



# **AGENDA OF THE ZONING & PLANNING BOARD OF APPEALS**

**MONDAY, NOVEMBER 16, 2020, 5:30 PM**  
**Virtual Meeting. Public may join via Zoom.**

**A. Zoom Meeting Information.**

- I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

**B. Roll Call.**

- I. Members: Don Carlson - Chair, Gregory Babcock - Vice Chair, Tommy Everman, Noel Halvorsen and Jim Hutchison

Alternate: Tom Hoy

Does anyone need to abstain from voting? Was anyone out to any of the properties? Did you speak to anyone regarding this variance request?

**C. Approval of the Agenda.**

- I. Approval of the agenda for the November 16, 2020, meeting of the Zoning & Planning Board of Appeals.

**D. Approval of Minutes.**

- I. Approval of the minutes from the October 19, 2020, meeting of the Zoning & Planning Board of Appeals.

**E. Regular Business.**

- I. (Appeal 20-33) Kayla Viste, on behalf of Sand and Sun, LLC, property owner, proposes to install a refuse enclosure in an existing parking lot located in a Downtown One (D1) District at 143 N. Broadway (aka 144 N. Chestnut Street). The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1813, setback from street for trash collection (Ald. B. Johnson, District 9).

2. (Appeal 20-34) John Josephs, property owner, proposes to construct a detached accessory structure in a Low Density Residential (R1) District at 1519 N. Irwin Avenue. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-615 (c) Table 6-4, maximum size of 2nd accessory structure, Section 13-1715(a), number of residential drives and Section 13-615 (b)(2), size of accessory structure to principal use (Ald. K. Lefebvre, District 6).
3. (Appeal 20-35) William and Elizabeth Corsten, property owners, propose to construct a second driveway in a Varied Density Residential (R3) District at 581 N. Danz Avenue. The applicants request to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1715(a), number of residential drives (Ald. K. Lefebvre, District 6).

**F. Informational.**

1. Update on Appeal 20-031, 901 Main Street
2. Discussion on procedural items related to the Board of Appeals.
3. Next Meeting Date: December 21, 2020.

**G. Adjournment.**

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT [www.greenbaywi.gov](http://www.greenbaywi.gov)
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Zoning & Planning Board of Appeals meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.

# Virtual Meeting Instructions

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Zoning & Planning Board of Appeals 11/16/2020

## Zoom Meeting Information

### Join Zoom Meeting

<https://us02web.zoom.us/j/82345213442?pwd=TFBbFNiKIFqZUhlUzIiEWElVmZlZz09>

**Meeting ID: 823 4521 3442**

**Password: 483400**

One tap mobile

+13126266799,,82345213442# US (Chicago)

+16468769923,,82345213442# US (New York)

### Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 823 4521 3442

Find your local number: <https://us02web.zoom.us/j/82345213442?pwd=TFBbFNiKIFqZUhlUzIiEWElVmZlZz09>

## Additional Information

1. Wisconsin Open Meetings Law still applies
  - a. Persons interested in speaking to an item must give their name and address
  - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
3. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
  - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
4. Once you are in the meeting please mute yourselves.
  - a. You may unmute yourself when you are called upon to speak.
5. Waiting room
  - a. When you call in, all callers/participants will be placed in a “waiting room.”
  - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
6. Using Zoom with a tablet or computer
  - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
  - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
7. Registering
  - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
  - b. If you’re using a phone, your registration will still be tied to an email.
8. Raising your hand
  - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
  - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
9. What devices should I use?
  - a. Smart phone (please see more detailed instructions on page 3)
  - b. Land line
  - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
  - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
  - e. For tablet and computer users—if you download the app you will be asked to verify your email.
10. Zoom etiquette
  - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
  - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
11. Closed session
  - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
  - b. Persons watching live on YouTube will see a gray screen with the City logo during closed session.
12. Persons interested in listening to the meeting can go to [www.youtube.com/CityofGreenBay](https://www.youtube.com/CityofGreenBay)

## Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
  - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
  - a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application





# **MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS**

**MONDAY, OCTOBER 19, 2020, 5:30 PM**  
**Virtual Meeting. Public may join via Zoom.**

## **A. ZOOM MEETING INFORMATION.**

I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

## **B. ROLL CALL.**

I. Members: Don Carlson - Chair, Gregory Babcock - Vice Chair, Tommy Everman, Noel Halvorsen and Jim Hutchison

Alternate: Tom Hoy

Does anyone need to abstain from voting? Was anyone out to any of the properties? Did you speak to anyone regarding this variance request?

