



AGENDA OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, MAY 20, 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, and Benjamin Andrews.

C. Approval of the Agenda.

- I. Approval of the agenda for the Monday, May 20, 2024, meeting of the Zoning & Planning Board of Appeals.

D. Approval of Minutes.

- I. Approval of the minutes from the April 15, 2024 meeting.

E. Regular Business.

- I. (Appeal 24-12) Consideration with possible action on a request from Ray Hutchison, applicant and property owner; seeking to build an accessory detached garage building in front of a primary residential structure at 1767 East Shore Drive. (Ald. J. Prestley, District 6)

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.

2. (Appeal 24-13) Consideration with possible action on a variance request submitted by Brian and Rebecca Jooss, applicants and property owners; requesting to exceed driveway width standards in a front yard at 1827 Dousman Street. (Ald. B. Delie, District 10)

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.

3. (Appeal 24-14) Consideration with possible action on a request from Darren Stock, applicant and property owner; requesting to exceed individual driveway standards for a two-family residence at 1749-1751 South Oneida Street. (Ald. C. Wery, District 8)

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.

4. (Appeal 24-15) Consideration with possible action on a request from Jeffery and Tammy Van Beaver, applicants and property owners; requesting to exceed rear setback standards for a primary building within a (R1) Low Density Residential District at 943 S Madison Street. (Ald. B. Johnson, District 9)

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.

5. (Appeal 24-16) Consideration with possible action on a request from Gary Tree of Advanced Building Corporation, applicant and Atul Patel, property owner, seeking to reduce the minimum amount of parking stalls required for a motel from 45 to 28 surface stalls at 1704 S Ashland Avenue Frontage Road. (Ald. B. Johnson, District 9)

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.

6. (Appeal 24-17) Consideration with possible action on a request from Jesse Daniels, property owner and applicants; seeking to create a driveway within the side yard setback for a single-family residence at 621 S Monroe Ave. (Ald. B. Galvin, District 4)

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.

7. (Appeal 24-18) Consideration with possible action on a variance request 1st Security Credit Union, property owner and Brett Paul of XSite Real Estate applicant; 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 the 3000 block of Finger Road (Parcel

21-7596). (Ald. J. Hutchison, District 2)

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.

F. Informational.

- I. Date of next meeting: June 24, 2024.

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

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.1

(Appeal 24-12) Consideration with possible action on a request from Ray Hutchison, applicant and property owner; seeking to build an accessory detached garage building in front of a primary residential structure at 1767 East Shore Drive. (Ald. J. Prestley, District 6)

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.

BACKGROUND

The applicant seeks one variance from the Green Bay Municipal Code, Chapter 44: Zoning.

Sec. 44-590 (c) (1.) Detached accessory structures shall be located to the side or rear of the principal building and not permitted within the required front yard or within a side yard abutting a street.

The applicant seeks to remove and replace an existing detached garage which is located in front of the principal building at 1767 East Shore Drive. The applicant seeks relief to place a new garage in front of the home, setback approximately 130 feet from the front right-of-way along East Shore Drive. If a variance is granted, the applicant would be permitted to place an accessory structure in front of the primary residence, setback approximately 130 feet from the right of way.

The property is a narrow lot, approximately 58 feet in width. The primary residence is setback approximately 200 feet from the right of way with the primary building width being approximately 46 feet in width. The existing primary residence does not have sufficient width to create legal drive to create a garage in the backyard..

The property is situated along the bayshore. Many neighboring buildings have detached garages which are located in the front yard between the right of way and principal structure. These scenarios are either legal non-conforming structures or have received variances in the past to permit an accessory structure to be built in front of the property.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-12 Application
2. 24-12 Applicant Information

3. 24-12 View From Street



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE: 4-2-24	PROJECT #:	APPEAL #: 24-12
APPLICANT INFORMATION:		
Name: Ray Hutchison		
Business Name: —		
Address: 1767 East Shore Drive		
City, State, Zip: Green Bay WI 54302		
Phone: 920 227 8649		
Email: rayhutchison2@gmail.com rayhutchison.2@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: 1767 East Shore Drive Green Bay WI		
Tax Parcel Number(s):		
Describe the Variance Request:		
construction of new (replacement) garage built same location as existing structure (built 1940s) garage is/will be in "front" yard of house (because of property plat, garages along east shore drive often are between house and roadway)		

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

44-590 (c) (1)

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. Existing property boundaries along East Shore Drive typically are narrow (30') and many homes have garage in "front" of house (between house and street) typically. There is no room to construct garage at side of house and no access to other side of the house.

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

No! Existing garage is an eyesore and replacement will improve the neighborhood appeal.

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?

Yes! Because of original city plat, lots are typically 30' and there is no alternative for placement of existing garage.

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.

Karl Ray Hutchison
Signature of the Property Owner
Ray Hutchison
Print Name
April 2, 2024
Date

Ray Hutchison
Signature of Applicant (working as "Agent" for owner)
Ray Hutchison
Print Name
4-2-24
Date

OFFICE USE ONLY:	Parcel #: 21-430	Residential \$125 ☒ Commercial \$250 ☐
District: 6 Zoning: R1	Meeting Date: 05/24	Receipt #:
Submittal Date: 4-2-24, Rev. 5-9-24	Staff Signature: jl	

PROJECT NARRATIVE

Location of Property: 1767 East Shore Drive, Green Bay

Parcel Number: 21-430

Petitioner(s): Ray Hutchison

Email: rayhutchison2@gmail.com

Address: 1767 East Shore Drive, Green Bay WI 54302

Property Owner: Earl Ray Hutchison & Dulce Reyes Hutchison

Phone Number: 920-227-8649

Date: May 2, 2024

Phone Number: 920-227-8649

The original detached garage at 1767 East Shore Drive was built ca. 1945-55 and needs to be replaced. It is located in the "front" yard of the house (between the house and East Shore Drive) as are many of the garage structures along East Shore Drive. The original lots were most often 20' or 30' wide (ours happens to be 55-60' because it is the last property on the original city plat). There is not sufficient space for a garage at the side of the house, and there is not access for a garage between the house and the bay of Green Bay. The planned replacement structure is a two-story garage, with the second floor to be used as a hobby area (for model train layout). The total height of the structure not to exceed height of the existing house.

We are filing a request for waiver of Ordinance 44-590(1)(1) which a) would require placement of the (replacement) garage construction at the side or back yard of the house; and b) allow for construction of two story structure.

The existing structure is located some 150' from East Shore Drive, and some 50' from the house. The replacement garage will be 24' x 34' in same location as existing structure. The location is shown on the attached Site Plan and aerial photograph (existing garage/replacement garage location is shown by white rectangle). Photographs of scale model of the planned two-structure are attached.

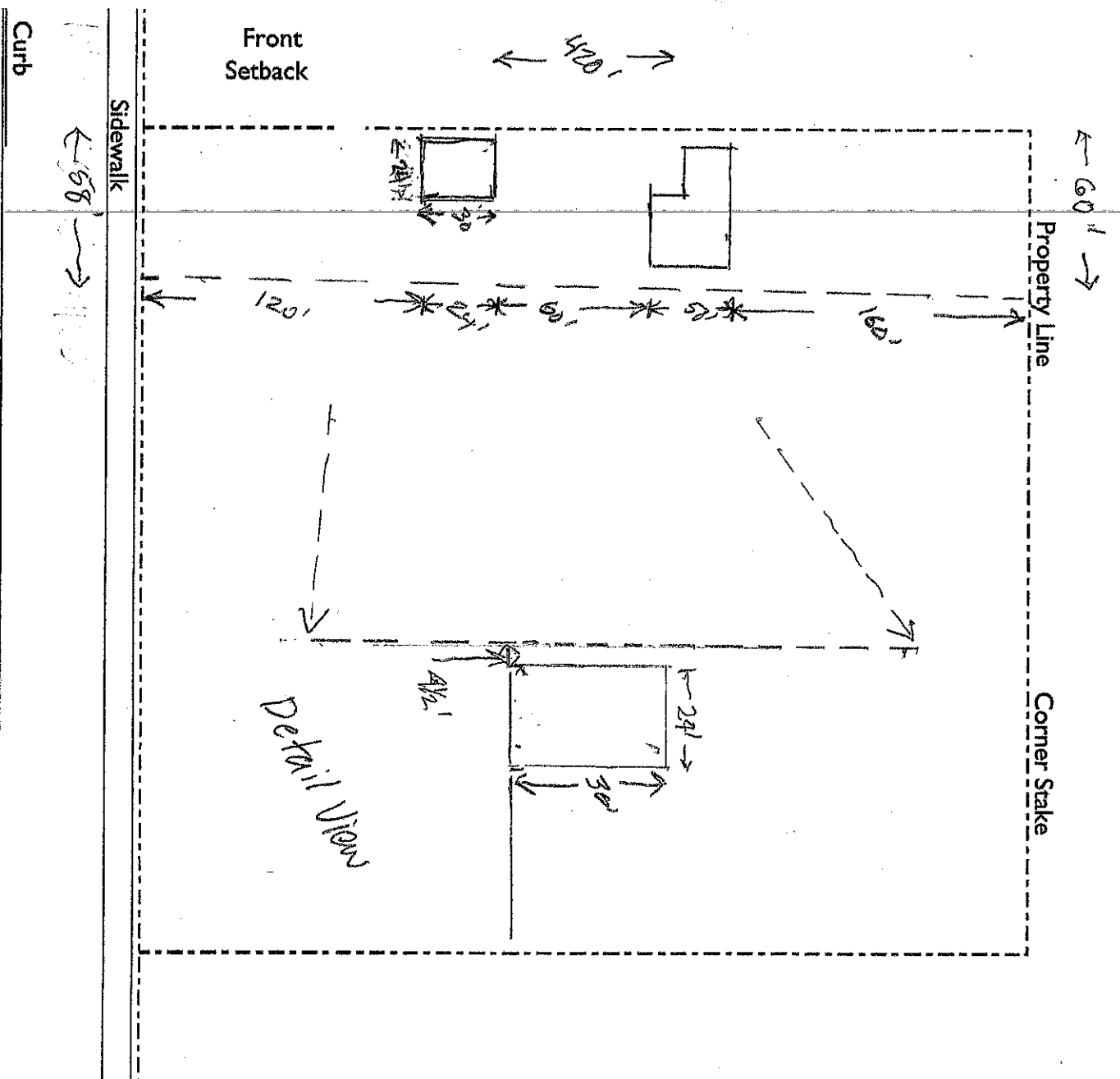
Adverse effect of denial of this request is a) continuing eyesore to our neighbors and others (see attached photograph, and b) maintaining a basically useless structure that no longer is suitable for cars, yard equipment, and the like.

