



AGENDA OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, SEPTEMBER 18, 2023, 4:30 PM
City Hall, Room 604 - The Harry Maier Room.
Virtual attendance is also available via Zoom.

A. Zoom Meeting Information.

- I. Join Zoom Meeting Online:
<https://us02web.zoom.us/j/85419145658?pwd=VWxYYlFIRXBMcXU3dzU0VU0xQlNKdz09>

Or call in by phone: +1 312 626 6799

Meeting ID: 854 1914 5658

Passcode: 735080

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) prior to the meeting. More detailed [Zoom Instructions](#) can be found online.

B. Roll Call.

- I. Members: Noel Halvorsen - Chair, Barb Dorff- Vice Chair, Steven Schuchart, Corey Bogenschutz, Joshua Koch, Benjamin Andrews.

C. Approval of the Agenda.

- I. Approval of the agenda for the September 18, 2023, meeting of the Zoning & Planning Board of Appeals.

D. Approval of Minutes.

- I. Approval of the minutes from the August 21, 2023, meeting of the Zoning & Planning Board of Appeals.

E. Regular Business.

- I. (Appeal 23-27) Consideration with possible action on a variance request submitted by Alyssa Fields, property owner and applicant, to request to place the facade of a garage in the side yard of a corner lot in front of the setback of an adjoining property in an R1 Low Density

Residential District.(Ald. B. Johnson, District 9).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

2. (Appeal 23-24) Consideration with possible action on a variance request from Bobbie and Travis McKeefry, property owners and applicants to request a deck within the side/rearyard setback at 1325 N Baird Street in an R1 Low Density Residential District (Ald. S. Campbell, District 6).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

3. (Appeal 23-25) Consideration with possible action a variance request submitted by Dave O'Brien of Bayland Buildings, Mark Fine of Russel Metals William Bahcall Inc, property owner to request to exceed maximum impervious surface standards and rear yard setback minimums in a Business Park (BP) zoning district at 825 Hinkle Street. (Ald. M. Eck, District 11).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

4. (Appeal 23-26) Consideration with possible action on a request by Mike Zapinski, applicant, John Nundahl of Georgia-Pacific, property owner, to request creating driveway entrances which do meet bulk requirement standards for industrial driveways at 1749 S Broadway. (Ald. B. Johnson, District 9).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

5. (Appeal 23-28) Consideration with possible action a variance request from Tor Lor property owner and applicant to permit an uncovered parking space between a building and street beside a garage in a R1 Low Density Residential District located at 3380 Heaven Drive.(Ald. J. Hutchison, District 2).

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F. Informational.

1. The date of the next meeting: October 16, 2023.

G. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT 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.



Report to the Zoning & Planning Board of Appeals of the City of Green Bay

MEETING DATE

September 18, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.1

(Appeal 23-27) Consideration with possible action on a variance request submitted by Alyssa Fields, property owner and applicant, to request to place the facade of a garage in the side yard of a corner lot in front of the setback of an adjoining property in an R1 Low Density Residential District. (Ald. B. Johnson, District 9).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

BACKGROUND

Alyssa Fields is seeking a variance to allow the construction of a new garage in the corner side yard of a property which is placed in front of the front setback of a neighboring property at the parcel located at 854 Ninth Street.

The applicant is seeking to deviate from one section of the Green Bay Zoning Code: Sec. 44-554 Table 44-2 Note F. : Corner properties: The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street.

The applicant is seeking to construct a new garage, replacing an old single stall garage which was torn down earlier in the year. The property is a corner lot, thus a corner front and corner side yard are established. The parcel is 45.77 by 110 feet. The front yard faces Ninth, while the side yard faces Tenth.

The applicant is seeking to place a detached two stall garage in the rear of the property, along side a neighboring home facing Tenth. The applicant wants to put in a 22 foot deep by 24 foot wide garage. All other setback and bulk requirements can be met by the plans, however the variance requests placing a new garage approximately 4.5 feet in front of the neighboring home at 1231 Tenth. The garage placement is 4 feet from the north property line and 2.5 feet from the east property line. Both placements are the closest an accessory lot can be placed within the confinements of Table 44-4.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 854 Ninth Application
2. 854 Ninth Aerial Image
3. 854 Ninth Streetview Side Yard September 2016

DATE: 7/25/23	PROJECT #:	APPEAL #:
APPLICANT INFORMATION:		
Name: Alyssa Breanna-Lee Fields		
Business Name:		
Address: 854 9th Street		
City, State, Zip: Green Bay, WI 54304		
Phone: (920) 544-3899		
Email: alyssabfields19@gmail.com		
PROPERTY OWNER INFORMATION (if different from above):		
Name:		
Business Name:		
Address:		
City, State, Zip:		
Phone:		
Email:		
HAS A SITE PLAN BEEN REVIEWED BY PLANNING STAFF? ☒ YES ☐ NO		
If you checked "NO", do not proceed. You must contact a member of the Planning staff to review your site, identify issues with the Zoning Code, and seek potential alternatives. Upon denial of a site plan, a formal variance submission may proceed.		
PLEASE FILL OUT INFORMATION BELOW REGARDING THE PROPOSED DIMENSIONAL VARIANCE:		
Location/Address: 854 9th St.		
Tax Parcel Number(s): 1-180		
Describe the Variance Request: Set back of building / Placement of double wide garage door and edge of driveway. Variance of Form opening asking for 4'.		

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).

44-559 Table 44-2 note F

Corner property: Side facade shall maintain front setback of adjacent property

THREE STEP TEST - To qualify for a variance, the applicant must demonstrate that their property meets the following three (3) requirements:

Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

Yes this lot is located on the corner of 9th & 10th, with the house facing 9th and the garage off of 10th.

This lot is only 45'9 1/4" wide off 10th st. and 110' off 9th st. which is much narrower than any lots off 10th st.

This garage build will increase the property value.

Would granting the variance be contrary to the public interest? Explain. No it wouldn't be contrary.

I believe granting Access would be in the public's best interest because I currently rotate cars on & off the road to prevent ticketing, which includes parking close to a stop sign on the corner, which creates inconvenience & possible obstruction issues. When I park all vehicles in the driveway, one is partially on grass, which would be the 2nd stall of the garage if approved. Even when partially on the grass, another vehicle is in question of being an inconvenient obstacle of the public sidewalk.

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

If I'm not allowed to add a 2-stall garage I would have to consider getting rid of a vehicle, which both have loans, so I would lose out money with selling either. I would also have the option of considering selling my house to find one w/ accommodating parking & storage. I just closed on this house June 2022, so wouldn't want to have to go that direction. My fiancé & me bought this house & then he passed unexpectedly 11/2022 so me & my kids would prefer to stay in the house if possible.

I HEREBY CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE VARIANCE PROCEDURE AND FAILURE TO COMPLY WITH CITY REQUIREMENTS WILL RESULT IN THIS APPLICATION BEING WITHHELD FROM CONSIDERATION BY THE ZONING BOARD OF APPEALS.

Allyssa B. Fields

Signature of the Property Owner

Allyssa B. Fields

Print Name

7/25/23

Date

Kurt Umentum

Signature of Applicant (working as "Agent" for owner)

Kurt Umentum (contractor)

Print Name

8/11/23

Date

OFFICE USE ONLY:	Parcel #: <u>1-180</u>	Residential \$125 ☒ Commercial \$250 ☐
District: <u>9</u> Zoning: <u>K1</u>	Meeting Date: <u>9/18/22</u>	Receipt #:
Submittal Date: <u>9/5/22</u>	Staff Signature: <u><i>[Signature]</i></u>	

July 7, 2023

RE: 854 9th Street
Tax Parcel # 1-180
Green Bay, WI 54304

To Whom it May Concern,

This letter is to request approval for a zoning change at 854 9th Street, Green Bay, WI 54304.

I am the property owner & currently reside at the property in question. I am looking to ask for approval with the variance change in the zoning because I do not believe that it would be contrary to the public's interest.

I believe granting access would be in the public's best interest because I currently rotate cars on & off the road to prevent ticketing, which includes parking close to a stop sign on the corner, which creates inconvenience to drivers & a possible safety concern due to the driver's view being possibly obstructed by one of my vehicles. When I park all vehicles in the driveway, one has to be partially on the grass, which would be the 2nd stall of the new garage I am looking to have built. Even when I park one vehicle partially on the grass, another vehicle is in question of being an inconvenience of the public sidewalk.

If I were to be denied variance for a change in zoning, I would have to possibly consider getting rid of a vehicle, which both vehicles have loans with extended warranties, so I would be at risk of losing out money invested if or when selling one. Another option to consider would be to sell my house to find one with accommodating parking & storage. I just closed on this house in June of 2022, so I would prefer to not have to go that direction with things. My fiancé & I bought this house and then he unexpectedly passed away 11/2/2022 so me and my children would prefer to be able to stay in the house if possible.

Some supporting arguments as to why this would be a positive for the surrounding area would be that I am removing an eye sore of a garage for a garage of better quality. This creates a better view for myself but also for my surrounding neighbors. The garage I had was not in the greatest condition & was questionably unsafe. The roof was beginning to sag & the electrical was not in the best condition within the garage. The property will in turn look nicer & the new garage will give a cleaner & more updated look to my property, as well as the surrounding properties. This will reduce a cluttered look & chaotic parking. This new garage will increase the value of my home by tens of thousands of dollars if I ever choose to sell down the road & it will be a big selling point since most homes in the area only have single stall garages. This garage offers safety for storing items & protects both of my luxury vehicles from any questionable weather concerns. With being able to have ample parking for both vehicles it would allow me to get rid of my storage unit that I currently pay for throughout the year to have close available storage to park my sports car through the winter months.

I have included a picture of the original garage to show where is sat, how far it came out in comparison to my neighbor's front view & also to show the condition of the garage & roof itself as mentioned earlier.

In closing, I have gathered the signatures of the direct neighbors who would be affected by this decision to show that there are no objections to this decision.

Thank you for your time & consideration, I greatly appreciate it.

Sincerely,

Alyssa Fields

Surrounding Neighbor's within 300ft of the new structure:

Carla J. Pineda 862 9th St
920-437-9524



old
garage



8/17/23, 12:36 AM

Garage

Date: 8/17/2023 - 12:36 AM

Design Name: 1959522 DnB

Design ID: 312758882456

Estimated Price: \$10,646.46

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™
GARAGE

How to recall and purchase your design at home:



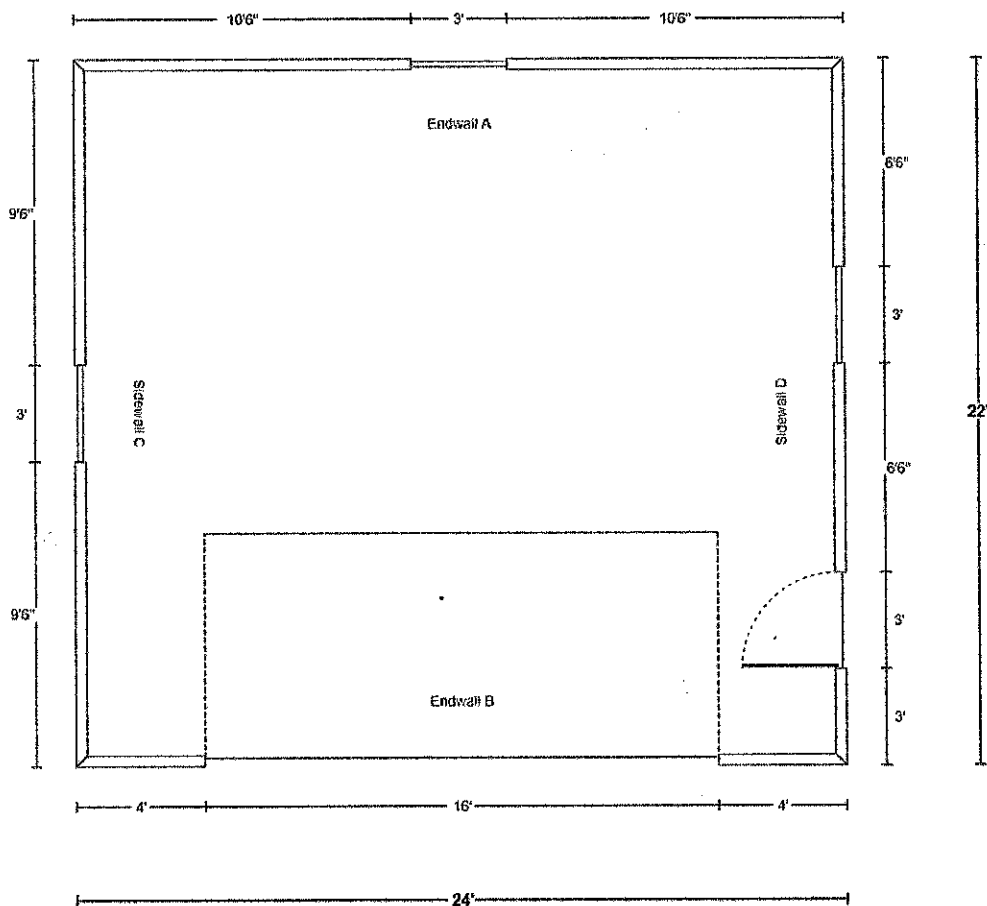
OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Garage Designer
3. Recall your design by entering Design ID: 312758882456
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 312758882456 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions

Garage Image



For other design systems search "Design & Buy" on Menards.com

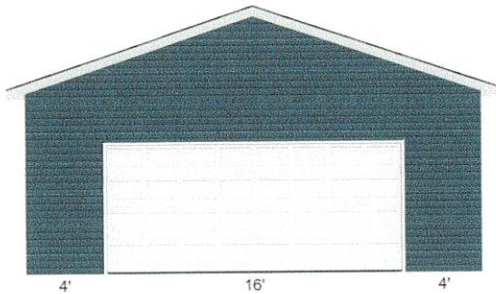
Date: 8/17/2023 - 12:36 AM**Design Name: 1959522 DnB****Design ID: 312758882456****Estimated Price: \$10,646.46****Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS®

Design & Buy™
GARAGE

Dimensions

Wall Configurations

Some items like wainscot, gutter, gable accents, are not displayed if selected.*ENDWALL B**

Ideal Door®; 3-Star 16' x 7' White Standard Value Non-insulated

**SIDEWALL D**

Mastercraft®; 36W x 80H Primed Steel Internal 9-Lite

36"W x 24"H JELD-WEN®; Vinyl Slider

For other design systems search "Design & Buy" on Menards.com

8/17/23, 12:36 AM

Garage

Date: 8/17/2023 - 12:36 AM

Design Name: 1959522 DnB

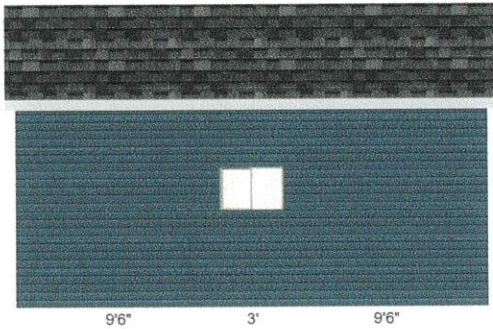
Design ID: 312758882456

Estimated Price: \$10,646.46

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

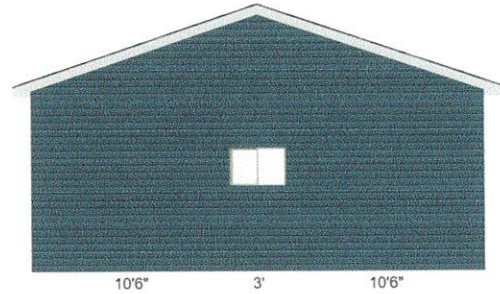
MENARDS

Design & Buy™
GARAGE



SIDEWALL C

36"W x 24"H JELD-WEN® Vinyl Slider



ENDWALL A

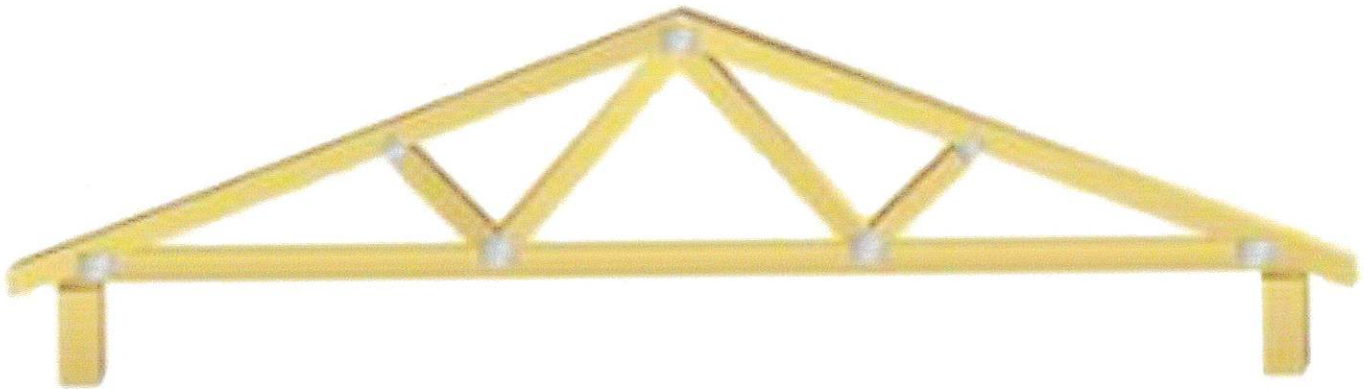
36"W x 24"H JELD-WEN® Vinyl Slider

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Date: 8/17/2023 - 12:36 AM**Design Name: 1959522 DnB****Design ID: 312758882456****Estimated Price: \$10,646.46****Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

Helpful Hints for Garage Construction

- Studs are estimated 16 inches on center with single treated bottom plate and double top plate.
- For 10- and 12-foot-tall buildings studs should be cut for an approximate 10- or 12-foot plate height.
- If steel is estimated (Pro-Rib or Pro-Snap), the steel lengths should be verified based off the actual framing. Plate height (stud length), truss heel and other framing should be confirmed. Steel is estimated to the inch, make sure the lengths are accurate based on final overall building design.
- Trusses included are estimated at 2 feet on center spacing. The design is based on the zip code provided, design and loading should be verified.
- Trusses should not be cut or modified with the exception of trimming the truss tails to the correct overhang.
- The bottom chord is designed to support standard ceiling and insulation materials.
- Dropped end trusses are estimated with 18 inch and 24 inch gable overhangs.



Menards Building Checklist Planning

- Get a permit. Check restrictions, building codes or local zoning to make sure your design complies with all requirements.
- Contact local utilities to ensure construction will not disturb any electrical, cable or plumbing.
- If necessary, hire a professional to help with planning and construction.
- Consider site conditions including soil type, grade, and runoff before finalizing your design.
- Material estimates provided can be changed to meet your needs.
- Menards offers professional delivery of materials. Delivery is extra based on the distance from your local Menards store to your building site.
- Practice good safety habits, use PPE including eye protection & dust masks during construction.
- Make sure to follow good building practice and all manufacturer's instructions. Use all the hardware and fasteners recommended.

For other design systems search "Design & Buy" on [Menards.com](https://www.menards.com)

Orange: Lot Line Offset
Green: Variance Request

(East)
Property Line 110.00'

Alyssa Fields
854 9th St.

(North) Approx.
4'-5"
Offset from
Front of Neighbors
House
45.77'

Property Line

21'3"

22'

24'

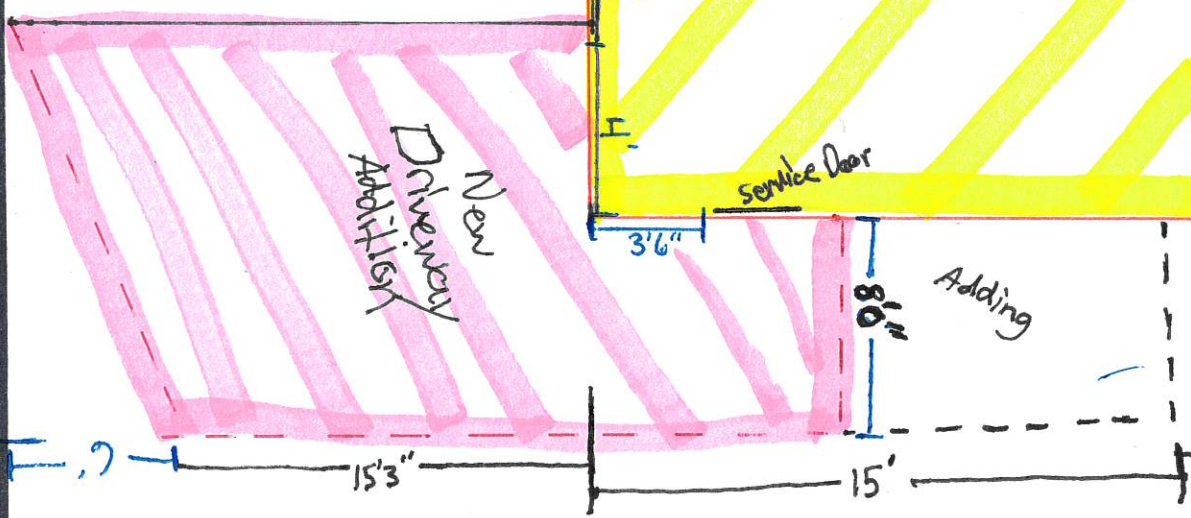
20'3 1/2"

9'2"

15'3"

15'

9'6"



Existing Driveway

Adding

House

(South)
9th St.

City Sidewalk

(West)



LISA OSLUND

HANSEN

ALGER

LISA OSLUND

KENNETH R WOLFE

MARY K COONEY

LIVING HOLDING

ENE J DENBOOMEN

ASHLEY N HOLLAND

CARLA J LUEDEMAN

ALYSSA FIELDS

BAO QIN HE & TIAN-YOU HU REVOCABLE LIVING TRUST

JANET M HINKFUSS

MARGARET BARNUM





Report to the
Zoning & Planning Board of Appeals
of the City of Green Bay

MEETING DATE

September 18, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.2

(Appeal 23-24) Consideration with possible action on a variance request from Bobbie and Travis McKeefry, property owners and applicants to request a deck within the side/rearyard setback at 1325 N Baird Street in an R1 Low Density Residential District (Ald. S. Campbell, District 6).

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BACKGROUND

Bobbie and Travis McKeefry are seeking a variance to allow for a deck in the rear yard setback of their corner lot property at 1325 N Baird.

The applicant is seeking to deviate from one section of the Green Bay Zoning Code: Sec. 44-554 Table 44-2 Rear Yard Setback.

The applicants live at corner lot property which faces N Baird and a side loaded garage comes off of Klaus Street. The parcel itself 154' x 53'.

The house is setback approximately 7-8 feet from the rear property line. The applicant seeks a variance to create a deck addition to the back of the property with the deck expanding from the back of the house to the western, rear property line. The existing western wall of the home has windows and the applicants seek to create ingress/egress to a new deck in the back of the property.

The house was apart of a flood plain when built and has substantial fill to elevate the house above the flood plain. In relation to the neighboring property, the site is perched feet above its neighbors. A retaining wall is built on the western property line separating the neighboring parcels.

RECOMMENDATION**FISCAL IMPACT****ATTACHMENTS**

1. Variance Application 1325 N Baird
2. 23-24 Basic Site Plan
3. 23-24 Aerial
4. 23-24 Street View



ZONING BOARD OF APPEALS VARIANCE APPLICATION

Application Deadline: First Tuesday of the Month at 12:00 Noon.

DATE: 8-14-2023 PROJECT #: APPEAL #:

APPLICANT INFORMATION:

Name: Bobbie & Travis McKeefry

Business Name: —

Address: 1325 N. Baird St.

City, State, Zip: Green Bay, WI 54302

Phone: 920-265-5450

Email: bmckeefry@gmail.com

PROPERTY OWNER INFORMATION (if different from above):

Name:

Business Name:

Address:

City, State, Zip:

Phone:

Email:

HAS A SITE PLAN BEEN REVIEWED BY PLANNING STAFF? ☒ YES ☐ NO

If you checked "NO", do not proceed. You must contact a member of the Planning staff to review your site, identify issues with the Zoning Code, and seek potential alternatives. Upon denial of a site plan, a formal variance submission may proceed.

PLEASE FILL OUT INFORMATION BELOW REGARDING THE PROPOSED DIMENSIONAL VARIANCE:

Location/Address: 1325 N. Baird St.

Tax Parcel Number(s):

Describe the Variance Request: We would like to replace a window with a door off our kitchen. Because of the way the home was placed during building there is only 7 feet between the home and the property line. We would like to place a wooden landing off from the door to the retaining wall with room for seating. Due to the placement of the home to meet old flood plain guidelines we cannot have a fence or any private space.

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).

THREE STEP TEST - To qualify for a variance, the applicant must demonstrate that their property meets the following three (3) requirements:

Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

Yes- the home was placed back on the parcel causing only 7ft between the house and the property line. This was something that was not decided by us. Due to placement of the home on the property + meeting old flood plain guidelines, there is no where to go with a private seating area and we cannot have a fenced area due to the build up (above flood plain).

Would granting the variance be contrary to the public interest? Explain.

no, this "deck" would not obstruct views and would face the back of the lot and the back yard of the neighboring home. It would not cause any issues with being too close to the neighboring home or roadways and alleys.

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

We do not have any private space to sit. In addition Bobbie suffers from muscular dystrophy and we are trying to create a space where she can be outside without having to use steps and can do so independently. Right now this is unused space on the property.

I HEREBY CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE VARIANCE PROCEDURE
AND FAILURE TO COMPLY WITH CITY REQUIREMENTS WILL RESULT IN THIS APPLICATION
BEING WITHHELD FROM CONSIDERATION BY THE ZONING BOARD OF APPEALS.

Bobbie McKeefry
Signature of the Property Owner

Signature of Applicant (working as "Agent" for owner)

Bobbie McKeefry
Print Name

Print Name

8/14/2023
Date

Date

OFFICE USE ONLY:		Parcel #:	Residential \$125 ☐ Commercial \$250 ☐
District:	Zoning:	Meeting Date:	Receipt #:
Submittal Date:		Staff Signature:	



1364

1369

1373

1368

1372

1400

1325

GERARDO
GUADALUPE
MENDOYA

DARLENE M & MARK
BOULANGER, ETAL

WAYNE H
MCKEEFRY ETAL

Proposed Deck in Rear Yard

ENRIQUE
GUTIERREZ

NORTH
MOBILE HOME PARK

LEONEL
LOPEZ

KKI INDUSTRIAL SPACE LLC



HOME
LLC

HUHE
LLC

1364

1369

1373

1368

GERARDO
GUADALUPE
MENDOYA

1372

DARLENE M & MARK
BOULANGER, ETAL

1325

1400

WAYNE H
MCKEEFRY, ETAL

ENRIQUE
GUTIERREZ

NORTH
MOBILE HOME

LEONEL
LOPEZ

KKI INDUSTRIAL SPACE LLC





Report to the Zoning & Planning Board of Appeals of the City of Green Bay

MEETING DATE

September 18, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.3

(Appeal 23-25) Consideration with possible action a variance request submitted by Dave O'Brien of Bayland Buildings, Mark Fine of Russel Metals William Bahcall Inc, property owner to request to exceed maximum impervious surface standards and rear yard setback minimums in a Business Park (BP) zoning district at 825 Hinkle Street. (Ald. M. Eck, District 11).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

BACKGROUND

David O'Brien is seeking a variance to allow for a building expansion which would create an environment in which impervious surface coverage exceeding 70% and a building setback encroaching the 15 minimum rear yard setback at 825 Hinkle.

The applicant is seeking to deviate from two sections of the Green Bay Zoning Code:

- 1) Sec. 44-802 (Table 44-12) Maximum Impervious Surface Coverage. 70% is max. Applicant is seeking 80%
- 2) Sec. 44-802 (Table 44-12) Rear Yard Building Setback. 15 feet is the minimum. Applicant is seeking 10 feet.

The applicant is looking to expand on an existing industrial building by adding nearly 40,000 square feet to the existing facility. The applicant is seeking to create an expansion which adds on to the existing building. The existing building is legal non-conforming as the building is 10 feet from the rear (eastern) property line. The proposed expansion seeks to match the existing property lines. The eastern property line is adjacent to another industrial business located on Starr Court and is also zoned BP Business Park.

With the addition, the applicant is requesting a variance to exceed the maximum impervious surface in BP. The code allows for 70% and the applicant is requesting 80%. The parking area and loading docks north of the existing facility are proposed to shift to the north of the expansion on the property. Currently, the northern area of the property is seeded grass. This area is proposed to be reduced to accommodate expansion.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 825 Hinkle Application
2. 825 Hinkle Bid Set
3. 23-25 Aerial
4. 23-25 Street View

DATE: 8/29/2023	PROJECT #:	APPEAL #:
APPLICANT INFORMATION:		
Name: DAVID OBRIEN		
Business Name: Bayland Buildings Inc.		
Address: P.O. Box 13571		
City, State, Zip: Green Bay, WI 54307		
Phone: 920-371-6206		
Email: dobrien@baylandbuildings.com		
PROPERTY OWNER INFORMATION (if different from above):		
Name: Mark Fine		
Business Name: Russel Metals Williams Behcall Inc.		
Address: 825 Hinkle St		
City, State, Zip: Green Bay WI 54303		
Phone: 920-497-1020		
Email: M.Fine@williamsbehcall.com		
HAS A SITE PLAN BEEN REVIEWED BY PLANNING STAFF? ☒ YES ☐ NO		
If you checked "NO", do not proceed. You must contact a member of the Planning staff to review your site, identify issues with the Zoning Code, and seek potential alternatives. Upon denial of a site plan, a formal variance submission may proceed.		
PLEASE FILL OUT INFORMATION BELOW REGARDING THE PROPOSED DIMENSIONAL VARIANCE:		
Location/Address: 825 Hinkle St.		
Tax Parcel Number(s): 6H-1759		
Describe the Variance Request: Impervious lot coverage & side yard setback		

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).

Section 13.908 SETBACK SIDE OF 15'-0"

Section 13.908 max impervious surface area allowed 70%

THREE STEP TEST - To qualify for a variance, the applicant must demonstrate that their property meets the following three (3) requirements:

Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

SEE ATTACHED

Would granting the variance be contrary to the public interest? Explain.

SEE ATTACHED

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

SEE ATTACHED

I HEREBY CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE VARIANCE PROCEDURE AND FAILURE TO COMPLY WITH CITY REQUIREMENTS WILL RESULT IN THIS APPLICATION BEING WITHHELD FROM CONSIDERATION BY THE ZONING BOARD OF APPEALS.

Mark Fine

Signature of the Property Owner

Mark Fine

Print Name

08/30/23

Date

[Handwritten Signature]

Signature of Applicant (working as "Agent" for owner)

DAVID OBRIEN

Print Name

8/29/2023

Date

OFFICE USE ONLY:	Parcel #:	Residential \$125 ☐	Commercial \$250 ☐
District:	Zoning:	Meeting Date:	Receipt #:
Submittal Date:	Staff Signature:		

August 30, 2023

Jon Le Roy
Zoning Administrator
City of Green Bay
Department of Community and Economic Development
100 North Jefferson Street, Room 608
Green Bay, WI 54301-5026
paulne@greenbaywi.gov

**RE: Variance Request for Williams Bahcall, Inc. (dba Russel Metals)
825 Hinkle Street, Green Bay, Wisconsin**

Jon,

Russel Metals is proposing a 39,900 expansion to their existing facility. The expansion would match the east to west dimension of the existing building and retain the existing facility geometry without creating any unnecessary wall protrusions. The attached conceptual site plan illustrates the site layout with the expansion and also includes proposed exterior equipment locations, paving, parking and circulation, and stormwater facilities.

The property is zoned BP – Business Park District and the current use is permitted within the district. In order to facilitate the expansion in this zoning district, two variances which are described in detail within the following narrative will be required.

Variance Request #1 – Building setback on east side of property.

In accordance with sec. 13.908. – Dimensional and area requirements, a 15'-0" setback is required on the east side of the property. However, Russel Metals is requesting a variance to allow a 10'-0" setback which will allow the addition to match the existing building which is also 10'-0" from the property line.

This request is also supported by Zoning Ordinance Section 13.905 Site Design Considerations, which seeks to construct the addition of comparable materials and design it in a manner consistent with the original design. Approval of the variance will facilitate building aesthetics as well as exterior wall and roof line continuity in accordance with this section of the ordinance.

In addition, since semi-trucks and trailers travel through the building, matching the existing steel column and drive aisle spacing is crucial to maintain forklift and crane access to either side of the truck for loading and unloading. Again, allowing the owner to maintain this existing circulation provides consistency with the original site and building design. Without the variance circulation throughout the site would be negatively impacted.

Storage racking along the east building wall provides a great deal of necessary storage for the facility. Without this variance there will be insufficient space to provide this storage racking causing the owner unavoidable hardships with no feasible way to maintain the placement of necessary storage.

Public interest will not be negatively impacted by this variance, nor will granting of the requested variance undermine any material intent of the ordinance. In contract, the variance will allow the project to move forward with an efficient and harmonious design, which both matches the existing facility and is congruent with the existing conditions of neighboring properties.

Variance Request #2 – Maximum impervious surface allowance

In accordance with Sec. 13.908. – Dimensional and Area Requirements, the maximum impervious surface allowance is 70% within the BP Zoning District. However, the owner is requesting a variance to allow a maximum of 80% impervious surfacing.

In order to accommodate the existing truck traffic and circulation with the proposed addition, additional surfacing is needed. Semi-truck and trailer combinations require the degree of pavement shown on the attached site plan exhibit in order to safely maneuver. Without providing adequate space by way of the variance, the owner will suffer an unnecessary burden and lost feasibility for efficient truck circulation.

Further, multiple neighboring properties, which are also positioned within the BP Zoning District, also encompass over 70% impervious surfacing. The owner requests this variance in equality with the conditions of neighboring properties who have been allowed to maintain a similar increased level of impervious surfacing to efficiently facilitate their business.

Public interest will not be negatively impacted nor will granting the requested variance undermine any material intent of the ordinance since the proposed conditions will be congruent with previously existing neighboring conditions. In addition, similar Light Industrial and General Industrial uses both allow for up to 80% impervious surfacing without detriment.

On behalf Williams Bahcall, Inc., and Russel Metals, thank you for considering the described variance requests. Please contact me at 920.371.6200 with any questions or if there is any additional information we can provide in support of the variances.

Sincerely,

David O'Brien
Bayland Buildings, INC.

PROPOSED PROJECT FOR:

19-0980

CITY, WISCONSIN; COUNTY OF:

SCALE VERIFICATION

THIS BAR MEASURES 1" ON ORIGINAL.
ADJUST SCALE ACCORDINGLY.

NOTICE OF COPYRIGHT
THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO
COPYRIGHT PROTECTION AS AN "ARCHITECTURAL WORK" UNDER
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COMPENSATION TO BAYLAND BUILDINGS, INC.

JOB NUMBER: 19-0980

PROJECT
EXECUTIVE: MITCH BEILFUSS

DRAWN BY: DBV

DATE: 04/21/2023

REVISIONS:

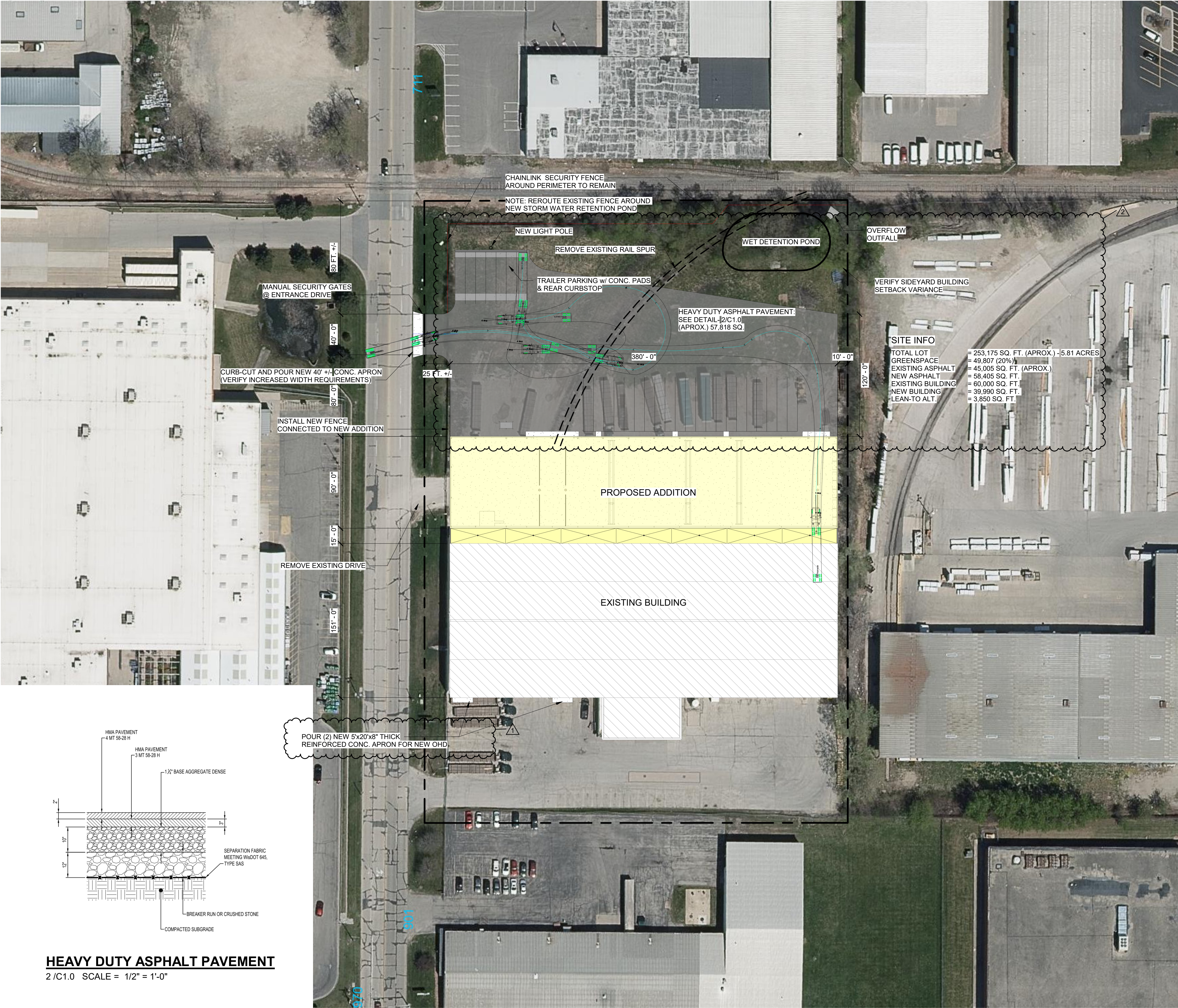
1	04/07/23	DV
2	08/31/23	DV

ISSUED FOR: CHECKED DATE:
BY:

- ☐ PRELIMINARY
☒ BID SET
☐ DESIGN REVIEW
☐ CHECKSET
☐ CONSTRUCTION

SITE PLAN

C1.0



SITE PLAN - OVERALL

1/C1.0 SCALE = 1" = 50'-0"



BAYLAND BUILDINGS

P.O. BOX 13571 GREEN BAY, WI 54307
(920) 498-9300 FAX (920) 498-3033
www.baylandbuildings.com

DESIGN & BUILD GENERAL CONTRACTOR

PROPOSED PROJECT FOR:

