



Board of Appeals

335 South Broadway

Regular Meeting

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

Agenda

Monday, November 23, 2015	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 23, 2015** 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 September 21, 2015 Board of Appeals meeting.
3. Request submitted by Ben Hermans, 1180 S. Erie Street, De Pere, Wisconsin to construct a detached garage on the property located at 1180 S. Erie Street, De Pere, Wisconsin which would require a variance to allow a detached garage in an interior side yard setback.

Adjournment

Any person wishing to attend who, because of disability, requires special accommodations should contact the office of the Building Inspector at 339-4053 by Noon on Monday, November 23, 2015 so that arrangements can be made.

AGENDA SENT TO:
Board Members
Ben Hermans
George Simons

City of De Pere, Wisconsin



Request For Board of Appeals Action

MEETING DATE: November 23, 2015

DEPARTMENT: Board of Appeals

FROM: David Hongisto

SUBJECT: Approval of the minutes of the September 21, 2015 Board of Appeals meeting.

ATTACHMENTS:

- BoA_Sep2015_Minutes_Draft (PDF)



Board of Appeals

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

Regular Meeting

Draft Minutes

Monday, September 21, 2015

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
Bob De Groot	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: City Building Inspector Dave Hongisto, and members of the public.

2. Approval of the minutes of the August 24, 2015 Board of Appeals meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Stadler, Board Member
SECONDER:	William Vande Hei, Board Member
AYES:	Bob De Groot, Roger Galler, James Stadler, William Vande Hei
EXCUSED:	Thomas Keidatz

3. Discussion and notification of video recording of Board of Appeals meetings.
4. Request submitted by Jocko Zifferblatt, 2097 Lost Dauphin Road, De Pere, Wisconsin to construct an addition to an attached garage on the property located at 2097 Lost Dauphin Road, De Pere, Wisconsin which would require a four (4) foot interior side yard setback variance.

De Groot read the notice of public hearing and Hongisto reviewed the variance request. At last month's meeting, board members had requested a rendering of the exterior elevation of the proposed addition, which was included in tonight's agenda packet. Neighbor Carolyn Fishbaugh stated that she has no objection to the variance as long as it is six feet from the lot line. Homeowner Jocko Zifferblatt stated that the addition will include windows and window boxes to make the southern elevation attractive. Stadler motioned to approve the request, seconded by Galler. Upon vote, motion carried unanimously. De Groot noted that based upon the evidence, the request is reasonable, and that building permit(s) must be obtained prior to construction.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Stadler, Board Member
SECONDER:	Roger Galler, Board Member
AYES:	Bob De Groot, Roger Galler, James Stadler, William Vande Hei
EXCUSED:	Thomas Keidatz

5. Request submitted by Marvel Dittrich, 1766 Briarwood Court, De Pere, Wisconsin to construct a 15' high fence on the property located at 1766 Briarwood Court, De Pere, Wisconsin which would require a 12' height variance.

De Groot read the notice of public hearing and Hongisto reviewed the variance request. The applicant resides on Briarwood Court, and her back yard abuts State Highway 57. The DOT is constructing a roundabout at 57 and Heritage Rd, and purchased a strip of

Attachment: BoA_Sep2015_Minutes_Draft (4171 : minutes)

land from Ms. Dittrich, removing the trees in the process. The property in question is classified as a through lot, which allows a maximum fence height of three feet by Municipal Code. The agenda packet includes photographs depicting the situation, and Hongisto shared additional photos with the board members at the meeting. The homeowner has lost privacy and is looking for a way to bring some back. Stadler inquired what type of fence material is being proposed, because a 15 ft fence would need to be constructed to withstand wind forces.

Vande Hei stated that a three foot fence is very inadequate in this scenario, and would be willing to grant a variance for an eight foot fence, such as the ones that were granted for homes along Hwy 32 & County Road PP. Homeowner Marvel Dittrich stated that because her property is on a slope, a higher fence is necessary in order to afford some privacy at least on her lower level. She noted that with the road expansion she is now 20 feet from the highway. Hongisto confirmed that there is a 4-5 foot difference from the grade at the patio to the highway. De Groot proposed a 10 ft fence, located six feet in from the lot line. Ms. Dittrich stated that she does not have a big yard, so placing the fence six feet in from the property line would be too tight. Discussion followed regarding the terms of the property purchase from the DOT, and whether it included any requirement to install a fence or plant trees. Ms. Dittrich responded in the negative, and also stated that there was no room for a berm either. Hongisto suggested that the homeowner contact a tree nursery to obtain estimates on quick-growing arborvitae species.

