

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

Tuesday, June 14, 2016
12:00 Noon
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 24, 2016.
4. Public hearing: Petition for variance from Section 20.27(2) of the Zoning Code for a deck to be built 17 feet away from the property line, for Rolf Olson and Carol Jensen Olson, 112 S. 16th Place.
5. Consideration of: Petition for variance from Section 20.27(2) of the Zoning Code for a deck to be built 17 feet away from the property line, for Rolf Olson and Carol Jensen Olson, 112 S. 16th Place.
6. Public hearing: Petition for variance from Section 20.27(5) of the Zoning Code for a garage addition to be located approximately 18 feet away from the ordinary high water mark, for Robert Arends, 1032 Ridgeway Dr.
7. Consideration of: Petition for variance from Section 20.27(5) of the Zoning Code for a garage addition to be located approximately 18 feet away from the ordinary high water mark, for Robert Arends, 1032 Ridgeway Dr.
8. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

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

6/8/16
2:00 p.m.
CN

ZONING BOARD OF APPEALS
Wednesday, May 24, 2016

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

Roll call: Members James Goodwin, Wayne Spritka, Bill Chaudoir and Alternate Richard Jennings were present. Excused: Member Bill Murrock. Absent: Member Andrew Starr. Also present were Community Development Director Marty Olejniczak, Community Development Secretary Cheryl Nault, and several members of the public.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 11, 2016.
4. Public hearing: Petition for variance from Section 20.07(7)(c) of the Zoning Code for a roof pitch less than the minimum requirement for a new dwelling, for Scott Strang, for a vacant lot located just north of 534 S 15th Avenue.
5. Consideration of: Petition for variance from Section 20.07(7)(c) of the Zoning Code for a roof pitch less than the minimum requirement for a new dwelling, for Scott Strang, for a vacant lot located just north of 534 S 15th Avenue.
6. Adjourn.

Carried.

Approval of minutes from May 11, 2016: Moved by Mr. Goodwin, seconded by Mr. Jennings to approve the minutes from May 11, 2016. All ayes. Carried.

Public Hearing: Petition for variance from Section 20.07(7)(c) of the Zoning Code for a roof pitch less than the minimum requirement for a new dwelling, for Scott Strang, for a vacant lot located just north of 534 S 15th Avenue: Vice-Chairman Bill Chaudoir opened the public hearing at 12:04 p.m. Mr. Kernosky introduced Scott Strang and Architect Virge Temme who were asking for a variance from the roof pitch requirement of 4:12 to 3:12 pitch. As far as the zoning code, the requirement is for aesthetics.

Architect Virge Temme stated that she is trying to design a home for the average income household. A group of 24 people was formed, ranging from the mid 20's to 70 years old and from very different backgrounds and lifestyles, to get their ideas regarding architecture preference. They prefer a more contemporary, more modern look. This would cut construction costs down. A lower pitched roof will have minimum impact on water runoff. More and more cities are going to lower pitch roofs. She is requesting that this proposed dwelling reinstates the desire for a lower pitched roof. It will enhance the neighborhood. She also had taken pictures of different homes throughout the City that had lower pitched roofs.

Windows were discussed. Additional windows would defeat the purpose of an energy efficient home.

Mr. Chaudoir asked what the hardship was. Ms. Temme responded that they want to create a super energy efficient affordable home that will help with cost of maintenance. It would be much more costly applying to the code of 4:12..

Mr. Strang, owner of the property, had asked Ms. Temme to design an energy efficient home and be able to expand upon. A 3:12 roof pitch reduces construction costs by approximately \$4000.00.

No one spoke in favor or in opposition of the variance request. There were no letters in favor or in opposition of the variance request.

Mr. Chaudoir declared the public hearing closed at 12:27 p.m.

Consideration of: Petition for variance from Section 20.07(7)(c) of the Zoning Code for a roof pitch less than the minimum requirement for a new dwelling, for Scott Strang, for a vacant lot located just north of 534 S 15th Avenue: Board members discussed the variance request. Mr. Kernosky stated that not only is the Plan Commission looking at roof pitch, but minimum square footage as well. Staff does not have a problem with a 3:12 roof pitch.

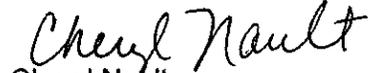
Mr. Goodwin stated that there are a lot of flat roofs in the City.

Mr. Olejniczak said that the Plan Commission has concerns with removing the requirement all together. It will go through a design review process.

Moved by Mr. Spritka, seconded by Mr. Goodwin to approve a 3:12 roof pitch for aesthetic reasons, the roof pitch will be reduced along with the reduction of the lot size and square footage of the home; there are environmental impacts; there are many existing lower pitched roofs; it is a mechanism to keep lower cost homes; and lower heat bills. Roll call vote. All ayes. Carried.

Adjourn: Moved by Mr. Goodwin, seconded by Mr. Spritka to adjourn. Carried. Meeting adjourned at 12:34 p.m.

Respectfully submitted,



Cheryl Nault
Community Development Secretary

June 14, 2016

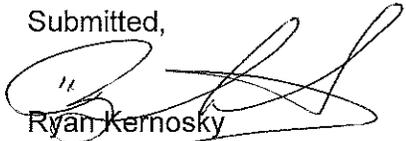
Petition for Variance
Rolf and Carol Olson
112 S 16th Place
Parcel # 281-62-35000109

RE: Summary for Rolf and Carol Olson

Rolf and Carol Olson are petitioning for a variance from Section 20.27(2) of the Zoning Code which states that the rear yard setback for dwellings (including unenclosed decks, and porches) must be 25 feet from the rear property line.

The Olson's are proposing to add an approximately 18' L x 15' W deck on the rear of their dwelling. The proposed deck would be setback 17' from the rear lot line, not the required 25'. If the deck followed the existing zoning code, the Olson's would be able to build a 7' wide deck.