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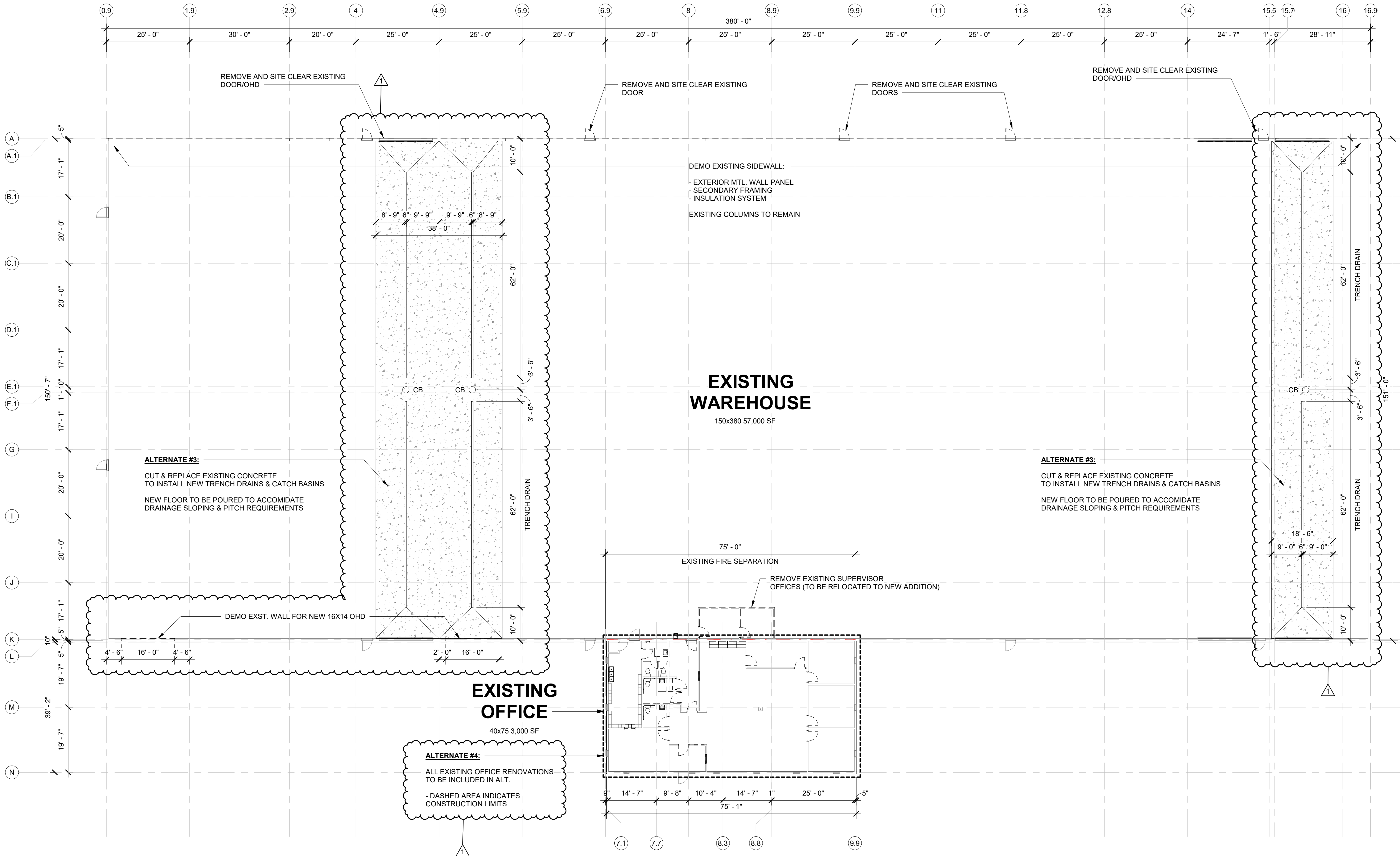
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ISSUED FOR: CHECKED DATE:
BY:

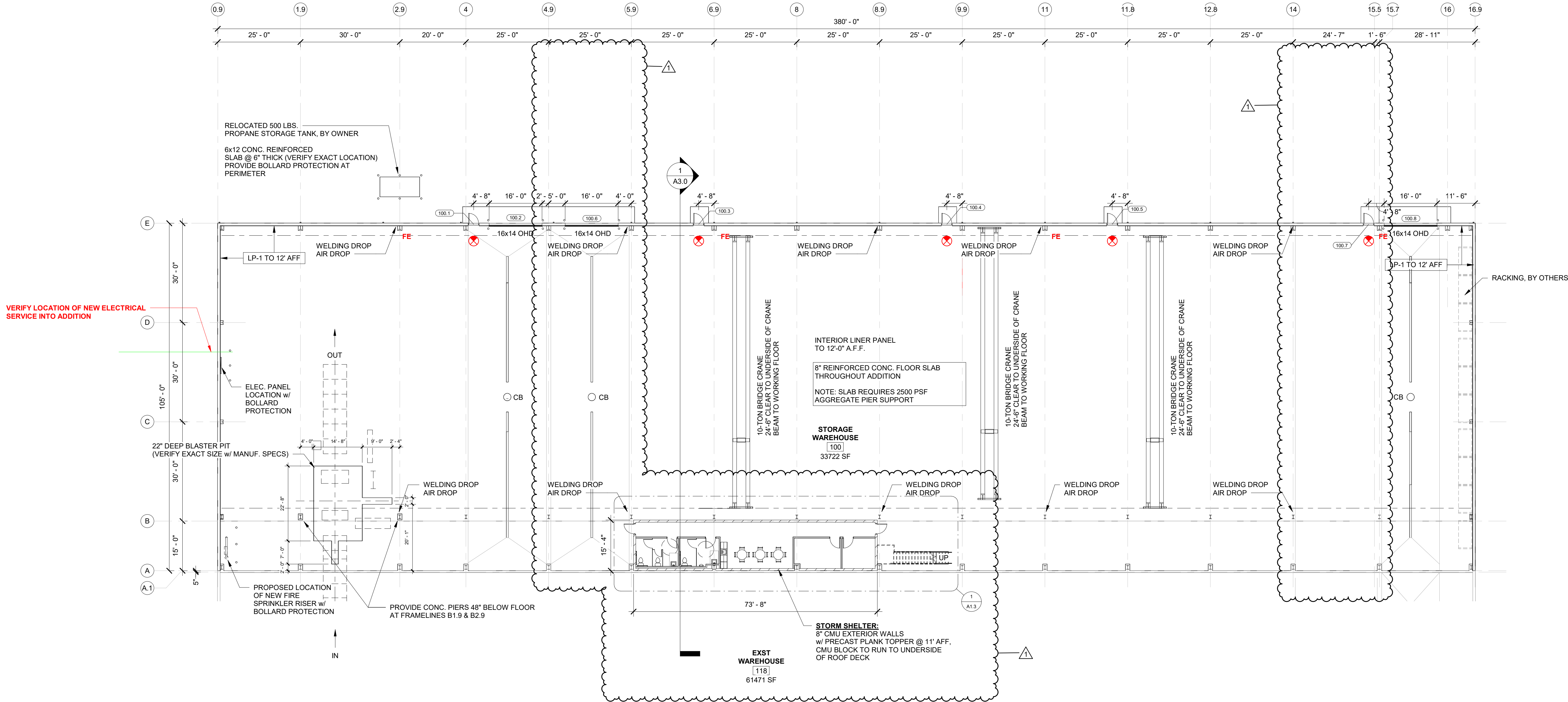
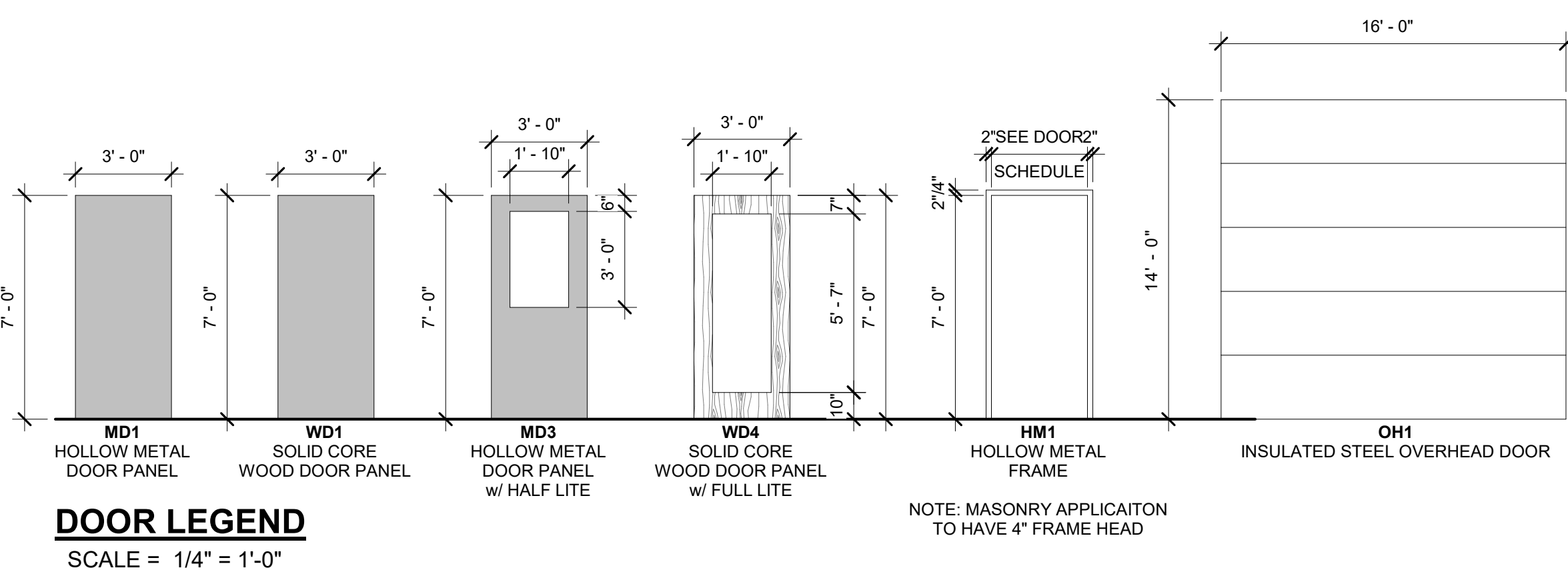
- ☐ PRELIMINARY
☒ BID SET
☐ DESIGN REVIEW
☐ CHECKSET
☐ CONSTRUCTION

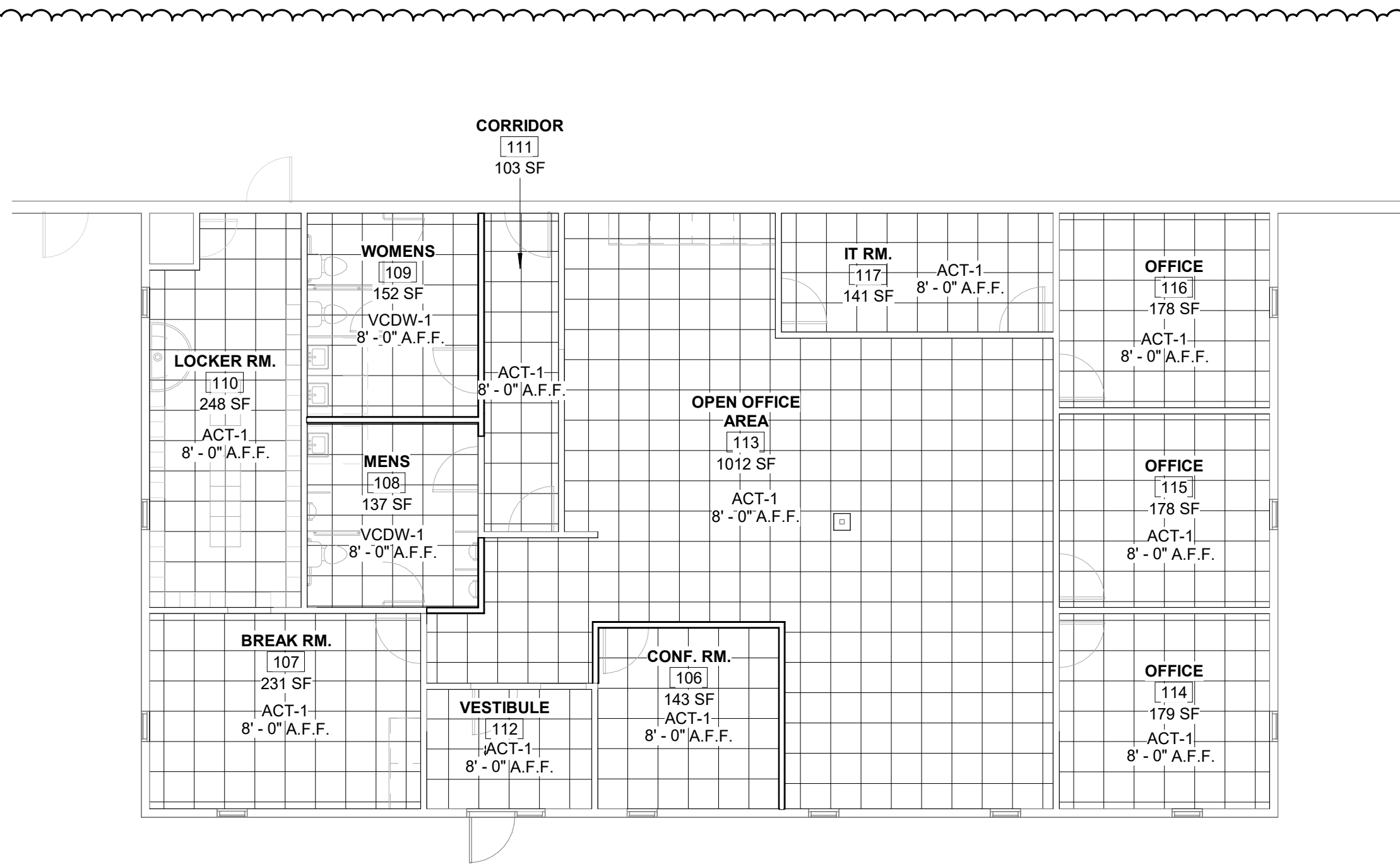
EXISTING/DEMO FLOOR
PLAN/PROPOSED

A1.0

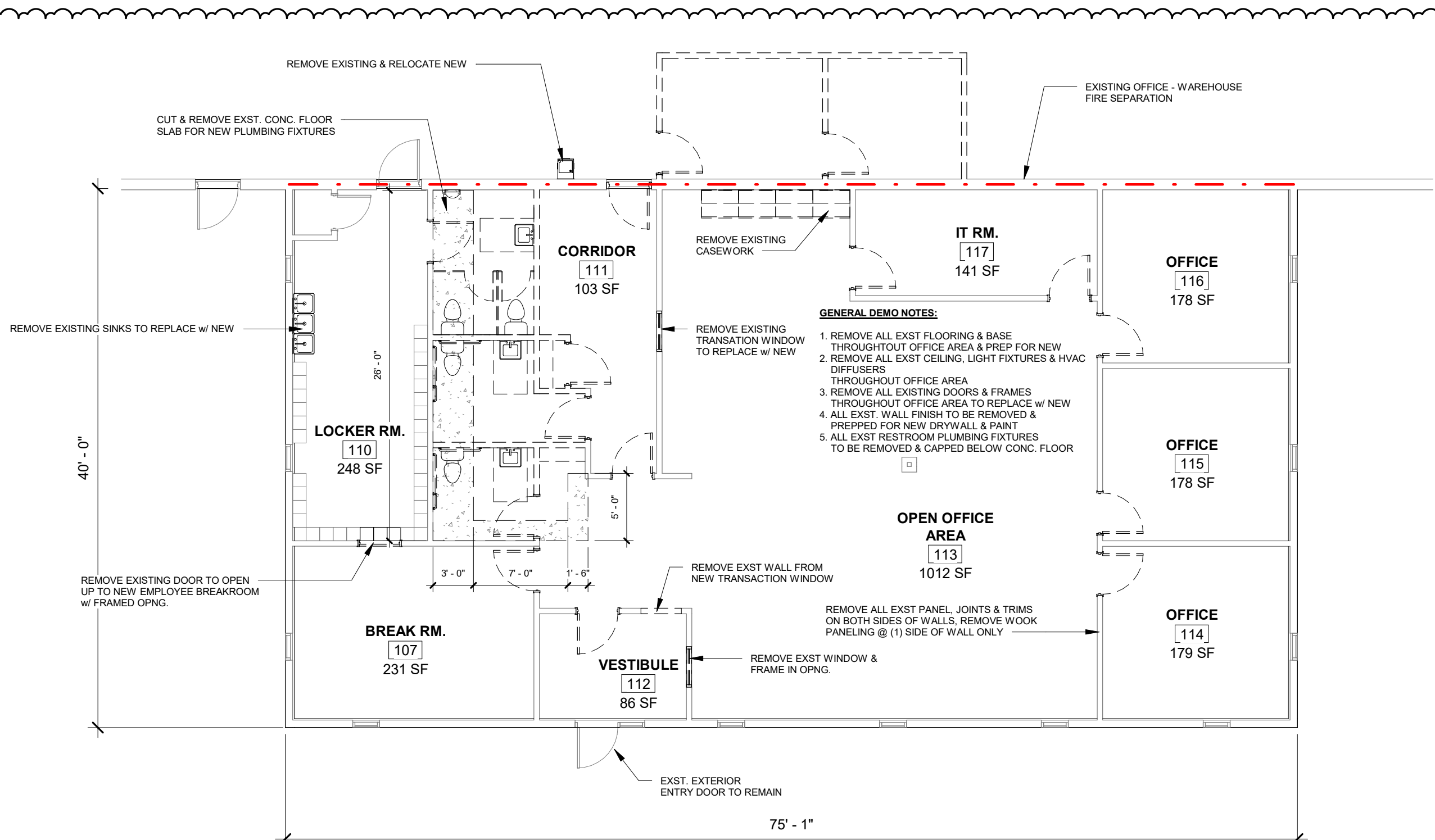


DOOR SCHEDULE											
NUMBER	WIDTH	HEIGHT	DOOR TYPE	FRAME TYPE	FIRE RATING	LOCK	PASSAGE	CLOSER	PANIC	PRIVACY	REMARKS
100.1	3' - 0"	7' - 0"	MD1	HM1		■		■			Provide Latch Guard
100.2	16' - 0"	14' - 0"	OHD								
100.3	3' - 0"	7' - 0"	MD1	HM1		■		■			Provide Latch Guard
100.4	3' - 0"	7' - 0"	MD1	HM1		■		■			Provide Latch Guard
100.5	3' - 0"	7' - 0"	MD1	HM1		■		■			Provide Latch Guard
100.6	16' - 0"	14' - 0"	OHD								
100.7	3' - 0"	7' - 0"	MD1	HM1		■		■			Provide Latch Guard
100.8	16' - 0"	14' - 0"	OHD								
101.1	3' - 0"	7' - 0"	MD3	HM1			■	■			
101.2	3' - 0"	7' - 0"	MD3	HM1			■	■			
102.1	3' - 0"	7' - 0"	MD1	HM1				■			Push-Pull Handles
103.1	3' - 0"	7' - 0"	MD1	HM1				■			Push-Pull Handles
104.1	3' - 0"	7' - 0"	MD3	HM1		■					Provide Wall Stop
105.1	3' - 0"	7' - 0"	MD3	HM1		■					Provide Wall Stop
106.1	3' - 0"	7' - 0"	WD4	HM1			■				Provide Wall Stop (Alternate bid #4)
107.1	3' - 0"	7' - 0"	WD1	HM1			■				Provide Wall Stop (Alternate bid #4)
108.1	3' - 0"	7' - 0"	WD1	HM1				■			Push-Pull Handles (Alternate bid #4)
109.1	3' - 0"	7' - 0"	WD1	HM1				■			Push-Pull Handles (Alternate bid #4)
111.1	3' - 0"	7' - 0"	WD1	HM1			■	■			Provide Wall Stop (Alternate bid #4)
111.2	3' - 0"	7' - 0"	WD1	HM1			■	■			Provide Wall Stop (Alternate bid #4)
112.1	3' - 0"	7' - 0"	WD1	HM1			■	■			Push-Pull Handles (Alternate bid #4)
112.2	3' - 0"	7' - 0"	WD1	HM1			■	■			Provide Wall Stop (Alternate bid #4)
114.1	3' - 0"	7' - 0"	WD1	HM1		■					Provide Wall Stop (Alternate bid #4)
115.1	3' - 0"	7' - 0"	WD1	HM1		■					Provide Wall Stop (Alternate bid #4)
116.1	3' - 0"	7' - 0"	WD1	HM1		■					Provide Wall Stop (Alternate bid #4)
117.1	3' - 0"	7' - 0"	WD1	HM1		■					Provide Wall Stop (Alternate bid #4)
117.2	3' - 0"	7' - 0"	WD1	HM1		■					Provide Wall Stop (Alternate bid #4)
118.1	16' - 0"	14' - 0"	OHD								Location: Exst. Warehouse (New Drive)
118.2	16' - 0"	14' - 0"	OHD								Location: Exst. Warehouse (SW corner of building)
200.1	3' - 0"	7' - 0"	MD1	HM1		■		■			Location: Equip. Platform





RCP - ENLARGED OFFICE AREA
3/A1.2 SCALE = 1/8" = 1'-0"



FLOOR PLAN - EXST./ DEMO ENLARGED OFFICE
2/A1.2 SCALE = 1/8" = 1'-0"

MATERIAL LEGEND

FLOORING FINISH

MARK	DESCRIPTION
CPT-1	FINISH: CARPET TILE STYLE: VERIFY MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS: VERIFY CONTACT: VERIFY
CT-1	FINISH: CERAMIC TILE STYLE: VERIFY MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS: VERIFY CONTACT: VERIFY
EP-1	FINISH: EPOXY STYLE: VERIFY MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS: VERIFY CONTACT: VERIFY
CONC-1	FINISH: CONCRETE STYLE: SMOOTH TROWEL/ STAINED MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS: SEALER APPLIED U.N.O.
EXIST-FLR	EXISTING FLOOR FINISH CONDITIONS

WALL BASE FINISH

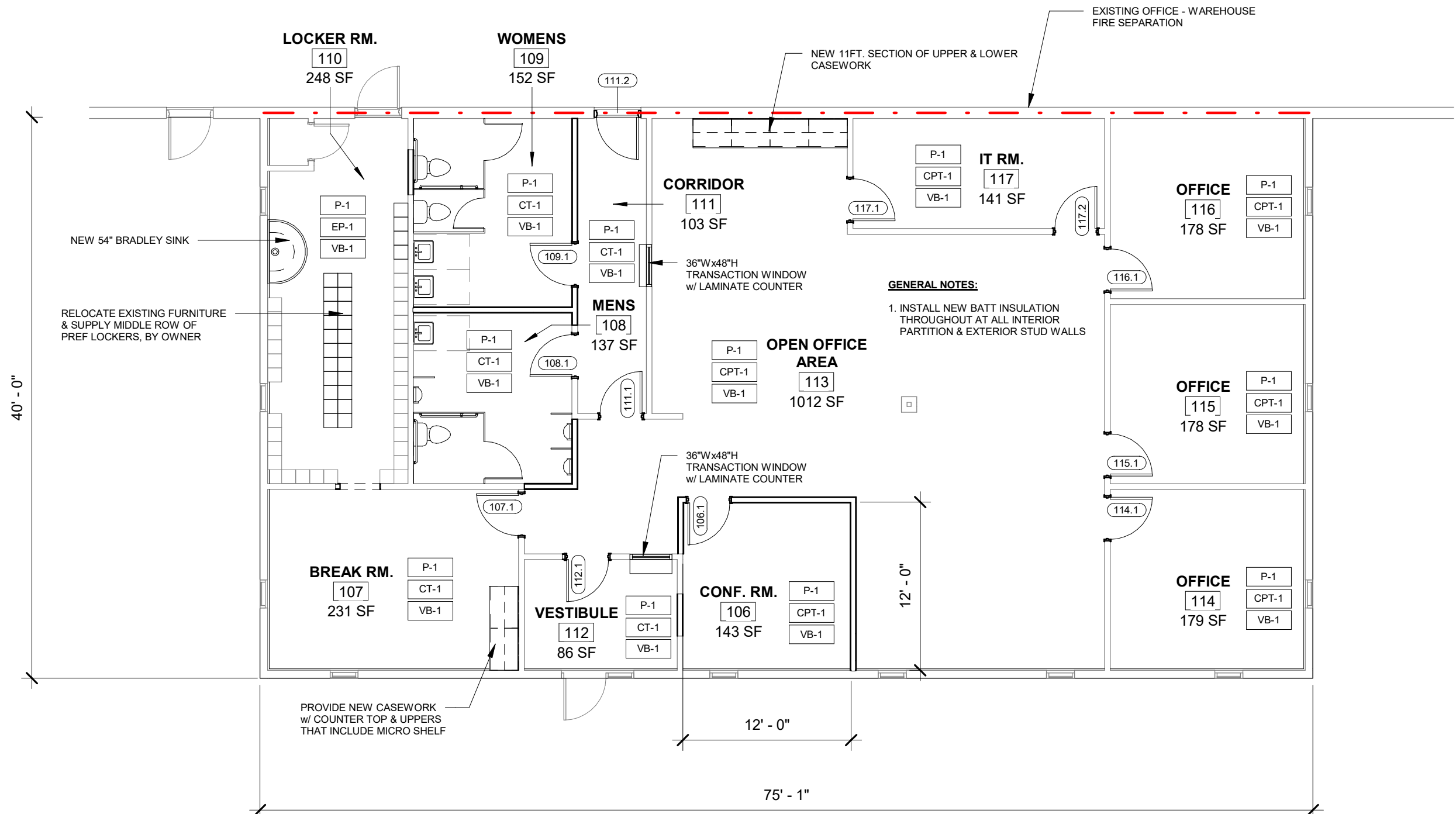
MARK	DESCRIPTION
VB-1	FINISH: VINYL BASE STYLE: 4" HIGH MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS:
CTB-1	FINISH: CERAMIC TILE BASE STYLE: 4" HIGH MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS:
EXIST-WB	EXISTING WALL BASE FINISH CONDITIONS

WALL FINISH

MARK	DESCRIPTION
P-1	FINISH: PAINTED GYP. BD. STYLE: <u>VERIFY LEVEL OF FINISH</u> MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS:
P-2	FINISH: PAINTED BLOCK STYLE: VERIFY MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS:
LP-1	FINISH: 29 GA LINER PANEL STYLE: VERIFY MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS: TO 12 FT. A.F.F.
EXP-WF	EXPOSED WALL/ STRUCTURE
EXIST-WF	EXISTING WALL FINISH CONDITIONS

CEILING FINISH

MARK	DESCRIPTION
ACT-1	FINISH: SUSPENDED ACOUSTICAL CEILING SYSTEM STYLE: 2x2 STANDARD REVEALED EDGE MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS:
VCDW-1	FINISH: SUSPENDED ACOUSTICAL CEILING SYSTEM STYLE: 2x2 VINYL COVE DRYWALL USG MANUF: VERIFY COLOR: VERIFY INSTALLATION METHOD: VERIFY REMARKS:
EXIST-CF	EXISTING CEILING FINISH CONDITIONS



FLOOR PLAN - PROPOSED ENLARGED OFFICE
1/A1.2 SCALE = 1/8" = 1'-0"

ALTERNATE #4:

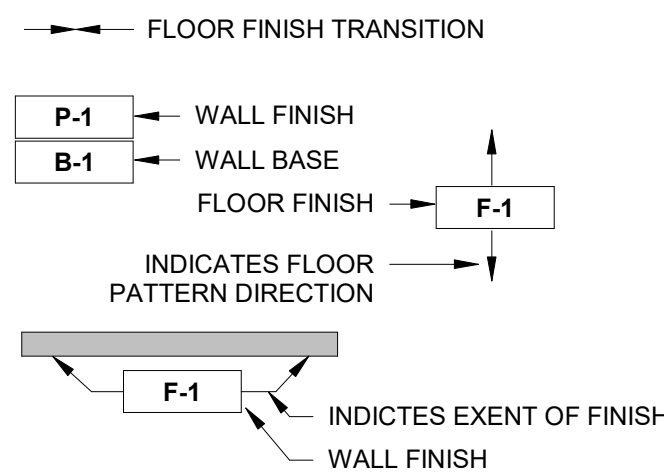
ALL EXISTING OFFICE RENOVATIONS TO BE INCLUDED IN ALT.

(FIELD VERIFY EXISTING OFFICE & RESTROOMS LAYOUTS)

FINISH GENERAL NOTES

- ALL FINISH SELECTIONS IDENTIFIED IN LEGENDS, SCHEDULES, AND SPECIFICATIONS ARE NOT SUBJECT TO 'OR EQUAL' SUBSTITUTIONS U.N.O. THE CONTRACTOR AND SUBCONTRACTORS SHALL SUBMIT PRODUCTS AND FINISHES AS INDICATED IN THE DOCUMENTS.
- NOTIFY ARCHITECT OF SCHEDULED FINISHES THAT ARE UNAVAILABLE OR DISCONTINUED AT THE EARLIEST OPPORTUNITY SUCH THAT A SUBSTITUTION CAN BE SELECTED WITHOUT JEOPARDIZING THE CONSTRUCTION SCHEDULE.
- REFER TO THE MATERIAL SCHEDULE FOR MANUFACTURER, PRODUCT/STYLE NAME, COLOR SPECIFICATION.
- INSTALL ALL FINISH MATERIALS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDED SPECIFICATIONS, SURFACE PREPARATION, ADHESIVES AND BACKINGS: INCLUDING WALLCOVERINGS, COATINGS, FLOORING MATERIALS, LAMINATES, ETC.
- THE CONTRACTOR SHALL REPAIR ALL ROUGH FLOOR SLAB UNEVENNESS SUITABLE FOR PROPER FLOOR COVERING INSTALLATION.
- FLOOR MATERIAL TRANSITIONS AT DOOR OPENINGS ARE TO BE CENTERED BELOW THE DOOR IN THE CLOSED POSITION. U.N.O.
- THE PAINTING SUBCONTRACTOR SHALL ENSURE THAT ALL PAINTS COMPLY WITH THE MUNICIPAL & STATE CODES AND BUILDING REGULATIONS FOR LOW VOC EMISSIONS.
- ELECTRICAL SWITCH AND OUTLET COVER PLATES, SURFACE HARDWARE, ETC. SHALL BE INSTALLED AFTER PAINTING AND/OR APPLICATION OF WALL COVERINGS AND SPECIFIED CARPET.
- STAINED AND PAINTED SURFACES SHALL BE FINISHED SUCH THAT JOINTS/IMPERFECTIONS ARE NOT VISIBLE.
- CONTRACTOR SHALL NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES IN THE FIELD. GO TO GET CLARIFICATION FROM ARCHITECT BEFORE CONTINUING WITH ANY WORK.
- PROVIDE VINYL TRANSITION STRIPS AT ALL FLOORING MATERIAL CHANGES. U.N.O. REFER TO PLAN FOR DETAIL LOCATIONS.
- HARD FLOORING GROUT IS TO BE SEALED WITH MANUFACTURER'S RECOMMENDED SEALERS.
- RUBBER VINYL BASE SHALL BE STRAIGHT BASE AT ALL LOCATIONS FOR CARPET AND COVE BASE AT TILE AND RESILIENT FLOORS.
- ALL ELECTRICAL PANELS IN THE CORRIDORS SHALL BE PAINTED TO MATCH THE ADJACENT WALL FINISH.
- PAINT CEILING ACCESS PANELS TO MATCH ADJACENT CEILING FINISH.
- UNDERSIDE OF SOFFITS (WHERE OCCURS) TO BE PAINTED TO RECEIVE FINISH TO MATCH WALL, U.N.O.
- FINISH FLOORING TO EXTEND FROM WALL TO WALL INCLUDING UNDER CABINETS AND UNDERCABINET EQUIPMENT.
- ALL INTERIOR WALL & CEILING FINISHES AND TRIM OF PUBLIC AREAS TO COMPLY WITH CLASS A MATERIAL CLASSIFICATION: FLAME SPREAD RATING 0 TO 25, SMOKE DEVELOPED 200. ALL INTERIOR WALL AND CEILING FINISHES AND TRIM IN NON PUBLIC AREAS TO COMPLY WITH CLASS B MATERIAL CLASSIFICATION: FLAME SPREAD RATING 26-75, SMOKE DEVELOPED 450.
- ALL PAINTED SURFACES ARE TO RECEIVE A PRIME COAT AND A MINIMUM OF TWO COATS FINAL COLOR, U.N.O.
- CARPET CONTRACTOR SHALL VERIFY THAT ALL CARPET OF EACH VARIETY IS TO BE SHIPPED FROM THE SAME DYE-LOT.
- ALL WALLS PAINTED WITH A LATEX PAINT TO HAVE AN EGGSHELL FINISH. U.N.O. REFER TO THE MATERIAL SCHEDULE AND FINISH LEGEND FOR MANUFACTURER'S PRODUCT NAME.
- GYP SUM BOARD CEILINGS SCHEDULED TO RECEIVE PAINT SHALL HAVE A FLAT FINISH, U.N.O.
- PROVIDE ARCHITECT WITH A MINIMUM OF (3) 8" X 10" BRUSH-OUTS OF EACH COLOR AND FINISH FOR ARCHITECT'S APPROVAL PRIOR TO APPLICATION.
- ALL PLASTIC LAMINATE MILLWORK CABINET INTERIORS TO BE WHITE MELAMINE, U.N.O.
- ARCHITECTURAL ADHESIVES, SEALANTS AND SEALANT PRIMERS MUST COMPLY WITH SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQM) RULE #1168. VOLATILE ORGANIC COMPOUND (VOC) LIMITS LISTED IN THE TABLE BELOW CORRESPOND TO RULE AMENDMENT DATE OF JANUARY 7, 2005.
- PAINTS AND COATINGS: APPLIED TO INTERIOR WALLS AND CEILINGS MUST NOT EXCEED THE VOLATILE ORGANIC COMPOUND (VOC) CONTENT LIMITS ESTABLISHED IN GREEN SEAL STANDARD GS-11, PAINTS, 1ST EDITION, MAY 20, 1993.
- ANTI-CORROSIVE AND ANTI-RUST PAINTS: APPLIED TO INTERIOR FERROUS METAL SUBSTRATES MUST NOT EXCEED THE VOC CONTENT LIMIT OF 250 GIL ESTABLISHED IN GREEN SEAL STANDARD GS-08, ANTI-CORROSIVE PAINTS, 2ND EDITION, JANUARY 7, 1997.
- CLEAR WOOD FINISHES, FLOOR COATINGS, STAINS, PRIMERS, SEALERS, AND SHELLACS: APPLIED TO INTERIOR ELEMENTS MUST NOT EXCEED THE VOC CONTENT LIMITS ESTABLISHED FOR THOSE COATING TYPES IN SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQM) RULE 1113, ARCHITECTURAL COATINGS, AMENDED FEBRUARY 5, 2016.

FINISH PLAN LEGEND



FINISH PLAN KEYNOTES

- NO FINISH WORK IN THIS AREA.
- CARPET TO BE INSET WITHIN CERAMIC TILE. VERIFY DIMS. AS SHOWN.
- PROVIDE 1/8" THICK ZINC TRANSITION STRIP BETWEEN CERAMIC TILE AND CARPET. FEATHER FLOORING BENEATH CARPET AS REQUIRED FOR A SMOOTH TRANSITION.
- PROVIDE VINYL STRIP AT CARPET TO VINYL TRANSITION. SUBMIT COLOR SAMPLES TO ARCHITECT FOR APPROVAL.
- PATH/EXTEND FINISHES WITHIN COMMON CORRIDOR. ANY NEW FLOOR AND/OR WALL FINISHES TO MATCH EXISTING FOR A SEAMLESS TRANSITION.

DESIGN & BUILD GENERAL CONTRACTOR

PROPOSED PROJECT FOR:

19-0980

CITY, WISCONSIN; COUNTY OF:

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JOB NUMBER: 19-0980

PROJECT
EXECUTIVE: MITCH BEILFUSS

DRAWN BY: DBV

DATE: 04/21/2023

REVISIONS:

1 04/07/23 DV

ISSUED FOR: CHECKED DATE:
BY:

- ☐ PRELIMINARY
☒ BID SET
☐ DESIGN REVIEW
☐ CHECKSET
☐ CONSTRUCTION

ENLARGED FLOOR PLANS

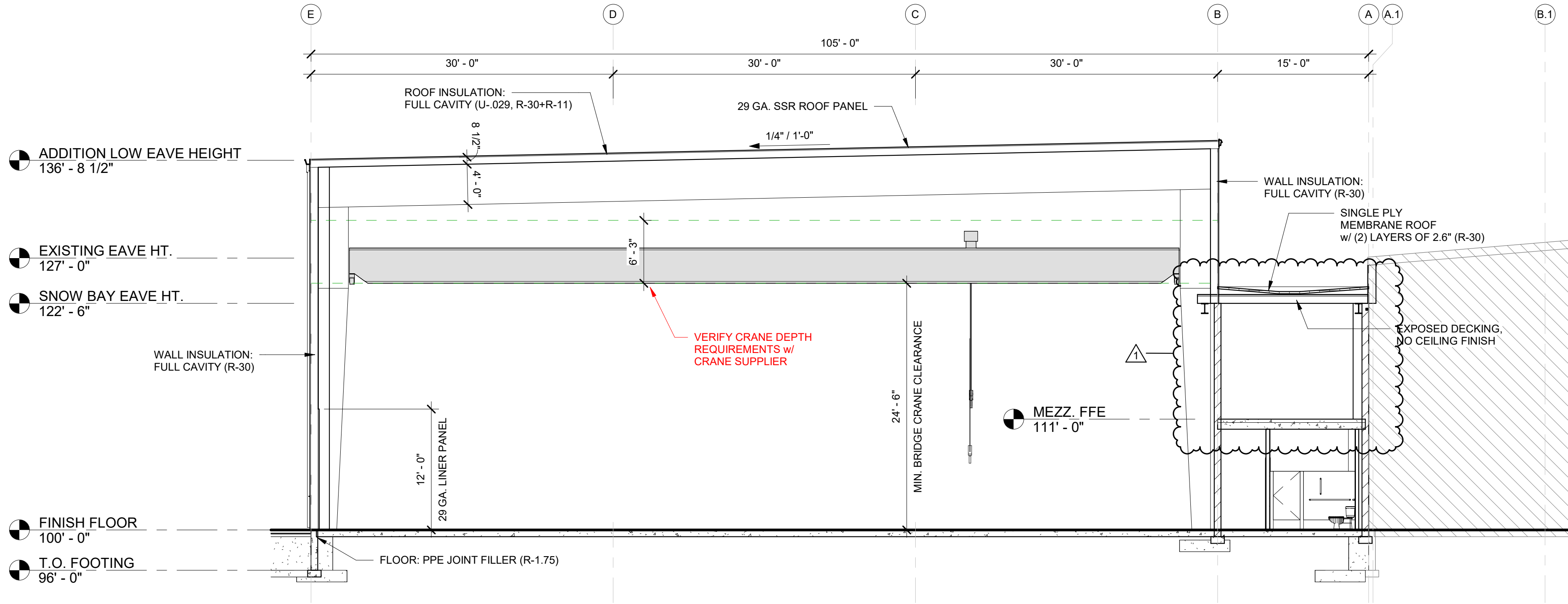
A1.2



BAYLAND BUILDINGS

P.O. BOX 13571 GREEN BAY, WI 54307
(920) 498-9300 FAX (920) 498-3033
www.baylandbuildings.com

DESIGN & BUILD GENERAL CONTRACTOR



BUILDING SECTION
1 / A3.0 SCALE = 1/8" = 1'-0"

PROPOSED PROJECT FOR:

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☐ CONSTRUCTION

BUILDING SECTIONS

A3.0

F & O PARTNERSHIP LLP

4TH FLOOR
INVESTMENTS LLC

ATOMA REAL ESTATE
HOLDING LLC

6H-1759
254,297 SF
OUTLOT 11

RUSSEL METALS
WILLIAMS
BAHCALL INC

WEEKES
PROPERTIES
LLC

6H-1096-1
107,007 SF

LOT 1
3CSM491





Report to the Zoning & Planning Board of Appeals of the City of Green Bay

MEETING DATE

September 18, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.4

(Appeal 23-26) Consideration with possible action on a request by Mike Zapinski, applicant, John Nundahl of Georgia-Pacific, property owner, to request creating driveway entrances which do meet bulk requirement standards for industrial driveways at 1749 S Broadway. (Ald. B. Johnson, District 9).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

BACKGROUND

Mike Zapinski on behalf of Georgia-Pacific is seeking a variance to allow the continued use of two driveway entrances which do not meet bulk requirements for industrial uses at the facility located at 1749 S Broadway.

The applicant is seeking to deviate from three sections of the Green Bay Zoning Code:

1) Ch. 44-1773 (a) 1. Multiple two-way driveways may be permitted on one street frontage, provided the distance between centerlines is no less than 200 feet

2) Ch. 44-1773 (d) (2.) Two lane, full drive access. Semi Trailers 30 feet at the property line, 40 feet at curb.

3) Ch. 44-1773 (d) (3.) Three lane, full access drive with rumble strip. 35 feet at the property line, 45 feet at curb.

Georgia-Pacific has had ongoing site improvements at their Broadway site over the past year. A new building is under construction which is apart from their "Project Cinco" redevelopment of the site. Site plans which were approved in 2022 included temporary drive entrances which did not fully meet code. These two drive entrances were constructed and the applicant seeks to keep them as permanent drives. Approvals were granted by the City in 2022 to allow for construction of the drive entrances with parties acknowledging a variance would be required to retain the drives in a permanent state. Now that the project is projected to be completed within a year, the applicant is seeking a variance to keep the driveways permanent.

1) As shown on Sheet 9 of the application packet, the two new drives (currently temporary, request to be permanent) are located 172 feet apart from center to center, 28 feet less than the requirement.

2) The northern truck driveway is a two-lane drive. The width at the property line is 35 feet. The code requires a max of 30 feet. The width at the curb is 65.1 feet. The code requires a max of 40 feet. This drive apron is larger in part due to the large radii rather than flares. Applicant is seeking deviation from width and typical construction of an apron

3) The southern employee driveway is a three-lane drive. The applicant is seeking a three-lane drive with a

left out, right out, and single in lane. The applicant is seeking to create a three-lane area without a rumble strip. The drive is 36 feet wide near the property line but curves out to a width of 69.1 feet at the curb line. The max at the curb line is 45 feet within code. The applicant seeks a variance to allow for a drive without the rumble strip, wider access points, and deviation from typical construction of an apron.

The applicant has included site plans which show the approved location of the new paper machine building addition, currently being constructed. You may note in pictures that a third driveway entrance is located to the north of the truck driveway. That was a driveway used by the plant before the expansion and early in construction. That driveway will be removed as it lead directly into the western wall of the new paper machine building.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 1919 S Broadway BOA Application
2. 23-26 Aerial
3. Drive Entrances Before Project Cinco August 2019
4. Existing Temporary Drive Entrances July 2023



AECOM
2985 South Ridge Road, Suite B
Green Bay, WI 54304
aecom.com

August 31, 2023

Your Reference

Site Plan #3516, City Project #107838

Our Reference

60676657

Jon LeRoy
Zoning Administrator / Senior Planner
City of Green Bay Community &
Economic Development Department
100 North Jefferson Street, Room 608
Green Bay, WI 54301
jon.leroy@greenbaywi.gov

Zoning Board of Appeals Variance Application for the Georgia-Pacific Broadway LLC Facility Project Cinco Mill Expansion, Located at 1780 South Broadway, Green Bay, Wisconsin

Dear Mr. LeRoy:

AECOM Technical Services, Inc. (AECOM), on behalf of Georgia-Pacific Broadway LLC (GP), is submitting this Zoning Board of Appeals (ZBA) Variance Application for the above-mentioned project. The following narrative and associated figures provide supplemental information to the ZBA Variance Application.

Project Description

The GP facility is currently under construction to expand their production facilities at the existing Broadway Mill in Green Bay, Wisconsin; this expansion is termed "Project Cinco." Project Cinco includes new construction of a Wet Paper Machine and Building, Broke Processing Pulper, Bale Pulper, Parent Roll Storage Building, Converting Building, and a new storm water pumping station.

These new buildings, their associated roadways, and support features are being constructed on the northern portion of the existing GP Mill site, generally within the former coal pile area adjacent to the Fox River and the existing parking lots along Broadway Street. Driveway entrances to the facility require modification to accommodate the current expansion and ingress/egress to the site.

Prior to construction, Mill employees entered the parking lots near the intersection of Lombardi Ave and S. Broadway as well as at an entrance halfway between Lombardi Ave and Liberty Street/Motor Street. The Lombardi Ave entrance is a four-lane drive utilizing one lane for ingress and three lanes for egress with designated left turn, straight, and right turn lanes. The entrance along Broadway was a three-lane drive utilizing one lane for ingress and two lanes for egress with designated left turn and right turn lanes. This entrance also served as an access point for contractors and semi-truck traffic. An additional entrance is located on the north end of the property off Motor Street, but this entrance was utilized for mill operations, rather than employee parking.

As a result of the proposed development, the driveway entrance off Broadway needed to be relocated. Additionally, due to site security, employee vehicles will need to utilize a separate driveway entrance from mill operations traffic. Therefore, the project proposes the installation of two new driveways off Broadway. During construction, the north entrance off Broadway serves as a contractor entrance and the south entrance serves as a mill operations entrance for semi-truck traffic. Following construction, the south driveway will serve as an employee parking driveway entrance and the north driveway will serve as a truck entrance for mill operations. This north entrance will be gated and fenced off for security purposes. The Lombardi Ave entrance does not require modifications and will continue to serve as a drive for employee parking. The Motor Street entrance will also continue to serve as a mill operations entrance.

GP has additional parking lots located on the west side of Broadway. These parking lots serve as additional employee and contractor parking. One of the employee entrances to the GP complex is located on the north side of Building 132. By situating the south driveway in the proposed location, the design team was able to minimize the amount of employee parking stalls impacted by the construction, semi-trucks do not need to perform multiple turns to access the loading bays, and pedestrian and vehicle interactions were able to be minimized.

Site Plan Review

The project team submitted a Site Plan Application to the City of Green Bay and received initial response from the City in a letter dated March 23, 2022 (Site Plan #3516, City Project #107838). The initial application included two driveways off Broadway immediately adjacent to one another. The driveways included rounded tapers, similar to what was existing prior to construction.

In response to City comments, provided on May 9, 2022, the drawings were updated to separate these driveways as much as practical given site layout constraints while considering logistics during and following construction. However, this separation did not meet the 200' minimum requirement. Additionally, the grading of the driveways was updated to reflect a maximum 2% cross slope in the location of a future sidewalk. However, the entrance maintained the rounded tapers and was not updated to include a ramp up to the property as is typical in the City of Green Bay driveway details.

Following discussion with City staff, it was recommended AECOM prepare drawings that portrayed a code-compliant layout so that Site Plan approvals could be provided, and construction could commence. The City did provide approvals that temporary driveways could be constructed that were not code compliant, given the construction access considerations. The City recommended moving forward with the ZBA variance application at a later date in the project to seek approvals on the layout provided on May 9, 2022.

Proposed Driveway Layouts

The location of the north driveway is situated as far north as practical to allow direct/straight access for semi-trucks to the truck loading bays as well as for construction vehicles to the construction area. A fence and gate are positioned around this entrance to provide site security. The location of the gate allows a semi-truck to fully exit Broadway while waiting for the gate to open. In order to accommodate this movement, the drive entrance is designed as 35 feet wide. This is wider than the maximum width allowed under code 44-1773. Vertical tilt up gates were selected for this location to maintain access around the building which may have been hindered by a slide gate and eliminates the need to provide additional space to accommodate a swing radius of swing gate. Additionally, the fence is located in a position so as not to block access around the facility, should access be needed for emergency vehicles and mill operations. Rounded tapers were utilized based on modeled truck turning movements. The previously existing parking lot was previously similar to the road grade. The proposed design recreates the previous grading and the driveway entrance does not incorporate a ramp up into the mill.

The south driveway is used for mill operations (semi-truck) access during construction but following construction this entrance will be used for employee parking. The location of the south driveway is situated so that during construction semi-truck trailers have a direct/straight access to the truck loading bays. Immediately north of this drive, temporary fencing is utilized to separate the construction from mill operations. Immediately to the south of this driveway, temporary barricades were installed to separate pedestrians from mill operations. Although this entrance will eventually be used by personal vehicles, the entrance is utilized during construction (from 2022 to 2024) as an entrance for larger, semi-truck vehicles. Because of the truck use during construction, rounded tapers were utilized similar to the north entrance based on modeled truck turning movements. Several utilities are located within this area, which would have required relocation to accommodate non-rounded tapers. In addition, the drive is constructed at 36 feet wide and without the dividing rumble strip. This is wider than the maximum width allowed under code 44-1773. However, this essentially replaces the former drive in-kind, as it was also constructed with these features.

Project Schedule

We understand variances granted by the ZBA remain valid for one year from the hearing date or as stipulated in the decision. The project commenced construction in 2022 and is anticipated to be complete by Summer 2024. As noted above, temporary driveways were constructed in 2022 as shown on the plans to facilitate construction. The driveways

were constructed with the intent that if the driveway variance was approved, reconstruction of the driveways would not need to be completed.

Three Step Test

The following provides responses to the questions listed on the Variance Application

1. Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

The following considerations were incorporated into the design of and selection of the two driveways based on the physical layout of the property:

- *Two separate driveways are needed to maintain site security and safety. One (1) driveway (north) is for mill operations (semi-trailers) into the secure (fenced/gated) mill complex and the second (2) driveway (south) is to enter employee parking areas. Both driveways would be accessible to emergency vehicles.*
- *The existing parking lot access from Broadway was removed to facilitate the mill expansion. All access to and from the parking lot from the city streets would be concentrated at the Lombardi Avenue driveway if an additional driveway was not constructed.*
- *Alignment of the north driveway is located to provide sufficient room for emergency vehicles to drive around the new building facility without being in conflict with site security fencing, provides sufficient room for a semi-truck to exit Broadway while waiting for the site security gate to open, and provides an easily accessible means for larger vehicles (construction equipment, semi-trucks, emergency vehicles) to areas of the property, such as loading docks. A driveway located further north would block emergency vehicle access around the facility, could require trucks to stage on Broadway until the site security gate is opened, or may also require unrealistic vehicle maneuvering around the new facility.*
- *Alignment of the south driveway is driven by the need to promote safe pedestrian and vehicle interactions, to provide easily accessible means for semi-truck traffic and construction needs and to optimize available parking stalls. Reconstruction of this driveway further south would impose unnecessary financial burden to GP as well as reducing the number of parking spaces adjacent to the Administration Building.*
- *The rounded tapers provide efficient vehicle ingress and egress to the site both during construction and following construction.*
- *Construction of the driveway entrances similar to the road grade, as opposed to utilizing a ramp, minimizes the need for addition of fill, maintains existing drainage patterns and eliminates the need for additional inlet structures. The grades used within the driveways will meet ADA requirements (less than 2% cross slope) should a sidewalk be constructed along the east side of Broadway in the future.*

2. Would granting the variance be contrary to the public interest? Explain

No, approval of the variance will not be contrary to public interest. The driveways as designed will allow for efficient and safe ingress and egress of semi-trailers, employees, and emergency vehicles. Because the driveways serve different uses, the times of use are expected to have limited overlap. The slight reduction in separation distance is not anticipated to create unsafe site line of traffic flow conditions, refer to the attached Broadway Street Driveway Entrance Vision Triangles figure. The design of the driveways with rounded tapers allows for more efficient turns in and out reducing the time semi-trailers and vehicles will be at reduced speeds while in the flow of traffic for South Broadway. Rounded tapers were used in the former drives without creating any issues.

The semi-trailer driveway gate is set back from the street to allow for the trucks to enter the property without blocking traffic on the street while waiting for the gate to open.

3. Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

The property is currently used as a parking lot serving the existing manufacturing and administrative buildings on the adjacent parcels. The permitted use will not be altered. However, expansion of the manufacturing building has removed available parking to the north on a separate parcel as well as the driveway entrance off Broadway. Following construction, the parking lot between the mill expansion and Lombardi Avenue will have 480 parking spaces. Without replacing the northern driveway, all vehicles would have to use the Lombardi Avenue driveway which is also used by an additional parking lot south of Lombardi Avenue which has 111 parking spaces. Directing all vehicles to the Lombardi Avenue driveway will cause vehicle congestion at the South Broadway/Lombardi Avenue intersection.

In addition, providing a secondary vehicle access to the parking lot will reduce vehicle movements within the property which in turn will reduce potential vehicles and pedestrian conflicts as workers walk from their vehicles to the building.

Moving the south driveway further south will decrease the number of parking spaces available on the east side of Broadway for Georgia Pacific. This will increase the amount of pedestrian traffic crossing Broadway and complicate traffic flow in the east side parking lot, creating unnecessary safety concerns.

Conclusion

Project Cinco is a complex project. As indicated above, we would like to request a variance for the construction of the driveways as shown on the attached project plans. If you have any questions regarding this information or would like to discuss approval of items, please contact Shannon Allen at shannon.allen2@aecom.com at your convenience. Yours sincerely,



Shannon Allen, P.E. (WI)
Civil Engineer



Mike Zapinski, P.E. (WI)
Project Manager

Encl. Zoning Board of Appeals Variance Application
 Driveway Variance Site Location Map
 Exhibit A - Driveway Variance Overview
 Exhibit B - Employee Driveway Detail
 Exhibit C - Truck Driveway Detail
 Exhibit D - Entering Truck Turning Movement
 Exhibit E - Exiting Truck Turning Movement
 Exhibit F - Broadway Street Driveway Entrance Vision Triangles
 Exhibit G - Site Photos
 Variance Fee (\$250) provided under separate cover



Community & Economic Development Department
100 North Jefferson Street - Room 608
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3400
Fax 920.448.3426

Dear Zoning Board of Appeals Variance Applicant:

In this packet you will find a variance application form as well as detailed information by which the Zoning Board of Appeals (ZBA) bases its decisions. Please review all the information regarding variance standards. Perhaps you have a few general questions about the ZBA process, so here's some of the basics about the variances.

What is a variance? It's an authorization granted by the ZBA to construct or alter a building or structure in a manner that deviates from the dimensional standards of the Zoning Code.

What is the ZBA? It's a quasi-judicial body that functions much like a court. The ZBA reviews variance applications. The ZBA has the power to grant variances when special conditions unique to the property itself will not allow the property owner to meet dimensional standards of specific ordinances. It is the job of the ZBA to **not** compromise Zoning Code provisions for a property owner's convenience. Variance approvals are meant to be used infrequently as a remedy when an ordinance imposes a unique and substantial burden.

The ZBA has the power to grant a variance when special and unique conditions exist on a property and the property owner cannot meet the dimensional standards of a specific ordinance. To demonstrate these conditions, you as the applicant need to explain the following standards:

- Unnecessary Hardship
- Unique Property Limitation
- Protection of the Public Interest

In the attached packet, please reference Part 3: Criteria for Variance for further details on these standards. The ZBA must uphold the intent of the zoning ordinance in its decision.

You must contact our office to discuss your project before you intend to apply for a variance. You must provide a site plan to staff to discuss your project. To apply for a variance, a site plan must be denied. During this process, staff will discuss alternatives which could avoid a variance request. Please contact me if you have any questions or concerns about the materials provided in this packet or any other aspects of the City's appeal process.

Sincerely,

Jon LeRoy
Zoning Administrator / Senior Planner
Phone: (920) 448-3405
Email: jon.leroy@greenbaywi.gov

Zoning Board of Appeals (ZBA)

The five members of the ZBA are citizens appointed by the Mayor and approved by the City Council, who give their time without compensation. Cases are generally heard in the order as they appear on the agenda. As an applicant you will be invited to present information regarding your request. City staff may provide factual evidence regarding your request. Neighboring property owners have been sent notice of your project and will also be allowed an opportunity to speak.

The ZBA decision is based on the evidence and testimony received as part of the application and through the public hearing process. The ZBA may impose special conditions on any use or development being proposed in order to ensure that these criteria can and will continue to be met. Only the minimal amount of relief necessary to allow reasonable use or development of the property will be granted. Unless otherwise stipulated by a condition of approval, variances that permit some type of building or development will expire after twelve (12) months unless the building or development commences within 12 months and continues in reasonable manner toward completion.

Part 1: Application Requirements

The ZBA meets the third Monday of each month starting at 4:30 p.m. The meetings are held both in person at City Hall, Room 604, and virtually through Zoom. Instructions to access the meeting will be provided in advance of the meeting. For an appeal to be heard at any monthly hearing, an application must be on file in the Community and Economic Development Department, City Hall, 100 N Jefferson Street, Room 608, by **12:00 Noon on the first Tuesday of the month.**

The following items must be addressed, prepared, and submitted as part of your appeal application. Some of the items may not apply to all appeals. Incomplete applications will be returned and will affect the scheduling and processing of your appeal before the ZBA. A site plan must first be filed with the Community and Economic Development Department prior to application. The Zoning Administrator may grant an exemption from this requirement based on evidence provided by the applicant.

At the direction of the ZBA, the following information is required to be submitted with the application (**plans are not to be larger than 11 x 17**):

1. The parcel in question with property boundaries and dimensions.
2. Abutting streets, properties, natural features, structures and their dimension to the site in question.
3. Location and size (with dimensions and area) of any existing buildings or structures.
4. Ordinary High-water Mark, 100-year Flood Elevation, 2-ft. above the 100-year Flood Elevation, Easements, etc.
5. Location and size of culverts, ditches, trees, wells, septic system, retaining wall, driveways, sidewalks, patios, or any other items pertinent to the variance requested – **including area calculations.**
6. Elevations at corners of parcel, building corners, grade breaks and other elevations pertinent to the variance requested.
7. Proposed building, structure or appurtenance for which the variance is being requested.
8. Additional requirements may apply when considering variance requests in floodplain districts.
9. A narrative and/or supporting photos, documents, paperwork, etc. that may have a bearing on the variance request.

Fee in the amount of \$250 for Commercial Properties and \$125 for Residential Properties, which is non-refundable once the hearing has been noticed. Contact the Zoning Administrator, Jon LeRoy, at (920) 448-3405 or Jon.leroy@greenbaywi.gov to discuss your appeal.

Please submit completed City of Green Bay Zoning Board of Appeals Variance Application (attached as part of this packet) to:

Community and Economic Development Department
Attn: Jon LeRoy, Zoning Administrator / Senior Planner
100 North Jefferson Street, Room 608
Green Bay, WI 54301

Part 2: Review Process

Please check with the Zoning Administrator for further information on application deadlines, meeting dates, times, and when your appeal may be scheduled. Appeal applications are reviewed and scheduled on a first come first served basis. Once an appeal is scheduled, public hearing notices for that appeal will be (1) published in the City's official newspaper, (2) mailed to property owners who are within 100 feet; and (3) mailed to you along with an agenda for the meeting your appeal is scheduled. On or prior to the meeting date, ZBA members may visit your property prior to conducting a public hearing of your appeal.

Once the public hearing and testimony have been completed, the ZBA will act on your appeal (or continue to the next meeting if additional information or clarification is needed). Once decided, an Appeal summary will be prepared by the Zoning Administrator and will be recorded in the minutes as part of the proceeding of the ZBA meeting.

Each applicant (or a representative of the applicant) is required to attend the hearing, or the appeal may be denied by the ZBA. In granting variances, the ZBA may impose special conditions to ensure that public interest and welfare will not be threatened. Variances granted by the ZBA remain valid for one year from the hearing date or as stipulated in the decision. If work to implement the variance has not begun within that time, the variance shall expire requiring the ZBA to re-approve the variance should the applicant wish to implement the plan.

If necessary, an applicant may postpone the hearing of an appeal provided it is received by staff in writing prior to the hearing. The appeal will be postponed for one month or at a future meeting agreed upon by the ZBA. An application for appeal may be withdrawn provided it is received by staff in writing prior to the hearing date.

No application which has been denied by the ZBA shall be reconsidered without material alteration or revision within one year of the board's decision, except pursuant to a court order or motion to reconsider made by a member voting with the majority. The ZBA may refuse to act upon an appeal if the applicant has failed to implement previously granted appeals.

Part 3: Criteria for Variance

To qualify for a variance, an applicant must demonstrate that all three statutory standards will be met:

1. **Unnecessary Hardship.** A matter to be determined from the facts and circumstances of each individual appeal, including:
 - A. Unnecessary hardship is situation where, in the absence of a variance, an owner can make no feasible use of a property or strict conformity is unnecessarily burdensome. *A variance is not warranted if the physical character of the property allows a landowner to build or develop in compliance with a zoning ordinance.*
 - B. Hardship must be peculiar to the parcel in question and different from that of other parcels. Hardship arises because of some unique property limitation of a parcel, or because the property was created before the passage of the zoning ordinance.
 - C. Self-imposed hardship is not grounds for a variance. Improvements that were made in violation of the ordinance are generally considered to be self-imposed hardships.
 - D. Hardships cannot be one that would have existed in the absence of a zoning code.
2. **Unique Property Limitation.** Unique physical characteristics of the property, not the desires of or conditions personal to the applicant, must prevent the applicant from developing in compliance with the zoning ordinance. These features may be a wetland, soil type, parcel shape, or a steep slope that limits the reasonable use of the property.
3. **Protection of the Public Interest.** Granting of a variance must neither harm the public interest nor undermine the purpose of the ordinance. The public interest includes the interest of the public at large, not just that of nearby property owners. Lack of local opposition does not in itself mean that a variance will not harm public interest. Property owners within 100 ft. of the property area and Alderpersons will be noticed of the request prior to the meeting.

