

**AGENDA**  
**CITY OF STURGEON BAY**  
**ZONING BOARD OF APPEALS**  
Monday, November 25, 2013  
7:00 p.m.  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from June 10, 2013.
4. Public hearing: Variance request from Pro-Products, Inc., 918 S. Lansing Ave., to allow a parking area less than the required minimum distance from the street right-of-way line.
5. Consideration of: Variance request from Pro-Products, Inc., 918 S. Lansing Ave., to allow a parking area less than the required minimum distance from the street right-of-way line.
6. Adjourn.

*NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.*

ZBA Board Members  
William Murrock, Chair  
James Goodwin  
Andrew Starr  
Jack Gigstead  
Bill Chaudoir  
Richard Jennings  
Wayne Spritka

11/21/13  
2:00 p.m.  
CN

ZONING BOARD OF APPEALS  
Monday, June 10, 2013

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 7:00 p.m. by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members William Murrock, Jack Gigstead, Bill Chaudoir, James Goodwin, and Alternate Richard Jennings were present. Excused: Member Andrew Starr. Also present were Daniel Peters, agent for Polly Soukup, Fire Chief Tim Herlache, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Gigstead, seconded by Mr. Murrock to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 20, 2013.
4. Public hearing: Variance request from Polly Soukup, 1020 N. 7<sup>th</sup> Place, to exceed the maximum square footage for an accessory building.
5. Consideration of: Variance request from Polly Soukup, 1020 N. 7<sup>th</sup> Place, to exceed the maximum square footage for an accessory building.
6. Adjourn.

Carried.

**Approval of minutes from May 20, 2013:** Moved by Mr. Chaudoir, seconded by Mr. Gigstead to approve the minutes from May 20, 2013. Carried.

**Public hearing: Variance request from Polly Soukup, 1020 N. 7<sup>th</sup> Place, to exceed the maximum square footage for an accessory building:** Chairperson Murrock opened the public hearing at 7:05 p.m.

Ms. Soukup's father, Daniel Peters, explained that they would like to construct a 24' x 24' addition to the existing garage. Currently there are two trailers that are being stored outside that contain items that they would like stored inside the garage and then sell the trailers, so it would enhance the appearance of the property. The existing 96 sq. ft. accessory building would be removed. The siding and roofing would match the existing garage.

Tim Herlache, 1220 Superior Street, stated that after Mr. Soukup's death, Ms. Soukup wanted the fence behind the garage removed, which opened it up to the neighbor's back yard. Mr. Soukup had restored an El Camino for their daughter that was stored in one of the trailers and they would like it stored in the garage.

Mr. Olejniczak stated that the 5 ft. sideyard and 6 ft. rearyard setbacks comply with the zoning code, as well as conforming with the height restrictions. The zoning code allows a total of 1000 sq. ft. of floor area for all accessory buildings. The total square footage would equal 1296 sq. ft. with the addition and existing accessory building removed. This area was previously a war housing area with small lots. Since 2002, there have been two other variance requests of the same kind considered. One was approved and the other denied. Previous to 2002 there had been six cases approved and two denied. Each case is different and could have been different situations. The Building Inspector would verify the setbacks.

Mr. Chaudoir asked if a variance was needed if just a third stall was added. Mr. Herlache responded that one stall would only provide room for the El Camino and not for other items, such as the snowmobiles, lawn furniture, etc.

After further discussion, it was moved by Mr. Gigstead, seconded by Mr. Jennings to grant the variance for the following reasons:

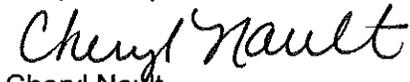
1. The addition will clean up the site.
2. The existing accessory building will be removed.
3. On-site storage will be removed, making the property look neater.
4. The addition conforms with the setbacks.
5. It keeps with the character of the neighborhood of small lots.

One condition for approval includes the City's Building Inspector verifying setbacks before construction begins.

Roll call vote. All ayes. Carried.