Submitted,



Ryan Kernosky
Planner/Zoning Administrator

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

Date Received: 5-11-16
 Fee Paid \$ 350.00 (300 + 50)
 Received By: CN

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	Rolf Olson ^{Carol A. Jensen} Olson	
Company	—	
Street Address	112 S. 16 th Place	
	* jenniegraham1313@gmail.com	
City/State/Zip	Sturgeon Bay WI ⁵⁴²³⁵	
Daytime Telephone No.	920-559-7653	
Fax No.	—	

STREET ADDRESS OF SUBJECT PROPERTY: same
 Location if not assigned a common address: _____

TAX PARCEL NUMBER: 281-62-35000109

CURRENT ZONING CLASSIFICATION: R1 single family residence home

CURRENT USE AND IMPROVEMENTS:
Single family residence

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW:
20.27(2)

ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:
 North: single family R1
 South: single family R1
 East: single family R1
 West: single family R1

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.

Rolf K. Olsen
Property Owner (Print Name)

[Signature]
Signature

5/9/16
Date

Carol A Jensen Olson
Applicant/Agent (Print Name)

Carol A Jensen Olson
Signature

5-9-16
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:

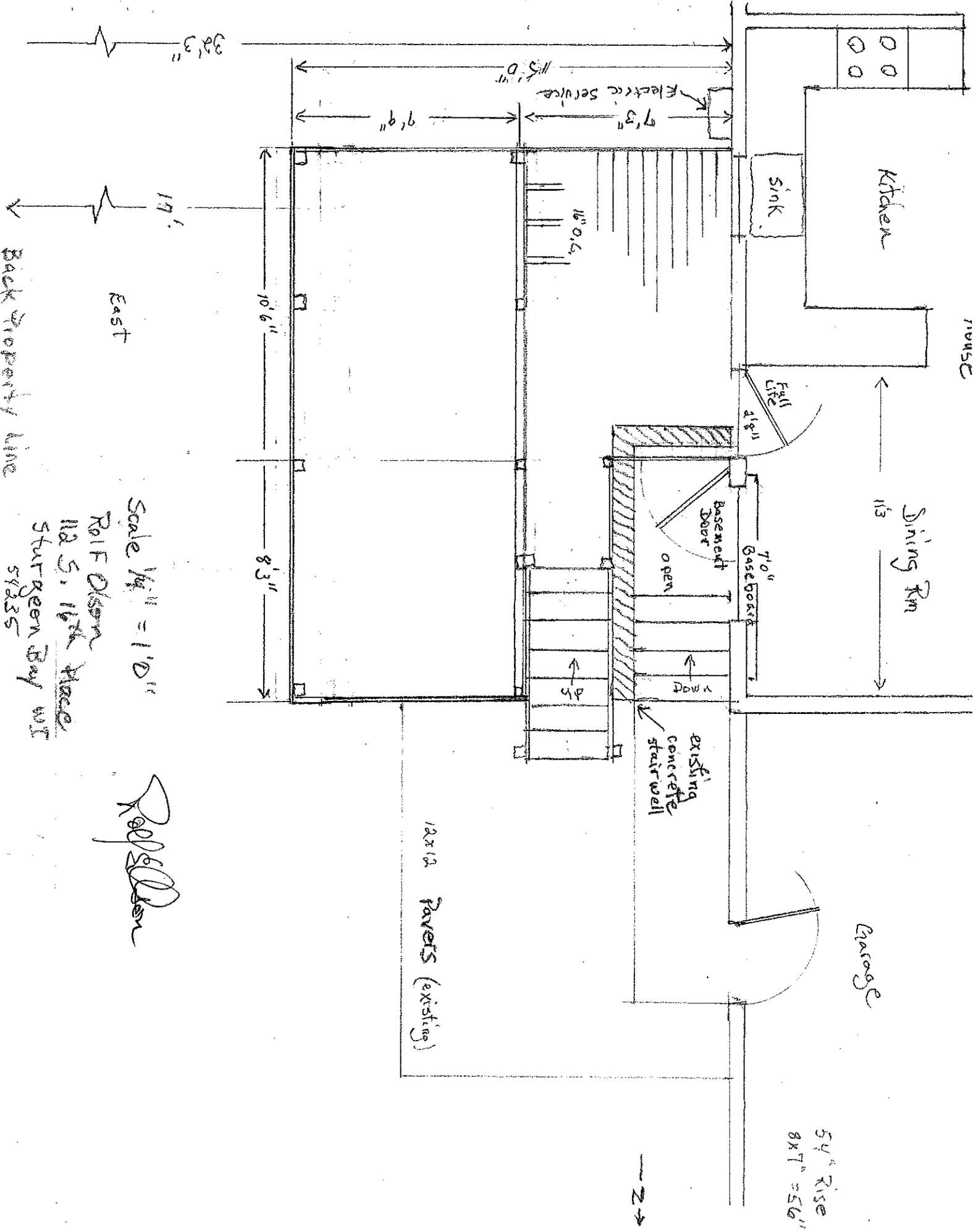
Date

Community Development Director

1. **Unnecessary Hardship** – The house was built in 1965 prior to the zoning code. The house meets regulated setbacks for current zoning code but does not leave enough room for a reasonable deck. The 25 foot setback would allow only a 7 foot wide deck.
2. **Unique Physical Property Limitation** – We have a narrow corner lot on two busy streets. The house is situated so one end is near the south lot line with the bedrooms, the other end has more space but a two car garage limiting its desirability. The backyard would offer the ideal deck potential with access from the kitchen/dining room but the 25 foot setback would allow only a 7 by 10 foot deck. The additional 8 foot variance would give us minimal but functional deck with a 17 foot setback from the back lot line.
3. **Protection of Public Interest** – We have spoken to the neighbor to the East and the neighbor to the South and neither has voiced any objection. These are the two neighbors who border our backyard. There is a row Cedars which separate our backyard from the neighbor's house. To the West is 16th street and to the North is Michigan Avenue. The zoning in all four directions is single family R1. We do not feel this addition would harm any neighbor's interests.

Rolf Olson

Carol Jensen-Olson



Scale 1/4" = 1'0"

Paul Olson

Paul Olson
 112 S. 16th Place
 Sturgeon Bay WI
 54335

Site Sketch

LOCATED IN:

SUB'D 35, SECTION 9, T. 27 N., R. 26 E.,
CITY OF STURGEON BAY, DOOR COUNTY, WISCONSIN

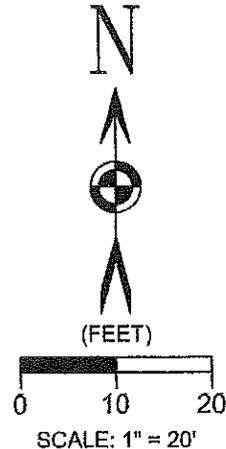
PREPARED FOR:

CURRENT OWNER:
ROLF E. OLSON & CAROL A. GRUSKI
7942 S.T.H. "42"
EGG HARBOR, WI 54209

PROPERTY ADDRESS:
112 SOUTH 16TH PLACE

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.
JOHN S. BAUDHUIN
PROFESSIONAL LAND SURVEYOR
3121 MATHEY ROAD
STURGEON BAY, WI 54235
(920) 743-7183



SURVEYOR'S NOTE:

BEARINGS REFERENCED TO THE SOUTHERLY
RIGHT-OF-WAY OF MICHIGAN STREET BEARING
S 89°53'00" E BASED FROM A BAUDHUIN, INC.
SURVEY, MAP #014800, DATED JULY 1, 1980.

LEGEND

- = EXISTING 1" IRON PIPE
(UNLESS NOTED)
- = SET 1" IRON PIPE WEIGHING
1.13 LBS. PER LINEAL FOOT

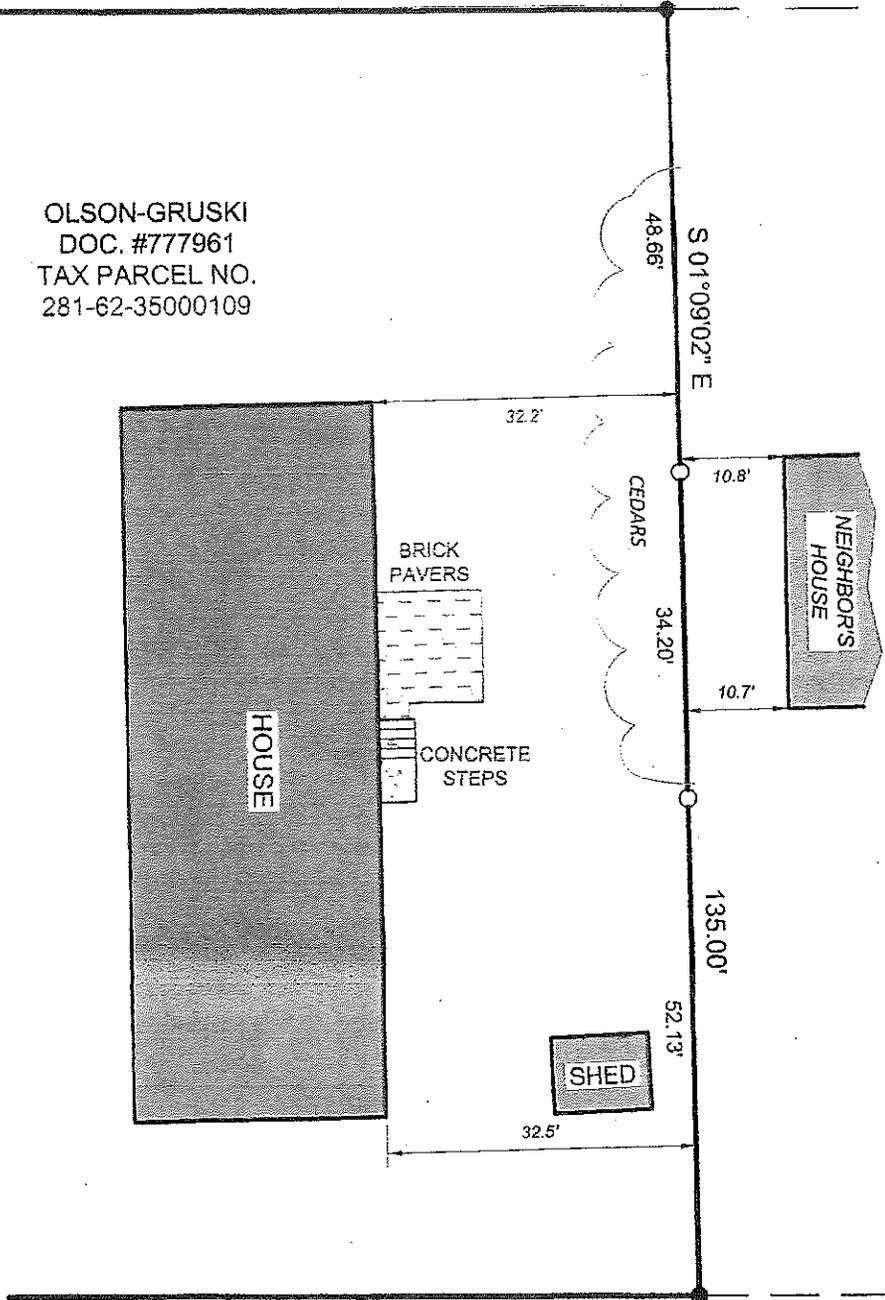


Michigan Street (60')

2" I.P.

S 89°53'00" E 88.94'

OLSON-GRUSKI
DOC. #777961
TAX PARCEL NO.
281-62-35000109



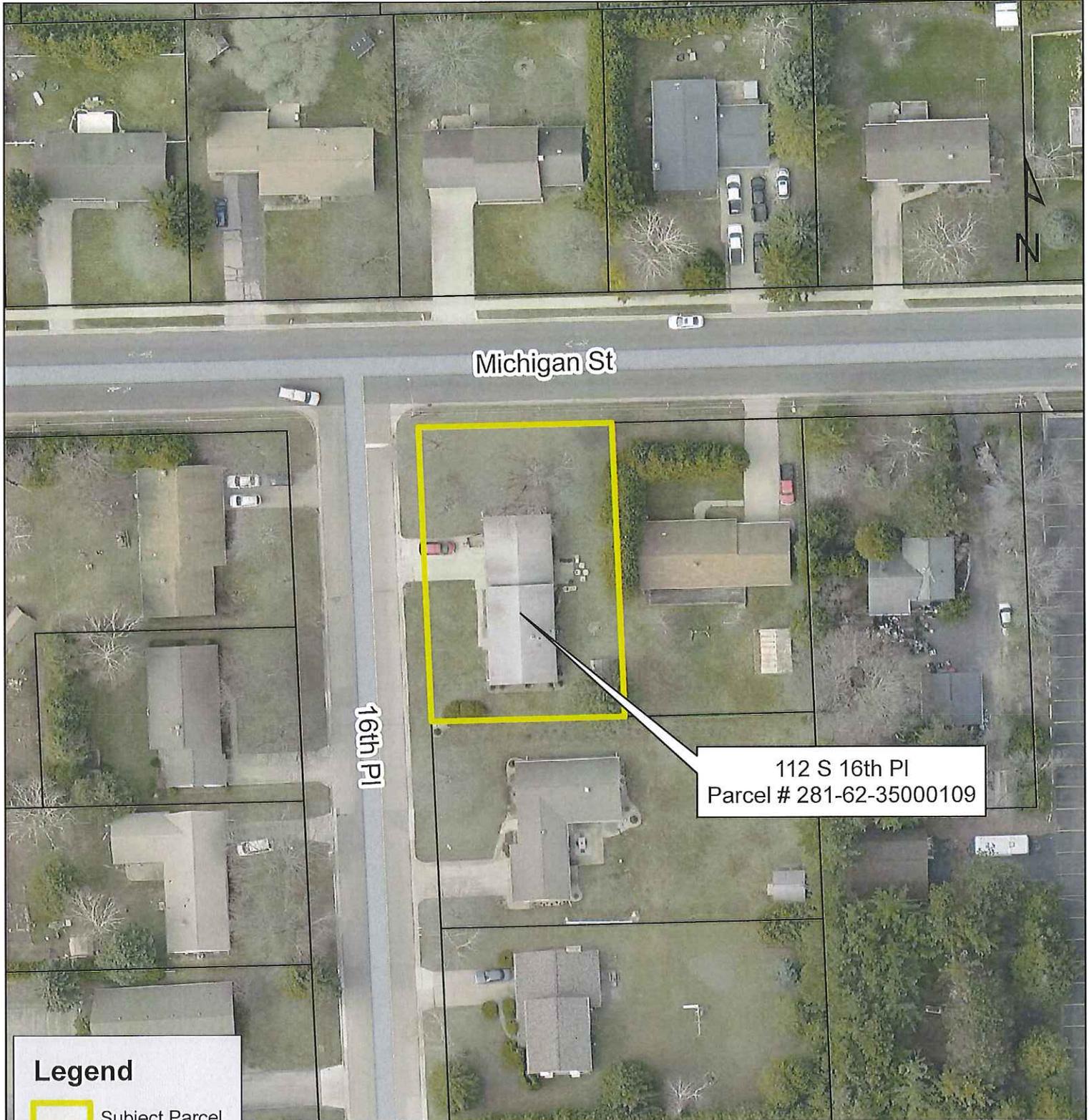
3-21-16
D-031116Y.dwg
Drawn By: D.F.H. II
JOB#: D-031116Y

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, Wisconsin on Tuesday, June 14, 2016, at 12:00 Noon or shortly thereafter, regarding a request from Rolf Olson and Carol Jensen Olson, for a variance from Section 20.27(2) of the Municipal Code (Zoning Code), which requires a rear yard setback of 25 feet for principal buildings and decks. The proposal is for a deck to be built 17 feet from the property line. The subject property is located at 112 S. 16th Place, tax parcel #281-62-35000109. 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's 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

Public Hearing Location Map 112 S. 16th Pl



NOTE: Public Hearing to be held June 14, 2016 at 12 NOON in the City Council Chambers (City Hall, 421 Michigan St, 2nd Floor)

Olson Variance Request - Looking West





112 S 16th Place



June 14, 2016

Petition for Variance
Robert Arends
1032 S Ridgeway Drive
Parcel # 281-46-05000100

RE: Summary for Robert Arends

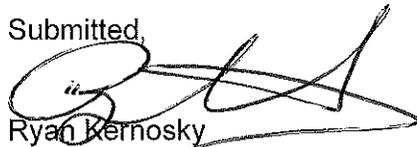
Robert Arends is petitioning for a variance from s. 20.27(5) of the zoning code which states:

Setback from navigable water. All principal and accessory building shall be located at least 25 feet from the ordinary high water mark [OHWM] of all navigable water.

Mr. Arends is proposing a 14' W x 28' L garage addition to his existing garage. The garage addition would be approximately 18' away from the OHWM of Samuelson Creek.

There is a recorded utility easement along the north lot line as described by Mr. Arends in his application for the variance.

Submitted,



Ryan Kernosky
Planner/Zoning Administrator

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

Date Received: 5-17-16
 Fee Paid: \$ 300 + 50 Sign Dep
 Received By: CN

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	ROBERT R. ARLENDS	
Company		
Street Address	1032 RIDGEWAY DR. SANDHELL SUBD. LOT 1	
City/State/Zip	STURGEON BAY	
Daytime Telephone No.	920-495-5762	
Fax No.		
STREET ADDRESS OF SUBJECT PROPERTY: <u>1032 RIDGEWAY DR.</u> Location if not assigned a common address: _____		
TAX PARCEL NUMBER: <u>281 460 5000100</u>		
CURRENT ZONING CLASSIFICATION: <u>RESIDENTIAL</u>		
CURRENT USE AND IMPROVEMENTS: <u>RESIDENTIAL, HOUSE WITH ATTACHED 2 STALL GARAGE & DECK</u>		
IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: <u>S. 20.27(5)</u>		
ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES: North: <u>RESIDENTIAL, RESIDENCE</u> South: <u>RESIDENTIAL, RESIDENCE</u> East: <u>RESIDENTIAL, RESIDENCE</u> West: <u>RESIDENTIAL, RESIDENCE</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: THE SHAPE, SIZE AND SETBACKS OF THE PROPERTY PRECLUDE THE BUILDING OF A DETACHED GARAGE FOR MY BOAT
2. Unique physical property limitation: UTILITY ASSEMBLY ON NORTH LOTLINE, REDGEWAY DR. SETBACK ON WEST AND 25 FOOT SETBACK FROM SIMMONSON CREEK
3. Protection of public interest: THE NEIGHBOR ON THE OTHER SIDE OF THE CREEK FROM THE PROPOSED CONSTRUCTION (PAUL KOZLOSKY) APPROVES THE PROJECT

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.

ROBERT R. ARENDT
Property Owner (Print Name)

Robert R. Arendt
Signature

5/16/2016
Date

Applicant/Agent (Print Name)

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

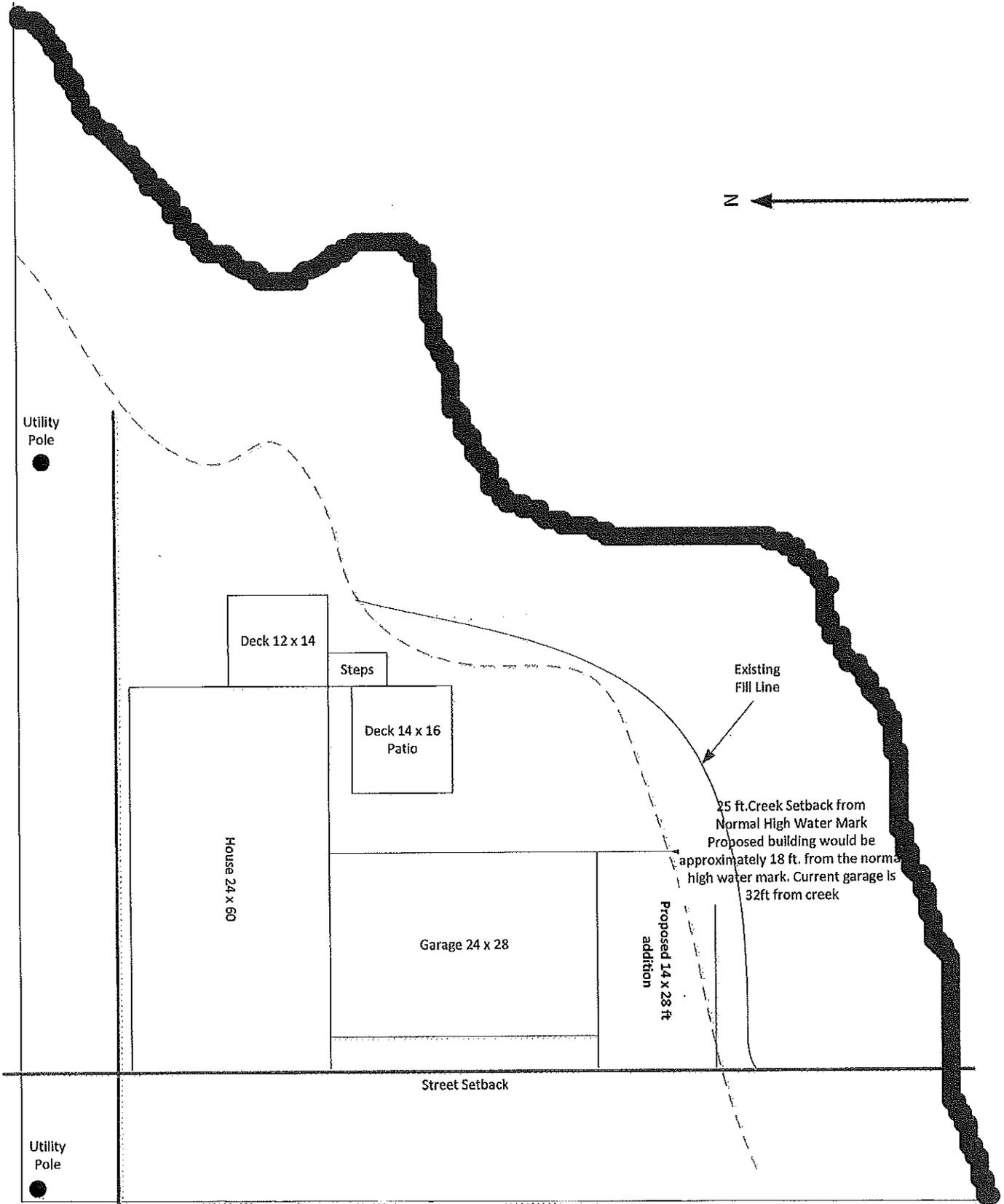
- Attachments:
- Procedure & Check List
 - Agreement For Reimbursement of Expenses

STAFF USE ONLY

Application conditions of approval or denial:

Date

Community Development Director



Utility Pole

Deck 12 x 14

Steps

Deck 14 x 16
Patio

House 24 x 60

Garage 24 x 28

Proposed 14 x 28 ft
addition

Existing
Fill Line

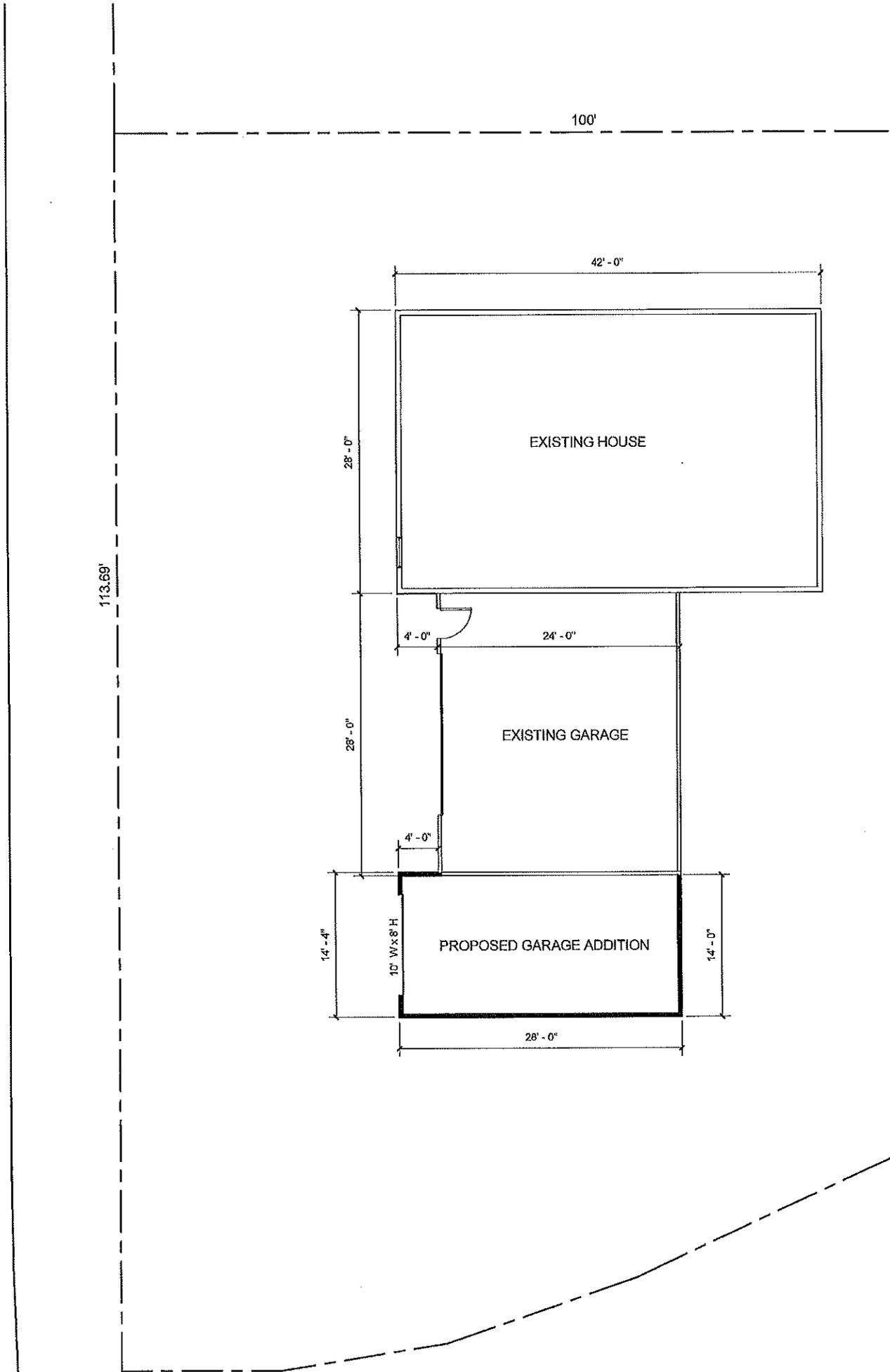
25 ft. Creek Setback from
Normal High Water Mark
Proposed building would be
approximately 18 ft. from the normal
high water mark. Current garage is
32ft from creek

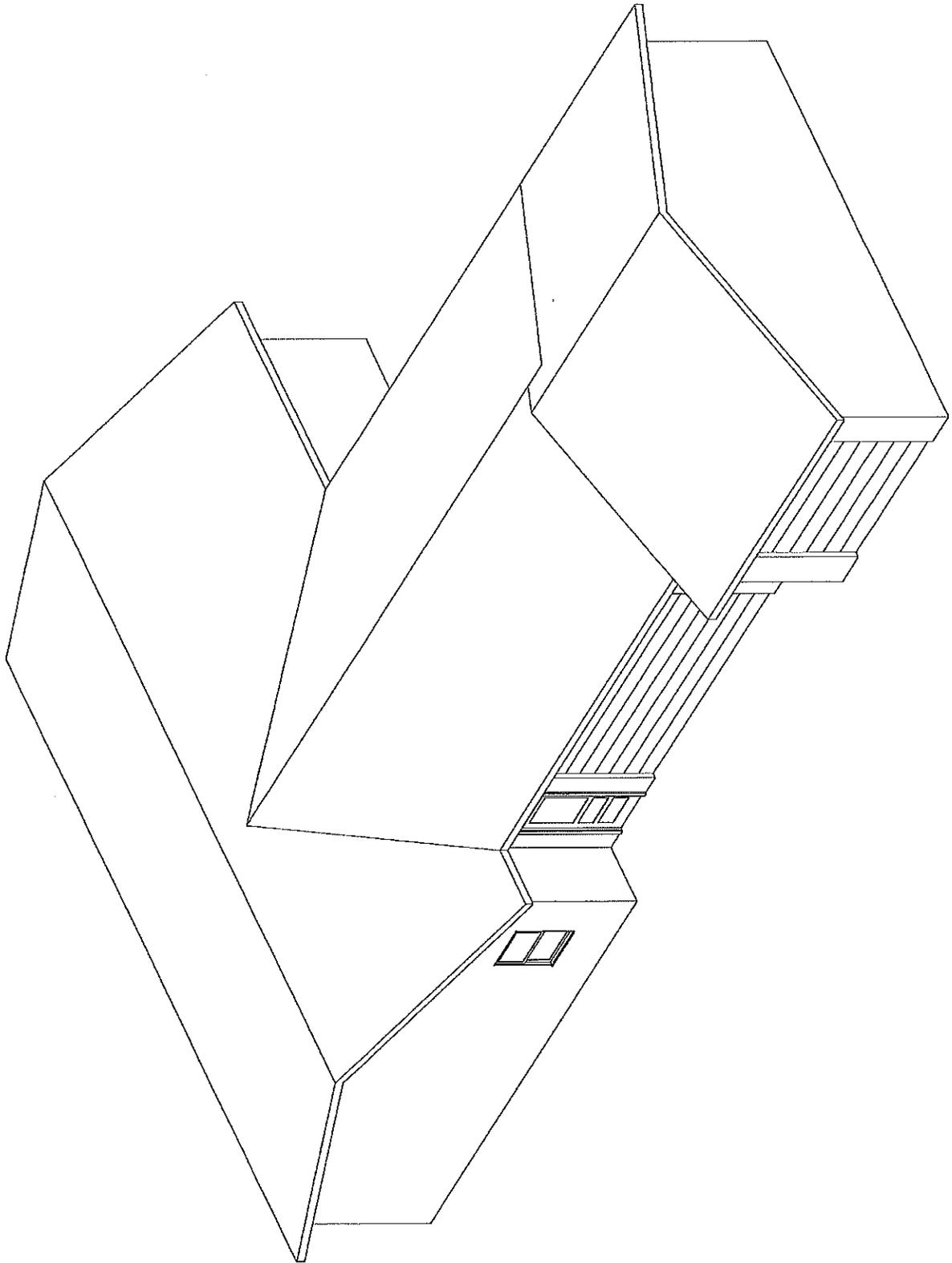
Street Setback

Utility Pole

Utility Setback

**Requesting an 8
foot Variance**



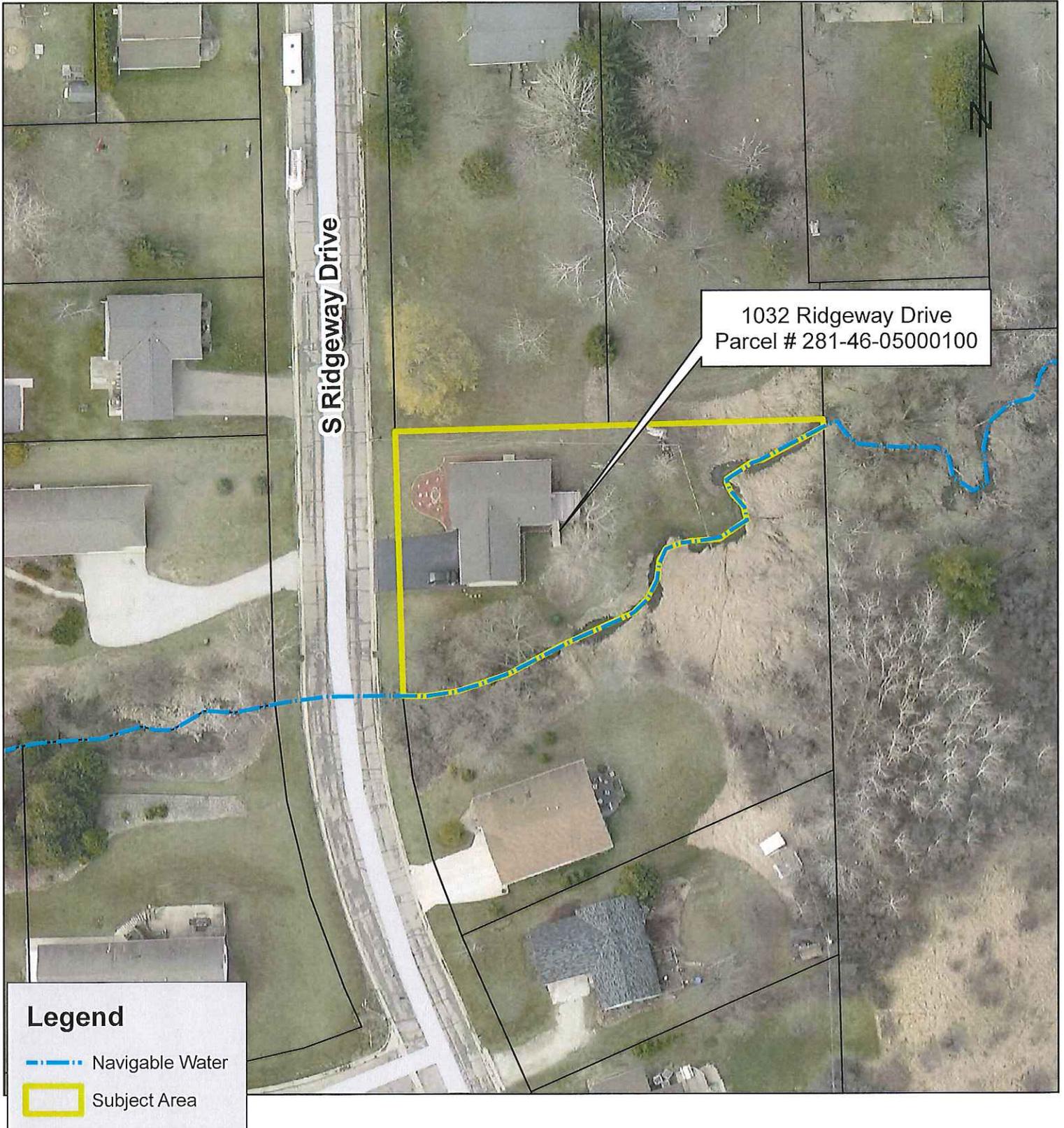


NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Zoning Board of Appeals will hold a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Tuesday, June 14, 2016, at 12:00 Noon or shortly thereafter, regarding a request from Robert Arends, for a variance from Section 20.27(5) of the Municipal Code (Zoning Code), which requires that all principal and accessory buildings shall be located at least 25 feet from the ordinary high water mark