November 23, 2020

DEPARTMENT: Board of Appeals

FROM: Kelly Barker

SUBJECT: Approval of the minutes of the October 26, 2020 Board of Appeals meeting.

ATTACHMENTS:

- BoA_Oct2020_Minutes_Draft (PDF)



Board of Appeals

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Regular Meeting

Draft Minutes

Monday, October 26, 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	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 Schleinz and members of the public.

- Approval of the minutes of the June 22, 2020 Board of Appeals meeting.

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

- Consideration and possible action on a request for a variance to expand a building with a 20' interior side yard setback, instead of a 25' interior side yard setback, for an I-3 (General Industrial District) zoned property at 1881 Commerce DR (Parcel ED-344-102-1).

Chairperson Bob De Groot read the public hearing notice and Zoning Administrator Peter Schleinz reviewed the variance request for 1881 Commerce Drive for a warehouse expansion. Andy Van Remortel moved, seconded by Scott Bonfigt, to approve the request. Upon vote, motion carried unanimously. Bob DeGroot reminded the petitioner to begin construction within 6 months of the date of approval.

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

- Consideration and possible action on a request for a variance to allow a second two-way drive on one residential lot of record, instead of one two-way drive, for an R-1 (Single Family Residence District) zoned property at 1002 Meadow View LN (Parcel WD-883-T-49).

Chairperson Bob De Groot read the public hearing notice and Zoning Administrator Peter Schleinz reviewed the variance request for 1002 Meadow View Lane. He reported that the request for a second curb cut was reviewed and denied by the Board of Public Works on October 12, 2020. Because the curb cut was denied, any approval by the Board of Appeals would allow a drive on the property to connect to the property line near the

sidewalk but the drive would not connect to the street. Jim Stadler asked if a driveway existed on the property at any time. Peter reviewed the air photographs and replied that no second driveway ever existed on this property. Discussion followed and the petitioner decided to withdraw his request because the Board of Public Works is reviewing the ordinance. The Board of Appeals will forward a recommendation to the Board of Public Works to reconsider changing the ordinance to allow more than one two-way driveway on a single parcel.

RESULT: WITHDRAWN

Adjournment

Andy Van Remortel moved, seconded by Scott Bonfigt, to adjourn the meeting at 5:11 pm. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker



City of De Pere, Wisconsin

Request For Board of Appeals Action

MEETING DATE: November 23, 2020

DEPARTMENT: Planning

FROM: Peter Schlein

SUBJECT: Consideration and possible action on a request for a variance to build a primary structure addition with less than a 1 foot interior side yard setback, instead of a 10 foot interior side yard setback, for an R-2 (Single and Two-Family Residence District) zoned property at 721 Cedar ST (Parcel WD-470).

ATTACHMENTS:

- BOA_Nov2020_Public Hearing Notice (DOC)
- Report to BOA - reduced side yard setback (DOCX)
- Application Form (PDF)

Publish: November 13, 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 November 23, 2020 at 4:45 PM 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 Daniel Doyen, 721 Cedar Street, De Pere, Wisconsin. Said appeal requests a building permit to build a primary structure addition less than one foot from the side yard on the property located at 721 Cedar Street, De Pere, Wisconsin which would require a 10 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 interior 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.