There are several benefits to the public interest in this request, including a) replacement of older structure that we believe to be an eyesore for our neighbors, neighborhood more generally, and for persons visiting the Wildlife Sanctuary, and b) addition of significant amount to city taxroll (estimate by Bill Dean, longtime realtor in Green Bay, is that the new structure will increase value of the property from \$360,000 to \$480,00).

SITE PLAN

Address: 1767 East Shore Dr
 Parcel No: 21-430
 Subdivision: _____
 Lot No.: _____

- ☒ Lot Size and Dimensions
- ☐ Building(s) Location
- ☐ Size
- ☐ Number of Stories
- ☐ Use
- ☐ Setbacks from Property Lines

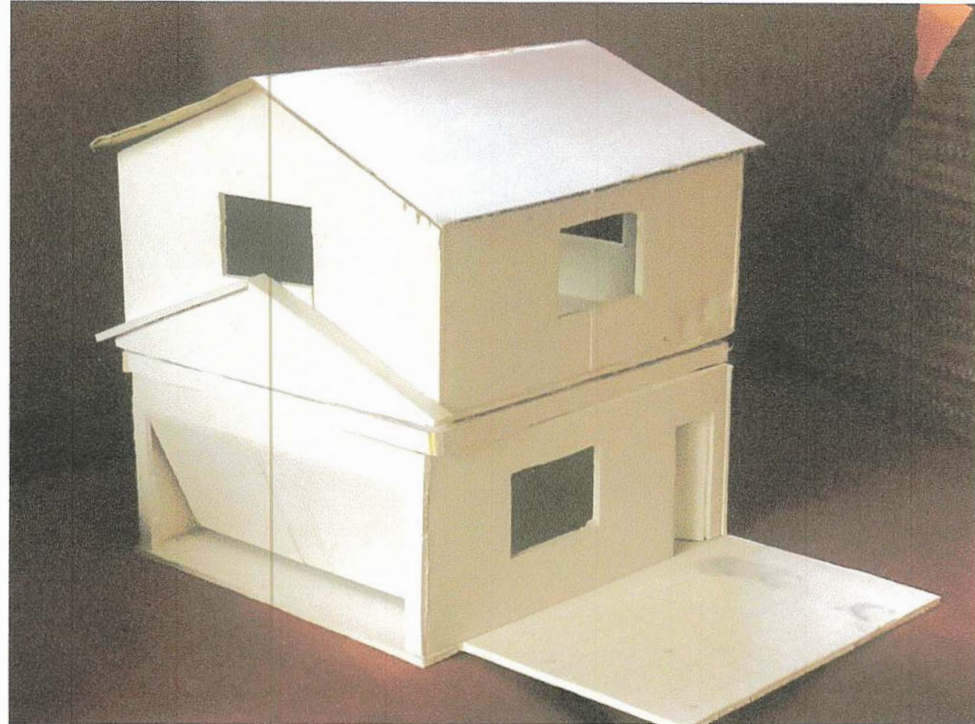


1767 East Shore Drive / Garage Teardown



5/9 Revision

Garage roof structure to vary in final plan to reflect wall height and roof height to meet code without any variance or conditional use permit



1767 East Shore Drive – New Garage Model
Second Floor: General Use / Hobby Room (for model train layout)
Scale: $\frac{1}{2}'' = 1'$

ADDITIONAL COMMENTSOwner or Owner **Dr. Earl Ray Hutchison**Property Address **1767 East Shore Drive**City **Green Bay**County **Brown**State **WI**Zip Code **54302**Lender or Client **Associated Bank****LEGAL DESCRIPTION**

That Part of PC 46 E Com SE Cor of Tract Desc in 97 D 347 BCR N26 Deg. 23 Min. 54 Sec. E to N Line of Highway to Beg N 26 Deg. 23 Min. 54 Sec. E to Bay Shore NWLY Alg. Shore 60 Feet S 26 Deg. 5 Min 28 Sec W 467.25 Ft. to N Line of HWY ELY Alg HWY 60 Feet to Beg. .66 Acre ML





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

MEETING DATE

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.2

(Appeal 24-13) Consideration with possible action on a variance request submitted by Brian and Rebecca Jooss, applicants and property owners; requesting to exceed driveway width standards in a front yard at 1827 Dousman Street. (Ald. B. Delie, District 10)

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.

BACKGROUND

The applicant seeks two variances from the Green Bay Municipal Code, Chapter 44: Zoning.

Sec. 44-1746. Driveways shall lead from the public right-of-way directly to a garage door opening plus 24 inches on either side of said door or to a legal surf surface parking space.

Sec. 44-1746 (2) c. Attached garages. Driveways leading to attached garages shall meet the acceptable side setback for principal structures in the district or shall meet the side setback of the existing garage, whichever is less.

The applicants are seeking to place an extra wide driveway space in the front yard of their property at 1827 Dousman Street. The parcel is a single-story single family residential building with a two-stall garage attached to the building and a two-stall driveway leading to the garage.

The applicants would like an additional parking stall at the property, but the distance between the existing garage and the eastern property line is approximately 8 feet in width. This width does not allow for sufficient spacing to have a legal parking stall along side the garage and have a legal buffer off the side yard (8 feet for a parking stall, plus 2.5 feet of a minimum setback of pavement from the property line).

The applicants have proposed a site plan adding an extra 8.5 feet to their existing driveway to place a parking stall in their front yard, east of the existing garage door. This variance request is seeking to permit a driveway/parking space to extend approximately 9 feet off the existing garage door, rather than the permitted two feet past garage door opening. The proposed design would leave 3 feet from the property line. The side yard setback in the district is a minimum of 6 feet.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-13 Application
2. 24-13 Application Information
3. 24-13 View From Street



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE: 4/15/24	PROJECT #:	APPEAL #: 24-13
APPLICANT INFORMATION:		
Name: BRIAN AND Rebecca Jooss		
Business Name:		
Address: 1827 Dousman St.		
City, State, Zip: Green Bay, WI 54303		
Phone: (920) 619-6694 (920) 360-6580		
Email: brianjooss@gmail.com		
PROPERTY OWNER INFORMATION (if different from above):		
Name: BRIAN AND REBECCA JOOSS		
Business Name:		
Address: 1827 DOUSMAN STREET		
City, State, Zip: GREEN BAY, WI 54303		
Phone: (920) 497-3110 (920) 619-6694 (920) 360-6580		
Email: BRIANJOOSS@GMAIL.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: 1827 DOUSMAN STREET GREEN BAY, WI 54303		
Tax Parcel Number(s): 6-1634		
Describe the Variance Request:		
WE ARE REQUESTING TO HAVE AN ADDITIONAL PARKING SPACE ADDED TO OUR EXISTING DRIVEWAY. OUR LOT DOES NOT ALLOW THE MINIMUM 8' PARKING SPACE ALONG SIDE THE GARAGE. OUR PLANNED DIMENSIONS WOULD LEAVE THREE FEET TO THE LOT LINE. OUR FAMILY NOW HAS 5 DRIVERS WITH ONLY 4 PARKING AREAS. OUR YOUNGEST DAUGHTER IS IN NEED OF A VEHICLE FOR SCHOOL, WORK, ETC... THAT IS WHY WE ARE LOOKING TO ADD THE EXTRA PARKING SPACE.		

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

44-1746, Driveways shall lead from the public ROW directly to a garage door opening plus 24 inches on either side or to a legal surface parking space.

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

OUR LOT DOES NOT ALLOW THE 8 FOOT MINIMUM FOR A PARKING SPACE ALONG THE SIDE OF THE GARAGE

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

NO IT WOULD NOT. THE ADDITION WOULD TAPER BACK TO THE 5 FOOT MINIMUM AND ALSO LEAVE 3 FEET TO THE LOT LINE.

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?

IT WOULD BE IMPOSSIBLE FOR OUR 5 FAMILY MEMBERS TO OWN A VEHICLE.

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.

Brian Jooss Rebecca L Jooss

Signature of the Property Owner

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

Brian Jooss Rebecca L Jooss

Print Name

Print Name

April 15, 2024

Date

Date

OFFICE USE ONLY:		Parcel #: 6-1634	Residential \$125 X Commercial \$250
District: 10	Zoning: r1	Meeting Date: 05/24	Receipt #:
Submittal Date: 04/15/24		Staff Signature: jl	