of all navigable water. The proposal is for a garage addition to be located approximately 18 feet away from the ordinary high water mark. The subject property is located at 1032 S. Ridgeway Drive, tax parcel #281-46-05000100. 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's 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

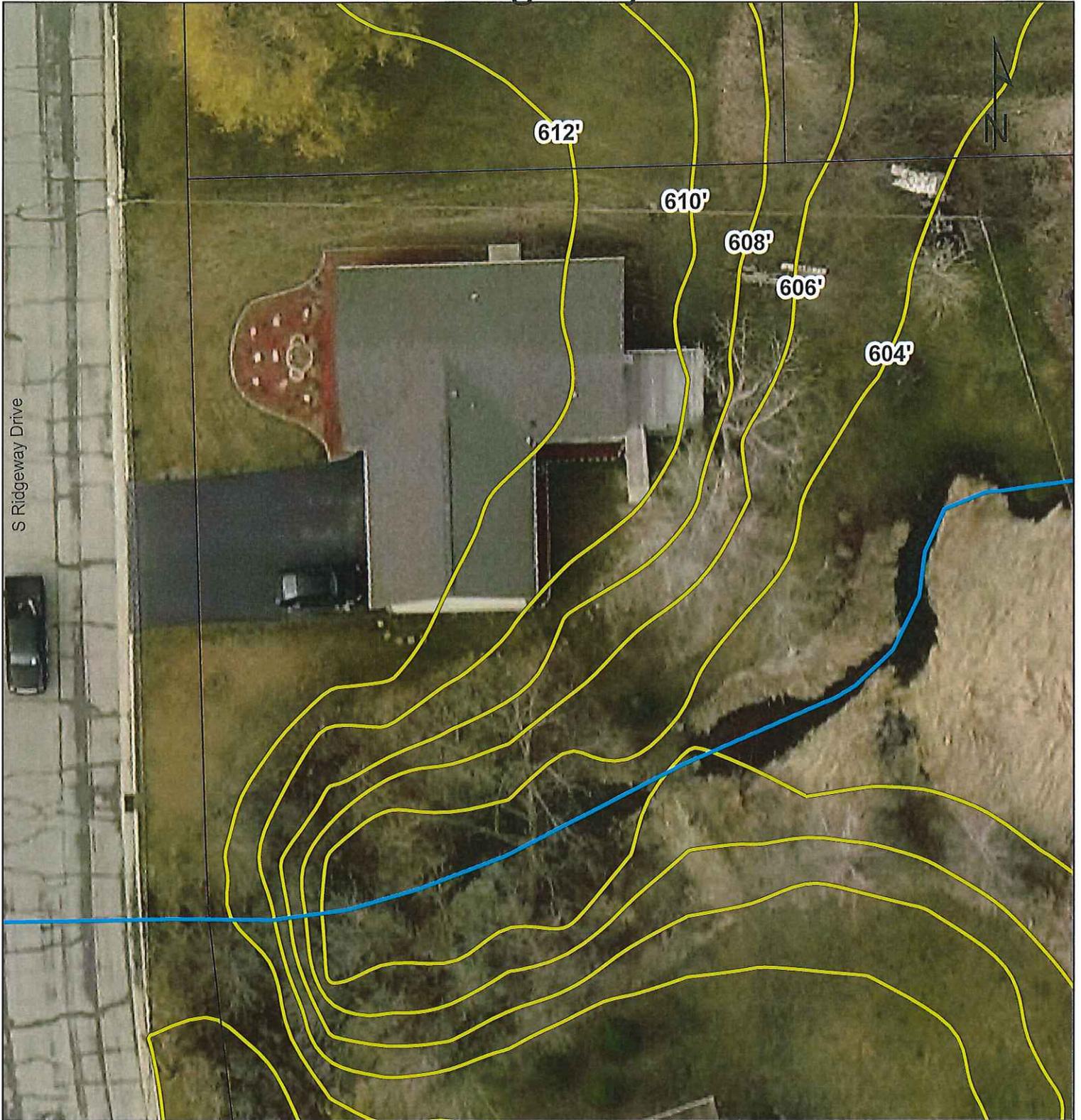
Location Map Public Hearing 1032 Ridgeway Drive



Arends Variance Request - Looking West



Contour Lines Arends Variance Request 1032 Ridgeway Dr



Legend

-  DC Streams
-  Contours

0 10 20 40 60 80 Feet



1032 S Ridgeway Drive