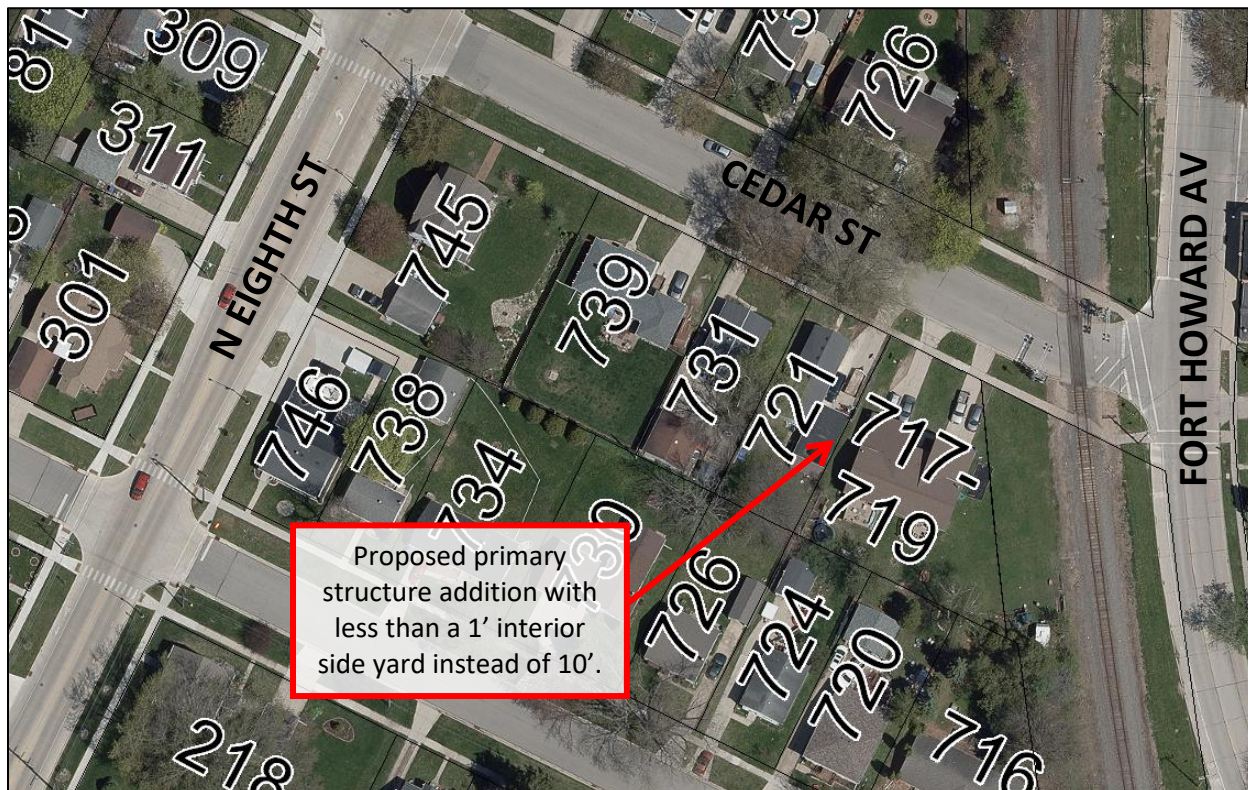
Dated this 13th day of November

BY ORDER OF THE BOARD OF APPEALS

Peter Schlein, Zoning Administrator

- Item 3: Consideration and possible action on a request for a variance to build a primary structure addition with less than a 1 foot interior side yard setback, instead of a 10 foot interior side yard setback, for an R-2 (Single and Two-Family Residence District) zoned property at 721 Cedar ST (Parcel WD-470).

SITE MAP



REQUESTED ACTION: Variance Request.

A two-story 1,205 SF building addition is proposed to be added after removing an existing one-story garage. As proposed, the addition will encroach over 9 feet into the interior side yard setback on the east side of the property.

COMMON DESCRIPTION: 721 Cedar ST, located south side of Cedar ST, between N Eighth ST and Fort Howard AV.

PARCEL NUMBERS: WD-470

EXISTING ZONING: R-2 (Single and Two-Family Residence District)


SURROUNDING LAND USES: Single family (R-2 to the north, south and west.
Two-Family and Single Family (R-2) to the east.