SITE PLAN

Address: 1871 Dussard Street

Parcel No: 60-11634

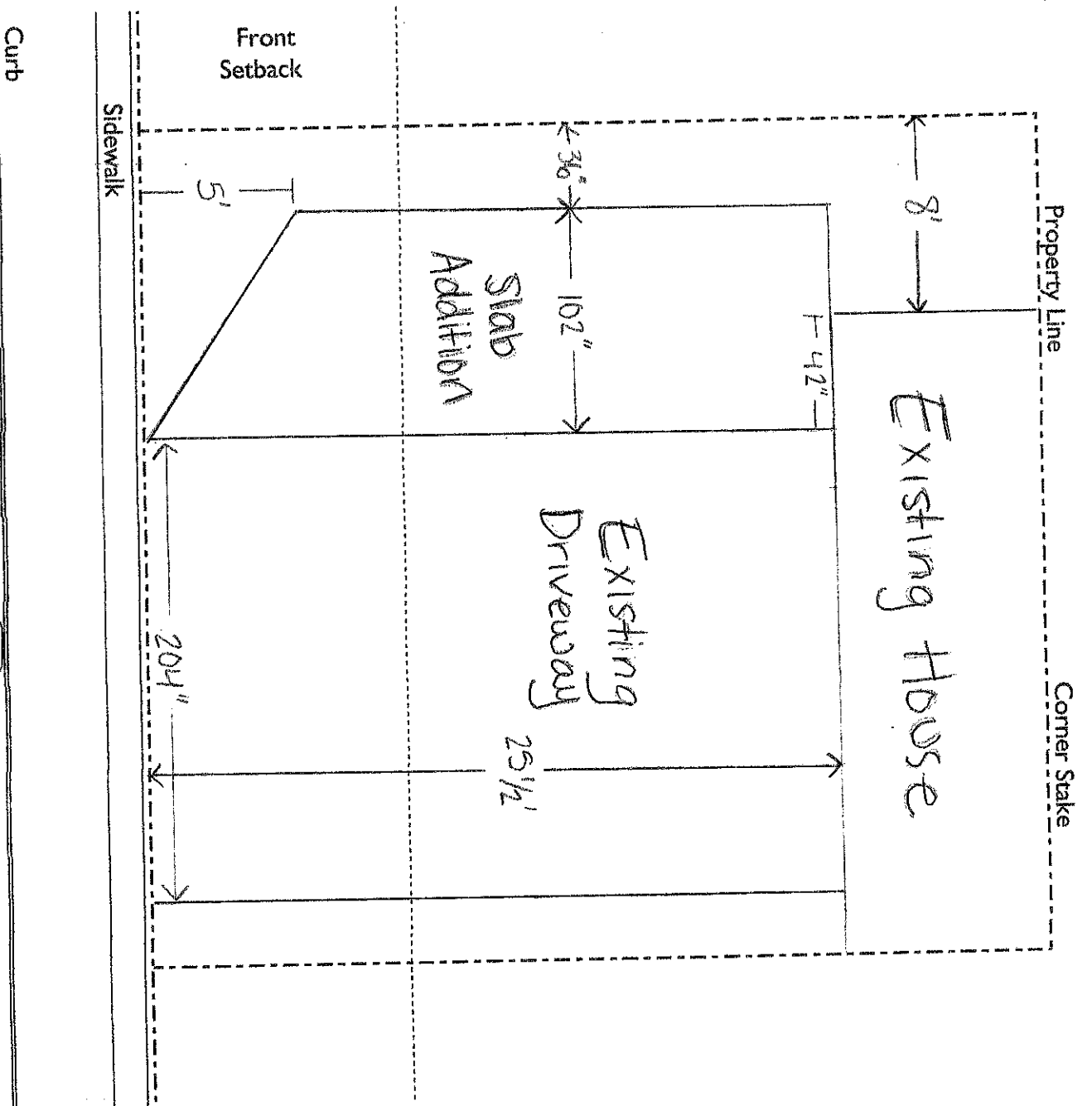
Subdivision: FELONS #1

Lot No.: 10

Name of Sewer & Water
Installation Contractor:

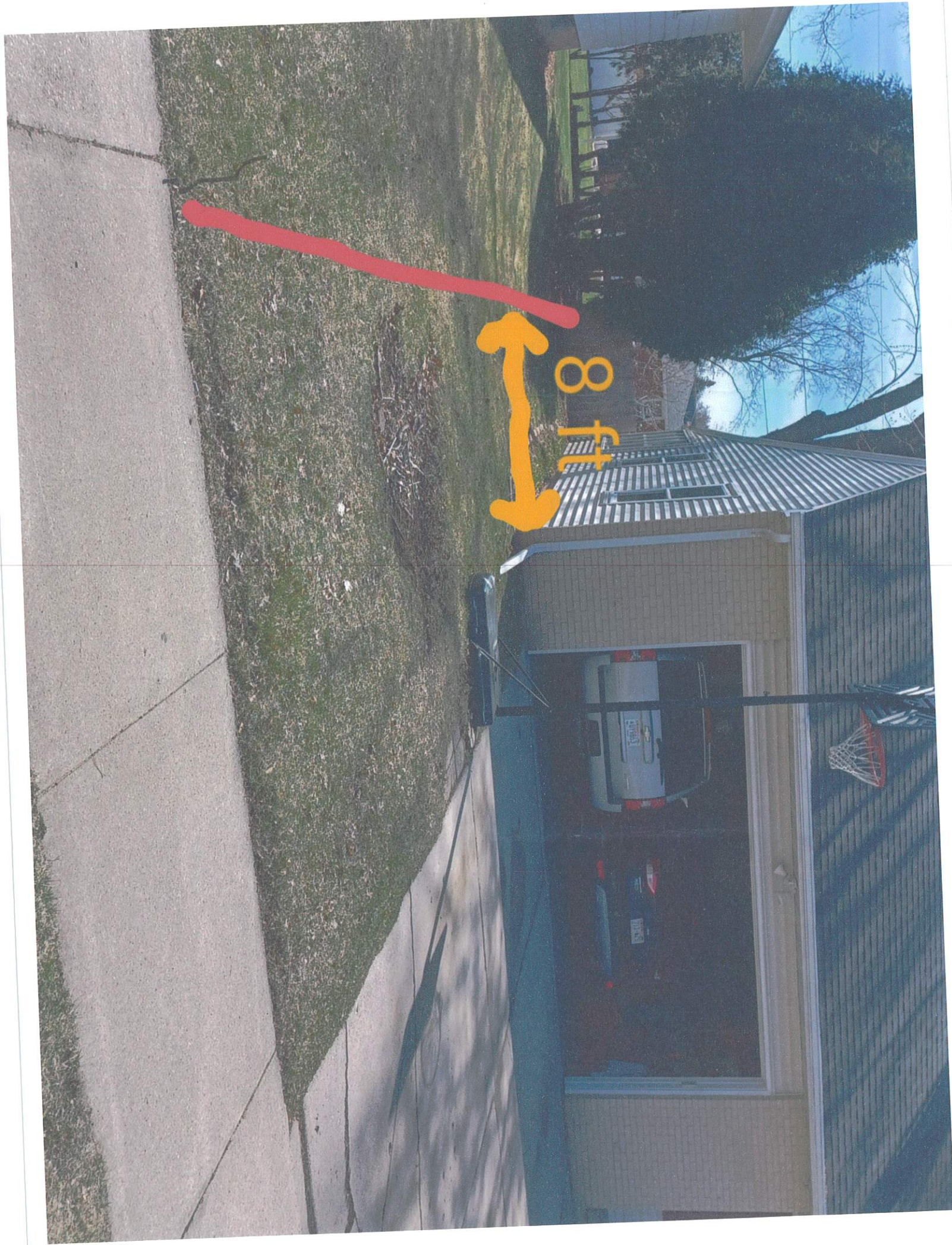
Must Be Licensed, Insured, and Bonded

- ☐ Lot Size and Dimensions
- ☐ Building(s) Location
- ☐ Size
- ☐ Number of Stories
- ☐ Use
- ☐ Setbacks from Property Lines
- ☐ Driveway Location
- ☐ Width at Property Line
(12' or 10' Max. Per Garage Stall)
- ☐ Setback from Property Line
- ☐ Curb Cut (Width Plus 5')
- ☐ Culvert Length
(Width plus 10')
- ☐ Utility Easement
- ☐ Flood Plain
- ☐ Wetland or Waterway



Street







Good



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

MEETING DATE

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.3

(Appeal 24-14) Consideration with possible action on a request from Darren Stock, applicant and property owner; requesting to exceed individual driveway standards for a two-family residence at 1749-1751 South Oneida Street. (Ald. C. Wery, District 8)

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.

BACKGROUND

The applicant seeks one variance from the Green Bay Municipal Code, Chapter 44: Zoning.

Sec. 44-1746 (d.) Driveways for two-family dwellings with adjacent garages are limited to the 25 feet maximum width at the property line for each individual driveway. Each individual driveway must be separated by a minimum of a two-foot green area extending the full length from the property line to the garage/uncovered parking space. Separation area shall contain vegetation or other item designed to limit vehicular trespass.

The applicant is seeking to put in a new driveway. The parcel is a two-family building. The building has been apart of major renovations in the past year, adding a second story to the structure. An existing legal non-conforming driveway services the parcel. The driveway is non-conforming because it does not have a green space in between individual garage stalls, separating the two units.

The applicant would like to expand the driveway and put in an additional stall on both sides of the driveway. Because each individual unit has a single attached garage stall, the property is permitted to have an additional front parking stall on each side of the driveway so long as it does not block the main entryway to the house.

The applicant has proposed a new driveway which would be 32 feet wide, without a minimum 2 foot green space in between the units. This proposal would create 4 stalls, meeting the minimum width for stalls.

The distance between both garage doors is approximately 1 foot.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-14 Application
2. 24-14 Exhibits

3. 24-14 View From Street Before Renovations
4. 24-14 Additional Photos of Renovations Supplied by Applicant

DATE: 4-25-24	PROJECT #:	APPEAL #: 29-19
APPLICANT INFORMATION:		
Name: DARREN STOCK		
Business Name: CHANCE PROPERTIES LLC		
Address: 1313 BLUE RIDGE DR.		
City, State, Zip: GREEN BAY WI 54304		
Phone: 920 360-6148		
Email: SPECIALTYDESIGN1@YAHOO.COM		
PROPERTY OWNER INFORMATION (if different from above):		
Name: SAME		
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: 1749-1751 S. ONEIDA ST. GB WI 54304		
Tax Parcel Number(s): 1-2266		
Describe the Variance Request:		
REQUESTING TO WIDEN DRIVEWAY 12' AND APRON TO 37' FROM 20' & requesting to not have a separated green area from the property line to the garage between units/garage doors.		

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

LB MINIMUM CODE CH. 44, ACT XVIII DIV. 3 SECT. 44-1746(d)

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

BUSY STREET & CORNER LOT NEAR LAMBEAU & RESAID CENTER, ETC...
INSTALLING APRONS (FIG-2) ON OUT SIDE WILL ALLOW ONLY 12'-6"
OF PARKING AREA AND NOT THE REQUIRED 18' MINIMUM.

THE GREEN SPACE NEEDS TO STAY AS IS SO THAT VEHICLES WILL NOT
RUN INTO STRUCTURE. ALSO THERE IS A GAS METER IN FRONT OF THE
BUILDING WHICH COULD BE A HAZARD IF GREEN SPACE IS NOT THERE TO
PROTECT IT. THERE IS ONLY 12" BETWEEN GARAGE DOORS WHICH WILL
NOT ALLOW FOR 2' OF GREEN SPACE REQUIRED BETWEEN DRIVEWAYS.

SEE FIG-1

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

DRIVEWAY WILL CAUSE NO DETRIMENT TO THE PROPERTY OR NEIGHBORING
PROPERTIES BECAUSE IT WILL HAVE A NEW/CLEAN APPEARANCE WITHOUT
HAVING VEHICLES "STACKED" OR PARKED UP TO THE BUILDING. BY LEAVING
THE GREEN SPACE, THE DRIVEWAY WILL BE MORE ATTRACTIVE AND NOT LOOK LIKE
A PARKING LOT. IT WILL ALSO CREATE LESS STREET PARKING DAY OF
PACKER GAMES, EVENTS, & WINTER WEATHER.

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?

DUE TO THE BUSY STREET, CORNER LOT, INCREASED SIZE OF BUILDING & ONLY
ROOM FOR SINGLE GARAGE STALLS, THE DRIVEWAY IS INADEQUATE TO PARK
MORE THAN ONE CAR ON EACH SIDE DUE TO GREEN SPACE AND SIDEWALK.
BUILDING HAS INCREASED FROM 2 BDRM EACH SIDE TO 4 BDRM WHICH
MEANS MORE VEHICLES PER FAMILY.

