

**AGENDA**  
**CITY OF STURGEON BAY**  
**ZONING BOARD OF APPEALS**  
Tuesday, February 23, 2016  
12:00 Noon  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 26, 2016.
4. Consideration of:      Petition for variance from the minimum lot width for a residential lot for Robert Vogel, located at 930 N 4<sup>th</sup> Avenue.
5. Adjourn.

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

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

02/18/16  
10:00 a.m.  
CN

ZONING BOARD OF APPEALS  
Tuesday, January 26, 2016

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 12:00 Noon by Vice-Chairperson Bill Chaudoir in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Bill Chaudoir, Jack Gigstead, James Goodwin and Alternates Wayne Spritka and Richard Jennings were present. Excused: Members Bill Murrock and Andrew Starr. Also present were Bayland Builders Representative Dave Phillips, Jim Olson Motors Representative Brian Woods, Engineer Pete Hurth, Planner/Zoning Administrator Ryan Kernosky, Community Development Director Marty Olejniczak, Community Development Secretary Cheryl Nault, and members of the public.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 12, 2016.
4. Consideration of: Petition for variance from s. 20.27(1) (impervious surface ratio) to exceed the maximum impervious surface ratio for Jim Olson Chrysler and for the proposed Jim Olson Ford, parcel no. 281-58-0727260001.
5. Adjourn.

Carried.

**Approval of minutes from January 12, 2016:** Moved by Mr. Goodwin, seconded by Mr. Spritka to approve the minutes from January 12, 2016. Carried.

**Consideration of: Petition for variance from s. 20.27(1) (impervious surface ratio) to exceed the maximum impervious surface ratio for Jim Olson Chrysler and for the proposed Jim Olson Ford, parcel no. 281-58-0727260001:** Mr. Phillips gave a background on the previous meetings that were recently held at ZBA for Jim Olson Motors. He also mentioned the conditions that the Aesthetic Design and Site Plan Review Board had placed on approval of the project, such as locating the dumpsters on the SE corner of the property; Arborvitae trees are to be planted along the north property line and extending to the east property line 3' x 8' high, every 5' on center, and planted 7½ feet from the property line. Green plantings will be added along the building instead of the original proposal of beachstone. Light poles will extend 13 feet high along the north property line, with a 3 foot base and 10 foot pole, and the type of light will eliminate backlights. Signage will be presented at a later date for approval.

The impervious surface ratio was discussed. Mr. Spritka stated that the maximum 70% ratio is specified for a reason. If the sites were granted this over and over, areas beyond Sawyer School may be prone to more flooding. He was looking for a mitigation solution to make the site better than what it is. Mr. Phillips responded that with stormwater management on the Ford property, it makes the Chrysler property better. Nothing is changing on the Chrysler site. Snow will be plowed into the water quality areas.

Pete Hurth gave a short history on the stormwater plan. An additional 5484 square feet of asphalt will be removed and replaced with topsoil and seeded filter strips. Grass would need to be maintained at 2" high. The filter strips are very economical. Removing the asphalt would bring the ratio down to 74% instead of 78% impervious surface at Chrysler.

Dean Gordon, 423 S. Elgin Ct., said he appreciated that trees will be planted along the north property line and appreciated how things were going so far.

Chris Kellems, 120 Alabama St., asked if anyone considered a green roof.

Mr. Spritka asked about parking spaces and if trees needed to be planted in the parking area. Mr. Olejniczak responded that it wasn't necessary to meet the intent of the ordinance. The Board has the

authority to put conditions on the approval in order to support the variance. Mr. Chaudoir added that there are trees right behind the parking area.

Mr. Olejniczak mentioned that per ordinance, the tree screening must continue to the end of the parking stalls toward Duluth Avenue, which would be approximately another 25 feet.

Discussion continued. Moved by Mr. Gigstead, seconded by Mr. Jennings to accept the request to increase the impervious surface ratio on the Ford dealership lot to 71.34% and to increase the impervious surface ratio from 70% to 74% on the Chrysler parcel. It fits in with the neighborhood with all the other commercial buildings. The applicant has gone above and beyond to appease the community with the project. This property benefits from the fact that there is an extensive lawn area between the south property line and the highway that provides pervious surface. Aesthetically, it is an enhancement as well as filtering the water. A roll call vote was taken. All ayes. Carried.