COMPREHENSIVE PLAN: Neighborhood Residential (Including Multi-Family)

APPLICANT / OWNER: Daniel Doyen
Doyens Rentals LLC
1953 Bunker Hill CT
De Pere, WI 54115

SITE HISTORY:	<p>After a review of air photographs dating to 1938, the property has been used for residential purposes.</p> <p>On November 3, 2020 an authorized representative for the property owner proposed tearing down an existing attached garage and building a 1,205 SF, two-story expansion at the east side of the existing residential remaining building.</p>
STAFF REVIEW:	<p>The petitioner proposes the expansion of a new first floor attached garage and second floor living area after removing an existing garage. The existing garage is located less than 1 foot from the interior side yard (east) property line. The expansion encroaches more than 9 feet into the interior side yard setback.</p> <ul style="list-style-type: none">• Primary structures must be set back 10 feet from the interior side yard property line.• Information was not provided to indicate that the petitioner informed most affected adjacent property owners, to the east, about the variance request. <p><i>City staff cannot issue a building permit because the proposed construction on an R-2 zoned parcel requires an interior side yard setback of 10 feet for primary structures, per Municipal Codes 14-49(6)(1)(a).</i></p>
REVIEW PROCESS:	<p>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.</p>

CITY OF DE PERE
RECEIVED
NOV 13 2020

	CITY OF DE PERE APPLICATION FOR VARIANCE	PLANNING DEPT Fee: \$ 168.00
		Receipt #: 150290
		Date: 11-03-20

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>Dan Doyen</i>		Authorized Representative	
Mailing Address <i>1953 Bunker Hill Ct</i>		City <i>De Pere</i>	State <i>WI</i>
Email Address		Phone Number (incl. area code)	ZIP Code <i>54115</i>
Email Address		Phone Number (incl. area code)	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>Daniel Doyen</i>		Contact Person <i>Dan</i>	
Mailing Address		City <i>De Pere</i>	State <i>WI</i>
Email Address		Phone Number (incl. area code)	ZIP Code <i>54115</i>
Email Address		Phone Number (incl. area code)	Fax Number (incl. area code)
SECTION 3: Project or Site Location			
Project Address: <i>721 Cedar St. De Pere</i>		Parcel Number(s):	
Legal Description:			
SECTION 4: Variance Information			
Section of De Pere Code which creates need for Variance:	<i>*14-39(6)(1)(a)</i>		
Ordinance Provision:	<i>*Minimum yard setback for Interior side is 10 feet.</i>		
Project Description:	<i>Remove old Attached Garage pour 4' Frost Walls Re Build garage with living Above garage.</i>		
Variance Requested:	<i>TO Build Higher up.</i> <i>*Request to reduce interior side setback from 10' to less than 1'.</i>		
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	<i>The House sit on and old narrow lot And This Re Model Design makes sense.</i>		
Describe the hardship(s) that would result if the variance is not granted:	<i>The House WAS BUILT For a Family of 4 To comfortably live</i>		
Describe how the variance would not have adverse effects on surrounding properties:	<i>The Re model will add value To The Neighbhood</i>		

From: Jerid Vieau rodvieau@gmail.com
Subject: Fwd:
Date: Oct 24, 2019 at 9:12:50 AM
To: Daniel Victor Ddoyen@hotmail.com

Sent from my iPhone

Begin forwarded message:

From: Trish Baynton <pmbaynton@gmail.com>
Date: October 17, 2019 at 9:11:13 AM CDT
To: rodvieau@gmail.com

October 17, 2019

To Whom It May Concern:

This letter is in regards to the pending construction/remodel on the house located at 721 Cedar Street in West De Pere.


We are in the belief that the improvement of houses in our vicinity will only improve and better the block and community as a whole. With that being said, we give our consent to the remodeling project.

Thank you for your consideration.

