

MINUTES
BOARD OF APPEALS
Monday, September 16, 2013
City Hall, Room 604
5:30 p.m.

MEMBERS PRESENT: D. Carlson, B. Maccaux, J. Bunker, J. Reck, T. Hoy

MEMBERS EXCUSED: R. Marx

OTHERS PRESENT: P. Neumeyer, C. Huddleston, S. Huddleston, J. Kornowski, C. Steffel, D. Dolan-Wallace, M. Anshus

D. Carlson called the meeting to order and asked the Board if anyone needed to abstain from voting; all replied no. He asked if any members had gone to the properties or talked to anyone regarding the requests; J. Bunker visited the property for Item #2. D. Carlson visited the properties for each variance request.

Alternate T. Hoy will be a voting member due to R. Marx's excused absence.

APPROVAL OF MINUTES:

Approval of the August 19, 2013, minutes of the Board of Appeals

A motion was made by J. Reck and seconded by J. Bunker to approve the August 19, 2013, minutes of the Board of Appeals. Motion carried 5-0.

NEW BUSINESS:

1. Sally L. Huddleston, property owner, proposes to replace an existing driveway in a Low Density Residential (R1) District at 1694 Bentwood Drive. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-1709(b)(1), setbacks for parking areas.

Sally Huddleston, 1694 Bentwood Drive – She explained that the area was built into a cul-de-sac, and their home was built on an angle where there is only 12-13 feet on one side. She would like to replace the cemented driveway that has been there since the home was built.

D. Carlson wanted to ensure that concrete would only be placed where there is existing concrete now. S. Huddleston said that was correct.

A motion was made by J. Bunker and seconded by B. Maccaux to approve the request to replace an existing driveway in a Low Density Residential (R1) District at 1694 Bentwood Drive. Motion carried 5-0.

2. Jason Kornowski, property owner, proposes to expand an existing driveway in a Planned Unit Development (PUD) District at 495 Demi Lane. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-1709(a), setbacks for front and corner side yards.

Jason Kornowski, 495 Demi Lane – He would like to put a slab of concrete on the side of the house as he is purchasing a trailer to use at his property up north and needs a place to store it. He also works on vehicles as a hobby and normally has one in the driveway. A trailer would not fit in the driveway along with a vehicle being fixed. The slab could offer space for both a vehicle needing repair and the trailer, leaving the driveway open for his cars to go in and out of the garage where they are held. Neighbors have approved the project.

D. Carlson asked about the write-up which was presented to J. Kornowski's neighbors when he asked for their approval. It contained information about an alternative plan. J. Kornowski said none of his neighbors liked the alternative plan, and he feels it will devalue his property to have a parking spot behind his property.

P. Neumeyer said he hasn't reviewed the alternative plan but thinks it is another option for the applicant to build a second driveway to the street. It's not very logical to have a parking spot in the backyard, but it is an option.

J. Reck wanted clarification that the ordinance prohibits the paving of a driveway in the corner side yard setback, which is 25 feet. P. Neumeyer said that was correct.

D. Carlson said the applicant is penalized for living on a corner.

J. Bunker said he is against the alternative plan of putting a second driveway on the property along the back of the house because it will make the property look like a duplex.

D. Carlson approves of the request with the conditions that fencing is installed and shrubbery is planted.

A motion was made by J. Reck and seconded by T. Hoy to approve the request to expand an existing driveway in a Planned Unit Development (PUD) District at 495 Demi Lane per the submitted site plan with buffer. Motion carried 5-0.

3. Charles Steffel, property owner, proposes to replace an existing driveway in a Varied Density Residential (R3) District at 1636 Franz Avenue. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-1709(b)(1), setbacks for parking areas.

Charles Steffel, 1636 Franz Avenue – The garage is a detached one-stall. The driveway is gravel. He would like to remove the existing garage and install a 2½-stall garage toward the back of the property. The owner would like to pour concrete to the front yard marker and then angle away back to the new garage. The concrete would be close to the lot line in the front and then angle away from it.

D. Carlson asked what the neighbor at 1640 Franz Avenue felt about the project. C. Steffel said he can get the neighbor to sign a letter if necessary; the owner flipped that house and it is for sale.

J. Bunker asked if the property will meet the green space requirement. P. Neumeyer said it would.

A motion was made by J. Bunker and seconded by J. Reck to approve the request to replace an existing driveway in a Varied Density Residential (R3) District at 1636 Franz Avenue. Motion carried 5-0.

A motion was made by J. Bunker and seconded by J. Reck to allow the new deck to be six feet off the lot line instead of the required eight feet. Motion carried 5-0.

4. David Dolan-Wallace, architect, on behalf of Mark & Rosemary Anshus, property owners, proposes to construct a detached garage within the front setback and widen a proposed driveway in a Low Density Residential (R1) District at 2819 Nicolet Drive. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code Section 13-615, Table 6-4, front yard setback, Section 13-1705), residential driveways.

David Dolan-Wallace, 3311 S. Packerland Drive – He represented the property owners in this request. The Anshuses own the properties at 2815 and 2819 Nicolet Drive. The proposed request is to develop the 2819 Nicolet Drive property. The high water mark on the property is a hardship when trying to develop it. The detached garage is required to be 55 feet back from the property line, which would put it near the high water mark. A survey was done, and it showed a relatively small area to be developed. The right-of-way on the road varies as well.

J. Reck said the applicant has proven the hardship for this request.

A motion was made by J. Reck and seconded by J. Bunker to approve the request to construct a detached garage within the front setback and widen a proposed driveway in a Low Density Residential (R1) District at 2819 Nicolet Drive. Motion carried 5-0.

A motion was made by J. Bunker and seconded by J. Reck to adjourn the meeting at 6:02 p.m. Motion carried 5-0.

Meeting adjourned.