Part 4: Findings by the ZBA

No variance shall be granted by the ZBA unless it finds the following facts and conditions exist and so indicates in the minutes of its proceedings:

- 1) *Preservation of Intent.* A variance would not be inconstant with the spirit, purpose, and intent of the regulations for the district in which it is requested.
- 2) *Exceptional Circumstances.* Exceptional, extraordinary, or unusual circumstances or conditions apply to the lot or intended use that do not apply generally to other properties or uses in the same district, and the variance is not of so general or recurrent a nature to suggest that this chapter should be changed.
- 3) *Preservation of property rights.* The variance is necessary for the preservation and enjoyment of the same substantial property rights which are possessed by other properties in the same district and vicinity.
- 4) *Absence of detriment.* The variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the spirit, purpose, and intent of this chapter or the public interest.
- 5) *Hardship.* The alleged difficulty in complying with the Municipal Code is not self-imposed nor is it based solely on economic grounds.



ZONING BOARD OF APPEALS VARIANCE APPLICATION

Application Deadline: First Tuesday of the Month at 12:00 Noon.

DATE:	08-31-2023	PROJECT #:		APPEAL #:	
APPLICANT INFORMATION:					
Name: John Nundahl					
Business Name: Georgia-Pacific Broadway LLC					
Address: 1919 South Broadway					
City, State, Zip: Green Bay, WI 54307					
Phone: 920-236-6715					
Email: john.nundahl@gapac.com					
PROPERTY OWNER INFORMATION (if different from above):					
Name:					
Business Name:					
Address:					
City, State, Zip:					
Phone:					
Email:					
HAS A SITE PLAN BEEN REVIEWED BY PLANNING STAFF? ☒ YES ☐ NO					
If you checked "NO", do not proceed. You must contact a member of the Planning staff to review your site, identify issues with the Zoning Code, and seek potential alternatives. Upon denial of a site plan, a formal variance submission may proceed.					
PLEASE FILL OUT INFORMATION BELOW REGARDING THE PROPOSED DIMENSIONAL VARIANCE:					
Location/Address: 1789 South Broadway, Green Bay, WI					
Tax Parcel Number(s): 1-1415					
Describe the Variance Request:					
Construct two two-way driveways with 172.9 ft distance between them. (by Ord. 200ft)					
Construct a three-lane driveway with one ingress and two egress lanes without dividing island.					
Width at the property line for the two-lane drive for semi-trailers = 35 ft (by Ord. 30 ft)					
Width at the pavement line for the two-way drive for semi-trailers = 65 ft (by Ord. 40 ft)					
Width at the property line for the three-lane drive = 36 ft (by Ord. 35 ft)					
Width at the pavement line for the three-lane drive = 69 ft (by Ord. 45 ft)					

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).

Chapter 44 Article XVIII Sec 44-1773 (Zoning/Off-Street Parking, Drives and Loading/
Multifamily residential, mixed-use, institutional, commercial, and industrial use driveways)

THREE STEP TEST - To qualify for a variance, the applicant must demonstrate that their property meets the following three (3) requirements:

Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

See attached.

Would granting the variance be contrary to the public interest? Explain.

See attached.

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

See attached.

I HEREBY CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE VARIANCE PROCEDURE AND FAILURE TO COMPLY WITH CITY REQUIREMENTS WILL RESULT IN THIS APPLICATION BEING WITHHELD FROM CONSIDERATION BY THE ZONING BOARD OF APPEALS.

John Nundahl

 Digitally signed by John Nundahl
Date: 2023.08.30 15:08:36 -05'00'

Signature of the Property Owner

John Nundahl

Print Name

30Aug23

Date

Zapinski, Mike

 Digitally signed by Zapinski, Mike
DN: cn=Zapinski, Mike, ou=USGRB1, email=Mike.Zapinski@aeocom.com
Date: 2023.08.29 16:57:29 -05'00'

Signature of Applicant (working as “Agent” for owner)

Michael J Zapinski

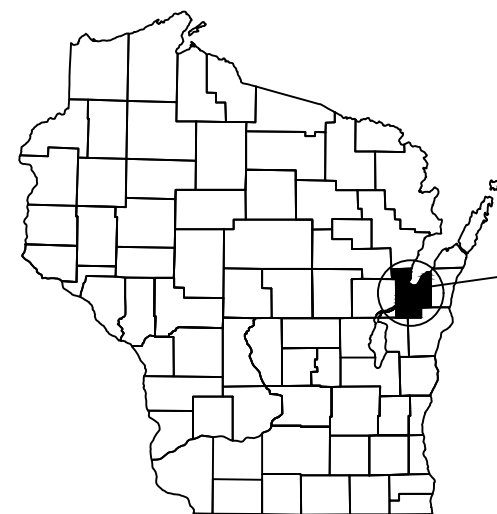
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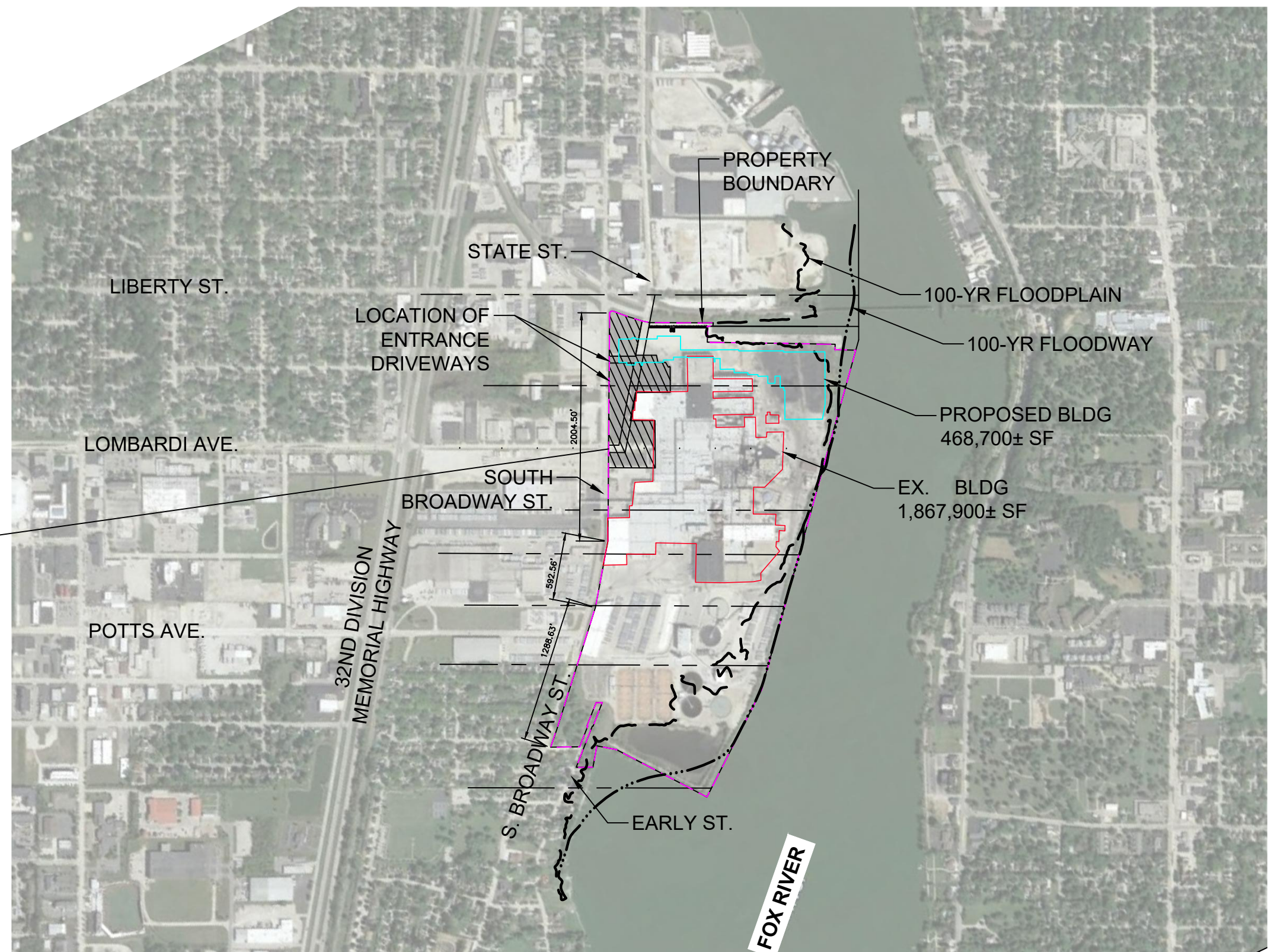
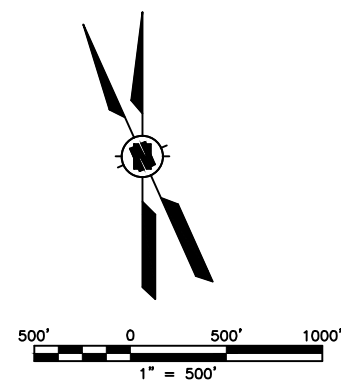
Date

OFFICE USE ONLY:	Parcel #:	Residential \$125 ☐ Commercial \$250 ☐
District: Zoning:	Meeting Date:	Receipt #:
Submittal Date:	Staff Signature:	

SITE LOCATION MAP

**WISCONSIN**

TRUE NORTH PLAN NORTH



AECOM GREEN BAY
2985 SOUTH RIDGE ROAD, SUITE B
GREEN BAY, WI 54304
920.468.1978 tel 920.468.3312 fax
www.aecom.com

X	A	07-31-23	MJC ZONING VARIANCE APPLICATION
	NO.	DATE	BY REVISION



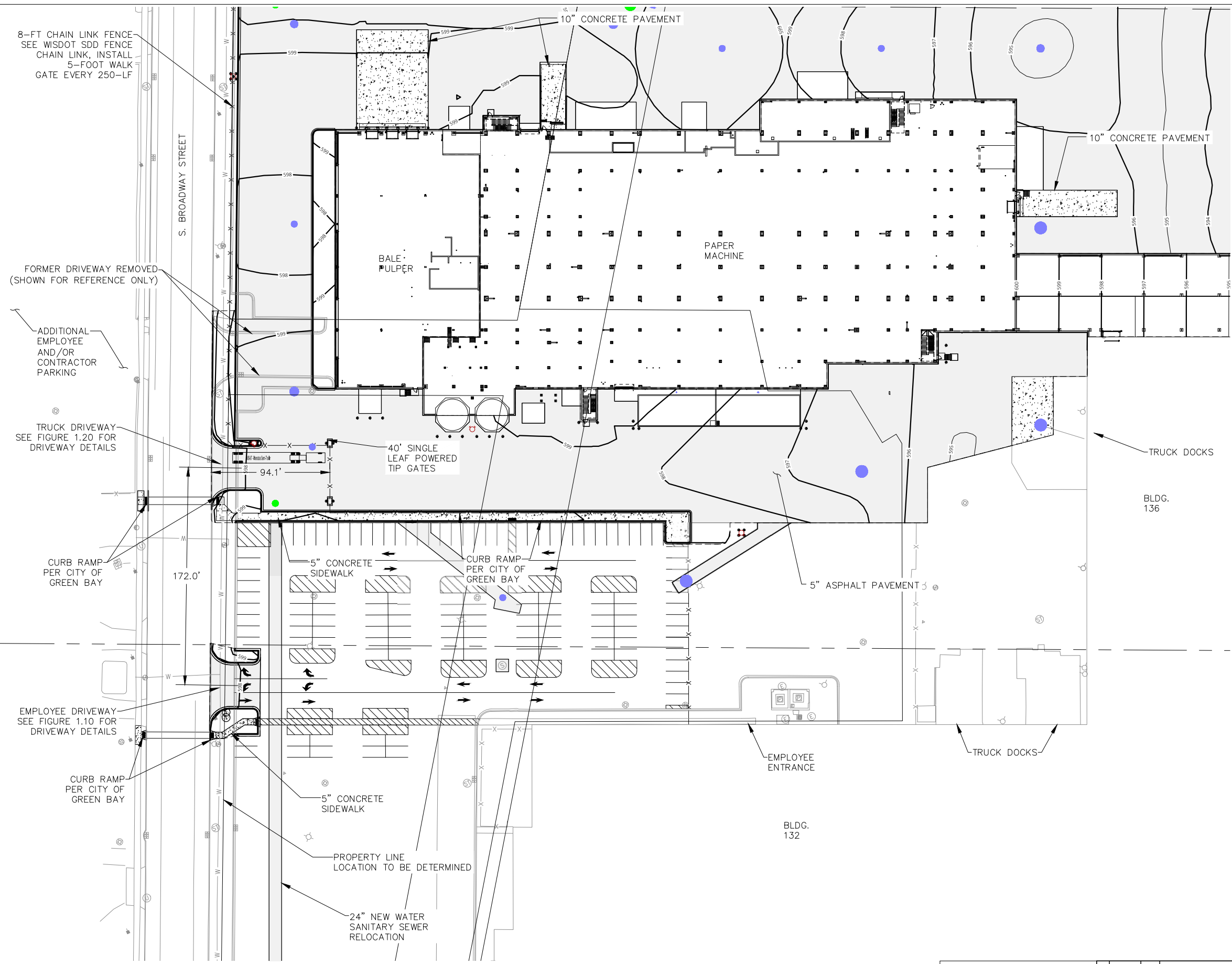
GREEN BAY OPERATION
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written consent.

ASSET NAME:		CINCO PM02			
DET NAME L1:		BALANCE OF PLANT			
DET NAME L2:		SITE LOCATION MAP - DRIVEWAY VARIANCE			
DR.	MJC	CH.	SR4	SC.	DATE: 07-31-23
ASSET #:		AECOM	EXHIBIT	JOB#	0022976
DWG#					REV
Cinco Driveway Variance Cover					A

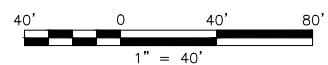
INFO: —
P&ID: —

EXHIBIT A
DRIVEWAY VARIANCE OVERVIEW

NOTE:
PROPERTY LINES SHOWN ARE APPROXIMATE
BASED ON BROWN COUNTY GIS PARCEL
DATA. FIELD VERIFICATION IS NEEDED TO
DETERMINE ACTUAL PROPERTY BOUNDARY.



TRUE NORTH PLANT NORTH



AECOM
AECOM GREEN BAY
2985 SOUTH RIDGE ROAD, SUITE B
GREEN BAY, WI 54304
920.468.1978 tel 920.468.3312 fax
www.aecom.com

NO.	DATE	BY	REVISION
A	07-31-23	MJC	ZONING VARIANCE APPLICATION

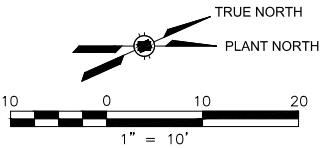
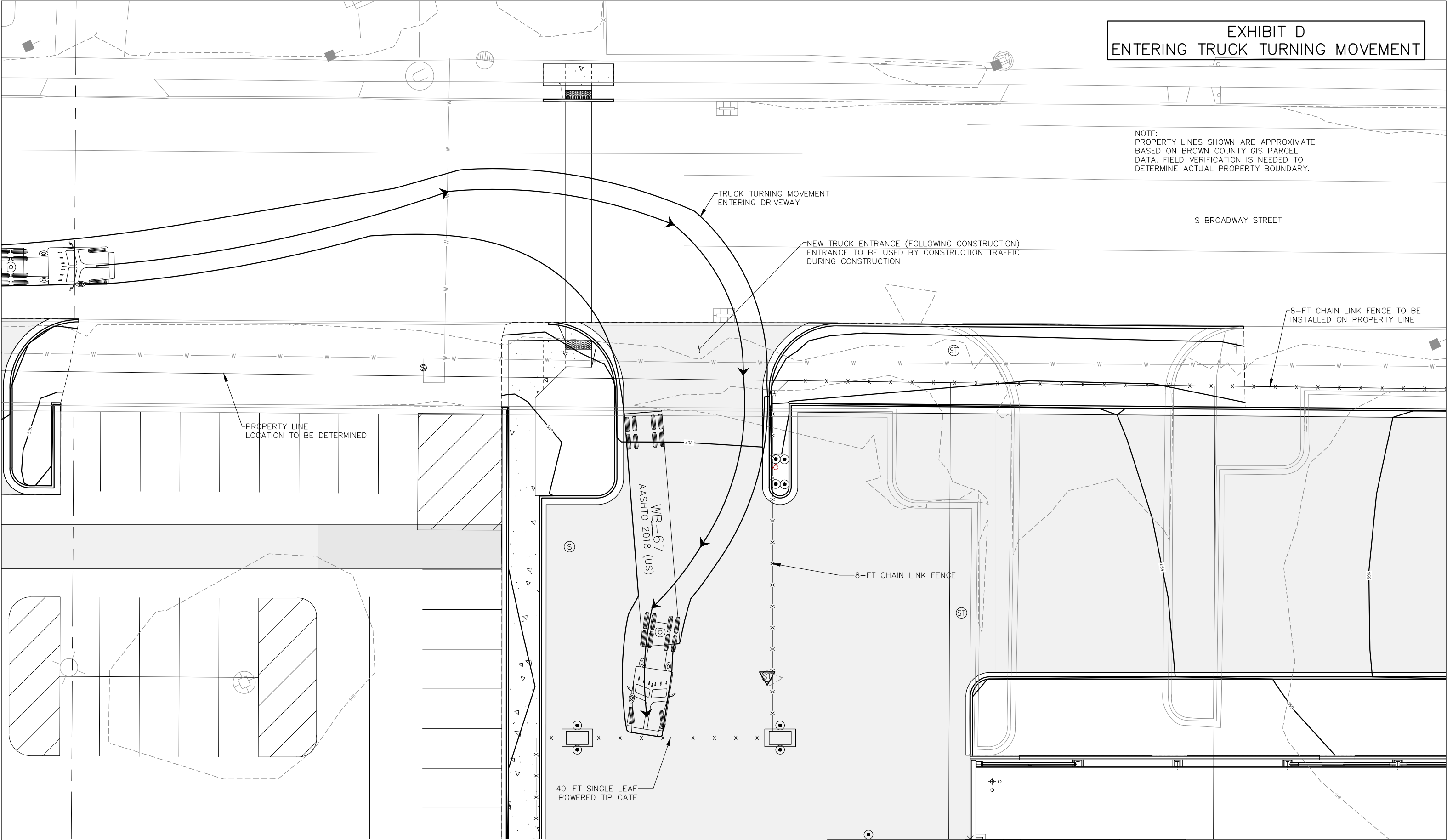
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ASSET NAME: CINCO PM02			
DET NAME L1: BALANCE OF PLANT			
DET NAME L2: DRIVEWAY VARIANCE OVERVIEW			
DR. MJC	CH. SRA	SC.	DATE: 07-31-23
ASSET #: AECOM EXHIBIT A		JOB# 0022976	
DWG# Cinco Driveway Variance			REV A

INFO:
P&ID: —

EXHIBIT D
ENTERING TRUCK TURNING MOVEMENT

NOTE:
PROPERTY LINES SHOWN ARE APPROXIMATE
BASED ON BROWN COUNTY GIS PARCEL
DATA. FIELD VERIFICATION IS NEEDED TO
DETERMINE ACTUAL PROPERTY BOUNDARY.



AECOM
AECOM GREEN BAY
2985 SOUTH RIDGE ROAD, SUITE B
GREEN BAY, WI 54304
920.468.1978 tel 920.468.3312 fax
www.aecom.com

REVISION			
NO.	DATE	BY	REVISION
A	07-31-23	MJC	ZONING VARIANCE APPLICATION

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written consent.

ASSET NAME:			CINCO PM02		
DET NAME L1: BALANCE OF PLANT					
DET NAME L2: ENTERING TRUCK TURNING MOVEMENT					
DR. MJC		CH. SRA		SC. DATE: 07-31-23	
ASSET #:		AECOM EXHIBIT D		JOB# 0022976	
DWG#				REV	
Cinco Driveway Variance				A	
INFO:					
P&ID: —					

EXHIBIT E
EXITING TRUCK TURNING MOVEMENT

NOTE:
PROPERTY LINES SHOWN ARE APPROXIMATE
BASED ON BROWN COUNTY GIS PARCEL
DATA. FIELD VERIFICATION IS NEEDED TO
DETERMINE ACTUAL PROPERTY BOUNDARY.

S BROADWAY STREET

TRUCK TURNING MOVEMENT
EXITING DRIVEWAY

NEW TRUCK ENTRANCE (FOLLOWING CONSTRUCTION)
ENTRANCE TO BE USED BY CONSTRUCTION TRAFFIC
DURING CONSTRUCTION

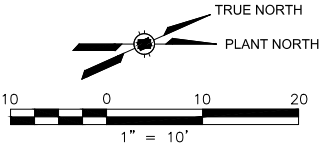
PROPERTY LINE
LOCATION TO BE DETERMINED

8-FT CHAIN LINK FENCE TO BE
INSTALLED ON PROPERTY LINE

WB-67
AASHTO 2011 (US)

8-FT CHAIN LINK FENCE

40-FT SINGLE LEAF
POWERED TIP GATE



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ASSET NAME:			CINCO PM02		
DET NAME L1: BALANCE OF PLANT					
DET NAME L2: EXITING TRUCK TURNING MOVEMENT					
DR. MJC		CH. SRA	SC.		DATE: 07-31-23
ASSET #:		AECOM	EXHIBIT E	JOB#	0022976
DWG#					REV
Cinco Driveway Variance					A
INFO:					
P&ID: —					

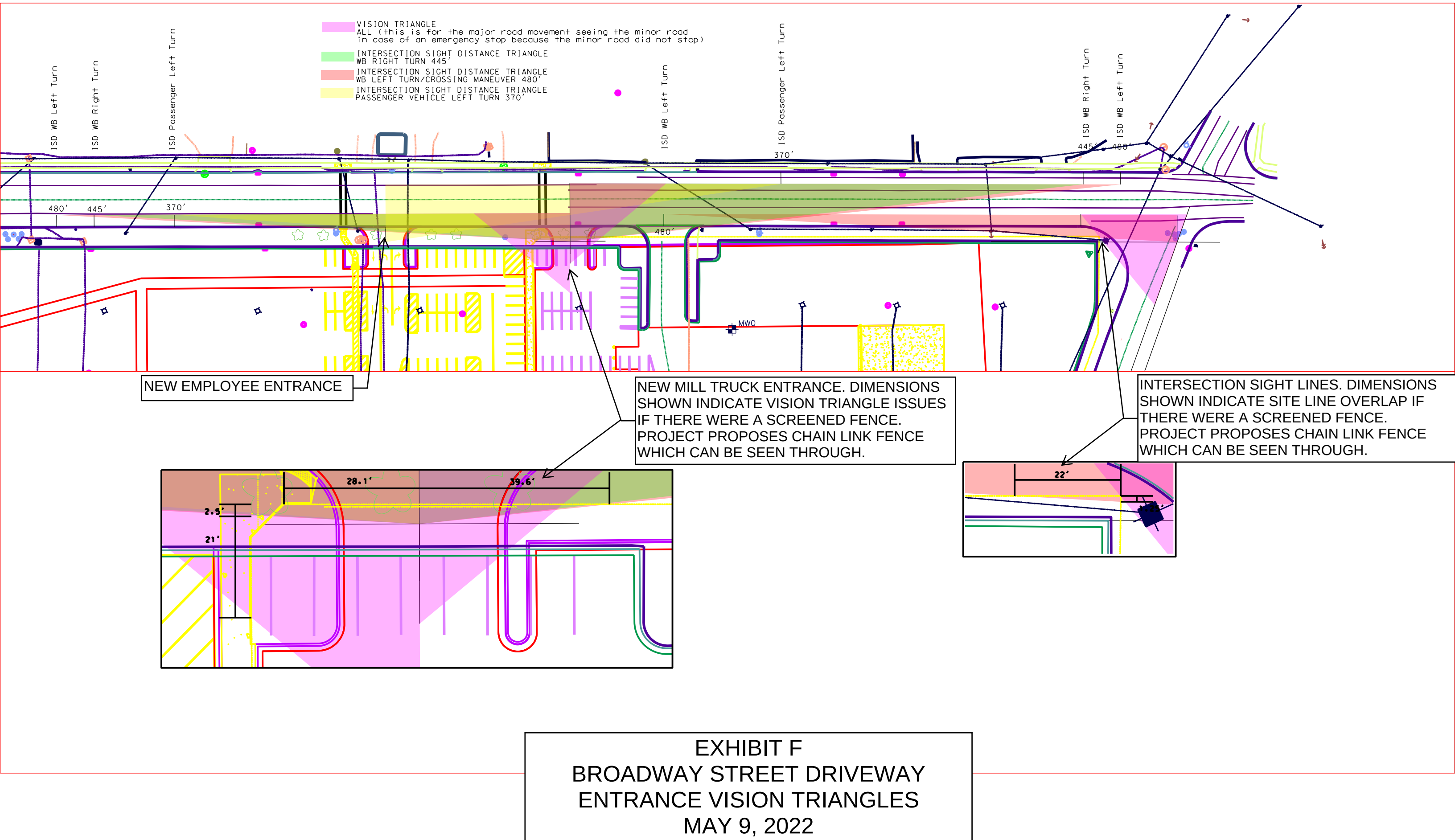
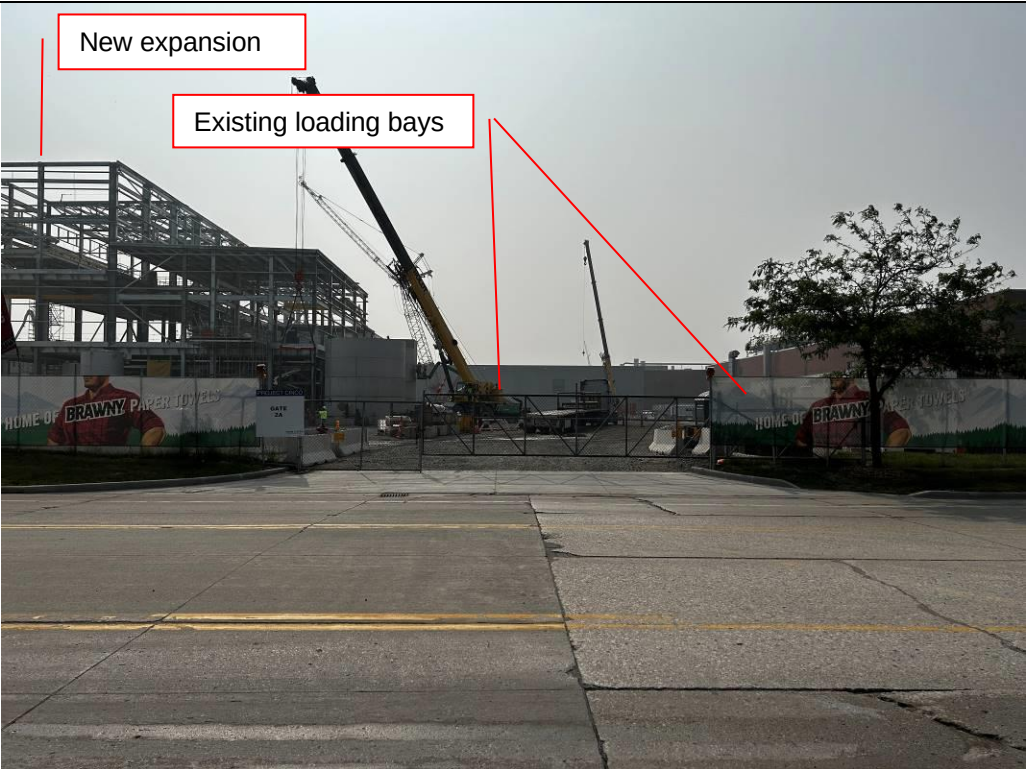


EXHIBIT G
SITE PHOTOS



PHOTOGRAPHIC LOG

Client Name: Georgia Pacific Broadway LLC		Site Location: Cinco Mill Expansion	Project No. 60676657
Photo No. 1	Date: 6/29/23		
Direction Photo Taken: Northeast			
Description: View showing both South and North Driveways.			

Photo No. 2	Date: 6/29/23	
Direction Photo Taken: East		
Description: View of North Driveway to be used as a truck entrance following construction. New building is under construction on the left. Existing building with truck loading bays is shown in the background and on the right. Driveway position provides a direct path back to loading bays.		

PHOTOGRAPHIC LOG

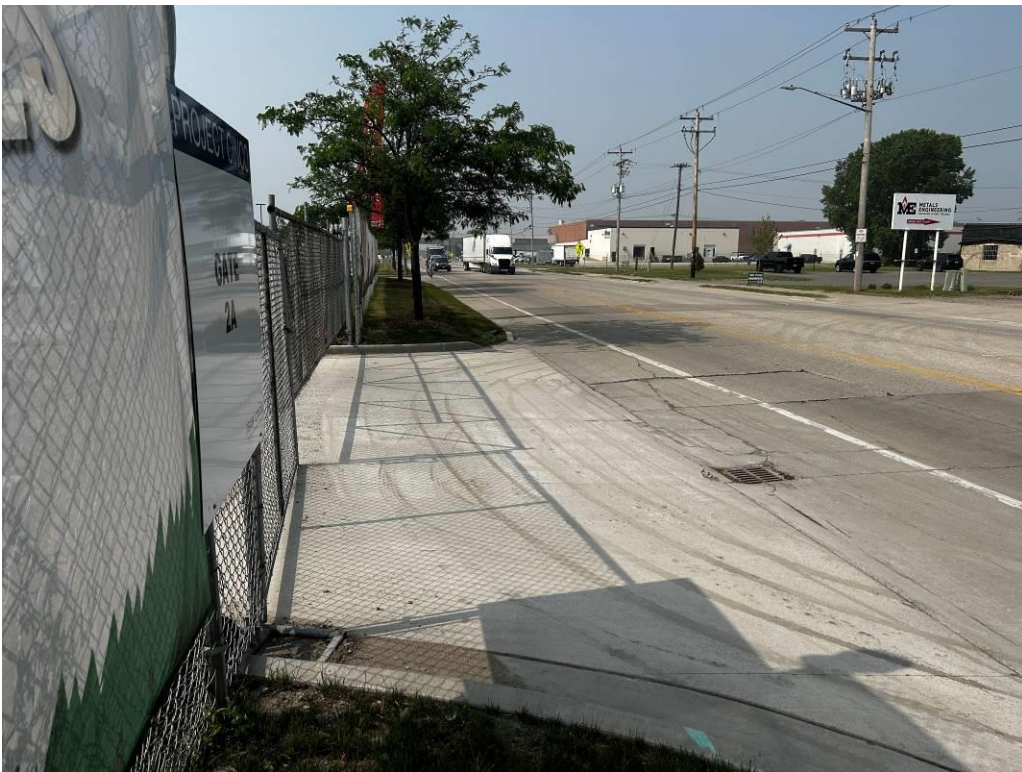
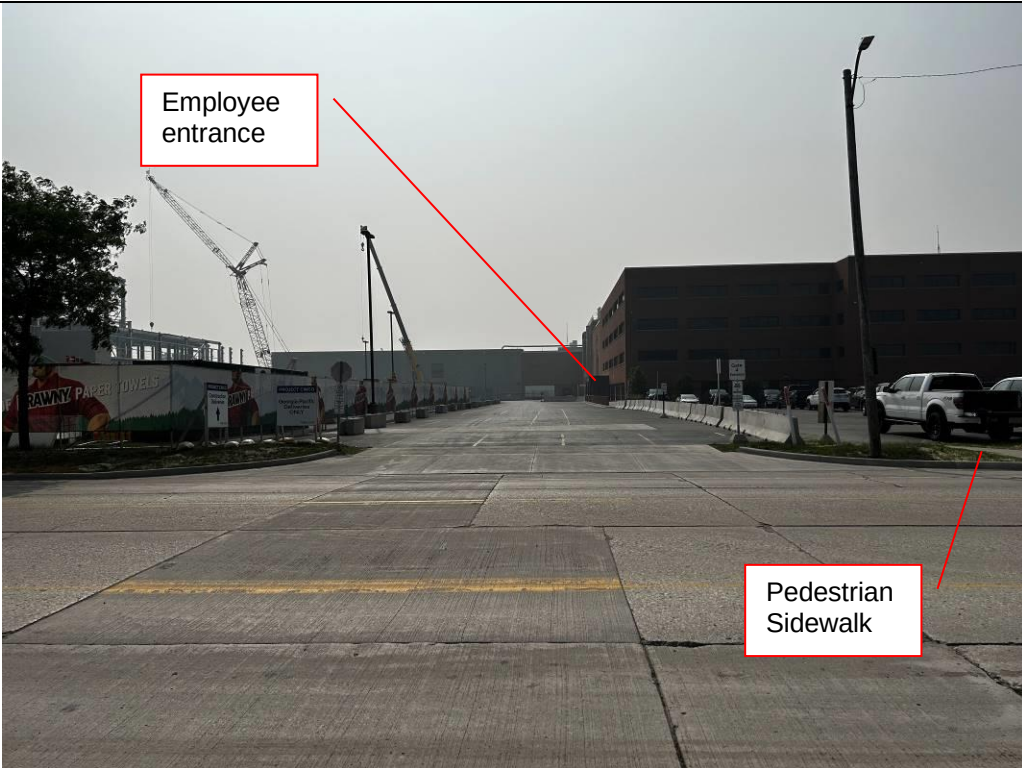
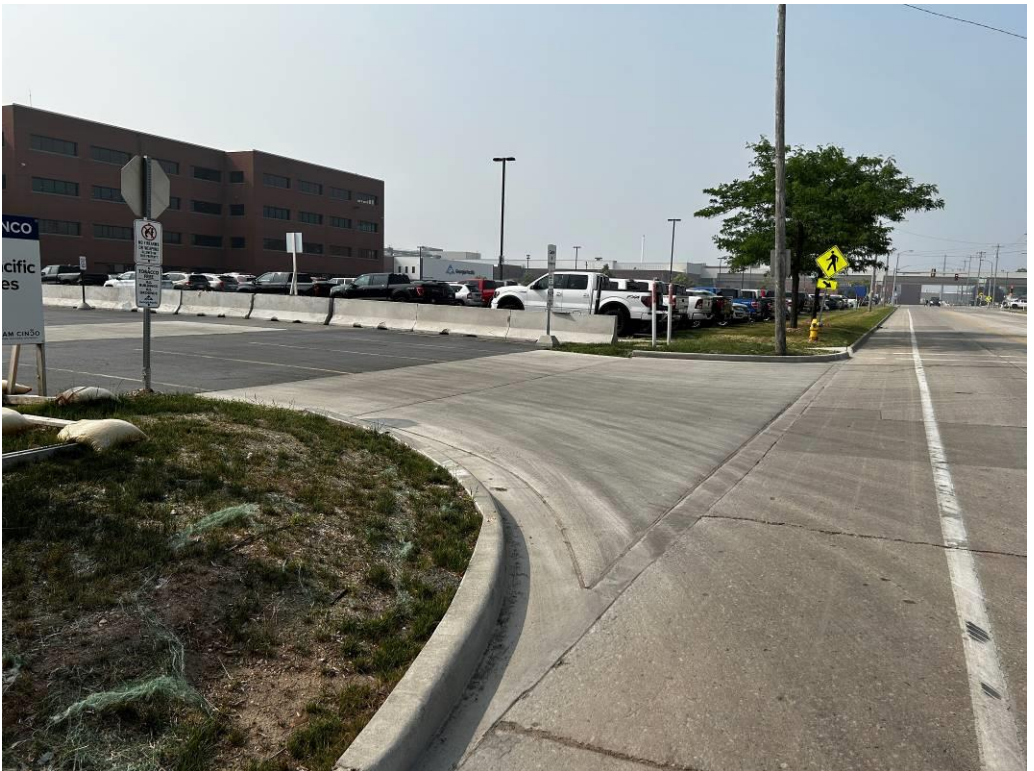
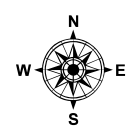
Client Name: Georgia Pacific Broadway LLC		Site Location: Cinco Mill Expansion	Project No. 60676657
Photo No. 3	Date: 6/29/23		
Direction Photo Taken: South			
Description: View showing general construction of the North Driveway with rounded tapers.			

Photo No. 4	Date: 6/29/23	
Direction Photo Taken: East		
Description: View of South Driveway. Configuration allows for separation between construction activities, mill activities, and pedestrian interactions during construction. Direct access to loading bays is provided during construction. Pedestrian crossing and sidewalk align with employee entrance during and after construction.		

PHOTOGRAPHIC LOG

Client Name: Georgia Pacific Broadway LLC		Site Location: Cinco Mill Expansion	Project No. 60676657
Photo No. 5	Date: 6/29/23		
Direction Photo Taken: North			
Description: View showing general construction of the South Driveway with rounded tapers. Various utilities are present which would require modification if traditional angled tapered were utilized. Tire marks on the pavement show the movements truck traffic utilizes near the rounded tapers to turn into the facility.			

Photo No. 6	Date: 6/29/23	
Direction Photo Taken: South		
Description: Additional view showing general construction of the South Driveway with rounded tapers. Tire marks on the pavement show the movements truck traffic utilizes near the rounded tapers to turn into the facility.		



Map printed on
9/13/2023

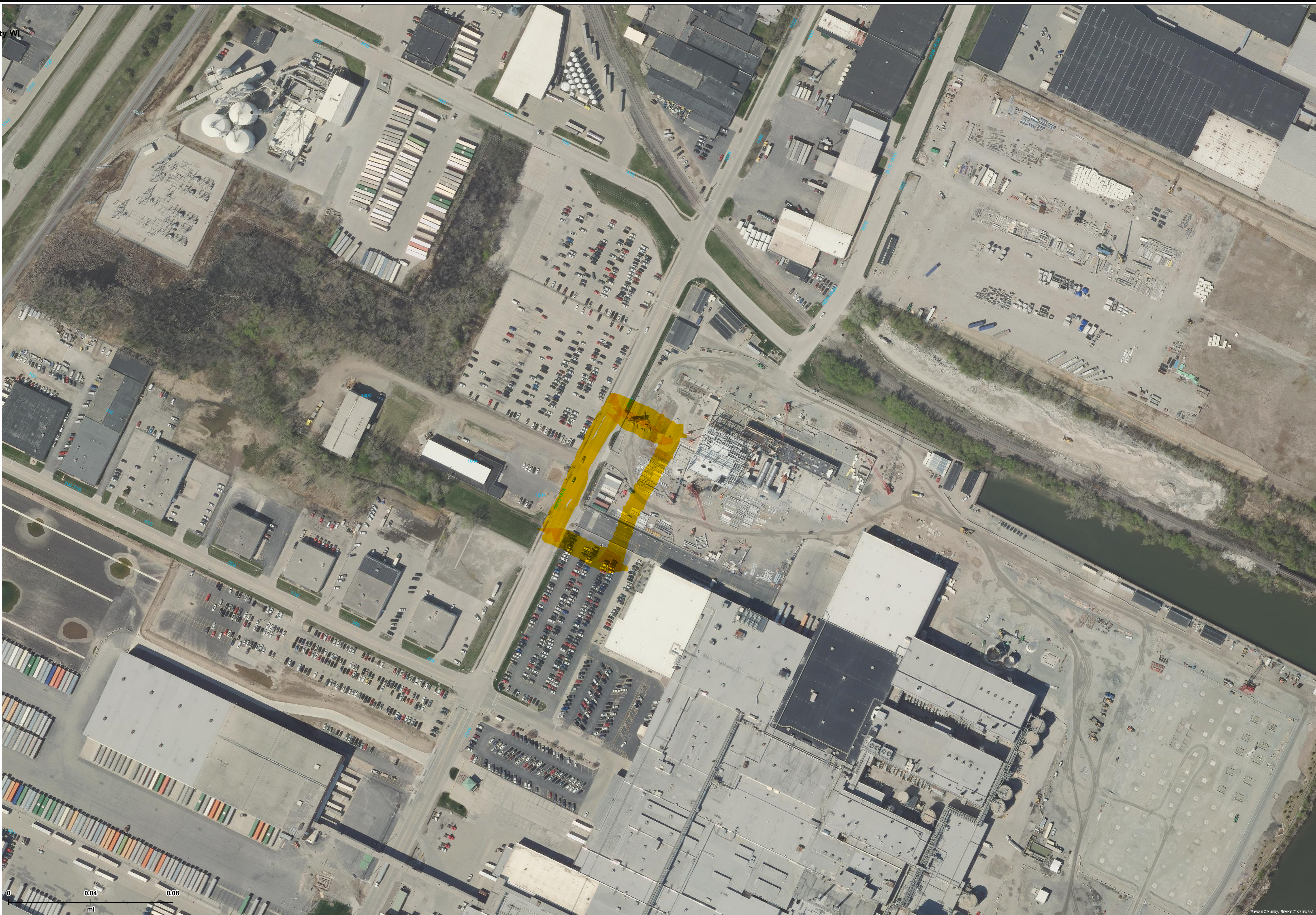
1:1,200
1 inch = 100 feet*
1 inch = 0.0189 miles*
*original page size is 24" x 36"

A map key/legend is available at
bnyurl.com/BrownDogLegend

This is a custom web map
created by an online user
of the GIS map services
provided by the
Brown County Wisconsin
Planning & Land Services
Department



(920) 448-6480
www.browncountywi.gov





DRIVE
ENTRANCE
SLATED TO BE
REMOVED

AUGUST 2019

Drive to be removed
Temporary 2 Lane Drive Entrance

Temporary 3 Lane Drive Entrance

JULY 2023





Report to the Zoning & Planning Board of Appeals of the City of Green Bay

MEETING DATE

September 18, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.5

(Appeal 23-28) Consideration with possible action a variance request from Tor Lor property owner and applicant to permit an uncovered parking space between a building and street beside a garage in a R1 Low Density Residential District located at 3380 Heaven Drive.(Ald. J. Hutchison, District 2).

