



MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, JANUARY 15, 2024, 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: Chair, Noel Halvorsen - Vice Chair, Barb Dorff; Steven Schuchart, Corey Bogenschutz, Joshua Koch, Benjamin Andrews.

Present: Barbara Dorff, Steven Schuchart, Corey Bogenschutz , Benjamin Andrews

Excused: Joshua Koch

Absent: Noel Halvorsen

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the January 15, 2024, meeting of the Zoning & Planning Board of Appeals.

Moved by Benjamin Andrews, seconded by Corey Bogenschutz to approve the agenda. Motion Passed.

Yes-Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Benjamin Andrews.

No- None, Abstain- None.

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the November 20, 2023, meeting of the Zoning & Planning Board of Appeals.

Moved by Corey Bogenschutz, seconded by Benjamin Andrews to approve the minutes. Motion Passed.

Yes- Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Benjamin Andrews.

No- None, Abstain- None.

E. REGULAR BUSINESS.

I. (Appeal 24-01) Consideration with possible action on a variance request submitted by Troy Kapalcynski, property owner and applicant requesting creating a driveway off alley exceeding width standards for a single or two family residence at 820/822 E Walnut Street. (Ald. R. Scannell, District 7) The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-1746 (3) g. the alley driveway may extend to the garage opening or may extend into the lot for 30 feet in width. The applicant requests a driveway both leading to a garage and area along side driveway of which the side loaded opening is 63 feet in width.

The Board may convene in closed session pursuant to Sections 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Board 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.

Vice Chair Barb Dorff affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not.

Vice Chair Barb Dorff affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they do not.

Vice Chair Barb Dorff affirmed Jon Leroy.

Vice Chair Barb Dorff affirmed Troy Kapalcynski.

Speakers:

Troy Kapalcynski- 820/822 E Walnut St.

Moved by Board Member Steven Schuchart, seconded by Board Member Benjamin Andrews to approve a variance request submitted by Troy Kapalcynski, property owner and applicant, requesting to create a driveway off an alley exceeding width standards for a single or two family residence at 820/822 E Walnut Street. (Ald. R. Scannell, District 7) Motion Passed.

Yes- Steven Schuchart, Barbara Dorff, Benjamin Andrews

No- Corey Bogenschutz, Abstain- None.

2. (Appeal 24-02) Consideration with possible action on a request from Joel Ehrfurth of Mach IV Engineering and Surveying LLC, applicant and Chris Patel of Early Childcare II LLC, property owner; requesting to exceed drive-through facility standards for placement of drive through window and menu board between the front façade of a building and street at 3112 Finger Road. (Ald. J. Hutchison, District 2) The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-1584 (m) (1), no drive through window and menu board shall be

located between the front façade of the principal building and the street. Applicant requests placing menu boards and window boards between the western wall facing Ontario Road and the northern wall facing Finger Road.

The Board may convene in closed session pursuant to Sections 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Board 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.

Vice Chair Barb Dorff affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not.

Vice Chair Barb Dorff affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they do not.

Vice Chair Barb Dorff affirmed Jon Leroy.

Vice Chair Barb Dorff affirmed Joel Ehrfurth.

Speakers:

Joel Ehrfurth- Mach IV Engineering Surveying LLC
Stephen Masial- 21715 Rockville Rd Kiel WI

Moved by Steven Schuchart, seconded by Board member Corey Bogenschutz to approve a request from Joel Ehrfurth of Mach IV Engineering and Surveying LLC, applicant and Chris Patel of Early Childcare II LLC, property owner; requesting to exceed drive-through facility standards for placement of drive through window and menu board between the front façade of a building and street at 3112 Finger Road with the condition that the CUP is approved by the Plan Commission and the City Council. Motion Passed.

Yes-Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Benjamin Andrews.

No- None, Abstain-None.

3. (Appeal 24-03) Consideration with possible action on a request from Scott Kwiecinski of Horizon Development Group, applicant and City of Green Bay Redevelopment Authority, property owner; requesting to exceed setback and building bulk requirements within an Office Residential (OR) District at 1035 Vanderbraak Street and 1030 Weise Street and northeast intersection of Vanderbraak and Clay Streets.

The Board may convene in closed session pursuant to Sections 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Board 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.

Vice Chair Barb Dorff affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not.

Vice Chair Barb Dorff affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they do not.

Vice Chair Barb Dorff affirmed Jon Leroy.

Vice Chair Barb Dorff affirmed Scott Kwiecinski.

Speakers:

Scott Kwiecinski- Horizon Development Group 5201 East Terrace Dr, Madison WI

Moved by Corey Bogenschutz, seconded by Benjamin Andrews to enter closed session. Motion Passed.

Yes-Barbara Dorff, Corey Bogenschutz, Benjamin Andrews

No- Steven Schuchart, Abstain-None.

Moved by Steven Schuchart, seconded by Corey Bogenschutz to return to regular session. Motion Passed.

Yes-Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Benjamin Andrews

No- None, Abstain- None.

Moved by Steven Schuchart, seconded by Corey Bogenschutz to hold the request from Scott Kwiecinski of Horizon Development Group, applicant and City of Green Bay Redevelopment Authority, property owner; requesting to exceed setback and building bulk requirements within an Office Residential (OR) District at 1035 Vanderbraak Street and 1030 Weise Street and northeast intersection of Vanderbraak and Clay Streets until the week of January 22, 2024. Motion Passed.

Yes-Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Benjamin Andrews.

No- None, Abstain- None.

F. INFORMATIONAL.

I. I. The date of the next meeting of the Board of Appeals is February 19, 2024.

G. ADJOURNMENT.

Moved by Corey Bogenschutz, seconded by Benjamin Andrews to adjourn. Motion Passed.

Yes-Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Benjamin Andrews.

No- None, Abstain-None.