



Board of Appeals

Regular Meeting

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

Agenda

Monday, October 22, 2018	4:45 PM	De Pere City Hall Council Chambers
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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 **October 22, 2018** 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 July 23, 2018 Board of Appeals meeting.
3. Variance request for a 26 foot by 24 foot (624 sq. ft.) detached garage to be constructed on the southern side of a developed residential property, instead of at the required rear, to allow for practical locating of an accessory building in a neighborhood with deep set primary structures, on a single family residential property located at 941 Lawton Place (Parcel ED-1225). Submitted by Andrew Krans, authorized representative for Sofia M. Auricchio, property owner.

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.

Agenda Sent To:

Alderspersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Andy Krans
Sofia M. Auricchio
Raymond & Susan Zurawski
James Kreiter
Patricia Tobin
Joseph & Carol Karls
Steven & Ruth Reynen

City of De Pere, Wisconsin



Request For Board of Appeals Action

MEETING DATE: October 22, 2018

DEPARTMENT: Planning

FROM: Kelly Barker

SUBJECT: Approval of the minutes of the July 23, 2018 Board of Appeals meeting.

ATTACHMENTS:

- BoA_Jul2018_Minutes_Draft (PDF)



Board of Appeals

Regular Meeting

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

Draft Minutes

Monday, July 23, 2018

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	Present	
James Stadler	Board Member	Present	
William Vande Hei	Board Member	Excused	
Andy Van Remortel	Board Member	Present	

Also present: Zoning Administrator Peter Schleinz and members of the public.

2. Approval of the minutes of the June 25, 2018 Board of Appeals meeting.

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

3. Variance request for the residential corner lot driveway setback to be reduced by 2 feet, changing the required distance from 25 feet to 23 feet, to allow for an 8 foot expansion to an existing driveway on a single family residential property located at 1715 Grace Street (Parcel ED-124-40). Submitted by Scott and Darlene Thoresen, property owners.

Bob De Groot read the public hearing notice and Zoning Administrator Peter Schleinz reviewed the variance request. The petitioner is proposing to add eight feet of width to the south side of his driveway which will extend about two feet into the corner side yard setback. Peter noted that a similar variance request for this property was denied in 2007. He also noted that a similar variance request for a different address to extend a driveway alongside a garage was approved in 2011. The petitioner, Scott Thoresen, addressed the board. He stated that he has three older children of driving age, and there are a total of six cars at his residence. He needs to do something so he is not parking the vehicles on the lawn. Bob De Groot asked if he plans on landscaping alongside the driveway to screen the parking area. Scott replied that he does plan on planting shrubs and bushes to screen the driveway extension along the side of the house. City Planner Peter Schleinz noted that the proposed expansion and landscaping comes nowhere near the 25 foot vision triangle. Jim Stadler asked if the code addresses the number of vehicles that can be parked at a single family residence. Peter replied that the code does not address the number of vehicles, only that it requires all vehicles to be parked on a hard surface. Scott Bonfigt moved, seconded by Paul De Leeuw, to approve the variance request. Upon roll call vote, motion carried by a vote of 3-2. The variance was approved with the condition that landscaping be added to screen the area on the side of the garage. Bob De Groot reminded the petitioner to apply for a building permit before starting any work.

Attachment: BoA_Jul2018_Minutes_Draft (7538 : Approval of the minutes of the July 23, 2018 Board of Appeals meeting.)

RESULT:	ADOPTED [3 TO 2]
MOVER:	Scott Bonfigt, Board Member
SECONDER:	Paul De Leeuw, Board Member
AYES:	Scott Bonfigt, Paul De Leeuw, Andy Van Remortel
NAYS:	Bob De Groot, James Stadler
EXCUSED:	William Vande Hei

Adjournment

Bob De Groot requested a vote to adjourn the meeting at 5:04 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker

Attachment: BoA_Jul2018_Minutes_Draft (7538 : Approval of the minutes of the July 23, 2018 Board of Appeals meeting.)

City of De Pere, Wisconsin

**Request For Board of Appeals Action**

MEETING DATE: October 22, 2018

DEPARTMENT: Planning

FROM: Peter Schleinz

SUBJECT: Variance request for a 26 foot by 24 foot (624 sq. ft.) detached garage to be constructed on the southern side of a developed residential property, instead of at the required rear, to allow for practical locating of an accessory building in a neighborhood with deep set primary structures, on a single family residential property located at 941 Lawton Place (Parcel ED-1225). Submitted by Andrew Krans, authorized representative for Sofia M. Auricchio, property owner.

ATTACHMENTS:

- Notice of Public Hearing_941 Lawton Pl (DOC)
- Report to Board of Appeals - Accessory Building in Sideyard at 942 Lawton PL (DOCX)
- Application Form with sketch (PDF)

Publish: October 12, 2018

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, October 22, 2018 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 Andy Krans, 941 Lawton Place, De Pere, Wisconsin. Said appeal requests a building permit to construct a detached garage in the side yard rather than in the rear yard on the property located at 941 Lawton Place, De Pere, Wisconsin.