**Adjourn:** Moved by Mr. Goodwin, seconded by Mr. Spritka to adjourn. Carried. Meeting adjourned at 12:40 p.m.

Respectfully submitted,



Cheryl Nault  
Community Development Secretary

# CERTIFIED SURVEY MAP

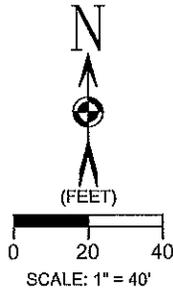
LOCATED IN:  
 THE WEST 1/2 OF LOT 1, BLOCK 2, WAGNER'S ADDITION,  
 THE NE 1/4 OF THE NE 1/4 OF SECTION 6, T. 27 N., R. 26 E.,  
 CITY OF STURGEON BAY, DOOR COUNTY, WISCONSIN

**SURVEYOR'S NOTES:**

BEARINGS BASED FROM A JERRY D. SLAVIK SURVEY,  
 MAP #015661, DATED APRIL 17, 1998.

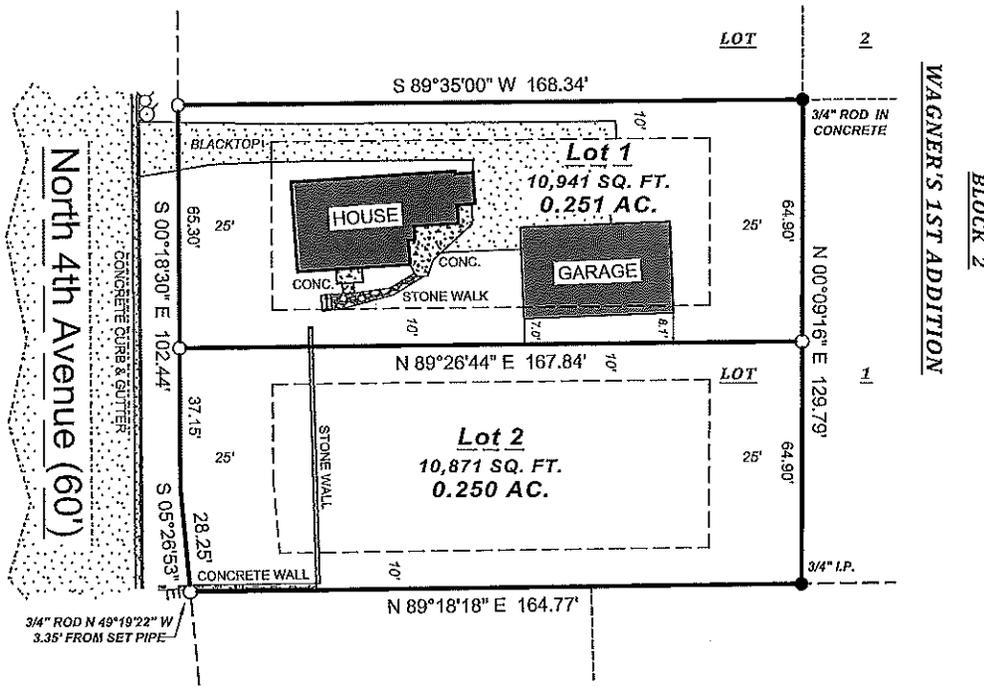
THE EASTERLY RIGHT-OF-WAY OF NORTH 4TH AVENUE  
 WAS ESTABLISHED USING PREVIOUS SURVEYS AND  
 EXISTING IRON PINS.

PARENT TAX PARCEL #281-54-05020102 (DOC. #785831)  
 LOCATED AT 930 NORTH 4TH AVENUE.



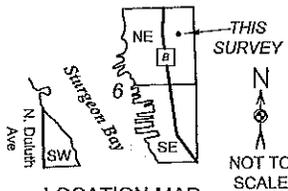
**LEGEND**

- = EXISTING IRON PIN AS NOTED
- = SET 1" IRON PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT
- ⊕ = UTILITY POLE
- ⊕ = FIRE HYDRANT



**SCHREIBER & KIRCHOFF'S PLAT**

**BUILDING ZONE** = [ ]  
 25' RIGHT-OF-WAY SETBACK  
 25' REAR-YARD SETBACK  
 10' SIDE-YARD SETBACK



LOCATION MAP  
 SEC. 6, T. 27 N., R. 26 E.  
 DOOR COUNTY, WI

**Caveat:**

Building zones depicted are based on zoning setbacks in effect at the time this map was produced and should not be relied upon without first obtaining written verification thereof from the City of Sturgeon Bay and any other local zoning authorities.