Sincerely,
The Vieau's
732 Cedar Street
[920-606-6477](tel:920-606-6477)

Denied DPML: 14-38 (6) hot requirements (1) b. Inter Table
 Side yard set-back 10ft

3.c

<p>City of De Pere 335 S. Broadway De Pere, WI 54115 (920) 339-4053 dpbldg@mail.de-pere.org</p>		<p>BUILDING PERMIT Application and Record</p>	<p>Permit #: _____ Fee: _____ Receipt #: _____ Date: _____</p>
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PROJECT LOCATION			GENERAL CONTRACTOR	
Owner's Name: Daniel Doyen			Company Name: D&T Construction LLC	
Address: 721 cedar st			Address: 1953 Bunker Hill st De Pere	
Phone #: 920 412-6366			Phone #: 920 412-6366	
E-mail: DDoyen@Hotmail.com			E-mail: DDoyen@Hotmail.com	
Parcel #:	Lot #:	Zoning:	Dwelling Contractor Credential:	Dwelling Contractor Qualifier Credential: DLQ-081300046

PROJECT INFORMATION	
Square Footage: 1,205	Cost of Construction: \$15,000
Type of work to be done: Garage Take Down and Re Built with living Above It.	
Please include a sketch where applicable. Show all setback measurements as required for the project.	

SUBCONTRACTORS (if applicable)	
Electrical: Electrical solution	HVAC: Lemere Heating & Cooling
Plumbing: Royal Flush Plumbing	Other:

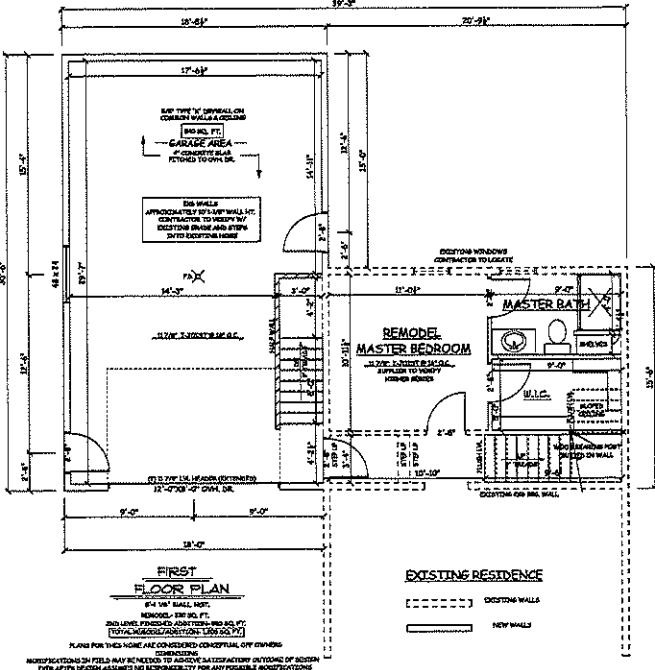
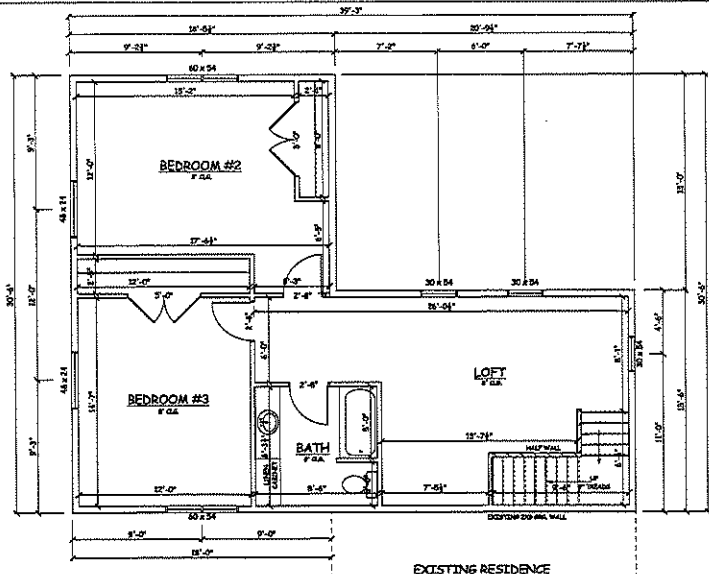
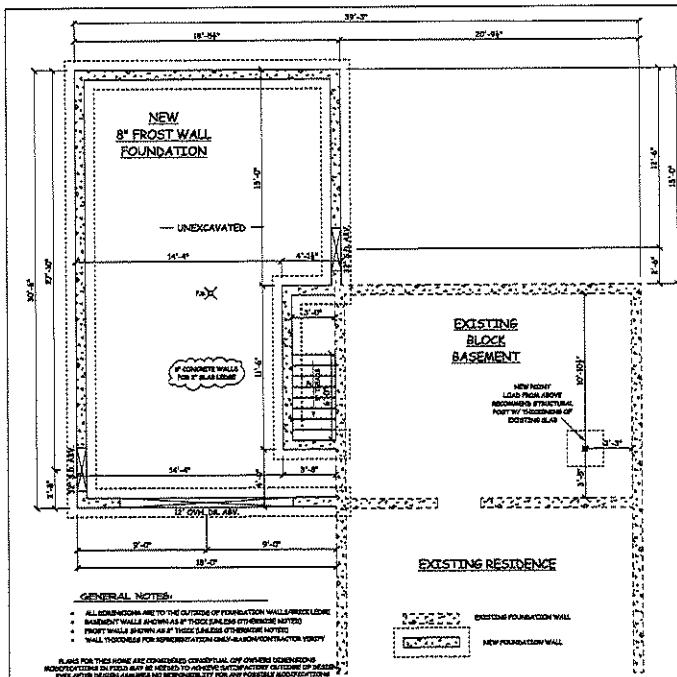
CAUTIONARY STATEMENT TO OWNERS OBTAINING BUILDING PERMITS