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)

DARREN STOCK

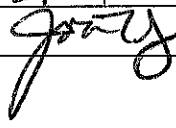
Print Name

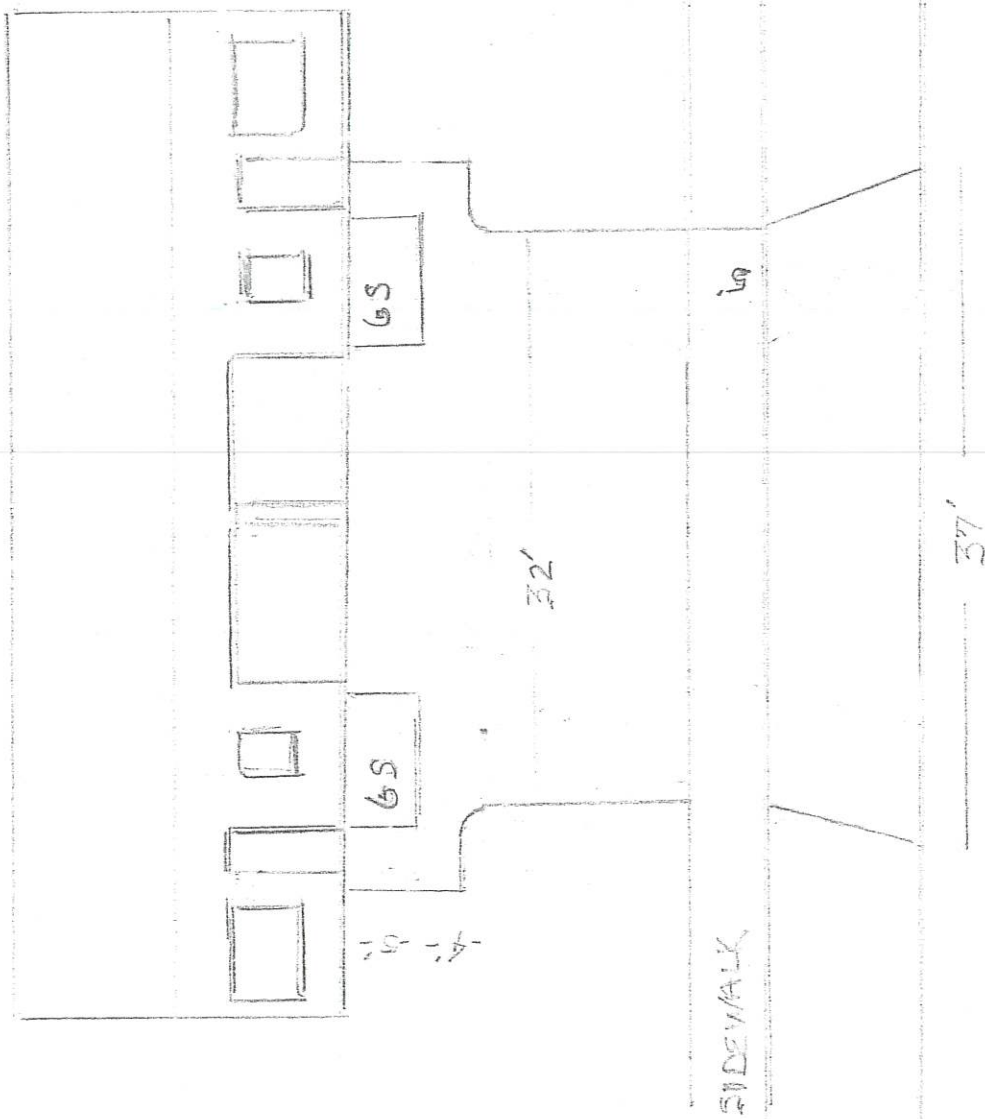
Print Name

4-25-24

Date

Date

OFFICE USE ONLY:		Parcel #: 1- 2266	Residential \$125 ☒ Commercial \$250 ☐
District: 8	Zoning: R1	Meeting Date: May 20 24	Receipt #: 2765446--0007
Submittal Date: 5/2/24	Staff Signature: 		

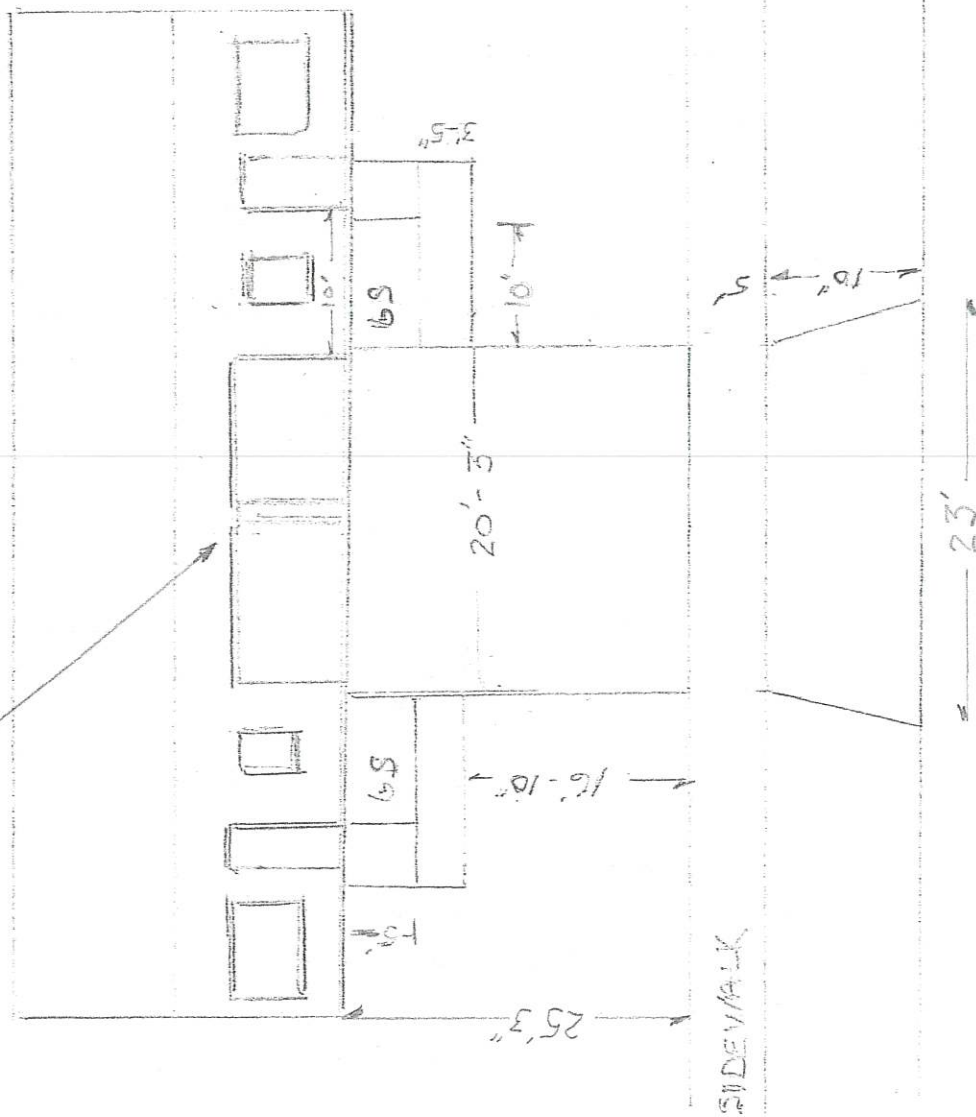


EXISTING DRIVEWAY

6S - GREEN SPACE

ONLY 12" BETWEEN GREEN SPACES

FIG. 1



ONELDA ST.

















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

MEETING DATE

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.4

(Appeal 24-15) Consideration with possible action on a request from Jeffery and Tammy Van Beaver, applicants and property owners; requesting to exceed rear setback standards for a primary building within a (RI) Low Density Residential District at 943 S Madison Street. (Ald. B. Johnson, District 9)

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.

BACKGROUND

The applicant seeks one variance from the Green Bay Municipal Code, Chapter 44: Zoning.

Sec. 44-554, Table 44-2. Lot Dimension and Setback Requirements, Residential Districts. Rear yard building setback requirement (feet) within an RI district 25 feet.

The applicants are seeking to create an addition to their existing home at 943 S Madison. The proposed addition is for a 2 stall garage extension in the back of the home, seeking relief to place the addition approximately 6.3 feet from the rear property line.

The site is located on a corner lot at Madison and Eliza Streets. The house faces Madison. The side yard is situated on the north side of the property and the rear yard is situated on the east part of the property. The applicants are seeking to replace the existing single stall garage and create a new two-stall garage off of the north-east corner of the property. The proposed new structure is approximately 24' x 34' feet. It is proposed to be setback approximately 26.7 feet from the right of way line. A minimum of 20 feet is required in the front setback for attached single stall garages.

The current configuration of the home has a legal non-conforming element as the southeast corner of the house is setback approximately 5.5 feet from the rear lot line. Additions are permitted to be made to legal non-conforming homes, but need to meet setback standards or receive a variance.

This item was heard in front of the Landmarks Commission in April 2024 because of the location of the property within a historic district. The proposed plans were given approval from the Commission.

The applicant has included a signed letter from nearby neighbors who have offered support for the variance request.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-15 Application
2. 24-15 Supporting Documents
3. 24-15 View From Madison Street
4. 24-15 View From Eliza Street



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE:	May 6, 2024	PROJECT #:		APPEAL #:	24-15
APPLICANT INFORMATION:					
Name: Jeffrey R. and Tammy S. Vanbeaver					
Business Name:					
Address: 943 South Madison Street					
City, State, Zip: City of Green Bay, Wisconsin, 54301					
Phone: Jeff: (920) 366-4339 / Tammy: (920) 609-0113					
Email: Jeff: jeffvanbeaver@acts18.org / Tammy: tammyvanbeaver@ACTS18.ORG					
PROPERTY OWNER INFORMATION (if different from above):					
Name: See Above					
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: 943 S. Madison St. City of Green Bay					
Tax Parcel Number(s): 16-62-A					
Describe the Variance Request:					
The house, located at 943 S. Madison St., is an existing mid-century modern concrete building that was built prior to the current codes. It is the intent of the property owners to bring it back to it's origin with mid-century modern features and the addition of a mid-century modern inspired two stall garage. It is also the intent of the owners to update the home interior and increase the interior space by expanding into the existing single stall garage. The front property line is located on Madison Street and the corner side lot line is on Eliza Street per Chapter 44 Zoning-Sec. 44-335; "On a corner lot, one of the lot lines that abuts the street shall be considered a front lot line, and the other shall be considered a corner side lot line. Establishment of the front lot line shall be based on the orientation of the existing or proposed building."					
The owners are requesting a reduction to the 25 foot rear lot line setback and to the 20 foot attached garage setback.					
The location of the existing building and the slopes of the existing lot makes it impossible to meet the current setbacks.					

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).
Zoning 44-554; "Lot area and setback requirements shall be as specified in Table 44-2, Lot Dimension and Setback Requirements"
Table 44-2; R1 District Single Detached Home; Single Story
Minimum Area: 7,500 SF, Minimum Lot Width: 75 ft., Maximum Height: 35 ft.
Building Setback Requirements (ft); Front 15 ft, Side yard 6 ft, Note F for corner property, Rear yard 25 ft, Garages (attached) 20 ft.
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
The existing lot overlooks the Fox River and has significantly sloping grades on both the Madison Street side and the Eliza Street side.
It is bordered by single family homes on the north and east sides. The only buildable area available is to the north end of the existing home.
Although a detached garage might fit on the site, due to the lack of space, it would need to be fire rated. It would also require re-evaluation by the City of Green Bay Landmark Commission, which has reviewed the project for it's historic compliance and approved the garage addition.
One of the additional goals of this project is to make the home accessible, allowing the owners to "age in place". The interior renovations include areas of accessibility, such as wider hallways and doors, turning spaces, an accessible primary bathroom, and accessible kitchen space.
The attached garage is "zero entry"; the garage floor is level with the house floor. This will allow a disabled user to move from the garage into the house, without encountering the elements (rain, snow, etc.) The garage has been held back from the front of the existing home to avoid the sloping grades and to allow for a level off-street parking area in front of the garage door.
Would granting the variance be contrary to the public interest? Explain.
Granting the variance will not be contrary to the public interest.
Prior to the variance submittal, the project was reviewed by the City of Green Bay Landmark Commission to assess the impact of the project on the neighboring homes in the Astor Park District. It was determined that it will not impact the neighborhood and the project was approved as submitted, including the exterior pieces, the addition and the driveway area. (See included approval letter.)
The new addition is also separated from the neighboring property with fencing and vegetation.
Granting the variance may be beneficial to the public interest. Since the home is visible from the river, granting the variance will provide the viewers with a prime example of an asthetically pleasing, mid-century modern home.
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?
Denial of the variance would be burdensome because the garage addition, with it's sloped roof and and street facade, is necessary to bring back the mid-century modern look to the home. It ties together the new front door and the added wood features.
The existing garage is only a single stall and has limited storage space. Because the home is located in a historical district, it is our belief that a new, larger attached garage is a much more visually pleasing addition to the home than a detached storage shed would be.

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.

Jeff R. Van Beaver
Tammy S. Van Beaver
Signature of the Property Owner
Jeff R. Van Beaver
Tammy S. Van Beaver

Print Name

Date

5-6-24

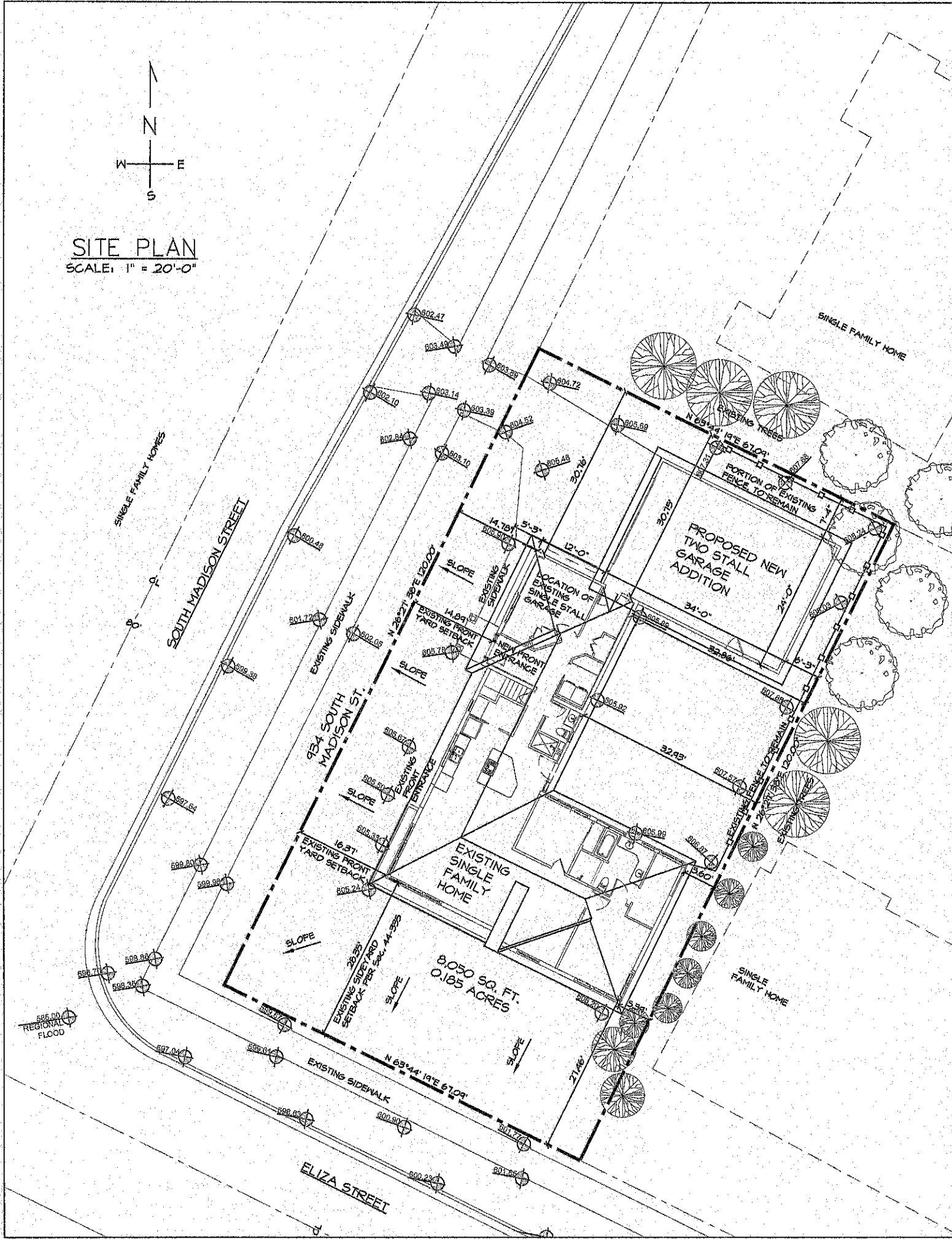
Same as owner
Signature of Applicant (working as "Agent" for owner)

Print Name

Date

5-6-24

OFFICE USE ONLY:	Parcel #: 16-62A	Residential \$125 ☒ Commercial \$250 ☐
District: 7 Zoning: R1 (Historic)	Meeting Date: 05/24	Receipt #:
Submittal Date: 5-6-24	Staff Signature: jl	



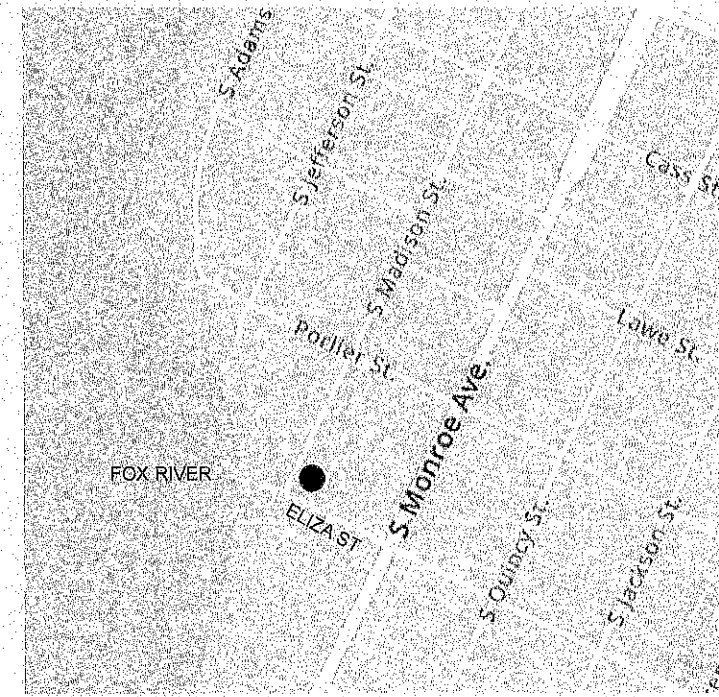
Interior Renovation and Garage Addition
VanBeaver Residence
943 Madison St, Green Bay WI

PROJECT DESCRIPTION

THE EXISTING HOUSE IS A CONCRETE HOME WITH A STUCCO FINISH. IT IS BUILT WITH A MID-CENTURY MODERN FEEL BUT LACKS THE DETAILS TO DEFINE IT AS MID-CENTURY MODERN. IT IS THE HOME OWNERS INTENT TO ADD MORE LINEAR ELEMENTS, INCLUDING A SLOPED GARAGE ROOF, TRANSOM WINDOWS, AND WOOD ELEMENTS, TO MAKE THE HOME LOOK LIKE THE MID-CENTURY MODERN THAT IT WAS MEANT TO BE.

PROJECT WILL INCREASE THE EXISTING LIVING SPACE, ADD ON A NEW GARAGE ADDITION, AND UPDATE THE EXISTING WINDOWS, DOORS AND EXTERIOR FINISHES, WHILE IMPROVING THE HISTORICAL ASPECTS OF THE HOME.

INDEX TO DRAWINGS	
TI	TITLE SHEET, PROJECT INFORMATION, SITE PLAN
1 of 1	SURVEY OF EXISTING SITE
A1.0	PHOTOS OF EXISTING HOME AND LOT
A1.1	RENDERINGS OF PROPOSED CHANGES
A1.2	EXTERIOR ELEVATIONS - PROPOSED
A1.3	EXTERIOR ELEVATIONS - PROPOSED



LOCATION MAP
NOT TO SCALE

PROJECT INFORMATION

PROJECT:	VAN BEAVER RESIDENCE INTERIOR RENOVATION AND GARAGE ADDITION		
PARCEL ADDRESS:	943 South Madison Street Green Bay WI 54301		
MUNICIPALITY:	231 - CITY OF GREEN BAY		
CITY ZONING:	R1- LOW DENSITY RESIDENTIAL ASTOR PARK HISTORICAL DISTRICT		
PARCEL NUMBER:	16-82A		
PARCEL LEGAL DESCRIPTION:	8,066 SQ. FT. Plat of Astor W 87.0875 Ft. of Lots 9 & 10 Blk 67		
CURRENT R1 LOT REQUIREMENTS:	Square Feet:	7,500.00	
	Minimum Lot Width:	76 Ft.	
	Maximum Height:	35 Ft./2.5	
	Front Yard:	15 Ft.	
	Side Yard, Single Story:	6 Ft.	
	Rear Yard:	25 Ft.	
	Attached Garage:	20 Ft.	
F.A.R. (R1=50% Max)	Impervious Surfaces (Including Existing Structure, New Addition, Driveway and Sidewalk)	3,907.50 sq ft	
	Lot Size	8,066.00 sq ft	
	Surface Coverage	0.48 %	
CONTACT/OWNER:	Jeff and Tammy VanBeaver 943 South Madison Street Green Bay, WI 54301 Jeff's Cell: 920-366-4339		
ARCHITECT:	JIM LaPLANT LaPlant Architecture LLC 926 Willard Drive Green Bay, WI 920-737-9769		
DESIGNER:	CINDY SIEGEL Laridae Design Services LLC N1571 County Road J Kaukauna, WI 54956 920-427-6254		
GENERAL CONTRACTOR:	TBD		

Van Beaver Renovation
943 S. Madison St. Green Bay

LaPlant
Architecture, LLC

EMAIL: laplantarchitecture@yahoo.com

OFFICE: 926 WILLARD DRIVE
GREEN BAY, WISCONSIN
MAILING: 1592 RUSTIC WAY
GREEN BAY, WISCONSIN 54313
Telephone: (920) 737-9769

REVISION	DATE
x	xx

DATE
5/8/2024

PROJECT NO.
2021100

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EXISTING FRONT ELEVATION
SCALE: 1/8" = 1'-0" MADISON ST



EXISTING FENCE AT NORTH LOT LINE



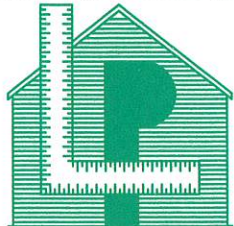
EXISTING SIDE ELEVATION
SCALE: 1/8" = 1'-0" ELIZA ST



EXISTING FENCE AT
NORTH & EAST LOT LINES

Van Beaver Renovation

943 S. Madison St. Green Bay



LaPlant
Architecture, LLC

laplantarchitecture@yahoo.com

EMAIL:

OFFICE: 926 WILLARD DRIVE
GREEN BAY, WISCONSIN

MAILING: 1592 RUSTIC WAY
GREEN BAY, WISCONSIN 54313

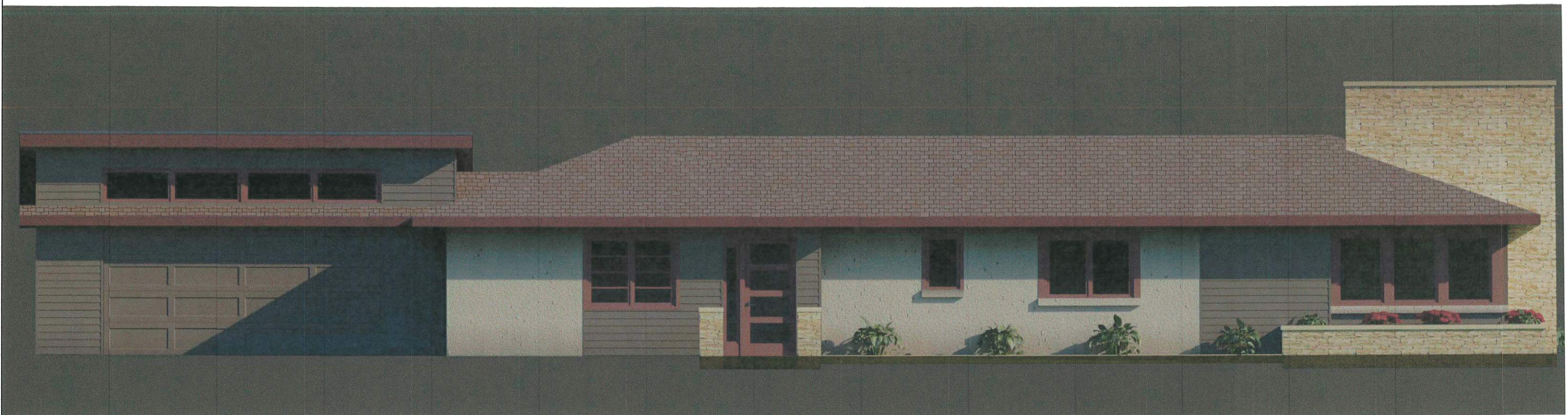
Telephone: (920) 737-9769

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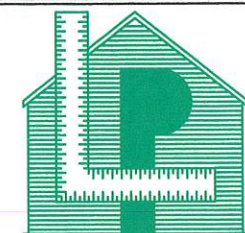
RENDERING —FRONT ELEVATION
NOT TO SCALE MADISON ST



RENDERING —FRONT ELEVATION
NOT TO SCALE ELIZA ST

Van Beaver Renovation

943 S. Madison St. Green Bay



LaPlant
Architecture, LLC

EMAIL: laplantarchitecture@yahoo.com

OFFICE: 926 WILLARD DRIVE
GREEN BAY, WISCONSIN
MAILING: 1592 RUSTIC WAY
GREEN BAY, WISCONSIN 54313
Telephone: (920) 737-9769

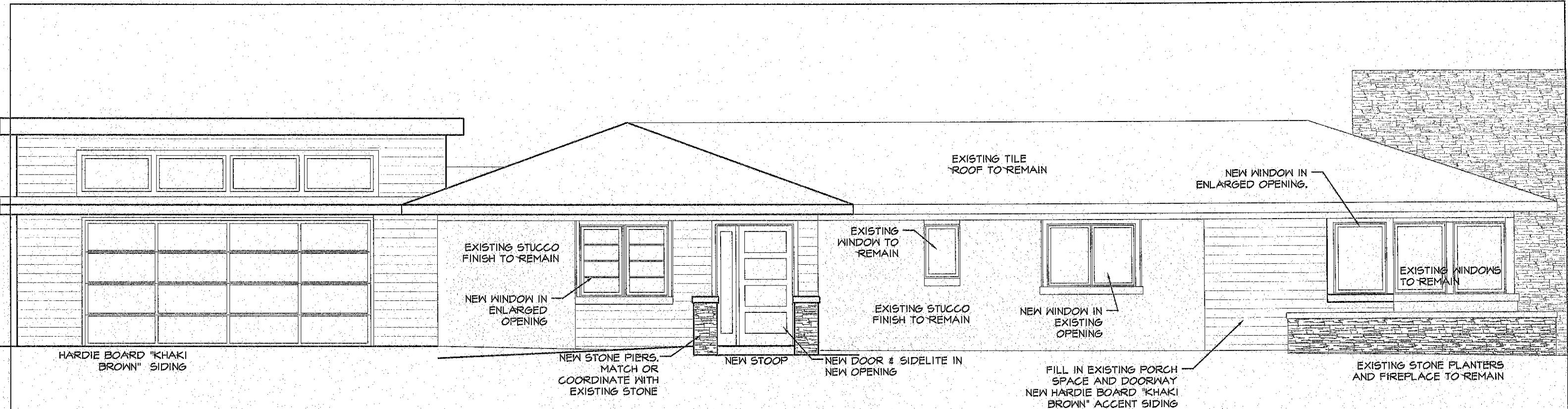
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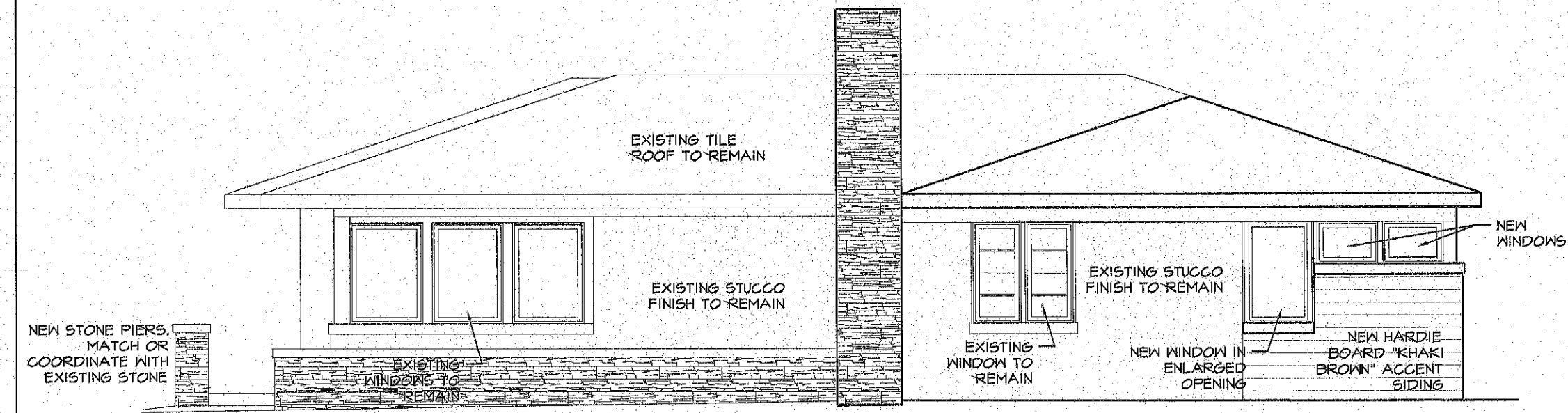
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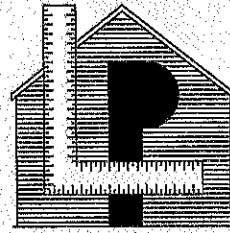