1-26-16  
 D-033115-CSM.dwg  
 Drawn By: D.F.H. II  
 JOB#: D-033115  
 SHEET 1 OF 2



**Robert J Vogel**  
**921 Alabama Court**  
**Sturgeon Bay, WI 54235**

**Phone 920.495.3343**  
**E-mail rob@edgelinllc.com**

**12.18.15**

**City of Sturgeon Bay Zoning Board of Appeals**

Dear Board Members:

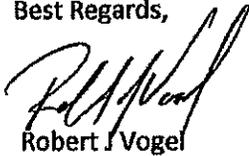
Thank you for your time regarding the public hearing held Tuesday, December 8<sup>th</sup> involving my property at 930 N 4<sup>th</sup> Avenue in Sturgeon Bay (tax parcel number 281-54-05020102). I found the hearing informative and helpful.

At the hearing my application was tabled due to an unanswered question on the original application. I would like to answer that question at this time. The question was "what is the unnecessary hardship"? The answer is that the lot is oversized when compared to the rest of the neighborhood. Furthermore, I would like to build a very small house on the newly created lot. This is an R2 zoning district which allows for a minimum home size to be 800 square feet. There are very few if any lots available that allow for this small of a house to be built. Most available lots in the city require a home to be built much larger than I can afford.

There was one other item that needed clarification. There was a question regarding the size of the current garage on the property. The size of the garage is 40' by 24' which is under the allowed 1,000 square foot maximum.

I look forward to your decision regarding my application. Please feel free to contact me anytime with questions or further clarification.