The Board may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any quasi-judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

BACKGROUND

Tor Lor is seeking a variance to allow an uncovered parking stall located between a building and street, beside a garage for a single/two family residence at 3380 Heaven Drive.

The applicant is seeking to deviate from one section of the Green Bay Zoning Code: Sec. 44-1747 (3.) c.: One uncovered parking space is permitted in the side yard alongside a garage provided said space is not located between the building and the street.

The applicant is seeking to keep a newly created parking stall alongside the garage, but between the building and street. A permit was not pulled for this driveway which was built this past summer. Uncovered parking spaces alongside garages are not uncommon, especially in newer subdivisions. However, the code states an uncovered stall must be located in the sideyard as to not be located between a building and the street. Said stall would need to be located in the side yard and be no closer that 2.5 feet from a property line.

The garage at this parcel located along the eastern side of the residence, adjacent to Crosswinds Lane and public right of way rather than a neighboring sideyard. The property had 2 interior stalls and 2 exterior stalls before the driveway addition.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 23-28 Application
2. 23-28 Aerial -May 2023
3. 23-28 Street View July 2023

[illegible]

Describe the Variance Request:

Request relief to allow an extended drive on the side of our garage.

Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

Due to the location of our garage and driveway. Being a corner lot and our garage on the side of the street. This was the only place that we would be able to have the extended driveway that would be accessible. We would not be able to have this placed anywhere else on the property without having to make major constructions and this is why the extended driveway was placed where it is. We would not be able to place this on the opposite side of our home because of where our driveway and garage is. We cannot put it in front of our home. We cannot put it behind our home because there is no driveway for us to be able to use the extended driveway for what we intend to use it for.

Would granting the variance be contrary to the public interest? Explain.

No, granting the variance would not be contrary to the public interest. The driveway is far enough from the property line that it would not cause any issues with people walking or vehicles driving by. We have spoken with our neighbors and they had no issues with us having the extended driveway.

There are other homes in the area with the same layout as ours and from my knowledge it does not seem to be contrary to the public interest.

335 Crosswinds Lane

3160 Sitka Street

Both these residents have similar driveway layouts that have been in place for over 6 plus years.

We are willing to put up some sort of barrier: bushes or a fence, if the public thinks the driveway is an eyesore.

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

We had the extended driveway put in because we plan to purchase a recreational vehicle soon and need a place to park it before we make the purchase. Parking the recreational vehicle on the side of our garage on the grass or parking it on the street wasn't an option so this was the most reasonable option for us and that is why the extended driveway was put in where it is. We both work different shifts so we both use each side of our driveway to make things easier when going and coming back from work.

We have students in college and family members that come to visit often and if we were to park the recreational vehicle on one side of our driveway it would be a hassle for us going in and out and we would not have enough parking space.

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).

44-1747(3) c.

THREE STEP TEST - To qualify for a variance, the applicant must demonstrate that their property meets the following three (3) requirements:

Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain

See attachments.

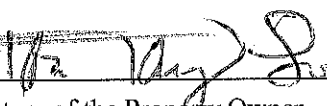
Would granting the variance be contrary to the public interest? Explain.

See attachments.

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

See attachments.

I HEREBY CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE VARIANCE PROCEDURE AND FAILURE TO COMPLY WITH CITY REQUIREMENTS WILL RESULT IN THIS APPLICATION BEING WITHHELD FROM CONSIDERATION BY THE ZONING BOARD OF APPEALS.


Signature of the Property Owner

Signature of Applicant (working as "Agent" for owner)

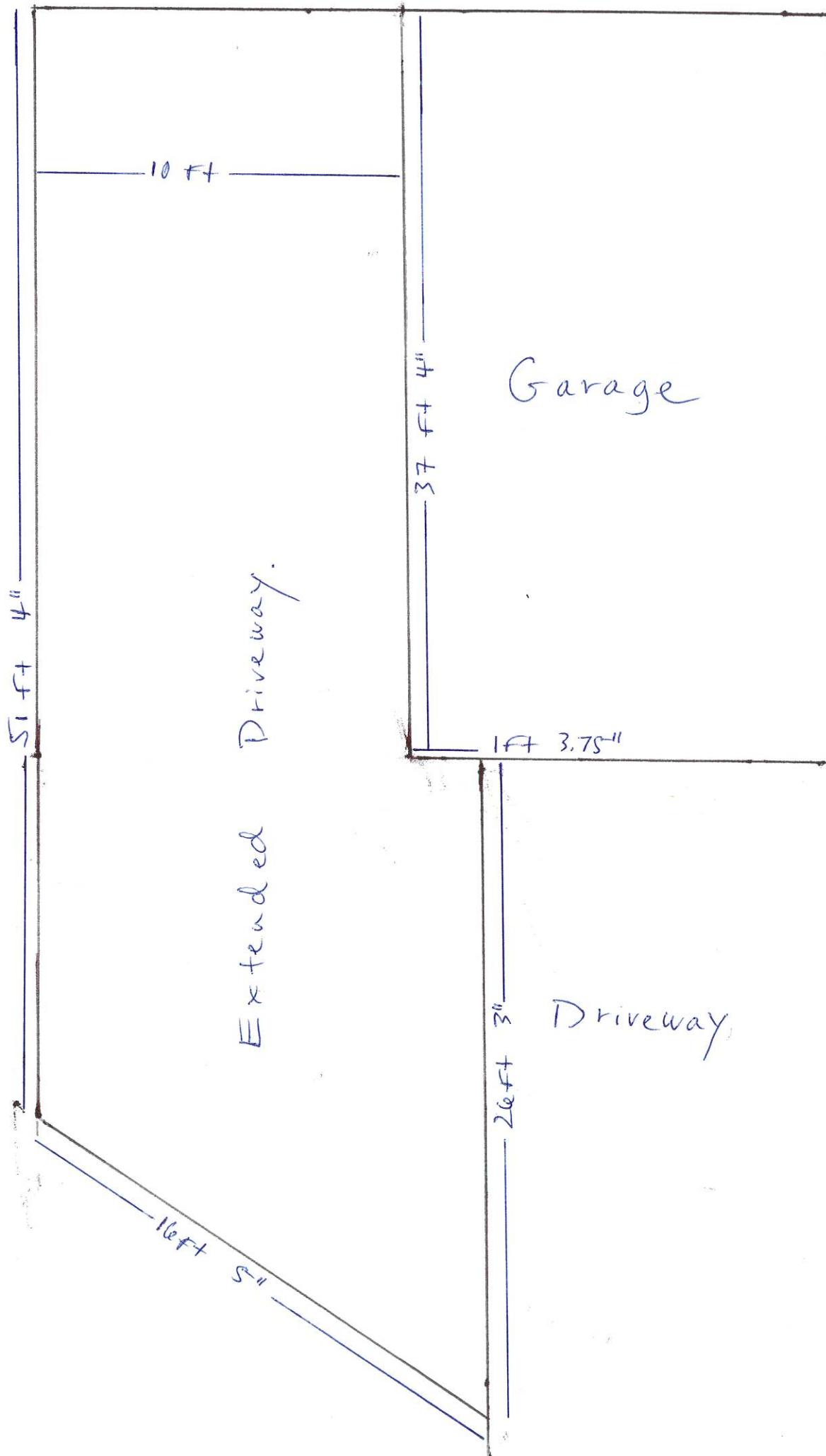
Tor Lor
Print Name

Print Name

09/05/2023
Date

Date

OFFICE USE ONLY:	Parcel #: 21-7691	Residential \$125 ☒ Commercial \$250 ☐
District: Zoning:	Meeting Date:	Receipt #: 2764101-2
Submittal Date:	Staff Signature:	





Google

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3380 Heaven Dr

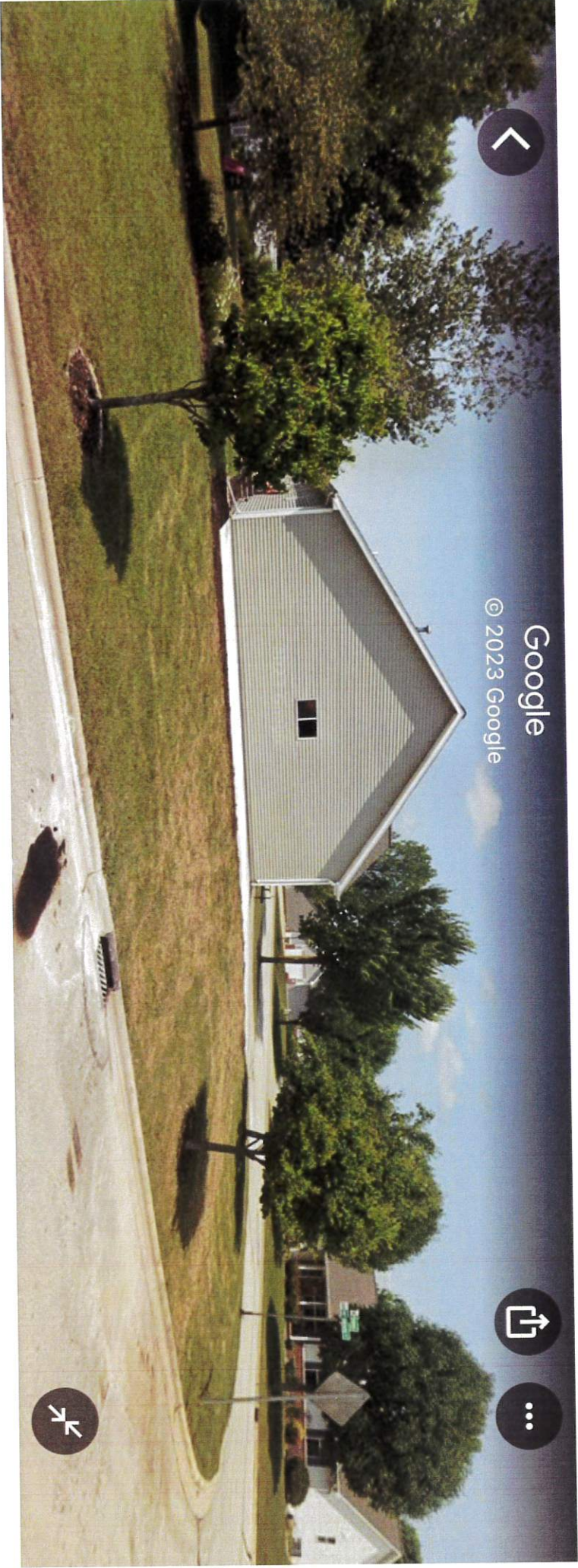
2 months ago · [See more dates](#) >





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Find Address, Parcel ID or I



3374

3380

34

21-7
1774
0,99

Measurement

Feet (US)

Measurement Result

28 Feet (US)

Clear

Press CTRL to enable snapping

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110.41'

13,605 SF

1774496

21-7691

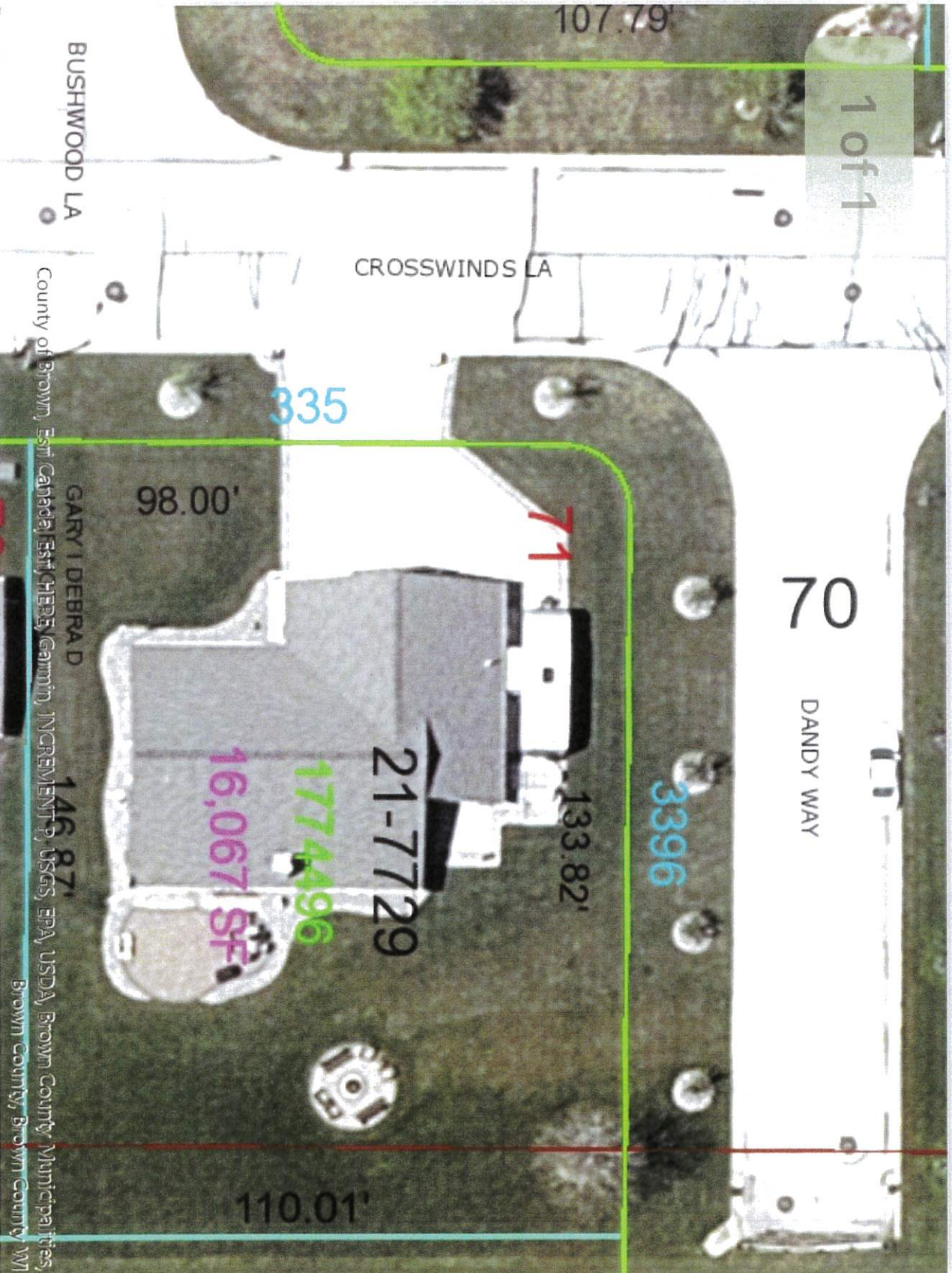
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KATHLEEN DANIEL
MERRILL





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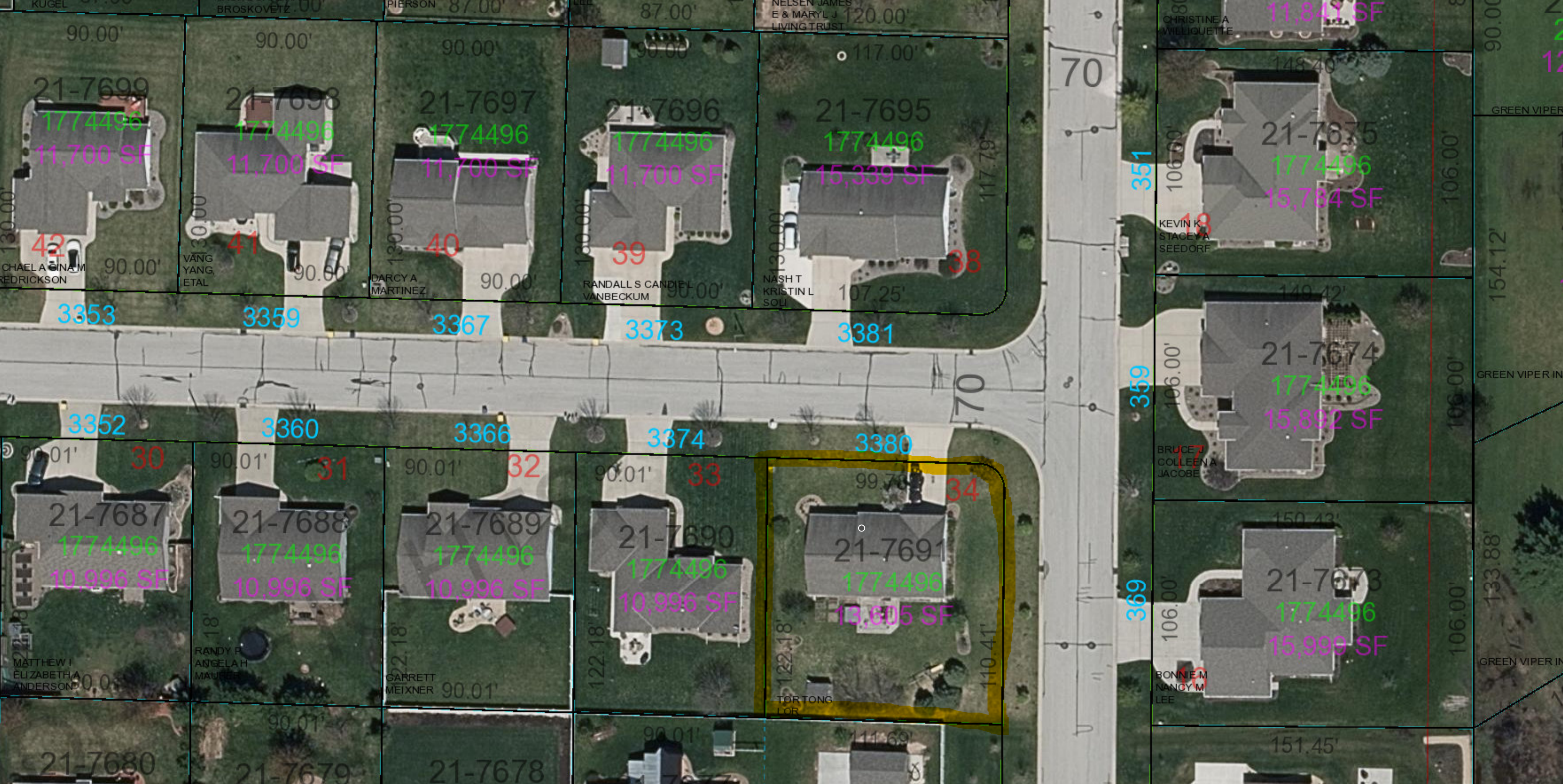
















Report to the
Zoning & Planning Board of Appeals
of the City of Green Bay

MEETING DATE

September 18, 2023

PREPARED BY

AGENDA ITEM # F.I

The date of the next meeting: October 16, 2023.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None