

ZONING BOARD OF APPEALS
Monday, July 28, 2014

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

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

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 14, 2014.
4. Public hearing: Petition for variance from s. 20.27(2) Front yard for proposed unenclosed porch, located at 523 Michigan St.
5. Consideration of: Petition for variance from s. 20.27(2) Front yard for proposed unenclosed porch, located at 523 Michigan St.
6. Adjourn.

Carried.

Approval of minutes from July 14, 2014: Moved by Mr. Jennings, seconded by Mr. Murrock to approve the minutes from July 14, 2014. Carried.

Public hearing: Petition for variance from s. 20.27(2) Front yard for proposed unenclosed porch, located at 523 Michigan St.: Chairperson Murrock opened the public hearing at 7:02 p.m.

Steven Link, owner of the property at 523 Michigan St., stated that the house was constructed in the late 1800's, before any municipal codes existed. The existing porch showed much deterioration and rotting. It was impacting the front of the house as it had started pulling the foundation down. The existing porch was approximately 4½ feet deep and setback from the sidewalk approximately 17½. He plans on rebuilding the exact porch, except extending it another 2½ feet to make the porch 7 feet deep, which would have a 15-ft. setback from the sidewalk. The side roof extension is proposed due to the ice conditions in the past that would shelter the sidewalk and make it safer.

Mr. Gigstead questioned why a 7-foot deep porch rather than the standard 6-foot depth. Mr. Link responded he originally misunderstood and thought that the setback was 15 feet, not 25 feet. He came up with 7 feet to equal a 15-foot setback. That is how the plans were drawn. It would also give the kids more room to move around on the deck, as his wife does babysitting in their home. He added that there is a mixture of commercial and residential homes that are closer to the street than his proposal.

There was no correspondence.

Under the City's zoning ordinance, Mr. Olejniczak stated that in the R-4 district the front yard is 25 feet. There are no exceptions for unenclosed structures. Most of the property in the area is zoned R-2 or C-5. The setback in those districts is 17 feet for unenclosed porches, decks, etc. The front setback requirement is generally for traffic safety, aesthetics, green space, etc. It is a single step porch and is not a very large structure. There is no change to the floor area of the house. Other lots in the vicinity have even lesser setbacks from the street yard. An overhang can protrude up to 2 feet into the setback.

Mr. Gigstead stressed that it was important to require the applicant to provide a site plan with a survey of the property.

The public hearing was declared closed at 7:24 p.m.

Consideration of: Petition for variance from s. 20.27(2) Front yard for proposed unenclosed porch, located at 523 Michigan St.: Members discussed the variance request. They agreed that the porch would not be out of character with the neighborhood, the property would be improved and more aesthetically pleasing, and it would be safer for children to maneuver on the porch.

Moved by Mr. Goodwin, seconded by Mr. Jennings to approve the variance, with the condition that the porch not be enclosed or will have to come back to the ZBA for another variance.

Mr. Gigstead amended the motion and added that the property pins be found and the porch must be constructed per plan. Mr. Goodwin and Mr. Jennings agreed with the amendment to their motion. Roll call vote. All ayes. Carried.

Adjourn: Moved by Mr. Gigstead, seconded by Mr. Goodwin to adjourn. Carried. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary