

**AGENDA
CITY OF STURGEON BAY
ZONING BOARD OF APPEALS**

Tuesday, April 12, 2016
12:00 Noon
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from March 22, 2016.
4. Consideration of: Petition for variance from the Sturgeon Bay Sign Code to allow an electronic variable message sign in the Single-Family Residential (R-2) district for St. Peters Evangelical Lutheran Church, 108 W. Maple St.
5. Public Hearing: Petition for a variance from the Municipal Code (Zoning Code) to utilize an existing log building as an accessory dwelling, which would be the third dwelling on the lot without a Planned Unit Development, and contains less than the minimum square feet of floor area for Russell Cihlar, 1623 Clay Banks Rd.
6. Consideration of: Petition for a variance from the Municipal Code (Zoning Code) to utilize an existing log building as an accessory dwelling, which would be the third dwelling on the lot without a Planned Unit Development, and contains less than the minimum square feet of floor area for Russell Cihlar, 1623 Clay Banks Rd.
7. Public Hearing: Petition for variance from the Floodplain Zoning Code to extend fill less than the minimum 15-foot requirement and from the Municipal Code (Zoning Code) for a building length that is 2.7 times its width for Nancy Schopf and Fred Bowen, for a vacant parcel located between 129 W. Juniper St. and 147 W. Juniper St.
8. Consideration of: Petition for variance from the Floodplain Zoning Code to extend fill less than the minimum 15-foot requirement and from the Municipal Code (Zoning Code) for a building length that is 2.7 times its width for Nancy Schopf and Fred Bowen, for a vacant parcel located between 129 W. Juniper St. and 147 W. Juniper St.
9. 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, Alternate
Wayne Spritka, Alternate

04/07/16
10:00 a.m.
CN

ZONING BOARD OF APPEALS

Tuesday, March 22, 2016

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 12:05 p.m. by Vice-Chairperson Bill Chaudoir in Council Chambers, City Hall, 421 Michigan Street.

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

Adoption of agenda: Moved by Mr. Gigstead, seconded by Mr. Goodwin to adopt the following agenda by removing item #5, due to lack of quorum for consideration and decision of the issue:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from March 8, 2016.
4. Public hearing: Petition for variance from the Sturgeon Bay Sign Code to allow an electronic variable message sign in the Single-Family Residential (R-2) district for St. Peters Evangelical Lutheran Church, 108 W. Maple Street.
5. Consideration of: Petition for variance from the Sturgeon Bay Sign Code to allow an electronic variable message sign in the Single-Family Residential (R-2) district for St. Peters Evangelical Lutheran Church, 108 W. Maple Street.
6. Adjourn.

Amended agenda adopted.

Carried.

Approval of minutes from March 8, 2016: Moved by Mr. Goodwin, seconded by Mr. Gigstead to approve the minutes from March 8, 2016. Carried.

Public hearing: Petition for variance from the Sturgeon Bay Sign Code to allow an electronic variable message sign in the Single-Family Residential (R-2) district for St. Peters Evangelical Lutheran Church, 108 W. Maple Street: Vice-Chairman Chaudoir opened the public hearing at 12:10 p.m.

Mr. Kernosky explained that St. Peter's Church is requesting a variance from the sign code, which states that electronic variable message signs (EVMS) are not permitted in Residential zoning districts, but are permitted in Commercial and Industrial zoning districts. They would like to install an EVMS on the corner of Maple Street and Lansing Avenue. It meets all other current sign code requirements.

Mr. Olejniczak added that if the sign is approved, it is still subject to all the operational requirements of the zoning code, such as the message cannot be moving or scrolling and that the message is maintained for at least 6 seconds. There had been one other variance of this type for the Sturgeon Bay High School that had been applied for and approved.

Bob Schlicht, 244 N. 17th Dr., representing St. Peters Church, presented the proposed plans to install an electronic variable message sign. He gave a history of the church since it was originally built 125 years ago. They first began discussing a new sign approximately 10 years ago. At that time there was no funding. Currently, the 1400 members of the church have donated and raised enough money for the sign. They would like to have the sign installed by November 6, 2016, which is the actual anniversary date. The 32 square-foot sign would be placed on a stone base.

Mr. Kernosky stated that since this is a corner lot the sign must be 35 feet from the vision triangle and 5 feet from the setback from the right-of-way. If staff has concerns whether or not the sign will be in the vision triangle or will meet the setbacks, the City's Engineering Tech would be requested to find the property corner or that the church hire a surveyor.

Mr. Kernosky added that the Aesthetic Design and Site Plan Review Board will consider the sign after the ZBA's consideration. Almost everything surrounding the parcel is zoned Commercial. Another option would be to rezone the property from Residential to Commercial and avoid the variance. It is a longer process, but opens the door to other uses. Mr. Schlicht responded that it is a timing issue and wouldn't be able to meet goal if they decided to rezone the property.

Mr. Schlicht stated that the sign measures 8 feet x 4 feet and is two sided. The stone base is 13 feet wide and 4 feet deep. The top half of the sign is fixed and the bottom half is changeable. Several civic organizations use their facilities and this is a good way to let the public know what is going on. They may have messages that won't change for a week, or a message that changes every 30 seconds.

Steve Mann, 123 N. Lansing Avenue, stated he is in support of the sign, but would like a stipulation added that the sign be turned off at 10:00 p.m.

Tom Stover, 121 W. Maple Street, stated his property is south of the church, across the street and alongside the parking lot. He supports the sign, but was concerned about illumination at night and about the position of the sign in terms of brightness. It is a bright corner when the church has its night lights on. Illumination and direction were his two concerns.

There were no letters in favor or in opposition of the variance.

Mr. Schlicht stated that the sign will be parallel to Lansing Avenue and perpendicular to Maple Street. There will be time requirements. No exterior lights will be shining on the sign. Brass or copper cupolas may be added to the pillar on each side of the sign, with a light inside if possible. They would be open to turning the sign off at 10:00 p.m. if someone found an issue with it. The current sign is lit. If it were a condition placed on approval, they would consider it.

Mr. Kernosky added that according to code, the signs must be equipped with photo-sensitive style equipment. When it is darker out, the lighting on the sign would get darker and when it is sunny the lights would get brighter. The sign has to be static for 6 seconds. Mr. Olejniczak added that the 6 seconds minimum had been recently added to the code.

Dorthea Mann, 123 N. Lansing Avenue, said the corner of Lansing Avenue and Maple Street is a difficult corner because of the parking for Blue Front and crossing Maple Street. The sign may distract the drivers.

Mr. Chaudoir closed the public hearing at 12:43 p.m. Due to lack of quorum, action could not be taken at this meeting.

Mr. Goodwin thought more than 6 seconds should be required for the minimum amount of time for a message. The sign may distract drivers.

Mr. Olejniczak stated that the absent members will get a copy of the recording of the hearing to review before the next meeting.

Adjourn: Moved by Mr. Gigstead, seconded by Mr. Goodwin to adjourn. Carried. Meeting adjourned at 12:45 p.m.

Respectfully submitted,



Cheryl Nault
Community Development Secretary

Ryan J. Kernosky
Planner/Zoning Administrator
421 Michigan Street
Sturgeon Bay, WI 54235



Phone: 920-746-2907
Fax: 920-746-2905
E-mail: rkernosky@sturgeonbaywi.org
Website: www.sturgeonbaywi.org

MEMO

To: Zoning Board of Appeals
From: Ryan Kernosky, Planner & Zoning Administrator 
Date: April 8, 2016
Subject: St. Peter's Church Variance Request

During the March 22, 2016 Zoning Board of Appeals meeting, St. Peter's Church was petitioning for a variance from c.27.12(4) (sign code) to install an electronic variable message sign (EVMS) in a residential zoning district. Unfortunately, several members of the ZBA were unable to attend for various last minute conflicts or illnesses. Instead of going through the entire public hearing process again (notice in the *Door County Advocate*, posting of sign on property, etc.), staff recommended that the three members present hold the public hearing, and that the vote would be taken at the next ZBA meeting (April 12). As a reminder, quorum for ZBA is three members, but to take an action on a variance request, four members are needed.

In all, no one spoke against the variance request. A few neighbors brought forth concerns regarding brightness of the EVMS, and setbacks from Maple St. Please refer to the minutes supplied in the April 12 ZBA packet for a better summary of the public hearing, or listen to the public hearing.

Bob Schlicht from St. Peter's Church will be present at the April 12 meeting to answer any other questions members of the ZBA may have regarding this petition. There is no requirement to hold another public hearing, but if there are members of the public wanting to address the ZBA on this topic specifically, the chairman may allow for that.

Please do not hesitate to contact me with any further questions.

Ryan Kernosky
Planner/Zoning Administrator
421 Michigan Street
Sturgeon Bay, WI 54235



Phone: 920-746-2907
Fax: 920-746-2905
E-mail: rkernosky@sturgeonbaywi.org
Website: www.sturgeonbaywi.org

Summary for St Peter's Church
108 W Maple Street
281-64-61001800

St. Peter's Church (Bob Schlict, representative) is petitioning for a variance from 27.12(4) relating to the electronic variable message sign (EVMS) code. The code states the following:

... The sign inspector may issue a special sign permit for an EVMS in the commercial and industrial zoning districts...

EVMS signs are not permitted in residential zoning districts. St. Peter's Church is zoned R-2, therefore a variance from the sign code is required if St. Peter's Church would like to install one.

City staff notes that the final design of the sign must be approved by the Aesthetic Design and Site Plan Review Board chairman, and that the sign must conform to the standards within our sign code (EVMS standards, vision triangles, etc.).

Submitted,

A handwritten signature in black ink, appearing to read "Ryan Kernosky", written over a horizontal line.

Ryan Kernosky
Planner & Zoning Administrator

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

Date Received: 3/1/16
 Fee Paid \$ 300 + 50 sign dep
 Received By: CN (dep. 3/1/16)

| | APPLICANT/AGENT | LEGAL PROPERTY OWNER (if different) |
|-----------------------|------------------------|--|
| Name | ROBERT SCHLICHT | |
| Company | | ST. PETERS EV. LUTH. CHURCH |
| Street Address | 244 N. 17th DRIVE | 108 W. MAPLE ST. |
| City/State/Zip | STURGEON BAY, WI 54235 | STURGEON BAY, WI 54235 |
| Daytime Telephone No. | 920-495-9595 | 920-743-4431 |
| Fax No. | | 920-743-5388 |

STREET ADDRESS OF SUBJECT PROPERTY: 108 WEST MAPLE
 Location if not assigned a common address: _____

TAX PARCEL NUMBER: 281-12-10060501 281-64-61001805 (MAIN PARCEL)
281-64-61001805
281-64-61001806

CURRENT ZONING CLASSIFICATION: R2

CURRENT USE AND IMPROVEMENTS:
CHURCH
SCHOOL
FAMILY LIFE ACTIVITY CENTER

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW:
SIGNS 27.12(4)

ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:
 North: R2 RESIDENTIAL
 South: R2 PARKING & RESIDENTIAL
 East: C2 COMERCIAL
 West: R2 RESIDENTIAL

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 SHEET

2. Unique physical property limitation: SEE ATTACHED SHEET

3. Protection of public interest: SEE ATTACHED SHEET

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.

ST. PETERS EVANGELICAL LUTHERAN CHURCH
Property Owner (Print Name)

[Signature], PRESIDENT
Signature

2-26-16
Date

R.J. SCHLICHT JR., PRES.
Applicant/Agent (Print Name)

[Signature]
Signature

2-26-16
Date

I, ROBERT SCHLICHT, 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.

3-1-16
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

VARIANCE APPLICATION

The nearly 1400 members of St. Peters Evangelical Lutheran Church are in the middle of their year long, 125th Anniversary celebration. This celebration began January 23, and will culminate on November 6. The membership identified and voted to build, as a member project, a new electronic sign mounted on a substantial Door County stone, monument base. They have donated and fundraised all the required monies to complete the project. With your approval, the Church and its members will complete its construction this summer. I have included message examples, working drawings, and plans.

Since 1891, the Church has been located on the same corner. Our current church reader sign is 2.5 feet by 4.5 feet (11 square feet), and was built when the Church was rebuilt for the fifth time in 1951. I have included a picture for your review. Thank you, in advance, for your consideration of this variance.

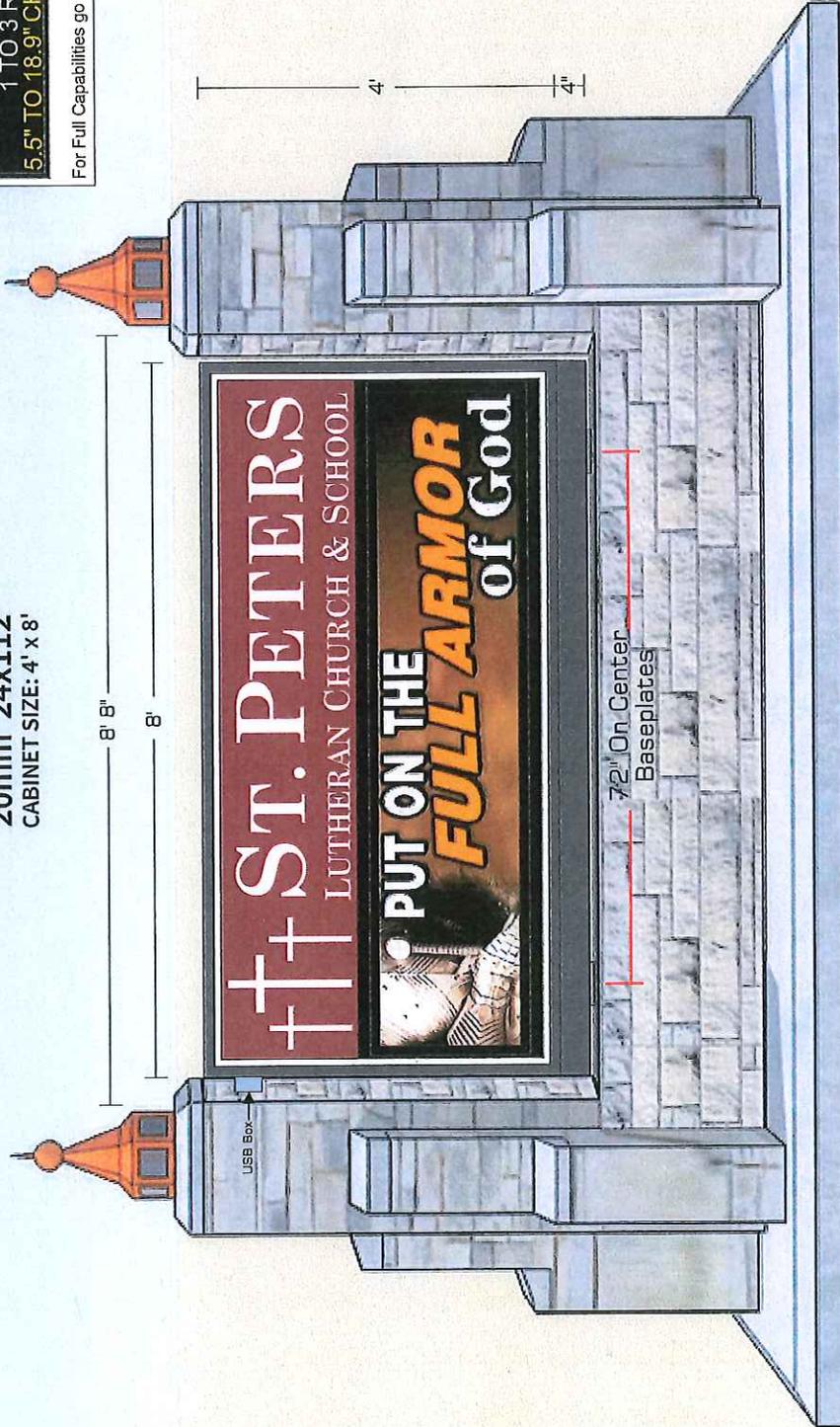
The Congregation of St. Peters and Congregation President, Bob Schlicht, Jr.

VARIANCE STANDARDS

- 1. Unnecessary hardship:** Our Mission Statement is “We Exist to Share Christ”. A logical step in doing this is to have a sign which will share informational and spiritual messages necessary to our Mission. Without a proper sign, we can not take a stronger step in spreading “God's Word” and other valuable and needed civic information for members and nonmembers who pass our church sign. Surveys show 10% of church visitors are attracted by the church sign and attendance increases 20% after EVMS sign installation.
- 2. Unique physical property limitation:** We are prohibited from placing the EVMS sign because our zoning classification is R2. Across the street in three directions are businesses or commercial zoning and an EVMS sign could be erected. There is not a non-profit, educational, or religious zoning classification in our city, as exists in many other Wisconsin cities. Other churches in Sturgeon Bay are zoned commercial and could place an EVMS sign creating unfair competition for members. There is no acceptable reason to our members, for the high school variance versus our church and school variance request.
- 3. Protection of public interest:** This sign will be consistent and true to our faith and mission in design, message, and architecture. For 125 years we have been a good neighbor on the same street corner where we are located. We have never asked for a variance or conditional use permit other than to rent a park for special events. We regularly supply our facilities, free of charge, to local and area organizations and activities. We will honor all the other requirements of the sign ordinance, and will within reason, keep all our residential neighbors happy, as we have in the past 125 years.

TekStar Color
20mm 24x112
CABINET SIZE: 4' x 8'

8' 8"
8'



Tekstar Capabilities

18.9"

CAPABLE OF DISPLAYING
1 TO 3 ROWS
5.5" TO 18.9" CHARACTERS

For Full Capabilities go to stewartsigns.com

Header Vinyl: Burgundy 3630-49
Text Color: White
Cowling Text Vinyl: N/A

Paint Color: Silver Gray
Draft: White

GRAPHICS DISCLAIMER: This custom artwork is not intended to provide an exact match between ink, vinyl, paint, or LED color. Brickwork, masonry and landscaping is not included in the proposal. Measurements shown are approximations; dimensions of final product may vary. LED images shown are simulated to replicate optimum viewing distance. Sign is designed to be illuminated at all times. Sketches are based off of this premise.

Approved as shown
Date _____
Approved with listed changes
Date _____



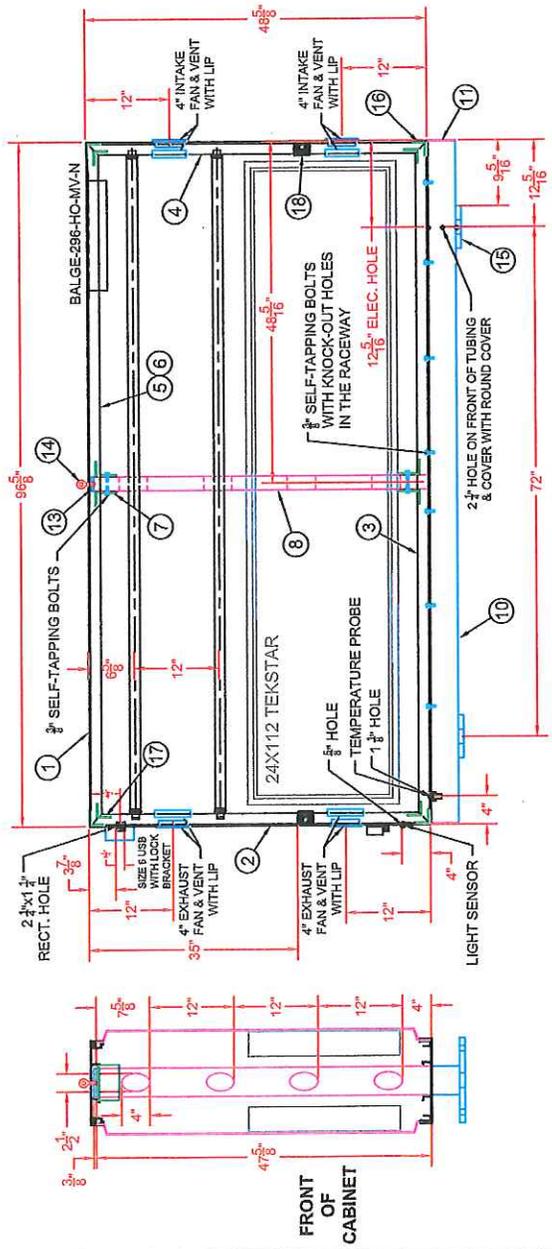
1/2"-1'
Sk: 814487-1c
Cust: 1158447
3/9/2016
F/b Underwood
PROPOSAL

ORIGINAL DESIGN DO NOT DUPLICATE
PH. 1-800-237-3928 - FAX 1-800-485-4280

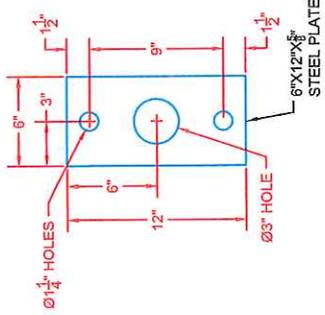
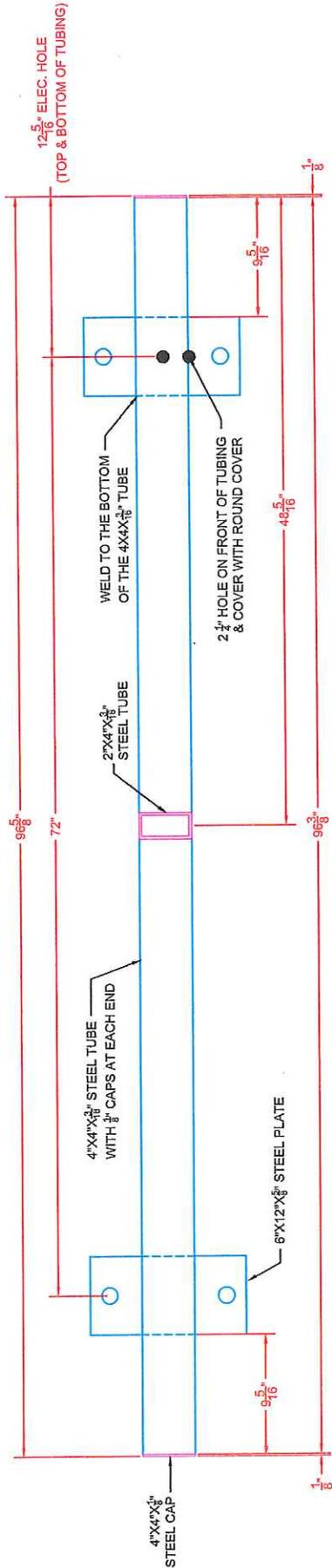


| ITEM | QTY. | DESCRIPTION |
|------|------|--|
| ① | 2 | 12" HINGE EXTRUSION |
| ② | 2 | 12" HINGE EXTRUSION |
| ③ | 2 | 1 1/2" X 1" "F" RETAINER |
| ④ | 4 | 1 1/2" X 1" "F" RETAINER |
| ⑤ | 2 | 1 1/2" HINGE RETAINER |
| ⑥ | 10 | HINGE BRACKET |
| ⑦ | 4 | 2" X 3" X 3/16" ALUMINUM ANGLE |
| ⑧ | 1 | 2" X 4" X 3/16" STEEL TUBE |
| ⑨ | | |
| ⑩ | 1 | 4" X 4" X 3/16" STEEL TUBE |
| ⑪ | 2 | 4" X 4" X 3/8" STEEL CAP |
| ⑫ | 1 | 2" X 4" X 3/8" STEEL CAP |
| ⑬ | 1 | 3/2" EYEBOLT |
| ⑭ | 1 | REPLACEMENT BOLT FOR EYEBOLT |
| ⑮ | 2 | 6" X 12" X 5/8" STEEL BASE PLATE |
| ⑯ | 4 | 2" X 2" X 3/16" ALUMINUM ANGLE |
| ⑰ | 4 | 2" X 2" X 3/16" ALUMINUM ANGLE |
| ⑱ | 6 | 1 1/2" X 1 1/2" X 3/8" X 2" ALUMINUM PROP ROD BRACKET |
| ⑲ | 4 | 1 1/2" X 1 1/2" X 3/8" X 24" ALUMINUM PROP ROD BRACKET |
| ⑳ | 2 | 1 1/2" X 1 1/2" X 3/8" X 48" ALUMINUM PROP ROD BRACKET |

DRAWING DESIGNED TO BE PRINTED ON 8 1/2" X 14" PAPER



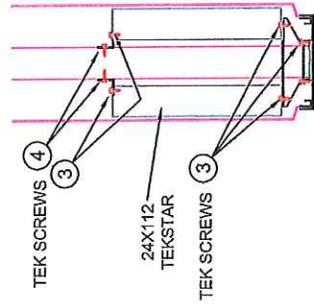
| | | | |
|---|---|---|--|
| EBSCO Sign Group 200 CANAL COURT, SUITE 215 SUDBURY, MA 01875 PH. 1.800.337.9381 FAX. 978.466.4300  | Date: 02-29-16 Drawn by: JRM REVISION: | Sign Model: TEKSTAR 48, 24x112 | Page 1 OF 4 |
| | Drawing #: 814487-1A Customer #: 1158447 Customer Name: ST. PETERS LUTHERAN CHURCH | Sketch #: 814487-1A Customer Address: 108 MAPLE STREET STURGEON BAY, WI 54235 | DRAWING DESIGNED TO BE PRINTED ON 8 1/2" X 14" PAPER |



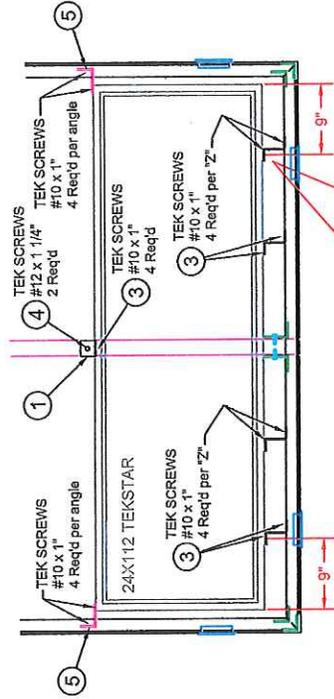
| | | | | |
|--|---|---------------------------|-----------------------------------|--|
| EBSCO Sign Group 2310 GARDNER BLVD STURGEON BAY, WI 54235 PH. 1.800.371.5333 FAX 1.800.485.4233 | Date: 02-29-16 Drawn by: JRM SECTION: SIGNMOUNT | EXTERNAL BASE PLATE MOUNT | Sign Model: TEKSTAR 48, 24x112 | Page 2 OF 4 |
| | Drawing #: TEK-20mm-C-24x112 | Sketch #: 814487-1A | Customer #: 1158447 | Customer Name: ST. PETERS LUTHERAN CHURCH |

DRAWING DESIGNED TO BE PRINTED ON 8 1/2" X 14" PAPER

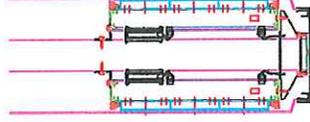
"LEFT VIEW"



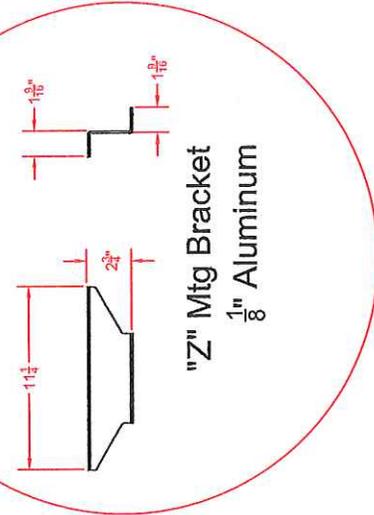
"FRONT VIEW"



"RIGHT VIEW"

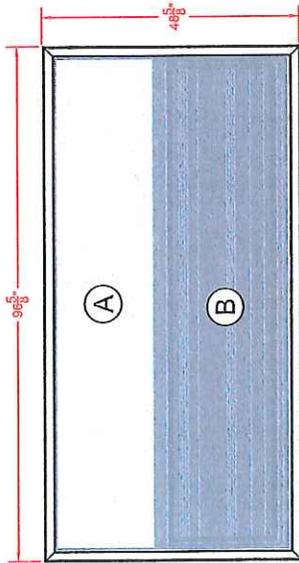


| BILL OF MATERIALS | | | |
|-------------------|------|---------------------------------|--------|
| ITEM | QTY. | DESCRIPTION | LENGTH |
| ① | 2 | 2" X 2" x 1/8" Aluminum Angles | 1 1/2" |
| ② | 4 | "Z" Aluminum bracket | 11.25" |
| ③ | 20 | Tek Screws #10 x 1" | |
| ④ | 2 | Tek Screws #12 x 1 1/4" | |
| ⑤ | 2 | 2" X 3" x 3/16" Aluminum Angles | 7 7/8" |



CUSTOMER #1158447
ST. PETERS LUTHERAN CHURCH

| | | | |
|--|--|--|---|
| EBSco Sign Group 201 S. WISCONSIN ST. MILWAUKEE, WI 53212-2125 PH 480-337-3333 FAX 506-465-4260 | Date: 02-29-16 Drawn by: JRM APPROVED: | Sign Model: TEKSTAR 48, 24x112 | Page 3 OF 4 |
| | Drawing #: TEK-20mm-C-24x112 | Customer Name: ST. PETERS LUTHERAN CHURCH | Customer Address: 108 MAPLE STREET STURGEON BAY, WI 54235 |
| EXTERNAL BASE PLATE MOUNT | | Customer #: 814487-1A | Customer #: 1158447 |



FACE DETAIL

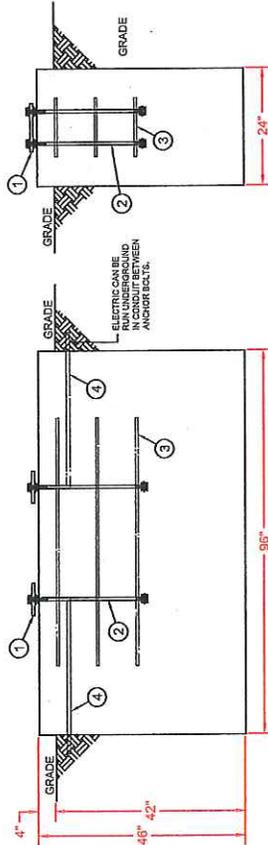
- A. HEADER PANEL SECTION, 3" THERMO-FORMED UV RESISTANT MAKROLON SL POLYCARBONATE DECORATION PER STEWART SIGNS ARTWORK. DECORATED WITH 3M HIGH PERFORMANCE TRANSLUCENT VINYL.
- B. TEKSTAR LED, MOUNTED INSIDE SEAMLESS, SINGLE PIECE, FACE OF MAKROLON SL POLYCARBONATE

FOOTER DETAIL

1. 6"X12"X5/8" STEEL BASE PLATES, 2 REQUIRED
2. 3/4"X30" ANCHOR ROD, 4 REQUIRED
TAPE THE EXPOSED TOP OF THE THREADED RODS FOR PROTECTION AGAINST CONCRETE.
3. #6 REBAR OR BETTER, TIED AT EACH JOINT.
SUPPLIED BY THE CUSTOMER
4. CONDUIT, SUPPLIED BY THE CUSTOMER

FACE DETAIL

NOT TO SCALE



FOOTER - FRONT VIEW

NOT TO SCALE

FOOTER - SIDE VIEW

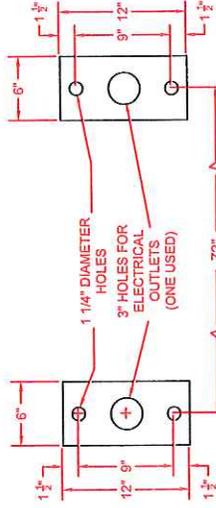
NOT TO SCALE

NOTES

- DESIGNED FACTOR MEETS OR EXCEEDS 120 MPH WIND LOAD AT EXPOSURE B.
- 3,000 PSI CONCRETE - LESS THAN 2.5 CUBIC YARDS NECESSARY

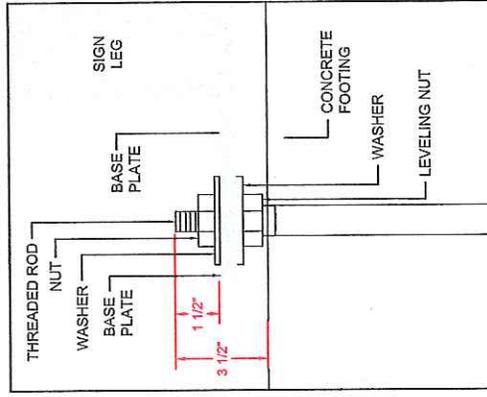
ELECTRICAL INFO

- (1) 20 AMP CIRCUIT, 120 VOLTS, MAX DRAW 13 AMPS
- UL LISTED - E50724
- SIGNS SHALL BE GROUNDED BY CONNECTION TO THE EQUIPMENT GROUNDING CONDUCTOR OF THE SUPPLY BRANCH CIRCUIT.
- LED COMMUNICATION METHOD: SHORT-RANGE WIRELESS



BASE PLATE DETAIL

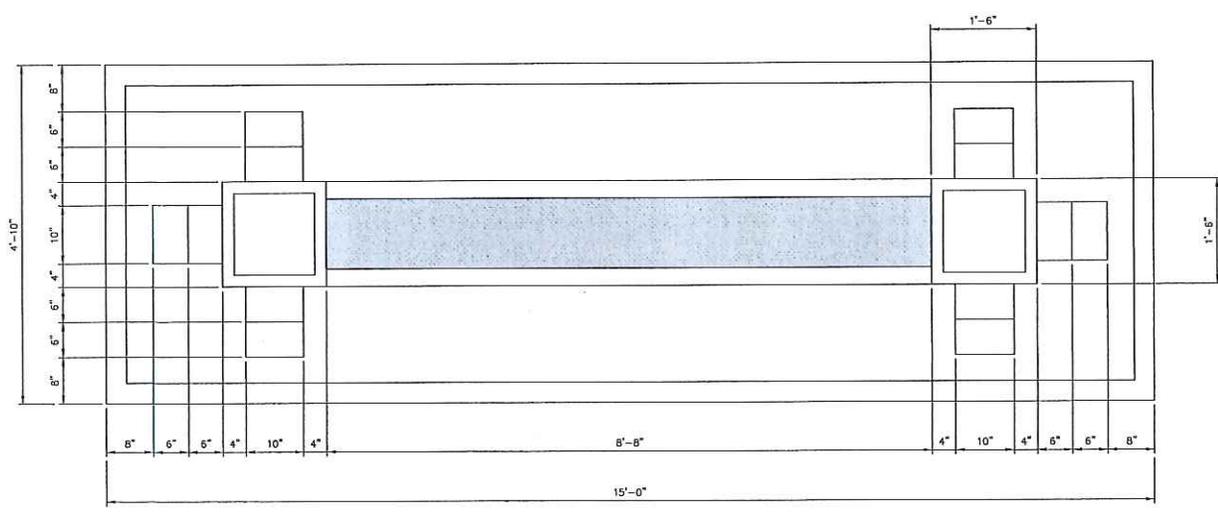
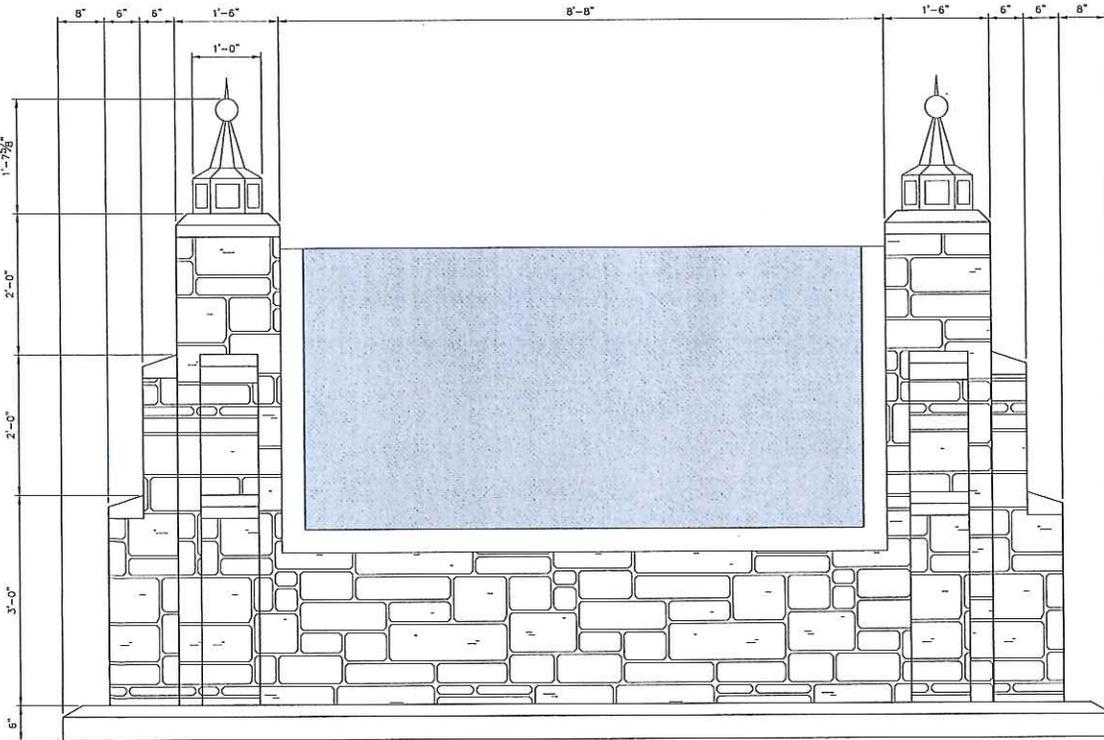
NOT TO SCALE

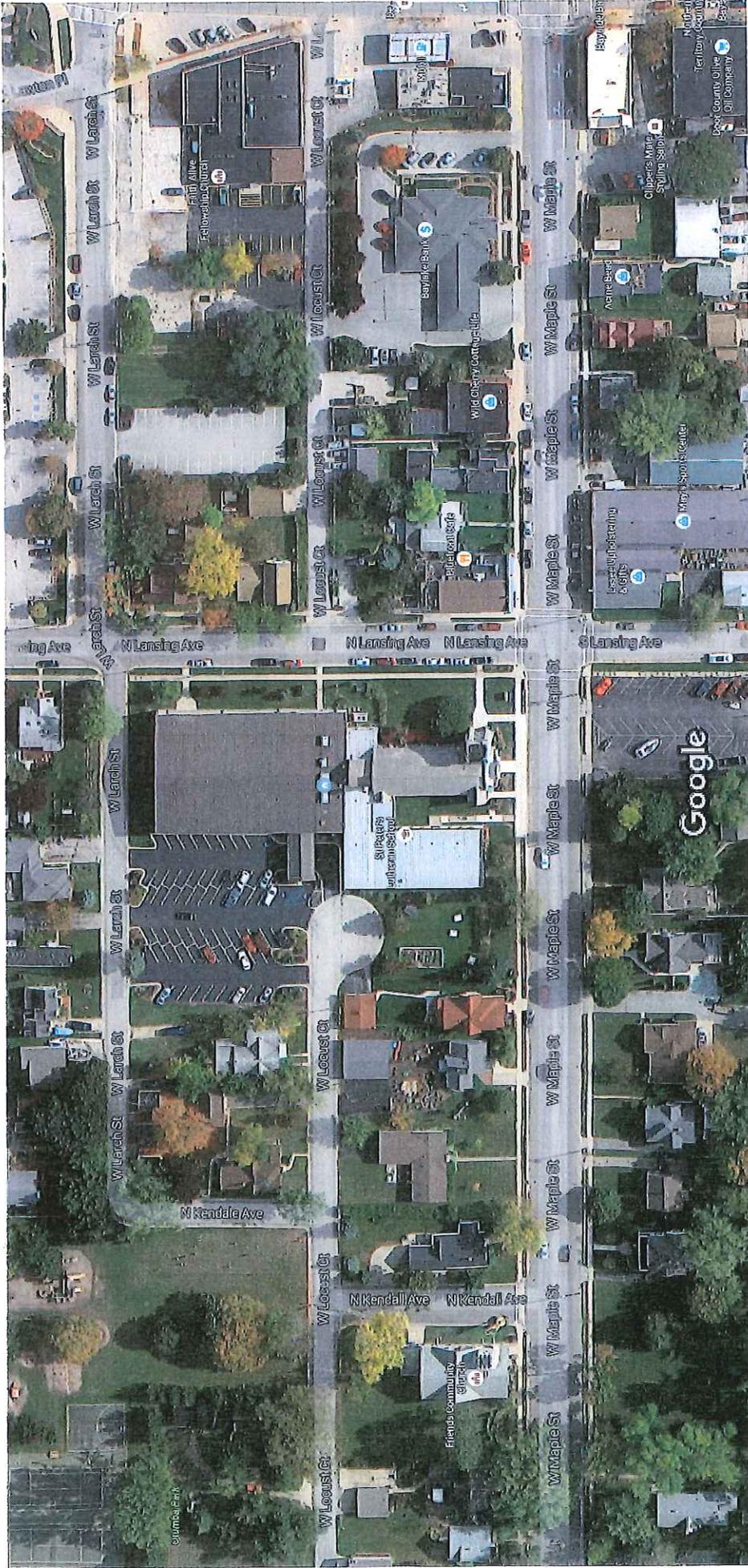


DRAWING DESIGNED TO BE PRINTED ON 8 1/2"X14" PAPER

| | | | | |
|--|---------------------------------|------------------------|-----------------------------------|---|
| Date: 02-29-16 Drawn by: JRM EBSICO REVISION DESCRIPTION | External BASE PLATE MOUNT | | Sign Model: TEKSTAR 48, 24x112 | Page 4 OF 4 |
| | Drawing #: TEK-20mm-C-24x112 | Sketch #: 814487-1A | Customer #: 1158447 | Customer Name: ST. PETERS LUTHERAN CHURCH Customer Address: 108 MAPLE STREET STURGEON BAY, WI 54235 |



