

ZONING BOARD OF APPEALS
Monday, June 23, 2014

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

Roll call: Members Jack Gigstead, Andrew Starr and Alternates Wayne Spritka and Richard Jennings were present. Excused: Members William Murrock, Bill Chaudoir, and James Goodwin. Also present were Community Development Director Marty Olejniczak and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 28, 2014.
4. Public hearing: Petition for variance for an addition to a nonconforming structure at 1212 Memorial Drive.
5. Consideration of: Petition for variance for an addition to a nonconforming structure at 1212 Memorial Drive.
6. Consideration of: Variance from sign code previously granted for ground sign located at 101 N. 4th Avenue.
7. Adjourn.

Carried.

Approval of minutes from April 28, 2014: Moved by Mr. Jennings, seconded by Mr. Gigstead to approve the minutes from April 28, 2014. Carried.

Public hearing: Petition for variance for an addition to a nonconforming structure at 1212 Memorial Drive: Acting Chairperson Starr opened the public hearing at 7:05 p.m.

Heidi Neubauer stated that she was petitioning for a 36' x 22' attached garage on her property at 1212 Memorial Dr. It would follow the line of the east side of the house. There would be extra storage space above the garage. The existing detached garage would be removed, as well as the shed in back of the garage. The existing garage area would be turned into lawn area. There will be a breezeway constructed between the house and garage. The siding will match the existing house.

No one else spoke during the hearing. There was no written correspondence for or against the variance.

Mr. Olejniczak referred to an existing survey. The house is considered nonconforming, since it is too close to one side of the property. The proposed addition would be 9' 9" from the rear corner. The requirement is 10'. Additions to a nonconforming structure can use the existing setback, but cannot expand the building more than 50%. In order to construct this addition, a variance is required. Only 592 sq. ft. would be allowed. The proposal is for an additional 704 sq. ft. It is a very narrow and restrictive lot and a car would not be able to turn into the garage if it was butted up to the house. It needed to be extended deeper, which would allow a turning radius. The existing garage is actually more nonconforming than the house.

The public hearing was declared closed at 7:15 p.m.

Consideration of: Petition for variance for an addition to a nonconforming structure at 1212 Memorial Drive: Board members discussed the variance request. They were pleased to see that the existing garage would be removed. This would add more curb appeal to the building.

Moved by Mr. Gigstead, seconded by Mr. Starr to approve the variance request for the following reasons:

1. The addition fits well with the house.
2. The nonconforming garage will be removed.
3. The property will become more conforming to the zoning code as a result of the project.
4. The addition is only three inches into the required side yard at its closest point.

Roll call vote: All ayes. Carried.

Consideration of: Variance from sign code previously granted for ground sign located at 101 N. 4th Avenue: Mr. Olejniczak stated that Steve Jacobs had purchased and remodeled the property now known as Downtown on 4th. He had petitioned for a sign variance to allow his ground sign to be within the 5-ft. setback from 4th Avenue and Louisiana Street. The variance was approved, due to the building being setback so far. It was actually a double variance from the 5' setback line and the 25' vision corner. At that time there were no vision clearance concerns for traffic because the streets were one-way. The variance was approved, with the condition that if the street pattern would change to two-way in the future, the ZBA should review the variance again.

Steve Jacobs, 4472 Daisy Patch Rd., Fish Creek, stated the sign cost \$10,000.00. He felt that the sign blocks less than the two full parking stalls on 4th Avenue. To remove the sign would cost at least \$1,000.00.

Board members discussed different options, such as raising the sign, moving the sign, or even displaying a double-sided sign. Mr. Jacobs stated that any kind of revision to the sign would be costly.

Mr. Olejniczak stated that the City has gotten approximately 4 – 5 complaints regarding the sign. If the sign was completely located on the asphalt, the sign would comply.

Mr. Starr suggested obtaining more information from the Police Dept. to see what complaints they have received and if there have been any accidents reported due to the location of the sign.

Moved by Mr. Gigstead, seconded by Mr. Jennings to postpone discussion until more information is obtained.

Adjourn: Moved by Mr. Gigstead, seconded by Mr. Jennings to adjourn. Carried. Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary