

**MINUTES
BOARD OF APPEALS
Monday, August 15, 2016
City Hall, Room 604
5:30 p.m.**

*****For more detailed information regarding the meeting, please see the meeting video on our website at <http://greenbaywi.gov/event/board-of-appeals-7/> and follow the time stamp listed on each item.***

MEMBERS PRESENT: Don Carlson–Chair, Greg Babcock-Vice-Chair, and Thomas Hoy

MEMBERS EXCUSED: None

OTHERS PRESENT: Paul Neumeyer, Ald. Andy Nicholson, John Gase, Kevin Jenquart, James Radish, Brad Kutska, Martin Torres, Ted DuPrey, Renee DuPrey, Joanne Bamke, Jeff Brumm, Steve Barron, Javier Alvarado, Ivan Linares, Dennis Dieck, Harvey Steinfeldt, Ann Shagosh, Abdulhakeem Shagosh, and Andrea Clements

D. Carlson called the meeting to order and asked if Members had gone out to the properties. G. Babcock and T. Hoy went to all properties; D. Carlson did not go out to any properties. He then asked if any members had spoken to anyone regarding the variance requests. All stated no. D. Carlson then asked Members if anyone needed to abstain from voting. All stated no.

APPROVAL OF MINUTES:

Approval of the July 18, 2016, minutes of the Board of Appeals.

A motion was made by G. Babcock and seconded T. Hoy by to approve the July 18, 2016, minutes of the Board of Appeals. Motion carried. (3-0) (0:00:36)

OLD BUSINESS:

NEW BUSINESS:

1. John Gage, Reinhold Sign Service, Inc. on behalf of Procter & Gamble, property owner, proposes to replace 3 existing directional signs in a General industrial (GI) District at 501 Eastman Avenue. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-2005(d), exempt signs. (Ald. J. Moore, District 6) (0:00:56)

John Gase – Reinhold Sign: J. Gase presented to Board members the request from Procter & Gamble to increase the size of their directional signs for trucks entering the property. Truck drivers are stating it is very difficult to read the smaller signs and P&G wants to prevent any type of safety issues. Changes to the signs include larger lettering and a lit sign. The signs will now be all uniform in size.

A conversation then ensued between Board members and P. Neumeyer. Items discussed included the variance request. P. Neumeyer informed Board Members the current signs are directional signs and the size requirement is 6 sq. ft. per directional sign. The new signs will exceed the requirement. There were no issues with the request.

A motion was made by T. Hoy and seconded by G. Babcock to approve the variance as requested. Motion carried. (3-0)

2. James Radish, property owner, proposes to construct a two stall garage in a Low Density Residential (R1) District at 1672 Juniper Drive. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-615, Table 6-4, required side yard setback and Section 13-1709 side yard setback for paving. (Ald. A. Nicholson, District 3) (0:05:04)

James Radish – 1672 Juniper Drive: J. Radish stated he is looking to build a two car garage and is looking for a 2 ft. variance so he can extend the garage to fit it on his property. He is also asking to widen the driveway by 1 ft., which will line up directly with the garage. He stated he has a very small lot.

A conversation ensued between the applicant and Board members regarding ordinance requirements. J. Radish is asking for a side yard setback of 2 ft. setback and a side yard setback for paving of 1 ft.

A conversation then ensued between Board members. G. Babcock stated that the lot is very small and there really is nowhere else he can place the garage. T. Hoy stated he does need to move closer to the lot line to make the garage and driveway manageable. There were no issues with the request.

Ald. A. Nicholson asked Board Members to support J. Radish's request for the garage.

A motion was made by G. Babcock and seconded by T. Hoy to grant the variance as requested, subject to a 2 ft. setback for the garage and no less than a 1ft. setback for the driveway. Motion carried. (3-0)

3. Martin Torres, property owner, proposes to add to an existing garage in a Low Density Residential (R1) District at 1235 Meacham. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, rear yard setback. (Ald. C. Wery, District 8) (0:09:37)

Martin Torres – 1235 Meacham Street: M. Torres stated he would like to extend his garage and build a two car garage. The issue he has is that the rear yard setback is 25 ft., and he is asking for a 6 ft. set back.

A conversation then ensued between Board members and the applicant. Items discussed included the existing driveway, rear and side yard setbacks and the size of the current / new fence.

A conversation then ensued between P. Neumeyer and Board members. Items discussed included the variance, which is the rear yard setback.

Brad Kutska – 1196 9th Street: B. Kutska's main concern was regarding snow removal and wanted to know if the garage was going to be moved back. M. Torres informed B. Kutska that the garage will be moved back, but it will be 10 ft. from the lot line.

There were no issues with the request as M. Torres' lot is a small lot.

A motion was made by T. Hoy and seconded by G. Babcock to grant the variance as requested. Motion carried. (3-0)

4. Ted and Renee DuPrey, property owners, propose to build a front porch in a Low Density Residential (R1) District at 1610 Crooks Street. The applicants request to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, front yard setback. (Ald. B. Galvin, District 4) (0:16:05)

Ted and Renee DuPrey – 1610 Crooks Street: T. DuPrey stated that they want to replace their existing porch. In order to put the new porch on, they need a variance from the 25 sq. ft. size. The current porch is 6.5 ft. x by 3 ft. They are looking to add a 7 ft. x 7 ft. deck in order to support the awning. They stated the porch does not go out any further than their neighbor's porch next to them.

D. Carlson then confirmed with P. Neumeyer that they are currently encroaching into the front yard setback and they need to encroach further to replace their existing deck. P. Neumeyer stated that was correct as a front yard deck can be no larger than 5 ft. x 5 ft. or 25 sq. ft. G. Babcock asked how far into the setback they will be. T. DuPrey stated that they will be 3 ft. into the front yard setback.