Application for a building permit was denied pursuant to the De Pere Municipal Code, Chapter 14-13(5)(b) which requires a Bulk Requirements variance to permit an accessory structure outside of the rear yard.

Dated this 12th day of October

BY ORDER OF THE BOARD OF APPEALS

Peter Schleinz, Zoning Administrator

Attachment: Notice of Public Hearing_941 Lawton Pl (7559 : Variance request for a 26 foot by 24 foot (624 sq. ft.) detached garage to be

- Item 3:** Variance request for a 26 foot by 24 foot (624 sq. ft.) detached garage to be constructed on the southern side of a developed residential property, instead of at the required rear, to allow for practical locating of an accessory building in a neighborhood with deep set primary structures, on a single family residential property located at 941 Lawton Place (Parcel ED-1225). Submitted by Andrew Krans, authorized representative for Sofia M. Auricchio, property owner.

SITE MAP



REQUESTED ACTION: Variance Request.

A proposed location of an accessory building in the side yard, rather than the rear yard.

COMMON DESCRIPTION: 941 Lawton Place, located west from the Lawton Place and Glenwood Avenue intersection.

PARCEL NUMBERS: ED-1225

EXISTING ZONING:	R-1 (Single Family Residence District)	
PROPOSED ZONING:	No change.	
SURROUNDING LAND USES:	Residential to the north, south, east, and west.	
COMPREHENSIVE PLAN:	Neighborhood Residential (Including Multi-Family)	
APPLICANT / OWNER:	Andrew Krans Authorized Representative 941 Lawton Place De Pere, WI 54115-2624	Sofia M. Auricchio Property Owner 941 Lawton Place De Pere, WI 54115-2624
SITE HISTORY:	The subject site is part of the residential subdivision titled, "Urbandale Park Addition," originally approved by resolution on July 7, 1913 and recorded in 1934. The subject lot is zoned R-1 and has an established 6 foot rear yard setback and a 4 foot side yard setback for accessory buildings, per Municipal Code 14-38(6)(3)(b). In the 1950's, the primary house was constructed with an attached garage. In 2018, the petitioner proposed the construction of an accessory building, a detached garage, to the south side of the primary structure.	
STAFF REVIEW:	The petitioner proposes the construction of a 26 foot by 24 foot (624 sq.ft.) detached garage on the southern side of a developed single family residential lot. The property owner proposed the accessory building location to be 10 feet away from the side property line, 8 feet away from the existing house, and over 35 feet away from the rear property line. The proposed location would utilize part of an existing paved area. The lot has a steep slope at the east end. Because of the slope, many houses in the neighborhood were built with deep setbacks, closer to the rear (west end) of the property. The neighborhood also utilized an alley at the rear (west end) for vehicular access to garages. Because of the slope and alley access, the subject house, attached garage, and driveway were constructed close to the rear setback line. The distance between the rear of the existing house and the rear property line is approximately 28-30 feet. <i>City staff denied a permit request because the proposed detached garage must be at the rear of the primary structure, rather than at the side of the primary structure, per Municipal Code 14-13(5)(b).</i>	
REVIEW PROCESS:	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.	



CITY OF DE PERE
APPLICATION FOR
VARIANCE

Fee: \$ 168.00

Receipt #: 125 781

Date: 9-15-17

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) ANDREW KRANS	Authorized Representative	Title	
Mailing Address 941 LAWTON PLACE	City DePere	State WI	ZIP Code 54115
Email Address ATKRAUSE@BANK.COM	Phone Number (incl. area code) 920-371-5032	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: 941 LAWTON PLACE, DePere, WI 54115	Parcel Number(s):
Legal Description: Zoning: R-1	ED-1225

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	DETACHED GARAGE / BACK YARD off ALLEY
Ordinance Provision: Bulk Regulations	14-13(5)(b) = "Accessory structures shall be permitted only in the rear yard except for corner lots..."
Project Description:	Allow a detached garage to be ^{outside of the} rear yard with alley access at the rear yard.
Variance Requested:	Detached Garage in Sideyard, rather than rear.
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	The existing house
Describe the hardship(s) that would result if the variance is not granted:	Based on the angle of the existing house the "rear yard" is less than 26 feet deep when set back is subtracted.
Describe how the variance would not have adverse effects on surrounding properties:	Garage would have to be built on existing driveway → Proposed location does not violate side/rear setback

Attachment: Application Form with sketch (7559 : Variance request for a 26 foot by 24 foot (624 sq. ft.) detached garage to be constructed on

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) ANDREW T. KRANS	Title	Phone Number 920-371-5032
Signature of Applicant 		Date Signed 9-15-17

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

Attachment: Application Form with sketch (7559 : Variance request for a 26 foot by 24 foot (624 sq. ft.) detached garage to be constructed on



Map data ©2017 Google United States 20 ft

ANDY & SOFIA KRANS
94/LANTON PL

9/15/17

8' from existing garage to (7559 : Variance

8' W of
existing

10' from
S. property
line