Present: Tommy Everman, Don Carlson, Gregory Babcock, Noel Halvorsen (arrived at 5:40 p.m.), Jim Hutchison, Excused: Thomas Hoy

Chair Don Carlson asked if anyone needed abstain from voting, if anyone was out to any of the properties and if anyone spoke to anyone regarding the variances on tonight's agenda. All stated no, with the exception of Don Carlson. He stated he was out to the property for Agenda Item #1, 901 Main Street, under Regular Business.

Others Present: Ald. Mark Steuer, Ald. Randy Scannell, Ald. Veronica Corpus-Dax

### **C. APPROVAL OF THE AGENDA.**

I. Approval of the agenda for the October 19, 2020, meeting of the Zoning & Planning Board of Appeals.

Moved by Gregory Babcock, seconded by Jim Hutchison to approve the agenda. Motion carried. Yes- Don Carlson, Gregory Babcock, Jim Hutchison, No- None, Abstain- None

### **D. APPROVAL OF MINUTES.**

I. Approval of the minutes from the September 21, 2020, meeting of the Zoning & Planning Board of Appeals.

Moved by Jim Hutchison, seconded by Gregory Babcock to approve the minutes. Motion carried. Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

### **E. REGULAR BUSINESS.**

Moved by Gregory Babcock, seconded by Jim Hutchison to open the floor for discussion for the duration of the meeting. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Noel Halvorsen, Jim Hutchison, No- None, Abstain- None

1. (Appeal 20-031) Garritt Bader, GB 901 Main, LLC, property owner, proposes to permit the installation of a drive-thru for a potential restaurant use in a Downtown One (D1) District at 901 Main Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1606(1)(6) emergency pass lane for the drive-thru (Ald. R. Scannell, District 7).

Board Members Gregory Babcock and Noel Halvorsen recused themselves from this discussion and vote.

Moved by Tommy Everman, seconded by Jim Hutchison to table the variance request until the next scheduled meeting to allow the applicant to gather additional information. Motion carried.

Yes- Don Carlson, Tommy Everman, Jim Hutchison, No- None, Abstain- Gregory Babcock, Noel Halvorsen

2. (Appeal 20-032) Katherine Fettig, property owner, proposes to expand an existing driveway in a Low Density Residential (R1) District at 310 Northern Avenue. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-609, impervious coverage (Ald. M. Steuer, District 10).

Moved by Noel Halvorsen, seconded by Tommy Everman to grant the variance as requested with the condition that there is confirmation regarding property lines. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Noel Halvorsen, Jim Hutchison, No- None, Abstain- None

## **F. INFORMATIONAL.**

Moved by Noel Halvorsen, seconded by Tommy Everman to close the floor for discussion. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Noel Halvorsen, Jim Hutchison, No- None, Abstain- None

1. Discussion on procedural items related to the Board of Appeals.

Discussion regarding procedural items for the Board of Appeals.

2. Date of next meeting: November 16, 2020.

## **G. ADJOURNMENT.**

Moved by Noel Halvorsen, seconded by Jim Hutchison to adjourn. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Noel Halvorsen, Jim Hutchison, No- None, Abstain- None



## Zoning & Planning Board of Appeals

# VARIANCE APPLICATION

Department of Community  
and Economic Development  
100 N. Jefferson Street, Rm 608  
Green Bay, WI 54301-5026  
(920) 448-3300 - phone  
(920) 448-3426 - fax

**Application Deadline: First Tuesday of the Month at 12 Noon.**

Date: 10/27/2020 Project Address: 143 N Broadway Project #: 102816 Appeal #: 20-033

| PROPERTY OWNER                                  | APPLICANT INFORMATION                  |
|-------------------------------------------------|----------------------------------------|
| Name: Sand and Sun LLC                          | Name: Kayla Viste                      |
| Address: 1125 N Military Ave                    | Address: 143 N Broadway St             |
| City, State, Zip: Green Bay, WI, 54303          | City, State, Zip: Green Bay, WI, 54303 |
| Phone: John: 920.246.2083 / Vicky: 920.544.5911 | Phone: 920.562.2335                    |
| Email: Accounting@beamandboard.com              | Email: admin@kavarna.com               |

**Describe proposed plan:** The proposed plan is to place two dumpsters at the edge of Kavarna's parking lot located behind 143 N. Broadway and is accessible via N. Chestnut Ave and an alleyway which runs behind the building itself. Waste management must have room to maneuver their vehicles in front of the dumpsters for disposal. No 20 foot offset or screening would be built due to unique property limitations (described below).

**List variances required to implement the proposed plan (include ordinance numbers and short explanation of each):**

13-1813 Service, Loading and Storage areas  
13-1803 Site Plan Requirements  
15.05(l) Building Permit Required

**Describe what hardships are imposed by zoning ordinances listed in section above making conformity unfeasible or unnecessarily burdensome:**

13-1813 Service, Loading and Storage areas: Following this code will render large portions and specific features of our parking lot unusable. These burdens include loss of business due to lack of reasonable parking, loss of feasible garbage disposal services due to inadequate access to dumpsters for vehicles, and/or loss of access to the existing garage. Certain placement scenarios that follow the code could also block travel between the public road and public alleyway.  
13-1803 Site Plan Requirements: Not applicable if variance is granted to 13-1813.  
15.05(l) Building Permit Required: Not applicable if variance is granted to 13-1813.

**Describe what unique physical characteristics affect this property which prevent you from complying with the zoning ordinance:**

The parking lot is squeezed between a public alleyway, two adjacent parking lots (one public and one private), and the cul-de-sac at the end of Chestnut Ave. The lot is narrow and has a garage located in the Northeast corner on the edge of the alley. Waste management (WM) requires the dumpsters to be placed where the trucks can access them head-on. Moving the dumpsters to any other position in the lot will either make them inaccessible to WM, block the ability of cars to drive from the alley to Chestnut if the lot has cars parked in certain spots, reduce already scarce parking by at least half, and/or block access to the garage already built on the property.

**Describe how granting this variance will neither harm public interest nor undermine the purpose of the ordinance:**

The sidewalk in front of the dumpsters is at the end of a cul-de-sac that is actually three separate driveways (into 144 N Chestnut parking lot, into the public parking lot, and into Fort Howard apartments privet parking lot), and ends at the edge our lot and the cities lot. People who park in either our lot or the city lot use the ally as a walkway since that is where the destinations are located.  
No screening will not change public interest either, from Chestnut street three other dumpsters are visible without screening including one in the public lot.

**Prepare and submit a copy of a site plan (NO LARGER THAN 11X17) detailing your request completely and any additional information which will support your variance request.**

Michael Hastreiter

Digitally signed by Michael Hastreiter  
Date: 2020.10.28 08:49:57 -05'00'

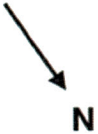
10/28/2020

Signature of Applicant

Date

|                  |               |                        |                        |
|------------------|---------------|------------------------|------------------------|
| OFFICE USE ONLY: | Parcel#       | Residential \$75 _____ | Commercial \$150 _____ |
| District: _____  | Zoning: _____ | Meeting Date: _____    | Receipt #: _____       |

Beemster Electric Parking Lot  
138 N Chestnut Ave



Guiding Landmark N 4th

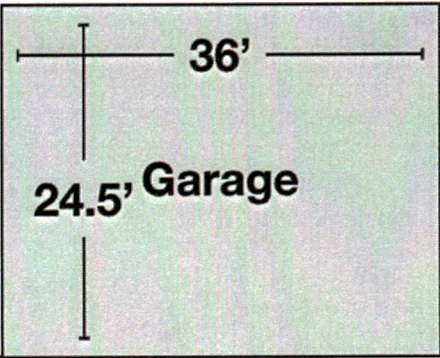
Alleyway

Utility Pole

61'