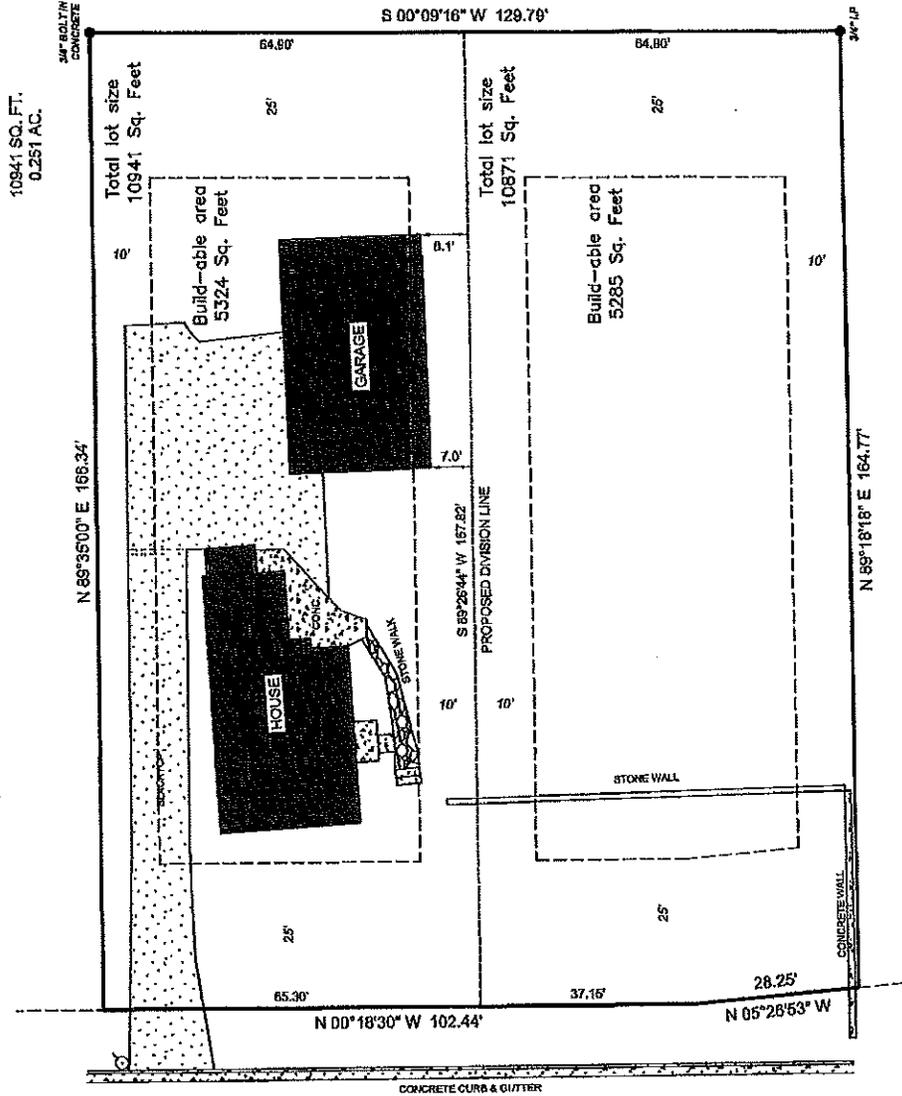
Best Regards,



Robert J Vogel

# Site Sketch

LOCATED IN:  
**BLOCK 2, WAGNER'S ADDITION,  
 THE NE 1/4 OF THE NE 1/4 OF SECTION 6, T. 27 N., R. 26 E.,  
 CITY OF STURGEON BAY, DOOR COUNTY, WISCONSIN**



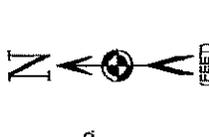
PREPARED FOR:  
 CURRENT OWNER,  
 ROBERT J & BRENDA S VOGEL  
 930 NORTH 4TH AVENUE  
 STURGEON BAY, WI 54235

PREPARED BY:  
 BRIAN FRISQUE SURVEYS INC.  
 BRIAN D. FRISQUE  
 PROFESSIONAL LAND SURVEYOR  
 3121 MATHIEY ROAD  
 STURGEON BAY, WI 54235  
 (920) 749-7183

**SURVEYOR'S NOTES:**

BEARINGS BASED FROM A JERRY D.  
 SLAVIK SURVEY, MAP #015667,  
 DATED APRIL 17, 1988.

VOGEL  
 DOC. #785881  
 21,812 SQ. FT.  
 0.501 AC.  
 TAX PARCEL NO.  
 281-54-05020102



**LEGEND**

- = EXISTING IRON PIN AS NOTED
- ⊗ = UTILITY POLE

- BUILDING ZONE = [ ]**
- 25' RIGHT-OF-WAY SETBACK
  - 25' REAR-YARD SETBACK
  - 10' SIDE-YARD SETBACK

**Notes:**

Building zones depicted are based on zoning setbacks in effect at the time this map was produced and should not be relied upon without first obtaining written verification thereof from the Door County Planning Department and/or any other local zoning authorities.

10-30-15  
 D-033115-SS.dwg  
 Drawn By: D.F.H. II  
 JOB#: D-033115

North 4th Avenue (60')

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

Date Received: 11-19-15  
 Fee Paid \$ 300 + 50 Sign  
 Received By: CN *dep.*

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	<u>Robert J Vogel</u>	
Company		
Street Address	<u>921 Alabama Court</u>	
City/State/Zip	<u>Sturgeon Bay, WI 54035</u>	
Daytime Telephone No.	<u>920-495-3343</u>	
Fax No.		
STREET ADDRESS OF SUBJECT PROPERTY: <u>930 N 4th AV Sturgeon Bay</u> Location if not assigned a common address: _____		
TAX PARCEL NUMBER: <u>2815405020102</u>		
CURRENT ZONING CLASSIFICATION: <u>R2</u>		
CURRENT USE AND IMPROVEMENTS: <u>1 Residential Home</u>		
IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: <u>Section 20027 Sub 2 I would like to</u> <u>split the current lot into 2 - 65' wide lots. The code states that</u> <u>they need to be 70' wide.</u>		
ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:		
North:	<u>R2 Residential home</u>	
South:	<u>R2 Residential home</u>	
East:	<u>R2 Residential home</u>	
West:	<u>R2 Residential home</u>	