Neighboring property owner Alan Pelishek voiced a concern that dangerous road conditions could cause a vehicle to leave the road and crash into Ms. Dittrich's home. Vande Hei asked if the homeowner would be amenable to tabling the request tonight, and contacting the DOT to ask if there was any way they would erect a barrier-type fence. He also requested that she obtain estimates for planting mature arborvitaes, as well as cost estimates for a 15 ft fence.

Galler motioned, seconded by Stadler, to table the agenda item until additional information is obtained. Upon vote, motion carried unanimously.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Roger Galler, Board Member
SECONDER:	James Stadler, Board Member
AYES:	Bob De Groot, Roger Galler, James Stadler, William Vande Hei
EXCUSED:	Thomas Keidatz

Adjournment

Vande Hei motioned, seconded by Galler, to adjourn the meeting at 5:20 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen

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

MEETING DATE: November 23, 2015

DEPARTMENT: Board of Appeals

FROM: David Hongisto

SUBJECT: Request submitted by Ben Hermans, 1180 S. Erie Street, De Pere, Wisconsin to construct a detached garage on the property located at 1180 S. Erie Street, De Pere, Wisconsin which would require a variance to allow a detached garage in an interior side yard setback.

ATTACHMENTS:

- BoA_1180 S Erie_Notice of Public Hearing (PDF)
- BoA_1180 S Erie_Attachments (PDF)

Publish: November 13, 2015

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 Monday, November 23, 2015 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 14.13(5)(b) submitted by Ben Hermans, 1180 S. Erie Street, De Pere Wisconsin. Said appeal requests a building permit to construct a detached garage on the property located at 1180 S. Erie Street, De Pere, Wisconsin which would require a variance to allow a detached accessory structure in the side yard.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14.13(5)(b) which requires detached accessory structures to be located in the rear yard only.

Dated this 11th day of November 2015.

BY ORDER OF THE BOARD OF APPEALS

Thomas Keidatz, Chairman

David R. Hongisto, Building Inspector

Attachment: BoA_1180 S Erie_Notice of Public Hearing (4172 : 1180 S Erie)

3.b

	CITY OF DE PERE APPLICATION FOR VARIANCE	Fee: \$ 150.00
		Receipt #: 108099
		Date: 11/18/15

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) BEN HERMAN	Authorized Representative BEN HERMAN	Title	
Mailing Address 1180 S. ERIE ST	City DE PERE	State WI	ZIP Code 54115
Email Address benhermanse@live.com	Phone Number (incl. area code) 883-5112	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) SAME	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: 1180 S. ERIE	Parcel Number(s):
Legal Description: THAT PART OF LOT 3 FOSTER'S SUBDIVISION OF PRIVATE CLAIMS 37.	ED-1128-F-4

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	14-135(B)
Ordinance Provision:	REQUIRES DETACHED ACCESSORY STRUCTURES TO BE PERMITTED ONLY IN THE REAR YARD.
Project Description:	16X26 DETACHED GARAGE
Variance Requested:	TO ALLOW A SECTION OF A DETACHED GARAGE TO BE ALLOWED ON SIDE OF THE RESIDENCE
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	LOT IS IRREGULAR AND PIES TO THE BACK.
Describe the hardship(s) that would result if the variance is not granted:	CREATES COURTYARD EFFECT AND RETAINS AN OPEN REAR YARD AREA.
Describe how the variance would not have adverse effects on surrounding properties:	THE GARAGE WILL BE LOCATED 17 FEET FROM THE NORTH PROPERTY LINE VERSUS THE 4 FEET ALLOWED BY THE ZONING CODE.

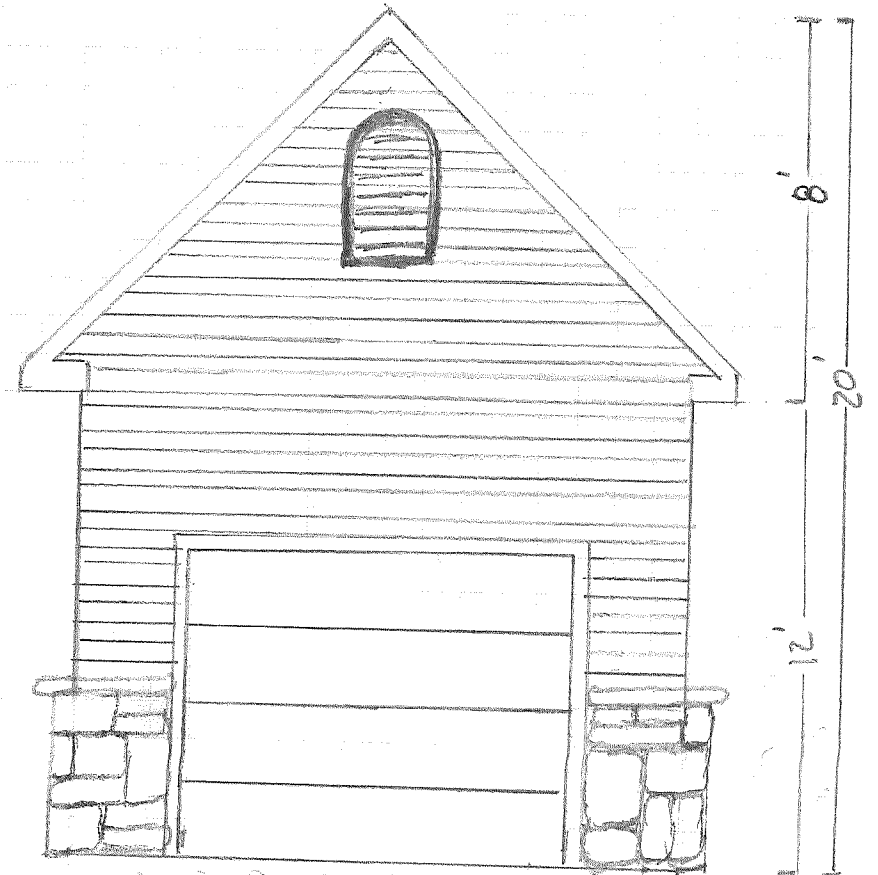
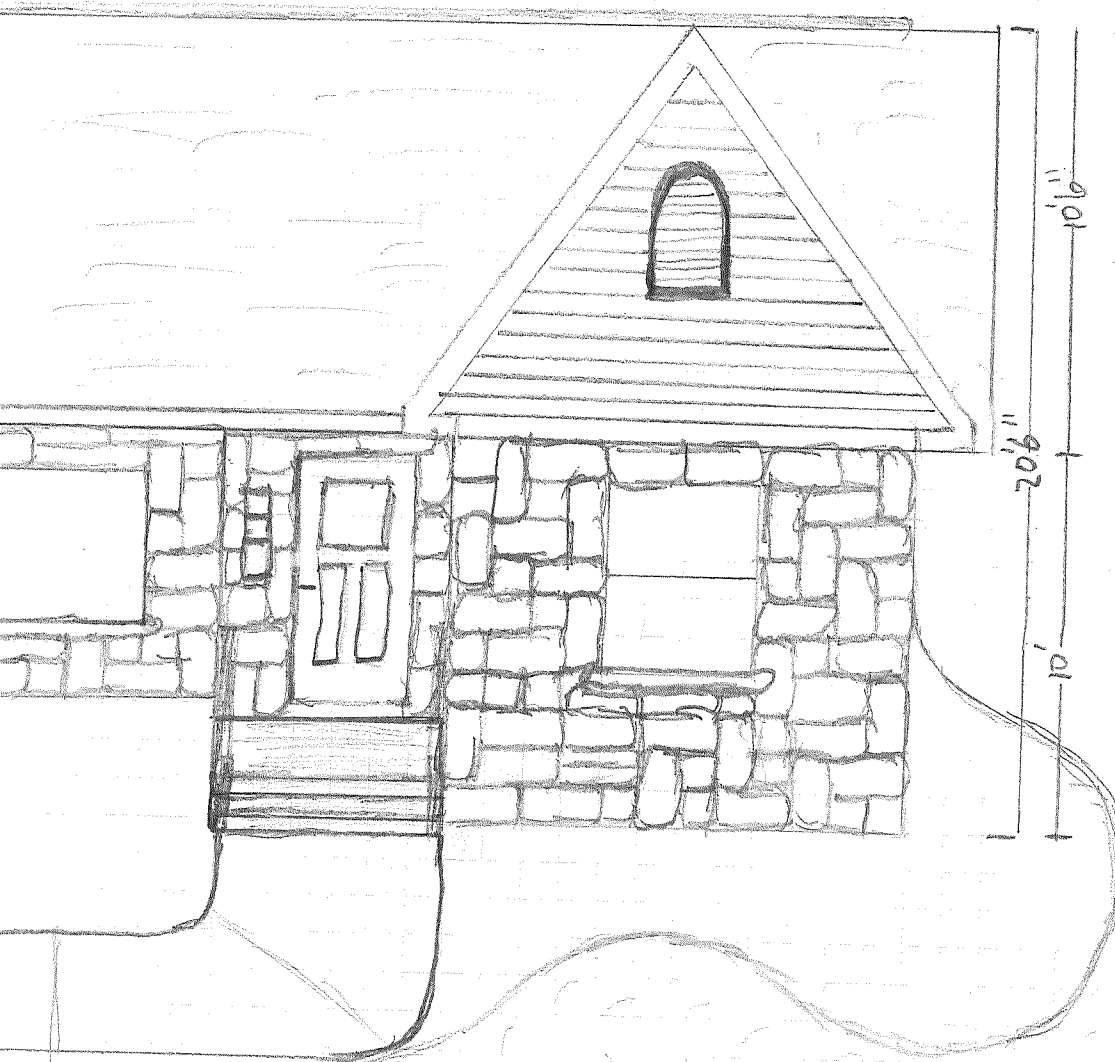
SECTION 5: Certification and Permission

