



MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, NOVEMBER 21, 2022, 4:30 PM

In person at City Hall, Room 604 - The Harry Maier Room.
Virtual attendance is also available via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains Zoom information, instructions, and a link to the Virtual Comment Form.

B. ROLL CALL.

I. Members: Tommy Everman - Chair, Noel Halvorsen - Vice Chair, Barb Dorff, Steven Schuchart, Corey Bogenschutz

Present: Tommy Everman, Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz
Excused:

Others Present: Atty Lindsay Mather, Atty Logan Wood

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

Chair Tommy Everman then confirmed with all Board members that there is no interest, conflict of interest, nor received any communication from any person or party regarding these applications.

C. APPROVAL OF THE AGENDA.

I. Approval of the Agenda for the November 21, 2022, meeting of the Zoning & Planning Board of Appeals.

Moved by Barbara Dorff, seconded by Noel Halvorsen to approve the agenda. Motion Passed.

Yes- Tommy Everman, Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , No- None, Abstain- None.

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the October 17, 2022, meeting of the Zoning & Planning Board of Appeals.

Moved by Noel Halvorsen, seconded by Barbara Dorff to approve the agenda. Motion Passed.

Yes- Tommy Everman, Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , No- None, Abstain- None.

E. REGULAR BUSINESS.

I. (Appeal 22-37) Victoria Mora, property owner, proposes the addition of a parking space in a Low-Density Residential (RI) District at 913 N. Van Buren Street. The applicant requests to deviate from the following requirements in Chapter 44, Green Bay Zoning Code: Section 44-559, maximum impervious surface requirements and Section 44-554, sideyard setback requirements (Ald. R. Scannell, District 7).

Moved by Barbara Dorff, seconded by Corey Bogenschutz to open the floor. Motion Passed.

Yes- Tommy Everman, Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , No- None, Abstain- None.

Please note: Atty Lindsay Mather will be interpreting for Victoria Mora. Atty Logan Wood will represent the City for questions.

Moved by Noel Halvorsen, seconded by Barbara Dorff to grant the variance as requested as the applicant has met the following variance findings by the ZBOA:

- a. Preservation of Intent - The size of the parcel is very small and already over the limit. Property has used the parking space for years.
- b. Exceptional Circumstance - Many properties in the district are small and use space off alleyways for additional parking.
- c. Preservation of property rights - Most properties have room for at least three stalls. The only potential way to get to a third stall is with the variance design.
- d. Absence of detriment - The property has been over the threshold and using the non-conforming stall for years.
- e. Hardship - The site is too small and cannot create an additional parking space without removing porches and entrances to the structure.

Motion Passed. (4-1)

Yes- Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , No- Tommy Everman, Abstain- None.

2. (Appeal 22-38) Brandon Robaidek, Robert E. Lee & Associates, applicant, on behalf of Halron Brothers, LLP, property owner, proposes a building expansion in a General Industrial (GI) District at 1518 State Street. The applicant requests to deviate from the following requirement in Chapter 44 Green Bay Zoning Code, Section 44-808, Maximum impervious surface (Ald. B. Johnson, District 9).

Tommy Everman swore in the following staff and the applicant for this variance.

Moved by Noel Halvorsen, seconded by Barbara Dorff to grant the variance as requested with the condition that the variance is null and void if the property changes owners.

Atty Lindsay Mather stated you cannot put a condition on land use change.

Noel Halvorsen rescinded his motion.

Moved by Noel Halvorsen, seconded by Barbara Dorff to grant the variance as requested as the applicant has met the following variance findings by the ZBOA :

- a. Preservation of Intent - The property was built before existing code regulations occurred. This addition further puts the building into compliance.
- b. Exceptional Circumstance - The property is hemmed in as a double-fronted parcel with railroad tracks to the south. The property has little space to maneuver new building additions and truck movement.
- c. Preservation of property rights - The site has been an industrial site for years. Expectations of growth are expected on the site. Growth occurs with improvement to overall impervious numbers.
- d. Absence of detriment - Property is hemmed in and the new building expansion is located in the middle of the property.
- e. Hardship - The property is hemmed in as a double-fronted parcel with railroad tracks to the south. The property has little space to maneuver new building additions and truck movement.

Motion Passed.

Yes- Tommy Everman, Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , No- None, Abstain- None.

Moved by Noel Halvorsen, seconded by Barbara Dorff to close the floor and return to regular business. Motion Passed.

Yes- None, No- None, Abstain- None.

F. INFORMATIONAL.

1. Quasi-Judicial Trainings

Atty Lindsay Mather went through some Quasi-Judicial training with staff.
Noel Halvorsen left at 6:29 p.m.

2. Discussion on procedural items related to the Zoning & Planning Board of Appeals.

A discussion was conducted between City Staff and Board members.

3. Next meeting date: December 19, 2022.

G. ADJOURNMENT.

Moved by Barbara Dorff, seconded by Corey Bogenschutz to adjourn. Motion Passed.

Yes- Tommy Everman, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , No- None, Abstain- None.