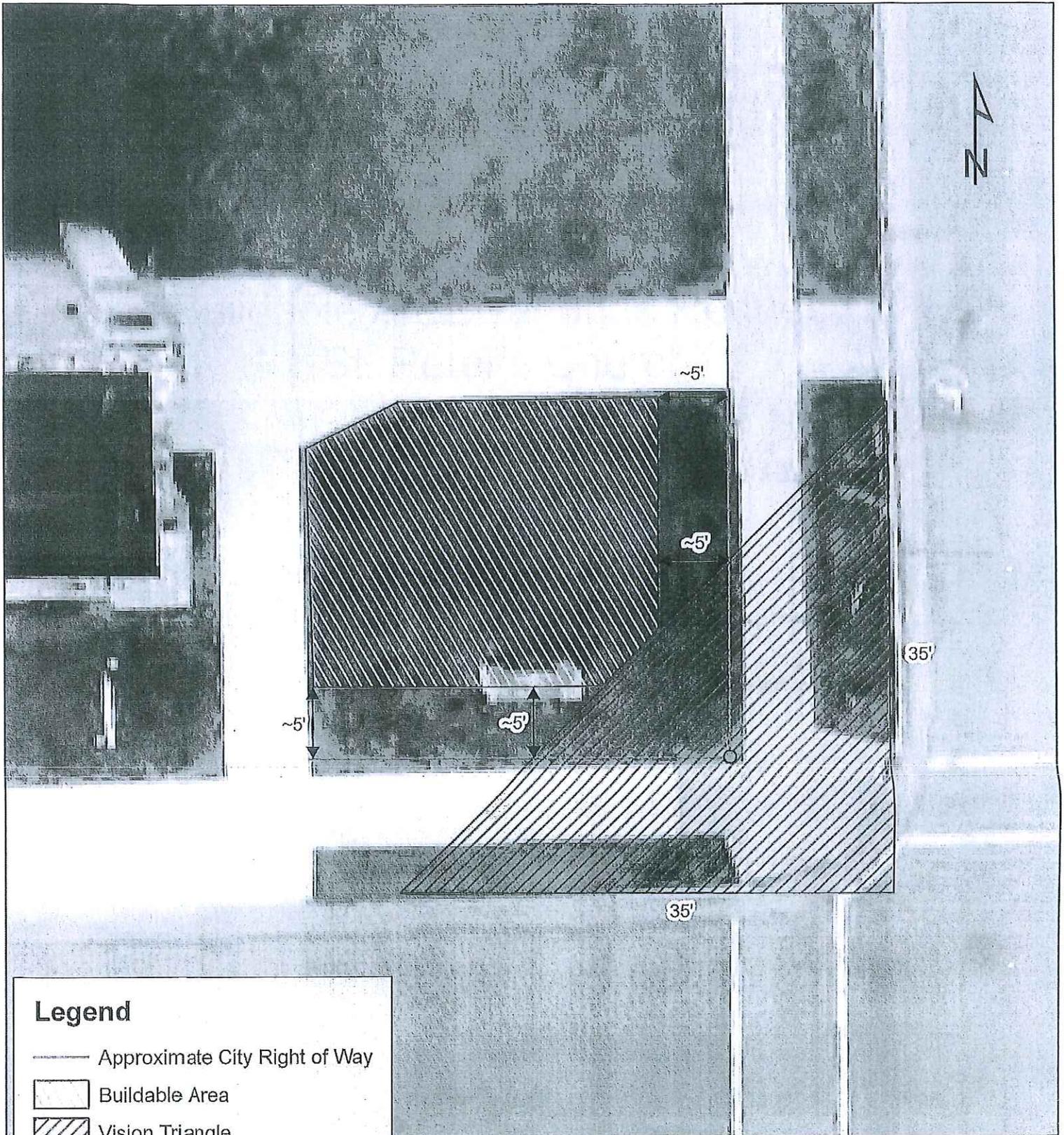




Imagery ©2016 Google, Map data ©2016 Google 50 ft

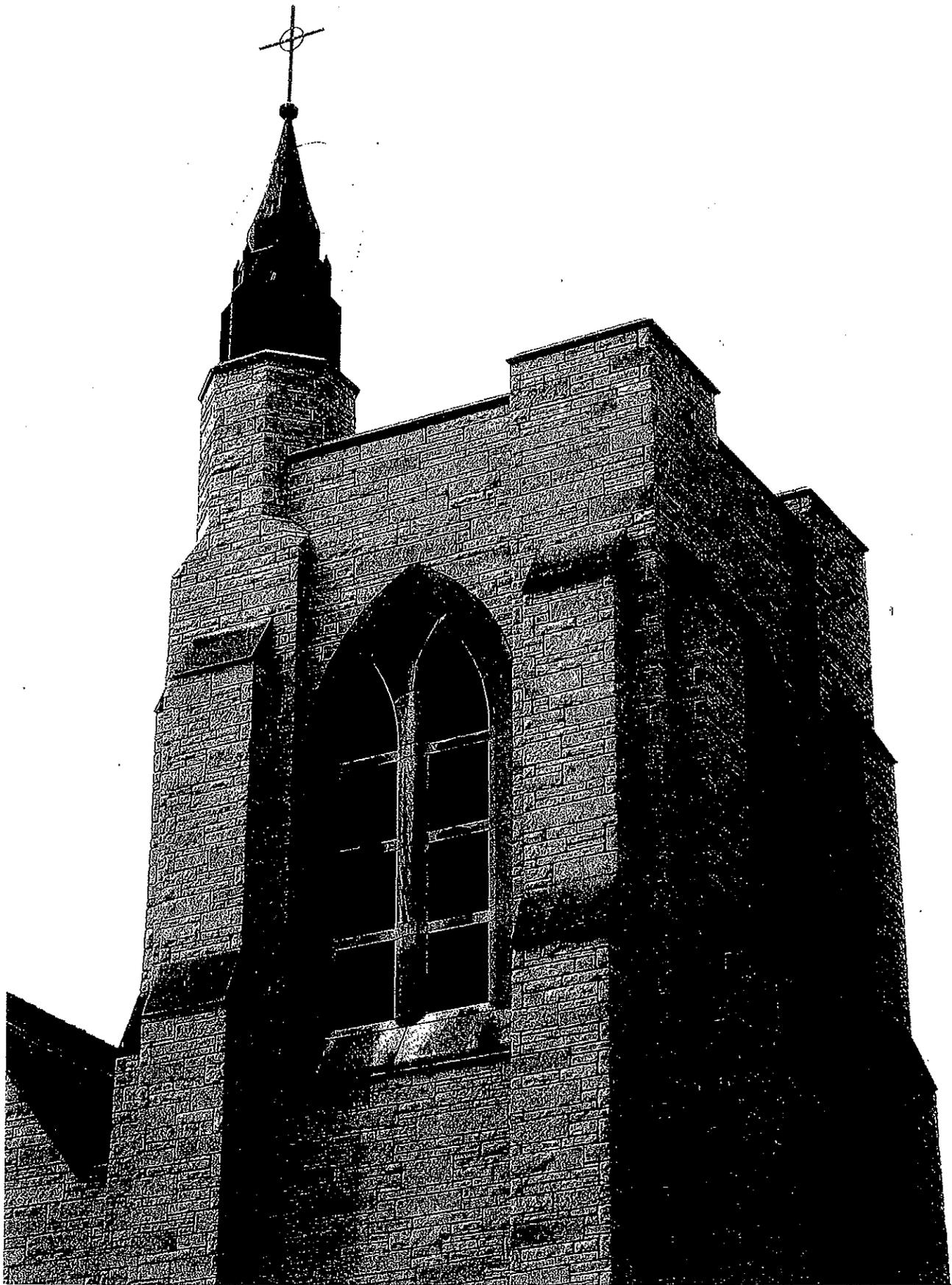
Google Maps

Buildable Area Variance Request St. Peter's Church



LANNER'S NOTES:

-) All lines are approximate, and may not represent property boundaries and City Right of Way.
-) City may request a survey is submitted to assist staff in determining more accurately the locations of the proposed sign





ST. PETERS
LUTHERAN CHURCH

W.E.L.S.
JOIN US
AS WE HEAR ABOUT
THE LOVE OF
JESUS
SERVICES:
SAT 5:00PM
SUN 7:30AM
10:05AM
ALL ARE WELCOME
CHANNEL 18 10AM & 7PM
SR PASTOR
LABRY ZESSIN
PASTOR
DARRICK KOLTERJAHN

Location Map

Public Hearing - St. Peter's Church

Variance Request



Note: Public Hearing to be held on March 22, 2016 at Noon in the City Council Chambers (421 Michigan Street)

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.

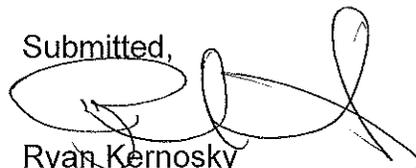
c. 20.27(2) states the following:

(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: \$ 5350
 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. Nbhd 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: COM / 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 of a 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 wasn't 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 an 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 ordinance 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 an 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.

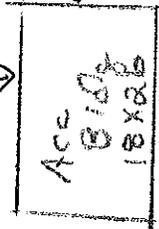
The reason I did not put this on a separate lot was that it would just cost too much, also the originality of the Log home would be altered because of its small size (14X26 main floor). That is why in the very beginning I consulted the City to see if this project was even feasible. I really have no choice 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
← EI →

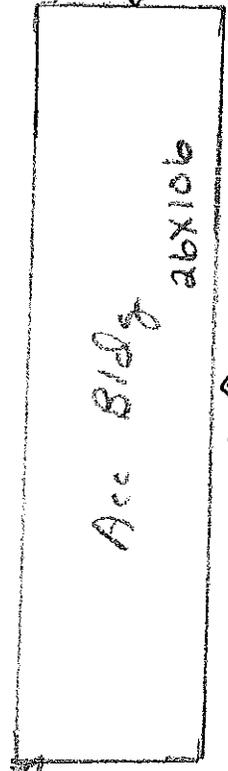


100' TO House



Septic tank

approx 50'



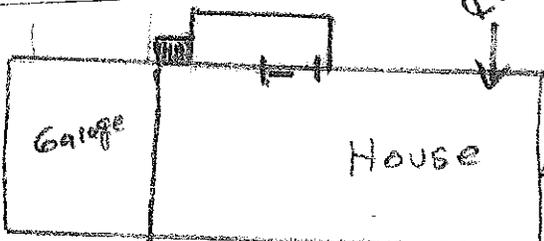
55'

10'

85'

260' Lot Road

28'



well

28'



17'

287' to Back Lot Line

 Russell J. Chlar
1823 Clay Banks Rd.
Sturgeon Bay, WI 54235-1632

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 Tuesday, April 12, 2016, at 12:00 Noon or shortly thereafter, regarding a petition from Russell Cihlar for variances from section 20.24(3)(d) of the Municipal Code (Zoning Code), which requires that a Planned Unit Development be approved when more than one single-family dwelling is on a single lot; and from section 20.27(2) of the Municipal Code (Zoning Code), which requires a single-family dwelling to have a minimum of 1,000 square feet of floor area. The proposed project is to utilize an existing log building as an accessory dwelling, which would be the third dwelling on the lot without a Planned Unit Development and which contains 702 square feet of floor area. The subject property is located at 1623 Clay Banks Road, parcel #281-68-20000104. 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. or on the City website at www.sturgeonbaywi.org. 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.

By order of:

City of Sturgeon Bay Zoning Board of Appeals

Location Map

Public Hearing - Cihlar

Two Single-Family Dwellings on a single lot

Minimum Square Ftg for Ag District



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



Summary for Schopf/Bowen
West Juniper St
281-64-61001702

Nancy Schopf and Fred Bowen (Adam Kozlowski, Agent) are petitioning for a double-variance from chapter 23 (Floodplain Zoning Code) and chapter 20 (Zoning Code) of the Municipal Code for a new single-family residential dwelling on an existing vacant lot located on West Juniper Street (between 129 and 147 W Juniper St). Because of the narrowness of the existing lot (~53'), and the location within the floodplain, it is difficult for the owners to build. They are asking for a variance from c. 23.04(3)(a)(1) and c. 20.07(7)(f). They are described as follows:

c. 23.04(3)(a)(1) states the following:

"The elevation of the lowest floor, excluding the basement or crawlway, shall be at or above the flood protection elevation on fill. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure."

Because of the narrowness of the lot and the City's sideyard setback requirements, it is difficult to fill for 15' outside of the home. The builder is proposing to grade the from the first floor height of 587.4' to the existing grade of 584' for 10' surrounding the home. The ZBA recently heard similar cases during the March 8th meeting.

c. 20.07(7)(f) states the following:

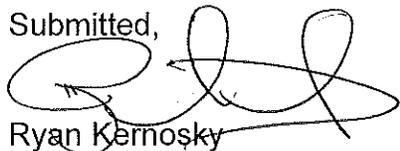
(7) Aesthetic Requirements. All dwellings located in the R-1, R-2, R-3 and R-4 residential districts shall comply with the following requirements:

(f) Have a ratio of the dwelling's length to width of no greater than 2.5 to one

Similar to the floodplain variance, the narrowness of this lot makes it difficult to build on while meeting the setback requirements set forth within our zoning code. The proposed dwelling meets all of the setback requirements, but has a length to width ratio of 2.7 to one, which is higher than the 2.5 to one ratio maximum set within our code.

Building and site plans have been submitted to the WI-DNR, and the DNR has no objections to the variance. Please let me know if you have any further questions.

