

MINUTES
BOARD OF APPEALS
Monday, November 16, 2015
City Hall, Room 604
5:30 p.m.

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

MEMBERS EXCUSED:

OTHERS PRESENT: Paul Neumeyer, Monique Van Stechelma n, Andy Somers, Gene Sengstock, Carol Kittell, Stephen Cegelski, Jason Pelishek, Marta Woldt, and Chris Heyrman

D. Carlson called the meeting to order and asked the Board if anyone needed to abstain from voting. All stated no. He then asked if any members had gone out to the properties. G. Babcock and T. Hoy stated they went to all four properties. He asked if any members had spoken to anyone regarding the variance requests. All stated no.

NEW BUSINESS:

1. Monique Van Stechelma n, property owner, proposes to retain an existing expanded portion of a driveway located in a Low Density Residential (R1) District at 1259 North Locust Street. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-1709, setbacks for parking areas.

Monique Van Stechelma n – 3095 Olde Hickory Trail: M. Van Stechelma n stated that she is in the process of selling her property at 1259 N. Locust Street and learned that her driveway was not up to code. The current driveway was installed two years after she bought the house and was a donation from the Lions Club. At the time of the installation, permits were not necessarily needed for driveways. She has never had an issue with the setbacks regarding the driveway as there is a vacant lot next to her. She feels that if she had to tear out the driveway, it would take away from her property value.

D. Carlson clarified with M. Van Stechelma n that she needs a variance to make the driveway compliant and that no new construction will be done. She stated that was correct. He then asked how close she was to the setback and how big of a variance is needed. She stated she didn't think it was that big, maybe a couple of feet.

A conversation then ensued between Board members. No one had any issues regarding this request.

A motion was made by G. Babcock and seconded by T. Hoy to grant the variance as requested. Motion carried. (4-0)

2. Andy Somers, Orde Sign, on behalf of St. Patrick Church, property owner, proposes to replace an existing pole sign in an Office/Residential (OR) District, located at 211 North Maple Avenue. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-2016, overall height.

Carol Kittell – 1087 Kellogg Street: C. Kittell stated they are looking to replace the church sign on Ashland Avenue. The physical mailing address for the church is on N. Maple Avenue, however, the sign is located on Ashland Avenue. They are looking to replace the existing sign with a digital sign. In going through the sign process, they found that religious institutions and schools have a different code regarding height requirements, which is a 3 ft. under clearance. This is one of their major concerns as the sign is next to their parking lot and very close to the sidewalk. They are concerned about it being hit by a car or bicyclists as the under clearance is only 3 ft. Another problem they see is vandalism as they have had issues in the past. They are asking for a 20 ft. tall pole with a 10 ft. under clearance.

Another issue brought up was power to the sign. They would like to have the sign higher so they can just attach a weatherhead from the power pole to the sign. If the sign has to have the 3 ft. under clearance, they would either have to bury the power lines; which is a huge expense for them, or find a way to bring the wire down from the power pole to the sign, which is truly a safety hazard.

D. Carlson verified the reasons for the variance are due to vandalism in the area, the possibility of the sign being hit by vehicles, and the cost to power the sign. D. Carlson verified with P. Neumeyer that the sign heights are different for churches and schools versus business and questioned why. P. Neumeyer stated that was correct. He stated that the reason for this is because they are compatible with residential uses, but, are not considered commercial uses. The smaller sign would be more compatible with the surrounding land uses and the sign they are requesting is more of a commercial sign used in commercial corridors.

D. Carlson stated he understood why they want a taller sign, but asked if a 20 ft. sign was really necessary. They replied that another concern they have is semi-trucks, as they use their parking lot to turn around in. They want to keep the sign high enough so it won't be hit, however, they could get away with 18 ft. if needed.

R. Marx asked what the current under clearance is of the sign. They stated it is about 14 ft. 6 in. to the top of the sign.

T. Hoy wanted to know if the sign would be considered non-conforming or grandfathered. P. Neumeyer stated it would be a non-conforming sign.

A conversation then ensued between the applicants and Board members regarding the placement of the sign, height of the sign, and power to the sign. T. Hoy wanted to clarify with the applicants that the variance does not include any type of electrical regulations as that is mandated by the State and there are rules and guidelines that need to be followed. They stated they understood and have been working with an electrical contractor.

A conversation then ensued between Board members. Their conversation contained the height code regarding churches and schools. T. Hoy stated he would have an issue if the sign was on N. Maple versus Ashland Avenue. G. Babcock agreed, and stated there is justification present for a hardship.

A motion was made by R. Marx and seconded by T. Hoy to grant the variance as requested. Motion carried. (4-0)

3. Jason Pelishek & Marta Woldt, property owners, propose to add a detached accessory shed to their property located in a Low Density Residential (R1) District at 1203 Spence Street. The applicants request to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-615, Table 6-4, side and rear yard setbacks.

Jason Pelishek & Marta Woldt - 1203 Spence Street: J. Pelishek stated they would like to build an 8 ft. x 12 ft. storage shed. They would like the shed to be placed on the back corner of the property behind the garage and within the fenced-in yard. The reason for placing the shed in this position is easy access from the garage and house. They did talk to their neighbors and presented to Board members signed letters stating they have no issues with the request. They will be approximately 1 ft. off the side and rear lot line and the requirement is 4 ft.

D. Carlson asked P. Neumeyer if he had any issues with the request. P. Neumeyer stated no, however, being that close to the lot line may cause maintenance issues in the future.

T. Hoy asked if the shed will butt up against the fence. J. Pelishek stated that was correct. G. Babcock asked if he would be willing to build closer to the garage knowing the distance is 3 ft. between structures and not 4 ft. like he originally thought, moving the shed off the fence line. He stated yes.

A conversation 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 grant the variance as requested. Motion carried. (4-0)

4. Chris Heyrman, Heyrman Construction, on behalf of Pomp's Tire Service, Inc., property owner, proposes to widen an existing two-way driveway in the mid-block between 1115 & 1121 Main Street, located in a General Commercial (C1) District. The applicants request to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-1706, maximum width of a two-way drive.

The applicants gave a brief description of the current and future renovations of the property and area. The variance is for their commercial traffic that comes off of Main Street for service or delivery. They are requesting to widen a driveway to 45 ft. for the larger trucks coming off Main Street.

A conversation ensued between the applicants and Board members regarding the specifics of the new driveway and aesthetics of the new buildings.

A conversation ensued between Board members. There were no issues regarding the request. They agreed the driveway is too narrow and does pose a traffic hazard onto Main Street.

A motion was made by G. Babcock and seconded by T. Hoy to grant the variance as requested. Motion carried. (4-0)

APPROVAL OF MINUTES:

Approval of the October 19, 2015, minutes of the Board of Appeals.

A motion was made by G. Babcock and seconded by T. Hoy to approve the October 19, 2015, minutes of the Board of Appeals. Motion carried. (4-0)

A motion was made by R. Marx and seconded by T. Hoy to adjourn the meeting at 6:12 p.m. Motion carried. (4-0)

Meeting adjourned.