FRONT ELEVATION
SCALE: 3/16" = 1'-0" MADISON ST



SIDE ELEVATION
SCALE: 3/16" = 1'-0" ELIZA ST

Van Beaver Renovation
943 S. Madison St. Green Bay



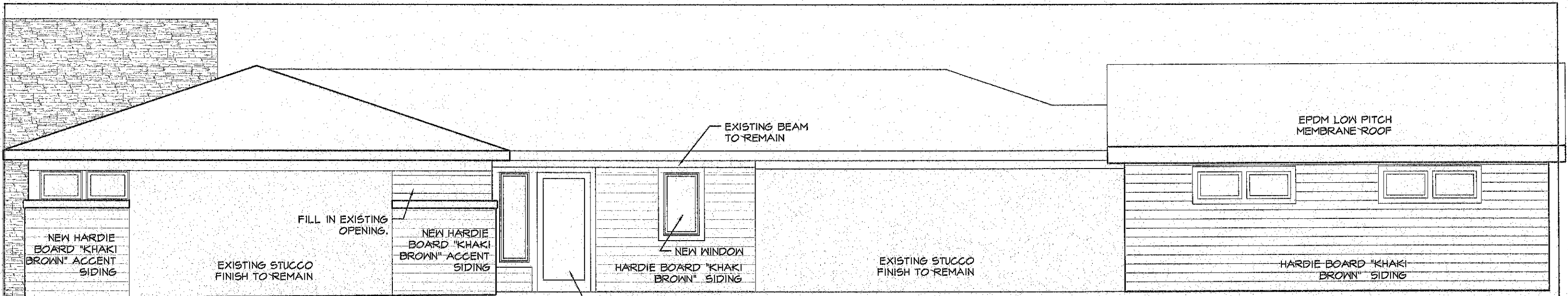
LaPlant
Architecture, LLC

EMAIL: laplantarchitecture@yahoo.com
OFFICE: 926 WILLARD DRIVE
GREEN BAY, WISCONSIN
MAILING: 1592 RUSTIC WAY
GREEN BAY, WISCONSIN 54313
Telephone: (920) 737-9769

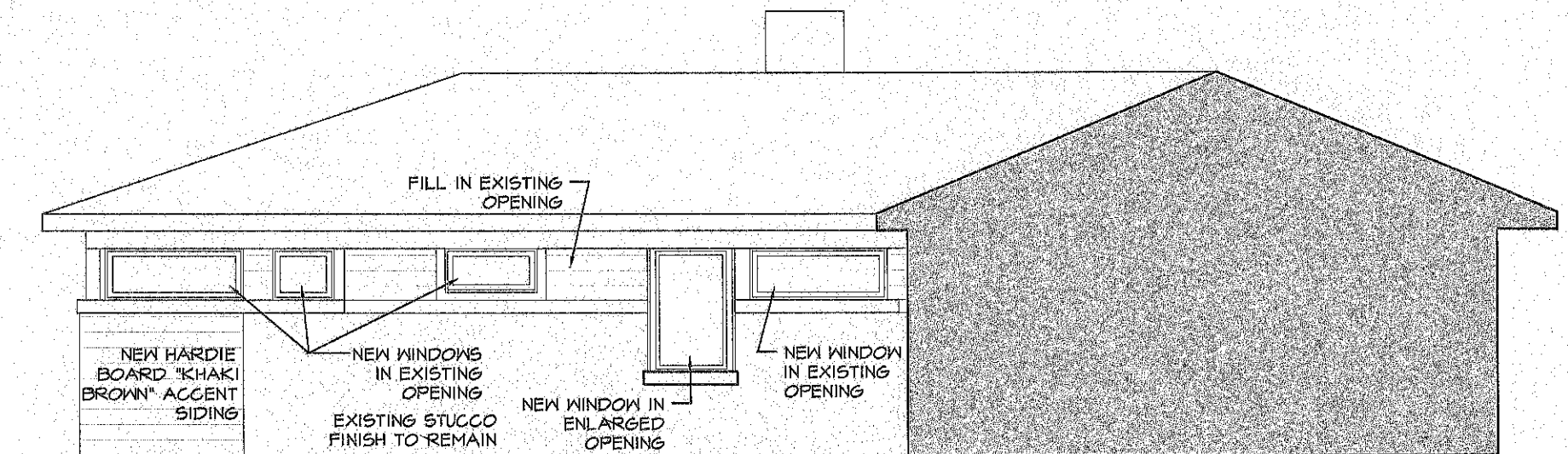
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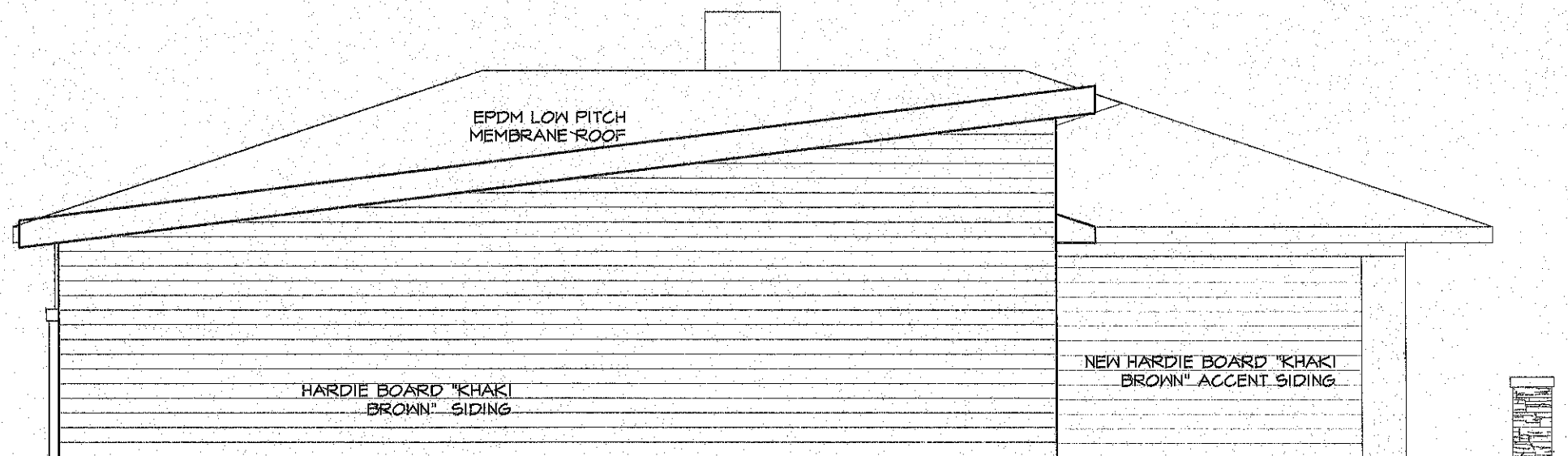
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BACK ELEVATION
SCALE: 3/16" = 1'-0" MADISON ST



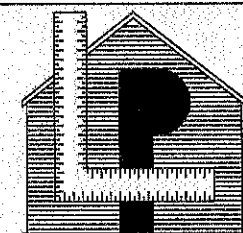
COURTYARD ELEVATION
SCALE: 3/16" = 1'-0"



GARAGE SIDE ELEVATION
SCALE: 3/16" = 1'-0"

Van Beaver Renovation

943 S. Madison St. Green Bay



LaPlant
Architecture, LLC

EMAIL: laplantarchitecture@yahoo.com

OFFICE: 926 WILLARD DRIVE
GREEN BAY, WISCONSIN
MAILING: 1592 RUSTIC WAY
GREEN BAY, WISCONSIN 54313
Telephone: (920) 737-9769

REVISION	DATE
X	XX

DATE
6/8/2024

PROJECT NO.
2021100

SHEET

A
1.3



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

April 24, 2024

Jeff & Tammy Van Beaver
943 S Madison Street
Green Bay, WI 54301

Re: Certificate of Appropriateness, Approval

Dear Applicant:

Please be informed that the City of Green Bay's Landmark Commission has approved the Certificate of Appropriateness (COA) for an addition located at 943 S Madison Street. This approval includes the exterior pieces of this addition project, including the driveway area. The project is described as a 24' x 34' space that will substantially match the plans submitted as part of this COA application.

Please note that this approval expires one year from the date of this COA. If the project as described above has not been started by the above date, a new COA will be required. Any changes to the project should be reported to the Landmark Commission's staff prior to work being done. If substantial changes are proposed, a new COA may be required.

Any permits required for your project as required by the City's Municipal Code can now be applied for. The existing building permit for the front porch is still open and will remain open until this project is complete. For questions regarding building permits, please contact our Inspection Division at (920) 448-3300.

Sincerely,

Stephanie Hummel, AICP
Planner II

sjh

cc: Pete O'Connor, Inspection Division
Cindy Siegel (laridaedesignservices@gmail.com)
Jim LaPlant (laplantarchitecture@yahoo.com)

I have seen the house plans for 943 South Madison Street in Green Bay, WI that are submitted to the City of Green Bay Board of Appeals, and I approve of these house plans. I attest under penalty of perjury that the information provided in this statement is true and correct to the best of my knowledge.

Name

Address

Paul Dufur
Janette Dufur

440 Eliza St
Green Bay, WI

SPC

509 ELIZA ST.

Thompson Ibibo

509 ELIZA ST.

John & Bridget Ravizza

912 S Madison St.

Pamela and Joseph Edison 931 S. Madison St.

Sam Mary Trent 920 So. Madison St.
N/

Bob & Cyndy
J M. Jerry

— 500 ELIZA ST
921 S. Madison St







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

MEETING DATE

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.5

(Appeal 24-16) Consideration with possible action on a request from Gary Tree of Advanced Building Corporation, applicant and Atul Patel, property owner, seeking to reduce the minimum amount of parking stalls required for a motel from 45 to 28 surface stalls at 1704 S Ashland Avenue Frontage Road. (Ald. B. Johnson, District 9)

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.

BACKGROUND

The applicant seeks one variance from the Green Bay Municipal Code, Chapter 44: Zoning.

Sec. 44-1726 Minimum number of required off-street parking spaces. Figure 2. Hotel, motel, and bed and breakfast: 1 space per guest room plus 2 spaces per 3 employees on the largest shift. Additional spaces as needed for conference/meeting or restaurant facilities.

The applicant is seeking a variance request to allow for future redevelopment of the site at 1704 S Ashland Frontage Rd. The applicant is seeking relief to allow for a minimum thresholds of 28 parking stalls when the requirement for the site is 45 minimum stalls based off hotel rooms and employees on site. The site is currently the Economy Inn. The site has 42 hotel rooms and a limited employee staff. The applicant is exploring options for creating a stand-alone drive-through restaurant in the southern part of the property. Currently, this part of the property is primarily surfaced blacktop with faded striping for parking. If a property owner seeks to create new development, bulk requirement standards must be met on both the new development and the existing use.

The existing parking lot is legal non-conforming because of a lack of landscaping and setbacks. The existing surface parking lot *could* be re-striped to include the minimum amount of stalls required for the facility. If a new development were to occur on the southern part of the property, any new development and existing use need to meet existing standards and legal non-conforming parking lot design which currently exists needs to meet updated code standards.