Submitted,



Ryan Kernosky
Planner / Zoning Administrator

Storm Water Review

April 7, 2016

Owner: Nancy Schopf

Location: Parcel #281-64-61001702

Per the undated site plan from Mau & Associates (Drawing No X-747 with a seal dated 3-10-16) it appears the floor slab of the home will be at an elevation of 587.5' which is 0.5' higher than required. With regards to the exterior grading, the site plan calls for the finished grading to be at an elevation of 586.0' or higher from the home out 15' at the front and back yards. However, on the sides of the home portions of the building will only be approximately 10' from the lot line. Along the lot lines the elevations range anywhere from 583.98' to 585.31'. Therefore, if the grades tapered out from the house starting from an elevation of 587.40' as shown on the site plan there could be between 3.42' and 2.09' of elevation change over the 10' distance. This could lead to minimum slopes of 34.2% to 20.9% (33% is generally considered a maximum for grass). Generally, grades should be held down approximately 6" from the bottom of any wall framing or siding, therefore, it may make sense to lower the fill elevation at the house to 587.0' which would reduce the potential side yard slopes to a range between 30.2% and 16.9%.

Per the site plan it appears that the current property lines are the low points between the property in question and the adjacent properties. In addition it appears that there is drainage occurring along the property lines that goes from the South end of the property traveling North to the roadway. However, the entire area is very flat and with the very low amount of slope aiding the drainage described it is likely that most of the water infiltrates into the grass in the area and that the area is typically relatively wet without long periods of dry conditions. The additional impervious areas (house and driveway) will reduce the areas available to infiltrate water. In addition, downspouts from the house could cause concentrated flows of water. These two factors may cause ponding conditions along the property lines due to the relatively flat contours of the area. To help minimize this concern the downspouts of the home could be connected to drainage piping that could be tied into storm sewer catch basin that is located within the curbing near the NE corner of the property. Another option to help minimize ponding along the property lines would be to run a drain tile just below the ground under the property lines that also ties into the storm sewer catch basin.

Possible suggestions and/or requirements:

- 1) Reduce the fill elevation around the house from 587.4' to 587.0'
- 2) Tie the downspouts of the home to drainage piping that gets tied into the storm sewer catch basin that is located within the curbing near the NE corner of the property.
- 3) Run a drain tile just below the ground under the property lines that ties into the storm sewer catch basin that is located within the curbing near the NE corner of the property.

Chad Shefchik

City Engineer

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

Date Received: 3/18/16
 Fee Paid \$ 300.00
 Received By: EN

| | APPLICANT/AGENT | LEGAL PROPERTY OWNER (if different) |
|--|---------------------|--|
| Name | Adam Kozlowski | Nancy Schopf & Fred Bowen |
| Company | C+C Custom Builders | |
| Street Address | 950 CHALLENGER DR. | 2468 IRONWOOD DR. |
| City/State/Zip | GREEN BAY, WI 54311 | Green Bay, WI 54304 |
| Daytime Telephone No. | 920.360.0529 | 920.499.5819 |
| Fax No. | 920.468.3242 | |
| STREET ADDRESS OF SUBJECT PROPERTY: <u>VACANT LOT BETWEEN 129 W. JUNIPER &</u> Location if not assigned a common address: <u>147 W. JUNIPER</u> | | |
| TAX PARCEL NUMBER: <u>281 6461001702</u> | | |
| CURRENT ZONING CLASSIFICATION: <u>R-2</u> | | |
| CURRENT USE AND IMPROVEMENTS: <u>VACANT LOT</u> | | |
| IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: <u>C. 23.04 (3)(a)(1), C. 20.07(5)(f)</u> | | |
| ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES: North: <u>Worce</u> South: <u>R-2 Single family home</u> East: <u>R-2 Single family home</u> West: <u>R-2 Single family home</u> | | |

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? 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.

| | | |
|---|-------------------------------------|------------------------|
| <u>Nancy E. Schopf</u> Property Owner (Print Name) | <u>Nancy E. Schopf</u> Signature | <u>3-17-16</u> Date |
| <u>Adam Korlowski</u> Applicant/Agent (Print Name) | <u>[Signature]</u> Signature | <u>3-17-16</u> Date |

I, Adam Korlowski, 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.

3-18-16 Date of review meeting [Signature] Applicant Signature [Signature] Staff Signature

- Attachments:**
- Procedure & Check List
 - Agreement For Reimbursement of Expenses

STAFF USE ONLY

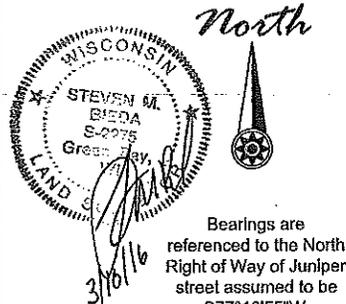
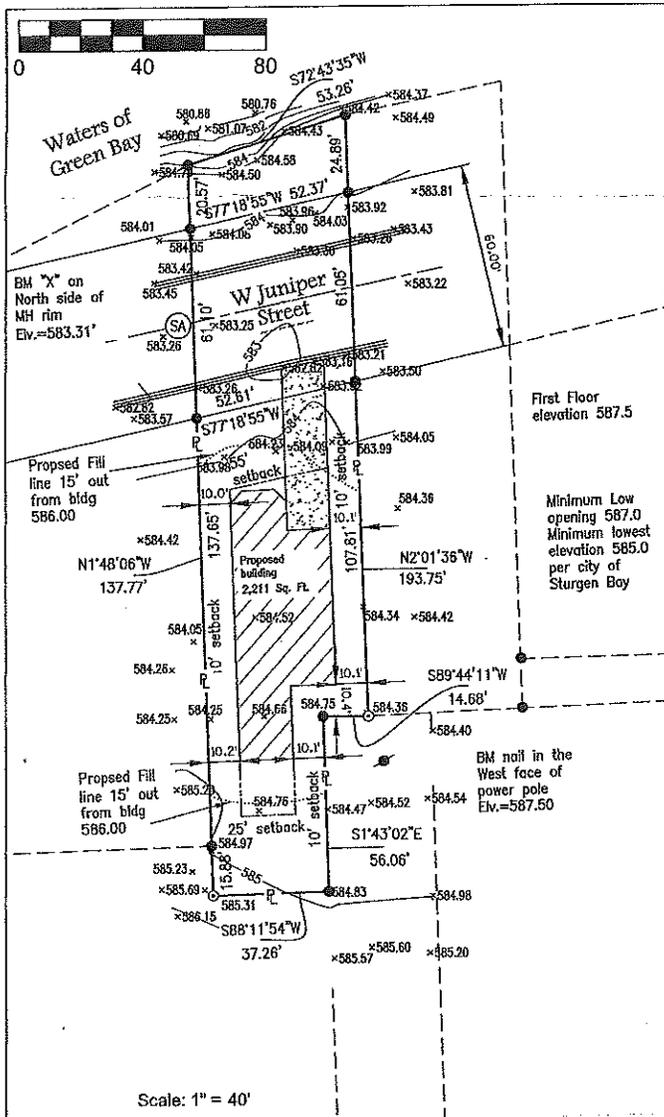
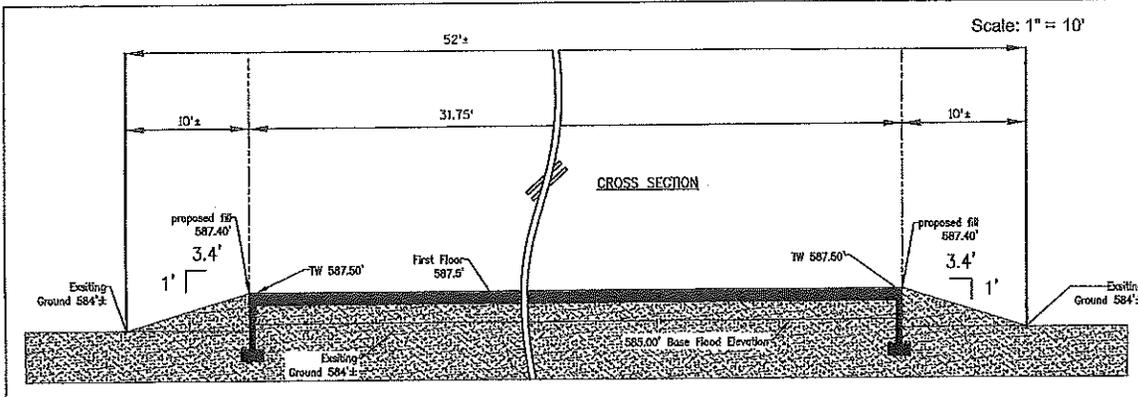
Application conditions of approval or denial:

Date _____ Community Development Director _____

1. Unnecessary Hardship: We are looking to build a conforming, single-family new residence on a very narrow lot which resides almost entirely within the floodplain and we are requesting a fill requirement variance. The lot is very narrow (approximately 52' wide) and we have designed a house to fit within all building setbacks and would like to slope the grade from the lowest opening back to the existing grade at the lot lines. The house is designed with 4' frost walls and slab at grade to keep the height of the structure to minimum a based on the lowest opening requirements. In addition, we are also requesting a variance on the length to width ratio for the house due to the narrowness of the lot. The house, as designed to fit within the buildable setbacks, is less than 32' wide and has a 2.73 to 1 ratio.
2. Unique physical property limitation: The property is less than 52' wide which only allows a structure that is less than 32' wide to be built on it. Also, the property is almost completely within the flood plain. We don't have enough room to keep the grade 1' above flood plain, 15' away from the structure, so we are asking to slope the grade back to existing levels on the property line to have minimal impact on neighbors trees located right at the property line.
3. Protection of public interest: The proposed house is designed to fall within all building setbacks and the roof water will be collected and piped underground and ejected directly into the storm water line to minimize any additional water being shed onto neighbor's property. Discussions were had with the neighbors and plans have been redesigned and retaining walls eliminated in an effort to minimize any impact on existing houses. Historically, the lot had a house on it that was only a few feet off of the west property line. The lot has been vacant since that house was lost due to a fire. The proposed house will be more conforming to current setbacks than the previous house was.

Site Plan

Part of Lots 17 and 18, Subdivision 61, according to the recorded Assessor's Map of the City of Sturgeon Bay of the City of Sturgeon Bay, Door County, Wisconsin.
"West Juniper Street"



Bearings are referenced to the North Right of Way of Juniper street assumed to be $S77^{\circ}18'55''W$, Elevations are referenced to the NAVD88 Benchmark Datum.

Note: Variance will be needed for fill less than 15 feet from the structure at 1' above flood elevation.