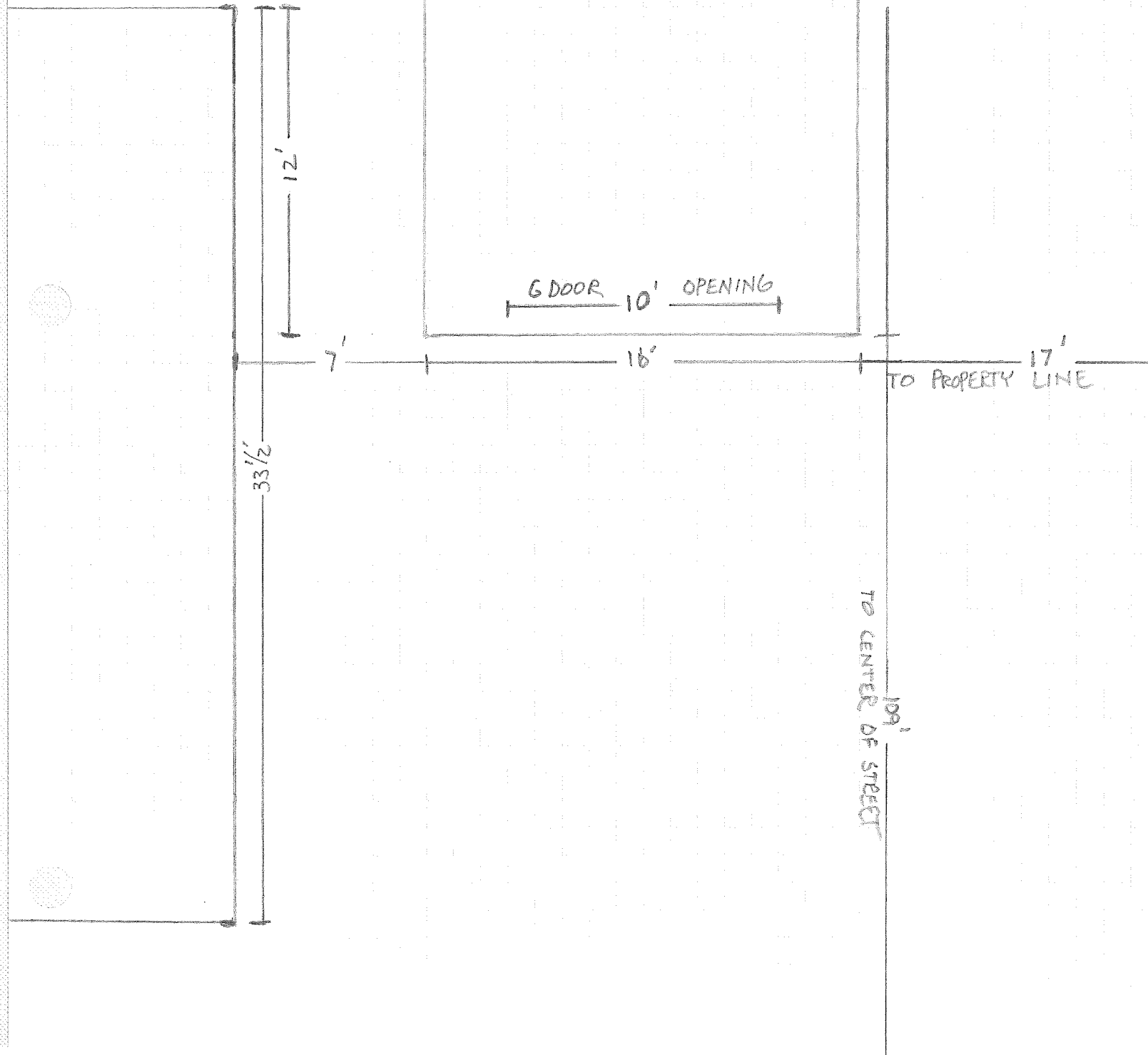
Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Variance Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance 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
Signature of Applicant 		Date Signed 11/2/15

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





1180 S. Erie St.

0.332 AC

175' TO C/L

Garage
Location

ED-1128-F-4

292D311

0.404 AC

106.55'

179.4' TO C/L

123.50'

ED-1128-F-10-1

VARIES



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

11/19/2015
Scale 1:240