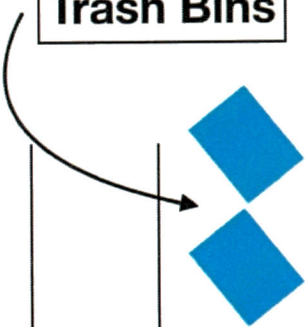
144 N Chestnut  
approximate measurements

Trash Bins



24.5' Garage

36'



15'

7'

122'

Public Parking Lot

N Chestnut Ave

10-13-2020



# BUILDING PERMIT APPLICATION SHORT FORM

Department of Community  
and Economic Development  
100 N. Jefferson Street, Rm 608  
Green Bay, WI 54301-5026  
(920) 448-3300 - phone  
(920) 448-3426 - fax  
inspmail@greenbaywi.gov

All fields must be completed before permit will be processed.

**Project Address:** \_\_\_\_\_

| PROPERTY OWNER              | CONTRACTOR INFORMATION |
|-----------------------------|------------------------|
| Name: john josephs          | Name:                  |
| Address: 1519 irwin         | Address:               |
| City, State, Zip: 54302     | City, State, Zip:      |
| Telephone #: 920-435-9517   | Telephone #:           |
| Email: jlione@sbcglobal.net | Email:                 |

**Property Owner** – Do you own and occupy the above listed property?  
(check one)

☒ Yes ☐ No

**Current Land Use:** ☒ 1-Family ☐ 2-Family ☐ Multi-Family ☐ Commercial  
(check one)

**Project Scope:** ☐ Fence (36) ☒ Driveway Expansion (35) ☒ Yard Shed (22)( $<150 \text{ ft}^2$ )  
(check all that apply)

**Description of Project:** pour new concete and move a garage to this location

**Estimated Cost of Construction:** \$3,000

The applicant certifies that the information submitted herein is accurate, agrees to comply with the WI Admin. Code, Municipal Ordinance, and with the conditions of this permit, and understands that permit issuance creates no legal liability, expressed or implied, on the Department or Municipality.

*John L. Lange*  
**Signature of Applicant**

9-26-2020

**Date**

To schedule an inspection, submit an online Inspection Request or call (920) 448-3300 at least one business day in advance. Final inspections are required for all projects.