A conversation then ensued between Board members and P. Neumeyer. Items discussed included the distance to the side walk and encroachment into the front yard setback. There were no issues with the request.

A motion was made by G. Babcock and seconded by T. Hoy to approve the variance as requested. Motion carried. (3-0)

5. Joanne P. Bamke, property owner, proposes to construct a deck in the rear yard of a Low Density Residential (R1) District at 434 South Van Buren Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, rear yard setback. (Ald. B. Galvin, District 4) (0:22:51)

Joanne Bamke – 434 S. Van Buren Street: J. Bamke stated she is looking to add on to an existing deck behind her house. The house is not 25 ft. from the alley way and is already encroaching into the rear yard setback.

A discussion ensued between Board members, the applicant and P. Neumeyer. P. Neumeyer stated there may be an issue with visibility in the alley due to the height of the deck. Other items discussed included the height of the neighbor's fence, height of her deck, how far back the deck will go, and traffic analysis. There were no issues with the request.

A motion was made by T. Hoy and seconded G. Babcock to grant the variance as requested. Motion carried. (3-0)

6. Steve B. Barron, Barron Building, on behalf of Jeff Brumm, property owner, proposes to construct a second detached accessory structure in a Low Density Residential (R1) District at 825 Wilson Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-615, Table 6-4, size of second accessory structure. (Ald. M. Steuer, District 10) (0:27:48)

Jeff Brumm – 825 Wilson Avenue: J. Brumm stated that he is looking to construct a 24 ft. x 24 ft. detached garage behind his garage where a gravel basin sits now. He then explained what

their intentions were and that the garage would be used for storage. He stated the garage would not be able to be seen as it will be directly behind the existing garage. He would like to have extra storage and improve the overall look of his home and yard.

A discussion then ensued between Board members. There were no issues with the request.

A motion was made by G. Babcock and seconded by T. Hoy to approve the variance as requested. Motion carried. (3-0)

7. Javier Alvarado, property owner, proposes to attach a garage to a residence in a Low Density Residential (R1) District at 300 South Jackson Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, side yard setback. (Ald. R. Scannell, District 7) (0:32:03)

Javier Alvarado / Ivan Linares – 300 S Jackson Street: Ivan Linares stated he will be speaking on behalf of J. Alvarado. He stated that J. Alvarado wants to add an attached garage to his home and build 1 ft. from the property line. At this time he does not have a garage and has a very small lot. They did speak with the neighbor most affected by the request and they do not have any issues with the request.

D. Carlson asked P. Neumeyer what is the side yard setback. P. Neumeyer stated 6 ft.

A conversation then ensued between Board members. There were no issues regarding the request.

A motion was made by G. Babcock and seconded by T. Hoy to grant the variance as requested, subject to the garage being 1 ft. from the property line. Motion carried. (3-0)

8. Dennis M. and Evelyn K. Dieck, property owners, propose to construct a detached accessory structure in a Low Density Residential (R1) District at 3184 Open Gate Trail. The applicants request to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, corner side yard setback and Section 13-615(b)(2), size of accessory structure. (Ald. T. Sladek, District 12) (00:35:32)

Dennis Dieck – 3184 Open Gate Trail: D. Dieck stated he is requesting a variance to build a storage garage on the back of his property and closer to the property line. He stated that he believes the variance may be denied due to the fact that he was informed by Brown County that he cannot get access to his garage from CTH FF. He went on to explain the reason for this issue. D. Carlson stated that they are here only to grant a variance for the size and placement of the garage and not the access to the garage. He also stated that he feels the request is more of a convenience than a hardship.

Ann & Abdulhakeem Shagosh – 3183 Outing Court: A. Shagosh wanted to know the height of the building. D. Dieck stated at least 9 ft. A. Shagosh stated she is opposed of the project due to the height of the building and the possible decrease in property value. She is asking for the variance to be denied.

Harvey Steinfeldt – 3188 Outing Court: H. Steinfeldt stated he is also opposed to the variance request with his concerns being the height of the building and decreased property values.

D. Dieck stated that if the variance is denied, he can build a smaller garage and within the setbacks. However, he is asking for a variance just to be able to build a larger building.

A conversation continued between Board members and the applicant. Items discussed included where the applicant could build the garage without a variance, access from CTH FF, the height of the building, issues with neighbors, and size of the home.

An email from Susan DeLong was presented to Board members. She is opposed to the request.

A conversation ensued between Board members. All were in agreement that the variance should be denied. The reasons for denial included that the request was more of a convenience more than a hardship and that setbacks and structure size could be met without a variance. Other options were discussed regarding approving part of the variance or denying all of the variance.

A motion was made by T. Hoy and seconded by G. Babcock to deny the variance as requested. Motion carried. (3-0)

9. Andrea Clements, property owner, proposes to expand the height of an existing fence in a Low Density Residential (R1) District at 2491-2493 Van Beek Road. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-521(a)(1), fence height. (Ald. A. Nicholson, District 3) (00:58:00)

Andrea Clements – 2491 Van Beek Road: A. Clements is seeking a variance for an 8 ft. fence for additional privacy. She currently has a 6 ft. fence. She provided pictures to show the grade of her property.

Ald. A. Nicholson stated he is in favor of the request.

A conversation ensued between Board members and P. Neumeyer regarding the height of the fence, the terrain, and the small lot. There were no issues regarding the request.

A motion was made by T. Hoy and seconded by G. Babcock to approve the variance as requested. Motion carried. (3-0)

A motion was made by G. Babcock and seconded by T. Hoy to adjourn the meeting at 6:31 p.m. Motion carried. (3-0)

Meeting adjourned.