



Board of Appeals

Regular Meeting

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

Final Minutes

Monday, September 26, 2016

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 William Vande Hei

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

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

2. Approval of the minutes of the June 27, 2016 Board of Appeals meeting.

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

3. Request submitted by Corey and Natasha Kempen, 1802 Sugar Place, De Pere, Wisconsin to construct a 6' high fence on the property located at 1802 Sugar Place, De Pere, Wisconsin which would require a variance to allow a fence higher than 3' in a corner side yard setback.

Bill Vande Hei read the notice of public hearing and Dave Hongisto reviewed the variance request. Homeowner Corey Kempen explained his request to install a 6 foot fence in his backyard, which is a corner lot located at the corner of Sugar Place and Brule Road. He asked if it would be possible to place the fence at 6 inches off the sidewalk, which is directly on the property line. Bill stated that in the past, the board has stuck to the 2 foot rule to allow for snow to be placed between the sidewalk and the fence during winter. Dave Hongisto added that another reason to place the fence further back from the sidewalk is for protection against potential vandalism. Dave mentioned that another thing to consider is the curb stop, or water shut off, which is located near the property line. If something went wrong and the curb stop needed to be dug up, the fence would be in the way if it was located on the property line. Tom Keidatz asked the homeowner to explain why a 6 foot fence is necessary. Mr. Kempen explained that he would like a 6 foot fence for the safety of his children. He also stated that until recently, he had a Great Dane and that a 3 foot high fence would not be high enough. Tom asked if Corey was ok with the fence being located 2 feet from the sidewalk and he replied that he is fine with that condition. Corey added that there is an underground utility located in the southwest corner of his lot and asked the board members what would be the best way to go around this utility. He stated that the neighbor's fence is angled to miss the utility. Bill Vande Hei stated that if he put his fence around the utility and the power company needed to come in to do any work on the utility, they would have to come on his property. However, if the fence is angled so there's room to get around the utility, they won't have

to come on his property. Bill suggested angling the fence so the power company does not have to go on his property. Tom Keidatz polled the board members and the motion carried unanimously, with the conditions that the fence be located 2 feet from the sidewalk and the homeowner be allowed to decide whether he wants to angle around the utility or not. Tom reminded the homeowner that he must obtain the appropriate permit from the building department before installing the fence.

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

4. Request submitted by Dean Jaquet, 1432 Mission Heights Road, De Pere, Wisconsin to construct a 6' high fence on the property located at 1432 Mission Heights Road, De Pere, Wisconsin which would require a variance to allow a fence higher than 3' in a corner side yard setback.

Tom Keidatz read the notice of public hearing and Dave Hongisto reviewed the variance request. Homeowner Dean Jaquet explained that he is planning to install a therapy pool in his yard and feels that a fence of 3 feet would not be sufficient to provide for safety and privacy in his yard. Right now, he has a chain link fence and he would like to replace it with a 6 foot vinyl fence which will be located 3 feet off the sidewalk. Bill Vande Hei stated that he could even move it up to 2 feet from the sidewalk if he so wishes. Bill also stated that a 6 foot fence makes much more sense with any kind of pool. Dave Hongisto added that the minimum height requirement for a swimming pool is a 4 foot fence. Bill motioned, seconded by Roger Galler, to approve the variance request. Upon vote, motion carried unanimously. Tom reminded the homeowner that he must obtain the appropriate permit from the building department before installing the fence.

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

5. Request submitted by Paul Soletski, 1411 S. Webster Avenue, Green Bay to reduce the front and rear yard building setbacks on the property located at 1243 Carmen Court, De Pere, Wisconsin from 30' to 25' which would require a 5' front and 5' rear yard setback variance.

Tom Keidatz read the notice of public hearing and Dave Hongisto reviewed the variance request. There is a vacant lot on Carmen Court which abutts Westwood School that has been on the market for a few years. The property owner, Larry Van Alstine, has been trying to sell the lot but has had trouble due to the fact that the lot is not very deep, and potential buyers have had a hard time finding a house plan to fit on the lot and still meet the building setbacks. He reported that Mr. Van Alstine has an accepted offer to sell the lot to Jesse and Sarah Kennedy subject to approval of receiving a variance from the zoning board of appeals. Paul Soletski from Baylakes Builders has been working with the Kennedy's to submit a variance request to reduce the front and rear yard building setbacks for the lot on Carmen Court. Dave reported that their house plan would work with a 25 foot rear yard setback and almost 30 foot front yard setback with the exception

of a small corner of the garage that would jut out in the front yard about five feet. Paul Soletski addressed the board, stating that since the house plan is a two-story, the footprint would be no bigger than any other home on the street; therefore, it won't look out of place on the street. He also noted that the garage will only be 22 feet deep. Jim Stadler stated that, considering the limitations of the lot and the bulb of the cul de sac, this house would be even further back than the adjacent houses on the street. Jim Stadler motioned, seconded by Bill Vande Hei, to approve the variance request. Upon vote, motion carried unanimously. Tom reminded the homeowners that they must obtain the appropriate permit(s) from the building department prior to the start of construction.

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

Adjournment

Respectfully submitted,
Kelly Barker