**For Office Use Only**

Project # \_\_\_\_\_

Parcel # \_\_\_\_\_

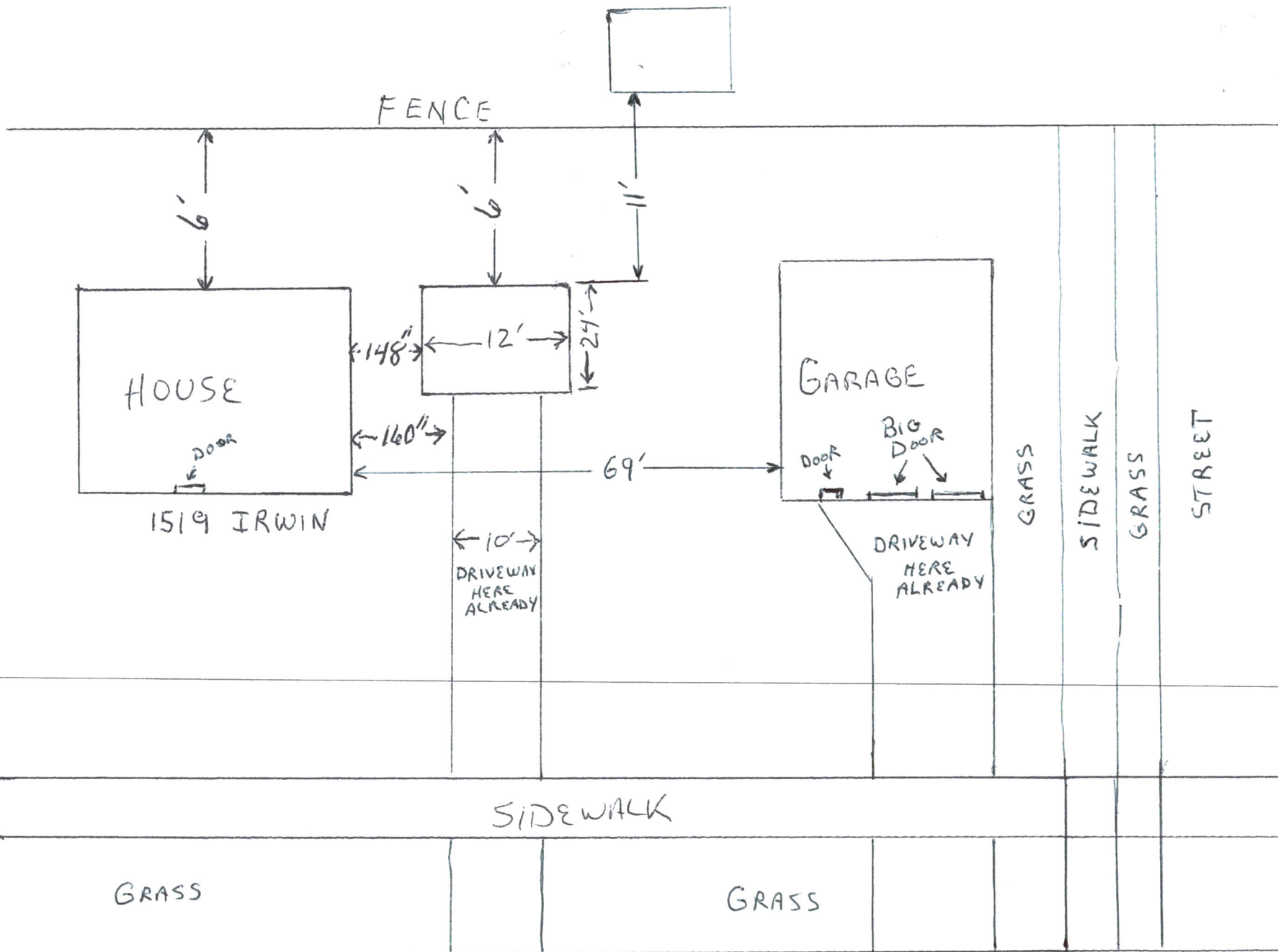
Reviewed By: \_\_\_\_\_

Receipt # \_\_\_\_\_

Permit Fee \_\_\_\_\_

Credential # \_\_\_\_\_

ALLEE



GRASS

SIDEWALK

GRASS

IRWIN AVE. STREET





favorite

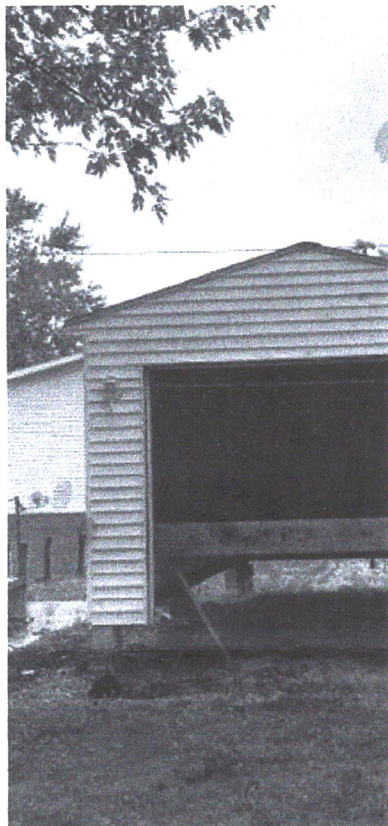
hide



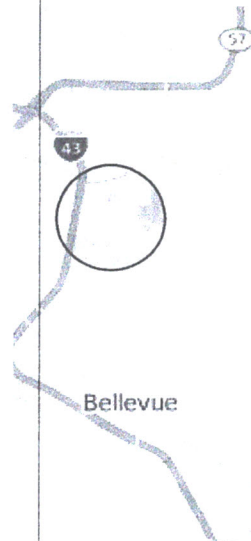
Posted 6 days ago on: 2020-09-17 09:12

Contact Information:

## 2'x24' Garage - \$2,500 (green bay east)



448-3300



size / dimensions: 12x24x8

2' x 24' garage with 9'x7' overhead door, includes delivery within 30 miles of Green Bay.