Legend

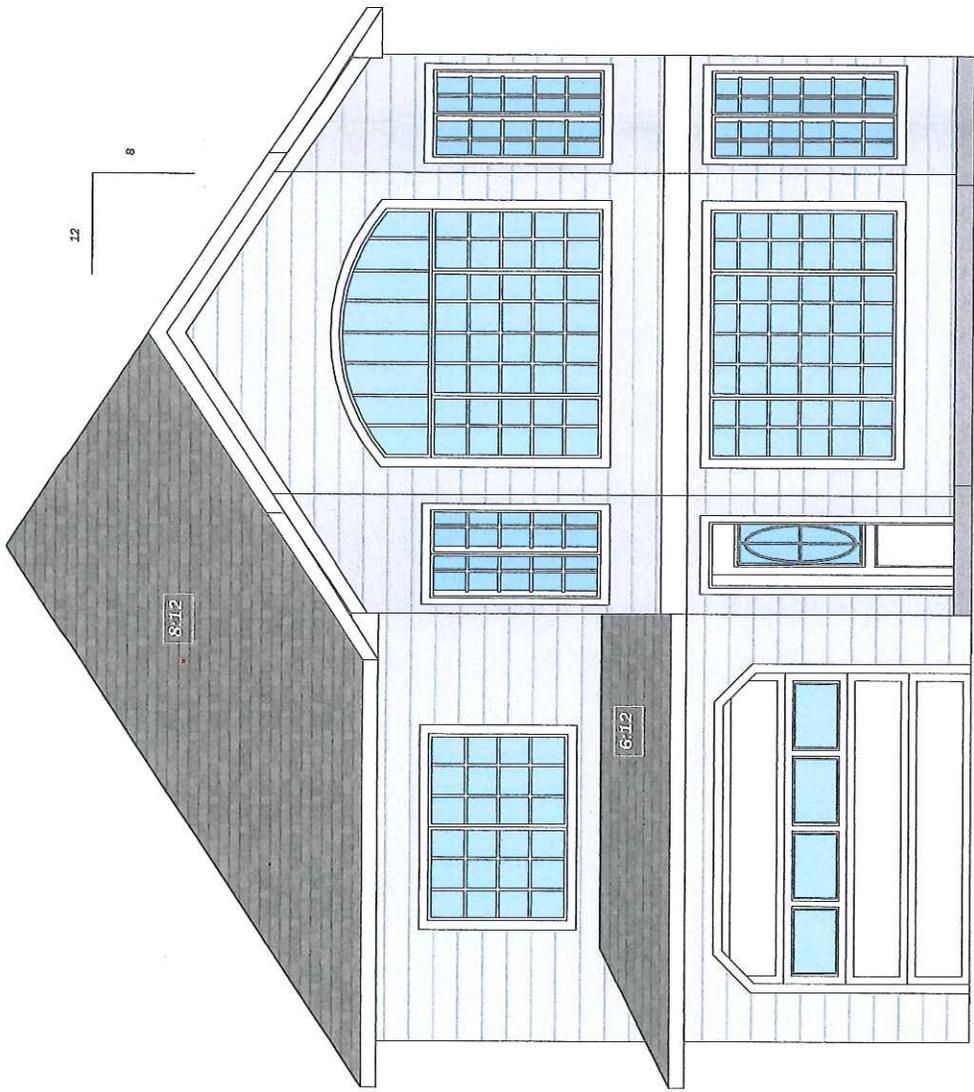
-  proposed building
-  proposed drive way
-  iron pipe found
-  iron rod found
- +100.00 existing elevations.

Flood elev. = 585.00'
Per Door County
Zoning Inspector

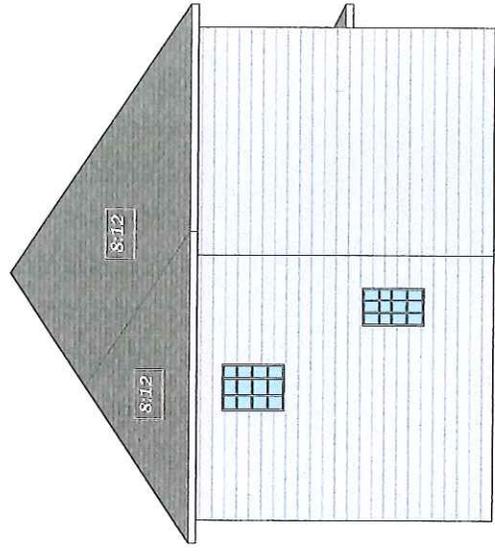
Client: C & C Custom Homes
Tax Parcel: 281-64-61001702
Drafted By: JRW
File: C-8215Site Plan 021816.dwg

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

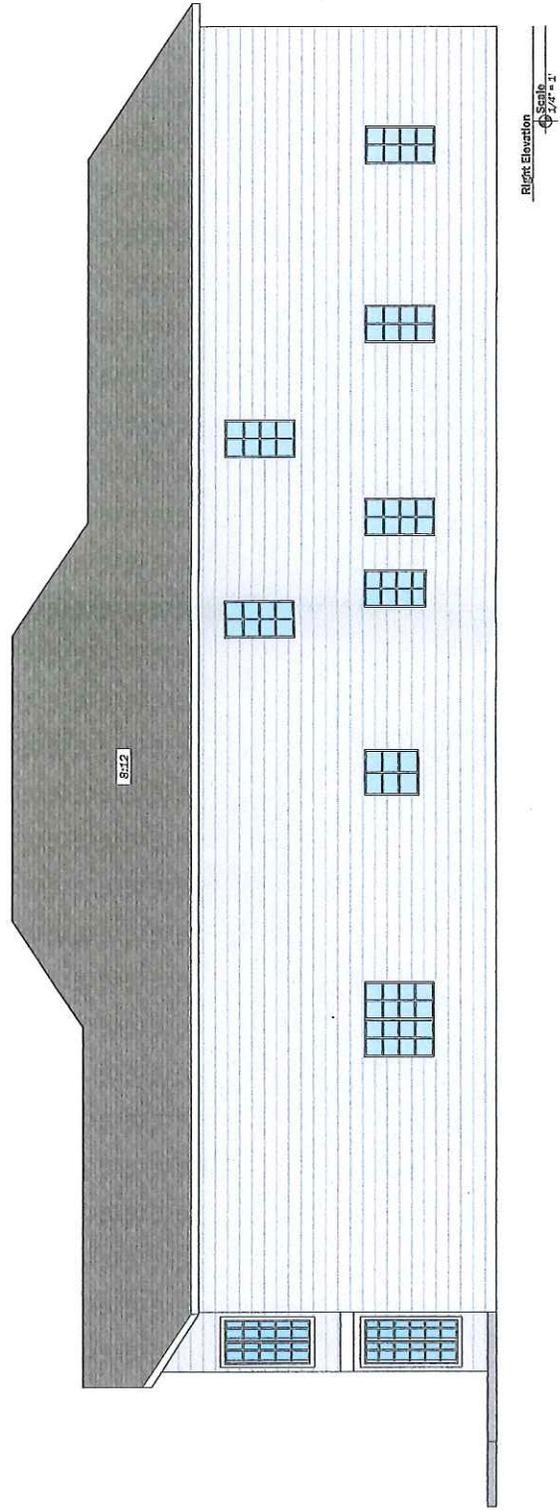
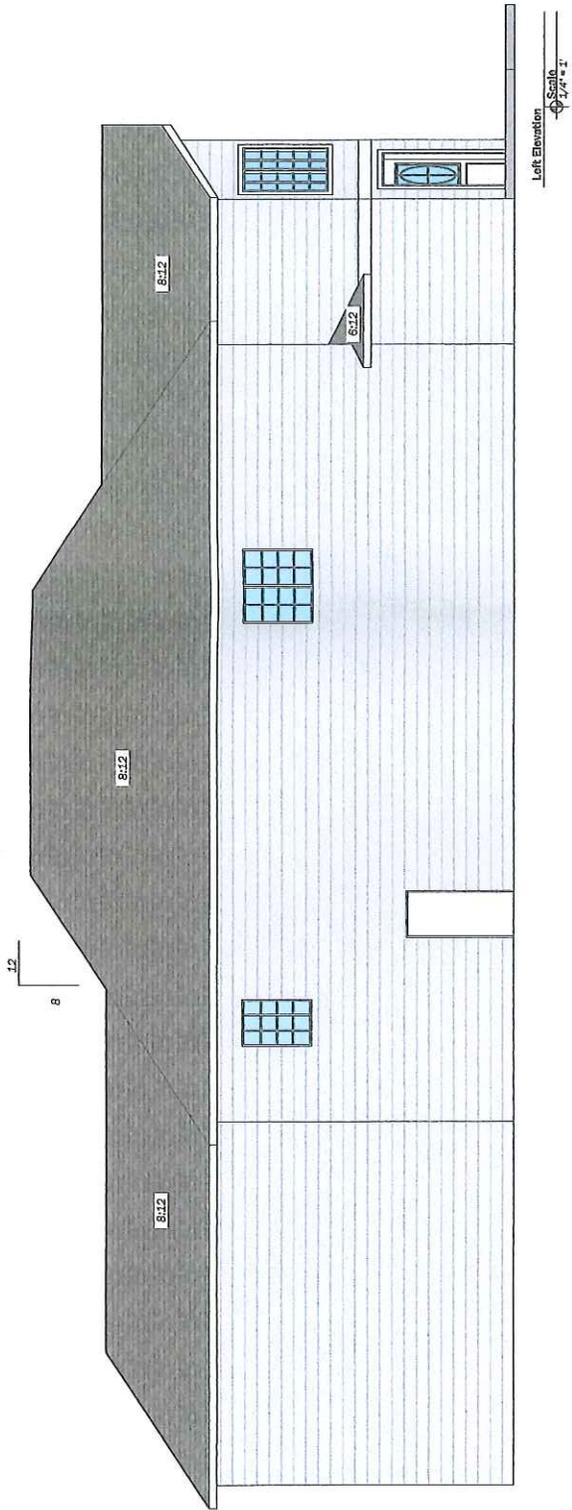
Sheet One of One
Project No.: C-8215
Drawing No.: X-747



Front Elevation
 Scale 1/2" = 1'

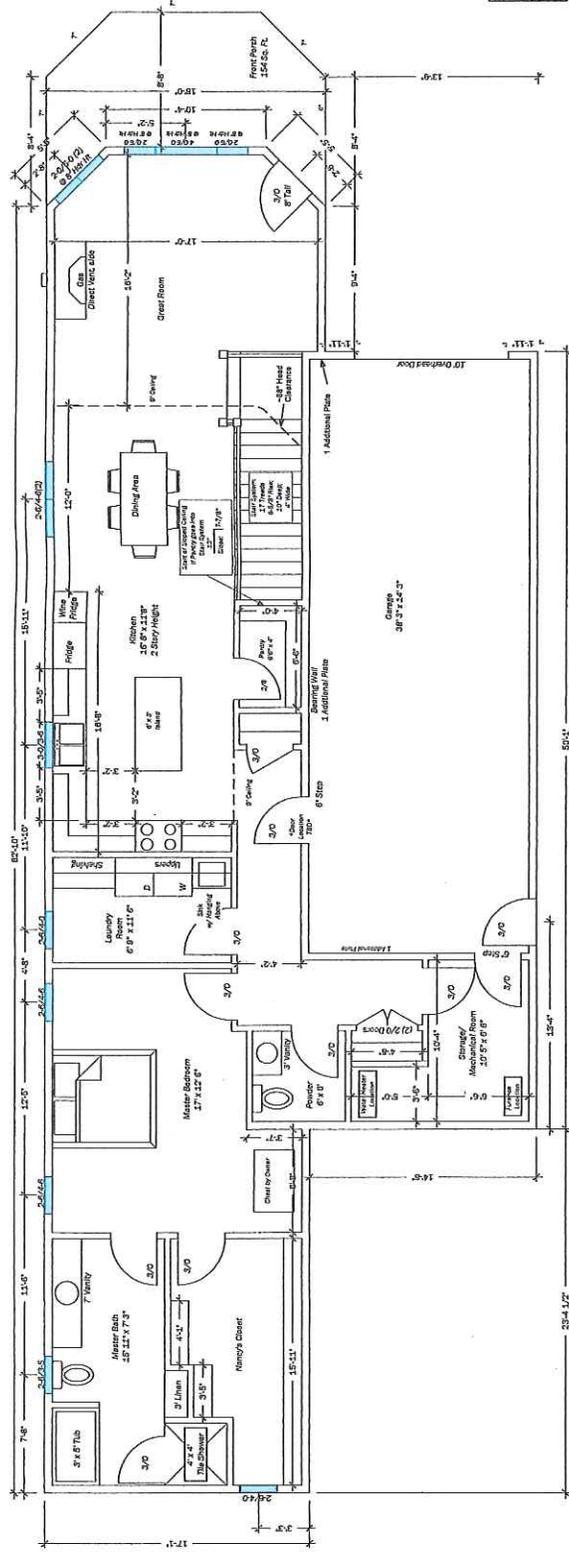


Rear Elevation
 Scale 1/4" = 1'