**Adjourn:** Moved by Mr. Chaudoir, seconded by Mr. Gigstead to adjourn. Carried. Meeting adjourned at 7:25 p.m.

Respectfully submitted,



Cheryl Nault  
Community Development Secretary

**Zoning Board of Appeals**  
**Monday, November 25, 2013**  
**Setback for Parking Area – Pro-Products, Inc.**

Zoning Administrator's Report

Pro-Products seeks a variance from the requirement of section 20.32(6)(c), which requires parking areas to be at least 10 feet from the street right-of-way. This provision is found in the Industrial Park standards of the zoning code. The applicant desires to have the parking area be right up to the street right-of-way, so a 10-foot variance is requested.

The Industrial Park standards are designed to improve the aesthetics and operations of the City's Industrial Park. They apply to exterior features, such as building facades, landscaping, drainage, signs, etc. The parking setback of 10 feet allows for more landscaped space to improve aesthetics, especially in instances of very large parking lots. The rule actually encourages screening or landscaping of parking areas that are less than 25 feet back from the property line. It is noted that the 10-ft setback applies only in the Industrial Park. The standard for the rest of the City is 5 feet.

Pro-Products originally complied with the 10-ft setback on the north portion of the parking area and had a setback of about 7-8 feet on the south part. However, they recently paved closer to the right-of-way and now require the variance or have to remove the asphalt. They desire to ensure that a double row of parking is possible across the front of the building. Their employment has grown and another addition is planned. In order to provide the required off-street parking, the double row is necessary.

In terms of the neighborhood, many of the parking lots in the Industrial Park do not comply with the setback. Most of the older establishments do not, such as the parking areas around Exactech, former Emerson Electric building, and portions of TTX among others. Some of these parking areas have a zero setback or even extend into the right-of-way. Most of the newer businesses meet the requirement, however.

The Pro-Products situation is very similar to the recently approved Hatco variance. Like Pro-Products, Hatco was undergoing an expansion and needed to ensure a double row of parking on the south side of the building to accommodate extra employees. In that instance, the ZBA approved the variance to allow the parking to within 7 feet of the right-of-way subject to planting trees between the parking area and the street at a rate of one tree for every 50 feet of building/parking length.

The ZBA has the authority to grant or deny the variance. It also could grant a partial variance (i.e. less than the full 10 feet requested by the applicant) and can place conditions on the variance. In terms of the amount of the variance, parking lot layout can be as much art as science. The generally accepted minimum width for a double row of 90-degree parking is 60 feet. However, this layout is very tight and most designers like to have 62-64 feet of width to provide more maneuvering room to get into and out of stalls and to account for snow and large

vehicles. With the additional asphalt that recently extended to the right-of-way, there is approximately 69 feet of width for the south part of the existing parking area and about 65 feet of width for the northern portion of the parking area. Therefore, it may be possible to reduce the width and still maintain a double row. However, it must be noted that the Pro-Products parking area is intertwined with access to the loading dock, overhead door, and dumpster. The trucks that navigate through there possibly justify the need for the wider parking area.

In terms of impact on the public, there have been some concerns expressed about the cars parked on the street. While on-street parking is permitted, it can potentially interfere with traffic maneuvering/visibility and snow plowing. Because the proposed variance is designed to ensure the double row of parking, it presumably increases the number of vehicles that can be accommodated in the lot and lessens the need for on-street parking. Since there is no alternative on the parking area on the Pro-Products lots, the applicant believes it is the best solution to protecting the public's interest in lessening the vehicles parked on the street.

**CITY OF STURGEON BAY  
VARIANCE APPLICATION  
ZONING BOARD OF APPEALS**

Date Received: 11-4-13  
 Fee Paid: \$ 300 + 50 Sign  
 Received By: CN *dip*

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	Steven Hurley	Step Ahead LLC
Company	Pro Products	
Street Address	918 S. Lansing Ave.	
City/State/Zip	Sturgeon Bay WI 54235	
Daytime Telephone No.	920-743-1575	
Fax No.		

STREET ADDRESS OF SUBJECT PROPERTY: 918 S. Lansing Ave.  
 Location if not assigned a common address: \_\_\_\_\_

TAX PARCEL NUMBER: 281-64-64000112

CURRENT ZONING CLASSIFICATION: I-1A

CURRENT USE AND IMPROVEMENTS:  
Manufacturing Plant

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: S. 20.32(6)(c) Requesting variance of 10 feet to allow parking up to street right-of-way line.

ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:  
 North: I-1A - vacant day care center  
 South: I-1A - single-family dwelling  
 East: I-1A - Manufacturing  
 West: AG - vacant land in town of Sturgeon Bay

**VARIANCE STANDARDS**

Please address how the proposed variance meets each of the three required standards for authorizing variances. (Attach additional sheets, if necessary)

1. Unnecessary hardship: Zoning setback rule for parking hinders ability to have double parking.  
This forces parking on the street.
2. Unique physical property limitation: Expansion of building limits options for alternative parking. \* Requirement for fire lane limits option for alternate parking. \* Only way to acquire more land for parking is to South, and property not for sale.
3. Protection of public interest: Allow cars to park in lot, not on street. This makes it easier for snowplows in winter and easier for semis to back into the dock. Also safer for employees.

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? No IF YES, EXPLAIN: \_\_\_\_\_

Attach an 8-1/2" X 11" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 15 large sized copies), full legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Steven Hurley  
Property Owner (Print Name)

[Signature]  
Signature

11/1/13  
Date

Applicant/Agent (Print Name)

Signature

Date

I, Steven Hurley, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

11/1/13  
Date of review meeting

[Signature]  
Applicant Signature

[Signature]  
Staff Signature

**Attachments:**

- Procedure & Check List
- Agreement For Reimbursement of Expenses

**STAFF USE ONLY**

Application conditions of approval or denial:

Date

Community Development Director



## NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Zoning Board of Appeals will hold a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Door County, Wisconsin on Monday, November 25, 2013 at 7:00 p.m. or shortly thereafter, regarding a request from Pro Products (Steven Hurley, Agent) for a variance from Section 20.32(6)(c) of the Municipal Code (Zoning Code), which requires that a parking area shall be located at least ten feet from any street right-of-way. The request is for a variance of 10 feet to allow parking up to the street right-of-way line. The property is located at 918 S. Lansing Avenue (tax parcel #281-64-64000112). The variance application is on file with the Community Development Department and can be viewed at City Hall, 421 Michigan Street, weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to attend the hearing and give testimony in favor or against the proposed variance either in person at the hearing or in writing (must be received by 4:00 p.m., November 25th).

By order of:  
City of Sturgeon Bay Zoning Board of Appeals

# Location Map Public Hearing Variance Request - Pro Products

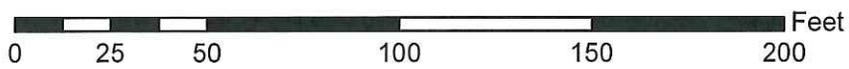


**Subject Area**



Note: Public Hearing to be held on November 25, 2013

# Pro-Products













## Nault, Cheryl

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**From:** SBDistrict3  
**Sent:** Tuesday, November 19, 2013 6:10 PM  
**To:** Nault, Cheryl  
**Subject:** Fwd: IPDRT agenda 112013

Edward Ireland  
Aldersperson - District 3

Begin forwarded message:

**From:** SBDistrict4 <[sbdistrict4@sturgeonbaywi.org](mailto:sbdistrict4@sturgeonbaywi.org)>  
**Date:** November 18, 2013 at 6:01:03 PM PST  
**To:** SBDistrict3 <[SBDistrict3@sturgeonbaywi.org](mailto:SBDistrict3@sturgeonbaywi.org)>  
**Cc:** "Olejniczak, Marty" <[MOlejniczak@sturgeonbaywi.org](mailto:MOlejniczak@sturgeonbaywi.org)>  
**Subject:** Fwd: IPDRT agenda 112013

Mr. Ireland,

I have a few residents of Lansing Avenue looking for Pro Products to contain their business to the confines of their property. The other businesses in the industrial park have sufficient parking to accommodate their employees, customers and the transportation vehicles. We are hoping to see Pro Products add on to their building, but with proper constraints.