QR Code Link to This Post



Building permit



# Zoning & Planning Board of Appeals

## VARIANCE APPLICATION

Department of Community and Economic Development  
100 N. Jefferson Street, Rm 608  
Green Bay, WI 54301-5026  
(920) 448-3300 - phone  
(920) 448-3426 - fax

Application Deadline: First Tuesday of the Month at 12 Noon.

|                                      |                                  |                                      |                  |
|--------------------------------------|----------------------------------|--------------------------------------|------------------|
| Date: 11/2/2020                      | Project Address: 581 N. Danz Ave | Project #: 102814                    | Appeal #: 20-035 |
| <b>PROPERTY OWNER</b>                |                                  | <b>APPLICANT INFORMATION</b>         |                  |
| Name: William & Elizabeth Corsten    |                                  | Name: William & Elizabeth Corsten    |                  |
| Address: 581 N. DANZ AVE             |                                  | Address: 581 N. DANZ AVE             |                  |
| City, State, Zip: GREEN BAY WI 54302 |                                  | City, State, Zip: Green Bay WI 54302 |                  |
| Phone: 920 619 4271 or 920 619 4270  |                                  | Phone: 920 619 4271 or 920 619 4270  |                  |
| Email: LizzieLou70@gmail.com         |                                  | Email: LizzieLou70@gmail.com         |                  |

### Describe proposed plan:

TO PUT DOWN CEMENT BLOCKS TO PARK ON.  
35' 2 rows of 12" X 24" cement block  
There is an existing apron on the north side of our lot that has been there since before we bought property. We are now told we have to either do this or fill in apron and replace with curb.

### List variances required to implement the proposed plan (include ordinance numbers and short explanation of each):

13-1715(a) Number of drive ways. This ordinance changed late last year. We have always used the access to park our trailer etc.  
13-1705 <sup>oneway</sup> Building Permit Driveway Guide SAYS 1-drive way per lot that  
13-1703 EXISTING ACCESS - brought into compliance

### Describe what hardships are imposed by zoning ordinances listed in section above making conformity unfeasible or unnecessarily burdensome:

There isn't enough parking for our household. The street is extremely busy (DANZ AVE) and unsafe to back into. AFTER LIVING here 25 years we are suddenly told we no longer can use this access point to park. WE HAVE VERY LIMITED PARKING. FRONT IS A VERY BUSY ROAD AND DANGEROUS.

### Describe what unique physical characteristics affect this property which prevent you from complying with the zoning ordinance:

When DANZ AVE WAS WIDENED IN 1996 OUR DRIVEWAY WAS SHORTENED. This ordinance just changed. We are on a corner lot and already have the apron there. It was put there in 1982 according to construction stamp. our very limited parking

### Describe how granting this variance will neither harm public interest nor undermine the purpose of the ordinance:

There are several exceptions that could apply in the ordinance. The yard is kept up well & clean. We've owned property for 25 years. There's no homes to the north of us. Our neighbors next door (south about 30 years) APTS Behind. The ordinance just changed recently. We have talked with several different people and have been told several different things

Prepare and submit a copy of a site plan (NO LARGER THAN 11X17) detailing your request completely and any additional information which will support your variance request.

William & Elizabeth Corsten  
Signature of Applicant

11/2/2020  
Date

|                   |                          |                      |                  |
|-------------------|--------------------------|----------------------|------------------|
| OFFICE USE ONLY:  | Parcel# 21-2220-5        | Residential \$75 X   | Commercial \$150 |
| District: Zoning: | Meeting Date: 11/16/2020 | Receipt #: 2756990-5 | 11/03/2020       |

St. Vincent  
depart  
route

INC  
R&D House  
DIVIDED BR

VAN DEUREN ST

17' EXISTING APRON  
SIDEWALK

1.77'

EXISTING FENCE

21-2220-5

7,205 SF

WILLIAM H  
ELIZABETH M  
CORSTEN

82'

21-2220-4-1

J12792-30

7,063 SF

82' DANIEL J SANDRA  
LALUZERNE

581

577

SPINNAKER APARTMENTS  
BUTT RIGHT UP TO PROPERTY LINE

# UREN ST

101 77

21-2220-5

WILLIAM  
CORSTEN

7,205 SF

82'

82'

581

21-2220-4-1

DANIEL  
LALUZERNE

7,063 SF

82'

82'

577

& TIAN-YOU  
OCABLE  
TRUST