

Summary for Cihlar  
1623 Claybanks Road  
281-68-20000104

Russ Cihlar is petitioning for a double-variance from chapter 20 (Zoning Code) of the Municipal Code for a log-cabin that was reconstructed on the property. Mr. Cihlar is asking for a variance from c. 20.24(3)(d) and c. 20.27(2). They are described as follows:

c. 20.24(3)(d) states the following:

*(d) When required. Approval of a PUD shall be required for the following:*

*3. Any single-family residential or two-family residential development with two or more principal buildings on a single lot.*

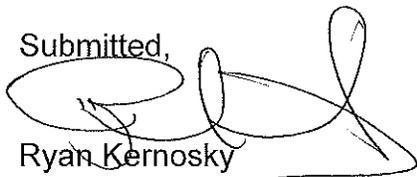
Our zoning code requires that when more than two principal buildings are on a lot, that the property goes through a Planned Unit Development (PUD) zoning change. The variance petition is requesting not to have to go through the PUD process, but to allow three dwellings on the property.

c. 20.27(2) states the following:

*(2) Agricultural District single-family floor area per dwelling is 1,000 square feet*

The existing log cabin is 468 square feet according to our assessing program. The variance would be to allow Mr. Cihlar to finish the log cabin as a single-family dwelling and to go below the 1,000 square foot minimum.

Please let me know if you have any further questions.

Submitted,  
  
Ryan Kernosky  
Planner / Zoning Administrator

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

Date Received: 3/17/16  
 Fee Paid: \$ 350  
 Received By: Ryan Kewer

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	Russell Cihlar	
Company		
Street Address	1623 Claybanks Rd	
City/State/Zip	Sturgeon Bay WI 54235	
Daytime Telephone No.	920-495-7877	
Fax No.		

STREET ADDRESS OF SUBJECT PROPERTY: 1623 Claybanks Rd  
 Location if not assigned a common address: \_\_\_\_\_

TAX PARCEL NUMBER: 281-68-20000104

CURRENT ZONING CLASSIFICATION: Res. Nbh & 3 / AGRI

CURRENT USE AND IMPROVEMENTS:  
Home with Rental Building and Shop  
Also Homestead Log Building

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: \_\_\_\_\_

ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:  
 North: AG / Single family Dwelling  
 South: " " " "  
 East: CON / Frank Park  
 West: AG / Vacant

**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: See Attached

2. Unique physical property limitation: \_\_\_\_\_

3. Protection of public interest: \_\_\_\_\_

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? \_\_\_\_\_ 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.

Russell Cihlar  
Property Owner (Print Name)

Russell Cihlar  
Signature

\_\_\_\_\_  
Date

Russell Cihlar  
Applicant/Agent (Print Name)

Russell Cihlar  
Signature

\_\_\_\_\_  
Date

I, \_\_\_\_\_, 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.

\_\_\_\_\_  
Date of review meeting

\_\_\_\_\_  
Applicant 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

To members of the Zoning Board of Appeals

I am Claiming Unnecessary Hardship for the reason I am unable to use my nearly completed Log Homestead as it was to be originally intended, that is as a Guesthouse and overflow for my home, I am asking for a Variance because It is one of my only options.

Before I started this project in 2000 I came to the then acting City building Inspector to see if this was even a possible project. The plan was to salvage our families 1882 Homestead Originally located on Shiloh Rd in the town of sturgeon Bay (which was to be razed for the purpose a of new house in the same location) and rebuild it on my property at 1623 Claybanks Rd. in the City of Sturgeon Bay to preserve the Original Log structure only, I asked Roger Stregg (then acting City building Inspector) if I could do this to save our Homestead and use it as a guesthouse of sorts I told him preserving it was number one but I wasnt doing this to have an expensive yard ornament. His reply was Yes this could be done with some kind of variance needed to complete the project. At that point in the year 2000 I disassembled the home, removing the log Homestead and stored it on my property . In 2002 I then went for a permit to start the project and was told by Jim Asnoe (then acting building inspector) to get a sanitary permit for a separate septic system ,I got approval for the additional system and with that in hand I then was told I could not use this as a Guesthouse ,and after additional talking with the city ,they gave me a permit to reconstruct it as a outbuilding only, which at the time I was grateful because the condition of the logs was very good and by assembling the structure it would insure the preservation of the building. I was also told at a later date the city would help me figure out how to use it as a Guest House.

My Goal originally, as now was to be able to preserve this building and to use it as a Guesthouse for family and friends not just a Yard Ornament.

I was hoping after the Guest House ordnance was passed It would make it possible to do this but I still need approval to put water and sewer in the Homestead and a variance is what I need because of its non conforming status as a home on my property.

I have a oversized lot (2.3 acres) with my home , shop and a rental all located on it. The Homestead is already built and the sanitarian told me all I would need is to put a separate septic/pump tank from it to my adequate seepage bed, My system was upgraded in 2001.

The reason I did not put this on a separate lot was that it would just cost too much, also the originality of the Log home would be altered because of its small size (14X26main floor). That is why in the very beginning I consulted the City to see if this project was even feasible. I really have no choice than to ask for a Variance .

As of Now it is Rebuilt as it was in 1882 being Historically accurate in all ways reasonably possible. It is a beautiful example of our Homestead as it was originally built before it was added on and sided over the 120 years prior to my reassembling it. That is the way I want to keep it.

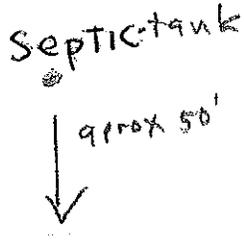
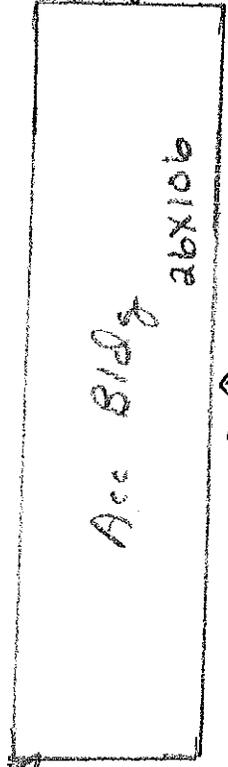
Russ Cihlar

Claybanks | RQ

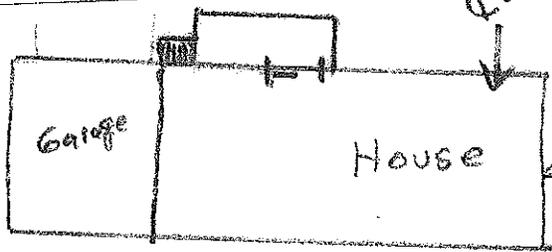
150' From Well  
45' From Septic



100' TO HOUSE



260' Lot Road



28'

28'

17'

287' TO BACK LOT LINE

Russell J. Cihlar  
1823 Clay Banks Rd.  
Sturgeon Bay, WI 54235-1832

# Location Map

## Public Hearing - Cihlar

### Two Single-Family Dwellings on a single lot

### Minimum Square Ftg for Ag District



**Legend**

 Subject Area

NOTE: Public Hearing to be held April 12, 2016 at 12 Noon in the City Council Chambers (City Hall, 421 Michigan St)