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
<p>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.</p> <p>Signature: <u>[Signature]</u></p> <p>Date: <u>10-29-2020</u></p>	<p>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.</p> <p>Inspector: _____</p> <p>Date: _____ Certification #: _____</p>



MAIN FLOOR
SCALE: 1/4" = 1'-0"

- PRELIMINARY
DESIGN CONCEPT ONLY
- PRELIM BID
NOT FOR CONSTRUCTION
REVIEW PLAN BEFORE PROCEED
- BID PLAN
NOT FOR CONSTRUCTION
ONLY FOR PRICING
- FINAL PLAN
VERIFY ALL DATA WITH ALL
CONTRACTORS PRIOR TO
CONSTRUCTION

© 2018 EVER AFTER DESIGN LLC

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND RECORDS, THE CONTRACTOR MUST CHECK ALL CONDITIONS AND BE RESPONSIBLE FOR THE REALITY. ANY DISCREPANCIES MUST BE BROUGHT TO THE ATTENTION OF THE OWNER.

GENERAL NOTES:

- ALL ROOMS ARE TO THE OUTSIDE OF FOUNDATION WALLS UNLESS NOTED
- BATHROOM WALLS AS SHOWN AS FROST EXPOSED UNLESS NOTED
- FRONT WALLS SHOWN AS 1/2" THICK UNLESS OTHERWISE NOTED
- WALL THICKNESS FOR SPECIFICATION ONLY - ALSO CONTRACTOR VERIFY

PLANS FOR THIS HOME ARE CONSIDERED CONCEPTUAL ONLY. OWNERS CONSULTATIONS IN FIELD MAY BE NEEDED TO ACHIEVE SATISFACTORY OUTCOME OF DESIGN. EVEN AFTER DESIGN ASSUMED THE RESPONSIBILITY FOR ANY POSSIBLE MISCONCEPTIONS.



PROPOSED NEW PROJECT FOR:
**721 CEDAR ST.
REMODEL/ADDITION**

REVISION DATED
Δ 9/30/19
Δ
Δ
Δ
Δ
Δ

721 Cedar St.
SHEET NUMBER
A2