We would like to see the business address & fix the parking issues, we would like to see where they plan on storing their snow and we would like to see some additional vegetation/brushes planted around the dumpster area to help control noise pollution from the early morning dumpster emptying.

Rick Wiesner  
Sturgeon Bay Aldersperson District 4

Begin forwarded message:

**From:** "Nault, Cheryl" <[CNault@sturgeonbaywi.org](mailto:CNault@sturgeonbaywi.org)>  
**To:** "Birmingham, Thad" <[sbmayer@sturgeonbaywi.org](mailto:sbmayer@sturgeonbaywi.org)>, "SBDistrict1" <[sbdistrict1@sturgeonbaywi.org](mailto:sbdistrict1@sturgeonbaywi.org)>, "SBDistrict2" <[SBDistrict2@sturgeonbaywi.org](mailto:SBDistrict2@sturgeonbaywi.org)>, "SBDistrict3" <[SBDistrict3@sturgeonbaywi.org](mailto:SBDistrict3@sturgeonbaywi.org)>, "SBDistrict4" <[sbdistrict4@sturgeonbaywi.org](mailto:sbdistrict4@sturgeonbaywi.org)>, "SBDistrict5" <[sbdistrict5@sturgeonbaywi.org](mailto:sbdistrict5@sturgeonbaywi.org)>, "SBDistrict6" <[sbdistrict6@sturgeonbaywi.org](mailto:sbdistrict6@sturgeonbaywi.org)>, "SBDistrict7" <[sbdistrict7@sturgeonbaywi.org](mailto:sbdistrict7@sturgeonbaywi.org)>, "Reinhardt, Stephanie"

To the City of Sturgeon Bay:

My name is Leanne Schartner and I am a next door neighbor to Pro Products and have been a resident of S. Lansing Avenue for 45 years. My family was the original owner of this block before selling to the industrial park and my family still owns property on both sides of Lansing. We have always enjoyed the development that has occurred on S. Lansing, such as the well kept homes, Cherry Blossom Park, access to the Ahnapee Trail and snowmobile routes and the Sunshine House. We witness many people who also enjoy the area and use it daily, whether it is the Sunshine House taking their clients walking or in a wheelchair, adults and children hiking & biking, walking dogs or enjoying the safe environment of the park.

When Pro Products first built in our neighborhood, it was a small business that fit well for the property it was built upon. However, as they have grown over the years, I have seen a change in how they are able to accommodate their parking issues. They no longer have parking that meets the needs of their employees, customers, salesmen, UPS trucks, and semi-truck deliveries.

On most work days and nights, the street is completely taken over by their employee parking, as well as Cherry Blossom Park being utilized for parking. This also compounds the problem for their semi-truck deliveries that are trying to access their loading dock by maneuvering around the street parking or parking on the street at all hours of the day and night and idling until business opens. As the street parking increases, I am also concerned how this will impact snow removal this year.

This particular area of the industrial park borders a residential neighborhood and public park that is used by hundreds of citizens each year and I am highly concerned that any further expansion will jeopardize my safety and that of my neighbors and other citizens that utilize this area.

Pro Products has always been a good neighbor to us, but I feel that unless they are able to accommodate their parking needs in their current location and not upon city streets, that they have outgrown their property and it is no longer feasible for them to expand in this location.

My family and I have always supported growth and job opportunities in Sturgeon Bay and feel that expansion is a great thing for our business community. However, I am very concerned about the safety issues and noise that are continuing to grow with every expansion of Pro Products and this issue must be addressed by the City of Sturgeon Bay.

Leanne Schartner  
944 S. Lansing Avenue  
Sturgeon Bay, WI 54235  
Phone (920) 743-4017