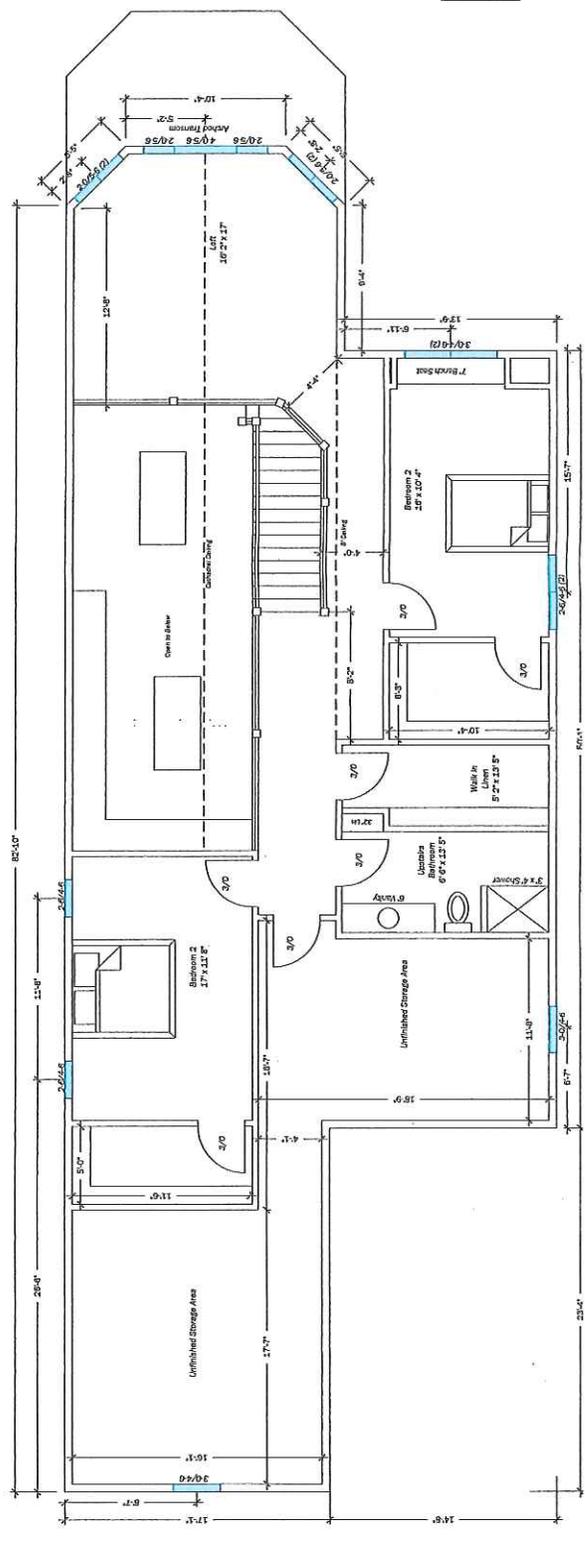
MAIN FLOOR PLAN
 9' ceiling ht.
 1st Fl oor: 1,640 sq.ft.
 Garage: 571 sq. ft.

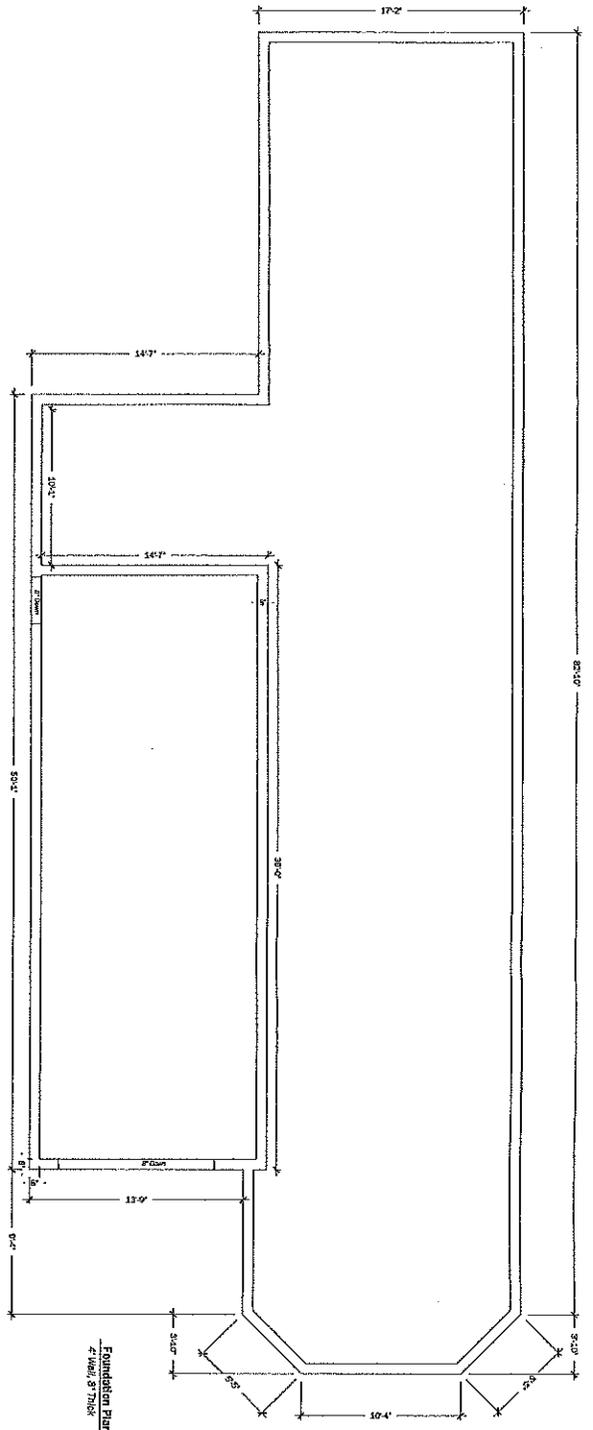
Scale: 1/8" = 1'-0"



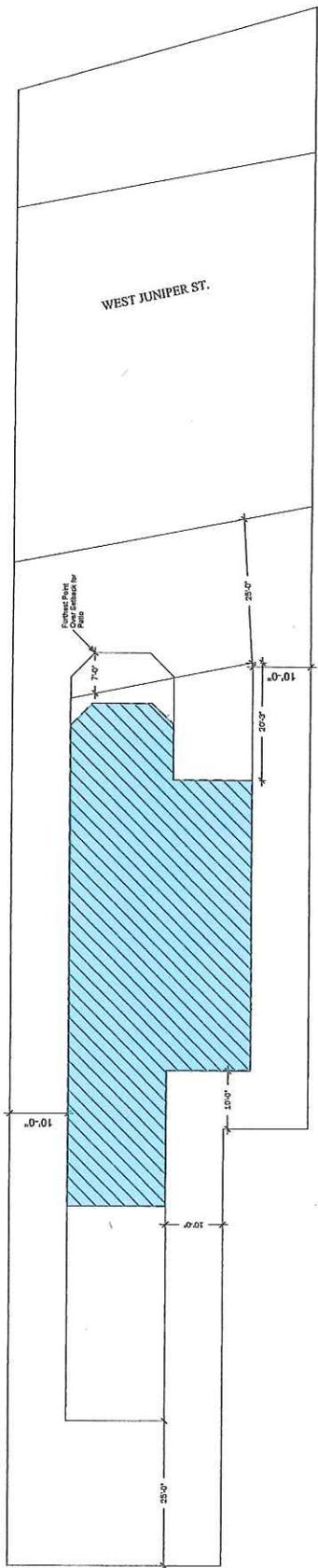
SECOND FLOOR PLAN
 8' ceiling ht.
 2nd Floor: 1,229 sq.ft.
 Storage: 574 sq.ft.

Scale: 1/8" = 1'-0"





Foundation Plan
4" Walls, 8" Thick



1"=10'
HOUSE ON LOT

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 Tuesday, April 12, 2016, at 12:00 Noon or shortly thereafter, regarding a request from Nancy Schopf and Fred Bowen (Adam Kozlowski, Agent) for variances from Section 23.04(3)(a)(1) of the Municipal Code (Floodplain Zoning Code), which requires that which requires a habitable structure in the floodfringe district to be surrounded by fill that is one foot or more above the regional flood elevation and extending at least 15 feet beyond the limits of the structure; and from Section 20.07(7)(f) of the Municipal Code (Zoning Code), which requires a ratio of the dwelling's length to its width be no greater than 2.5 to one. The applicant proposes to construct a new single-family dwelling in the floodfringe district that meets the minimum fill elevation at the foundation line, but such fill does not extend out for 15 feet from the sides of the proposed dwelling; and that has a building length that is 2.7 times its width. The subject property is a vacant parcel located between 129 W. Juniper Street and 147 W. Juniper Street, parcel #281-64-61001702. 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. or on the City website at www.sturgeonbaywi.org. 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.

By order of:

City of Sturgeon Bay Zoning Board of Appeals

Location Map

Public Hearing - Nancy Schopf

Floodplain Zoning & LW Ratio



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)

From: Winkler, Miles A - DNR [<mailto:Miles.Winkler@wisconsin.gov>]
Sent: Monday, March 28, 2016 9:20 AM
To: Kernosky, Ryan
Subject: RE: Floodplain Variance Request

Hi Ryan

We would have no objection to placement of the fill as proposed.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Miles A. Winkler

Phone: (920) 662-5195

Miles.winkler@wisconsin.gov

From: Kernosky, Ryan [<mailto:rkernosky@sturgeonbaywi.org>]
Sent: Monday, March 28, 2016 9:00 AM
To: Winkler, Miles A - DNR
Subject: Floodplain Variance Request

Miles,

Attached are plans for a variance from the floodplain zoning code. Please review and give comment.

Ryan

Ryan J Kernosky
City of Sturgeon Bay, WI
City Planner / Zoning Administrator
920-746-2907 | rkernosky@sturgeonbaywi.org
www.sturgeonbaywi.org