Because the applicants are potentially seeking options to redevelop the southern portion of the existing lot, planning staff requested a plan be created to show how the motel site could meet landscaping and setback standards for a parking lot for the existing motel without using the southern portion of the property since the applicant and property owner would like to create another use in the area which is now the southern portion of the parcel. A conceptual site plan is included for future parking lot reconfiguration. The conceptual setbacks proposed meet standards for setbacks and buffers, but the amount of stalls are greatly reduced because the land area available for parking is greatly reduced. The applicant is seeking a variance to permit the minimum amount of stalls to be 17 below the minimum threshold for a motel use. The

application also notes parking available on Liberty Street. On street parking does not count towards a parking minimum as on street parking availability changes from time to time. Additionally, existing overnight parking forbids on street parking during the hours of 3am-5am. Ashland Avenue does not have on street parking and the neighboring Liberty Avenue transitions to a low-density residential neighborhood west of the property line.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-16 Application and Narrative
2. 24-16 Conceptual Site Layout
3. 24-16 Existing Facility Renderings
4. 24-16 View From Ashland Ave



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE:	March 5, 2024	PROJECT #:		APPEAL #:	24-16
APPLICANT INFORMATION:					
Name: Gary Tree					
Business Name: Advanced Building Corporation					
Address: 4125 Terminal Drive					
City, State, Zip: McFarland, WI 53558					
Phone: 608-209-2352					
Email: gary@abcmadison.com					
PROPERTY OWNER INFORMATION (if different from above):					
Name: Atul Patel					
Business Name:					
Address: 1704 South Ashland Ave					
City, State, Zip: Green Bay, WI 54304					
Phone: 920-227-8145					
Email: harioum2003@gmail.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: 1704 S. Ashland AVE.					
Tax Parcel Number(s):					
Describe the Variance Request:					
Please see attached "Variance Request Justification"					
Short answer:					
1. Allow parking variance for 28 stalls where 43 may be required.					
2. Allow variance for FAR of 10%, building size to be 10% of lot size. We are able to meet 5% only and still stay viable.					

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.

Digitally signed by Gary Tree VP
DN: C=US,
E=gary@abcmadison.com,
O=Advanced Building
Corporation, CN=Gary Tree VP
Date: 2024.03.04 17:09:36-06'00'

Gary Tree VP

APL

Signature of the Property Owner

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

Atul Patel

Print Name

Gary Tree

Print Name

3/4/24

Date

March 4, 2024

Date

OFFICE USE ONLY:	Parcel #: <i>1-1103</i>	Residential \$125 ☐ Commercial \$250 ☒
District: <i>9</i> Zoning: <i>C2</i>	Meeting Date: <i>5/16/21</i>	Receipt #:
Submittal Date: <i>5/1/20</i>	Staff Signature: <i>[Signature]</i>	

Variance Request
1704 S. Ashland Ave.

Part 1. Item 9. Narrative

Parcel # reflects the property, Zoned C-2, that was developed for a small hotel. This is a corner lot, Liberty and South Ashland, with the north edge abutting a residential zoning. The property was developed decades ago, prior to the current ordinances. Consequently, the property is considered non-conforming relative to the current ordinances. Some of the nonconformances can be addressed and improved, like landscaping, pervious to impervious area ratios and some setbacks. Some nonconformances like residential buffers cannot be met as the building is close to the property line.

This variance request addresses reducing the impervious areas, adds landscaping and setbacks/buffers where possible and reduces the parking stalls. The buffers and landscaping changes will bring the property closer to the current ordinances. The reduction in parking stalls is the primary variance component. The property owner seeks to cooperate with the zoning department to improve the hotel property.

Parking Discussion

- The current parking requirement for the hotel property is 45.
- The revised site plan parking provides 28 stalls. The deficit is 17 stalls.
- On street parking on Liberty could provide an additional 9 spots and possibly lowering the deficit to 8.

In addition, the hotel owner has parking available at his Super 8 hotel located on Ramada Way including the ability to shuttle guests to the hotel.

The typical guest count at the hotel is 10 to 15 on average. Approximately 40% of the guests do not drive and thus do not need a parking space. Additionally, there are (2) employees. Assuming all the guests drive the typical demand would be 17 stalls. This would leave 11 onsite stalls and potentially 9 street parking spots. Parking needs in excess of this would need to be shuttled to the Super 8 hotel location.

Game Days

There are several Packer Game weekends that increase demand for hotel rooms. Not all game days create the same demand. Historically, some percentage of the guests fly into Green Bay and then Uber between the hotel and stadium, etc. For those cases where the demand for parking exceeds the hotel capacity, shuttle services or other arrangements will be provided to shuttle the guests from parking at the Super 8 to this hotel. In the past, this has rarely, if ever happened. Additionally, arrangements for parking on the adjacent western property zoned C-2 can be provided.

Variance Request
1704 S. Ashland Ave.

1. Unnecessary Hardship

This property, zoned C-2, was developed prior to the passing of the current zoning ordinances. Current required setbacks, buffers and landscaping requirements cannot physically be met. The property abuts a residential zone along the north edge, streets on the east and south edge and a C-2 zoned property on the west edge.

What is being proposed is:

- Addition of landscaped setback along Liberty Street where possible and Ashland Ave.
 - Closure of the driveway access to Liberty Street.
 - Addition of 20' landscape buffer/setback along the residential boundary.
 - Addition of a wood fenced dumpster enclosure.
 - Reorganization of parking spaces on remaining asphalt surfaces.
 - Limit access to Ashland Ave. to one driveway.
- A. The physical characteristics of the property do not allow for any additional landscape buffers or setbacks other than those being proposed.
- B. The development of this parcel was prior to the passage of the current zoning ordinances.
- C. The owner is taking these steps to bring the site into a better state of compliance with the ordinances. These changes will also improve the overall appearance of the property and traffic flow on the adjacent streets.
- 1.) *Preservation of Intent.* We propose that the issuance of a variance to accept the buffers, setbacks, proposed closure of the drive access to Liberty St., single drive access to S. Ashland and the parking requirements would be consistent with the spirit, purpose and intent of the current regulations.
- 2.) *Exceptional Circumstances.* There are certainly unusual circumstances and conditions that apply to this lot that generally do not apply to other properties in the C-2 zoning. We propose that this variance also is not of a recurrent nature that would require zoning ordinances to be changed.
- 3.) *Preservation of Property Rights.* This variance is necessary to allow the owner to preserve and enjoy the improvements to, and use of his property. The enhancements to the landscaping and reduction in rainwater runoff benefit the entire community.
- 4.) *Absence of detriment.* This variance will not create substantial detriment to the adjacent property. In fact, this variance approval will support improvement of the subject property and provide a

Variance Request
1704 S. Ashland Ave.

positive impact to all adjacent property. It will also improve traffic safety on Liberty Street by eliminating (1) driveway access point and on Ashland Ave by directing hotel traffic to just one driveway access point. We believe this supports public safety and improves property values.

- 5.) Hardship. This property was developed before the passing of the current zoning ordinances. The proposed variance allows for the property to be brought up to a higher standard of safety, allows better storm water infiltration, provides landscaping beautification, landscaped buffers and setbacks not previously existing. The tradeoff is reduced but very manageable onsite parking.

Parking Review

Current Requirement	45
Current Site Plan	28
<u>Liberty Street</u>	<u>9</u>
Total Available	37

Impervious Area Review

Existing Site	31,200 SF	100% Impervious
Revised Site	26,400 SF	85% Impervious
	4,800 SF	15% Pervious (Landscaping)

Notes

Average Guest Census staying at hotel is 10-15.

About 40% of the guests do not have vehicles and do not require parking.

Packer Game day guest census is 30-40, depending upon opponent.

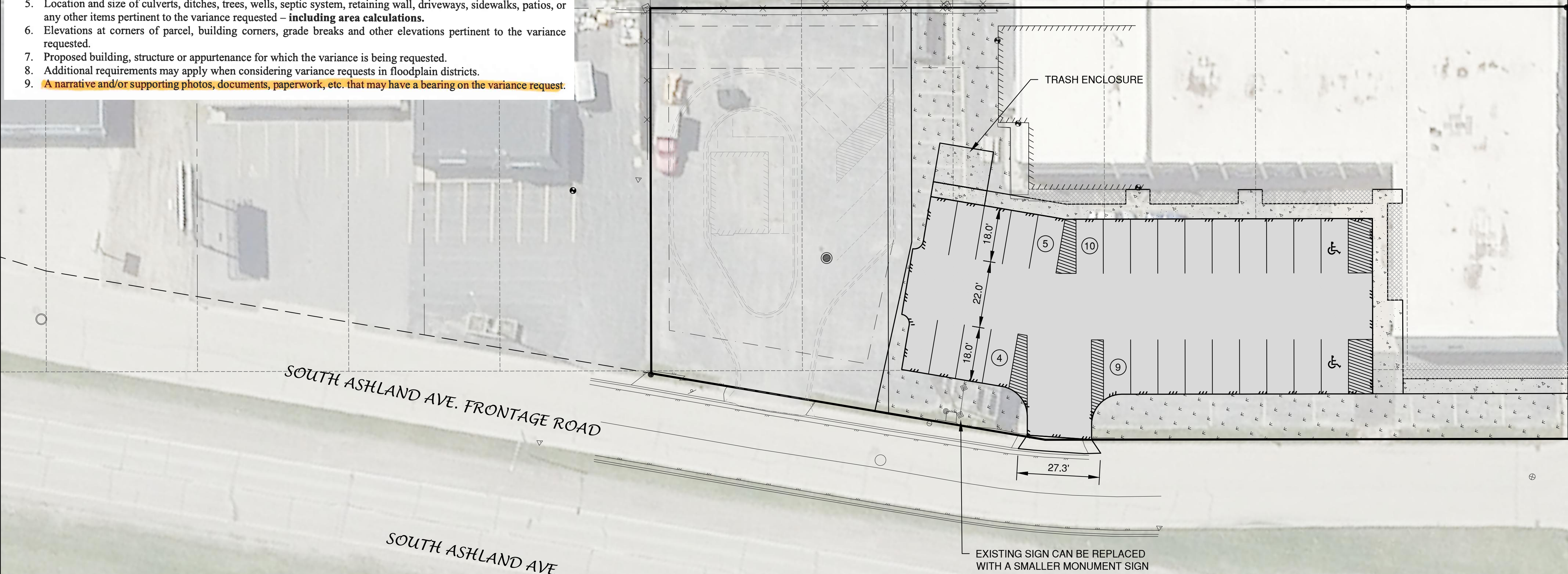
The 37 stalls would accommodate this need considering the guests that do not drive and those that use Uber.

A parking shuttle service is available to guests for parking at the Super 8 on Ramada Way.

Variance Request
1704 S. Ashland Ave.

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.**



Parking Review

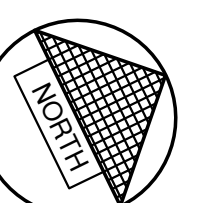
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0' 20' 40'

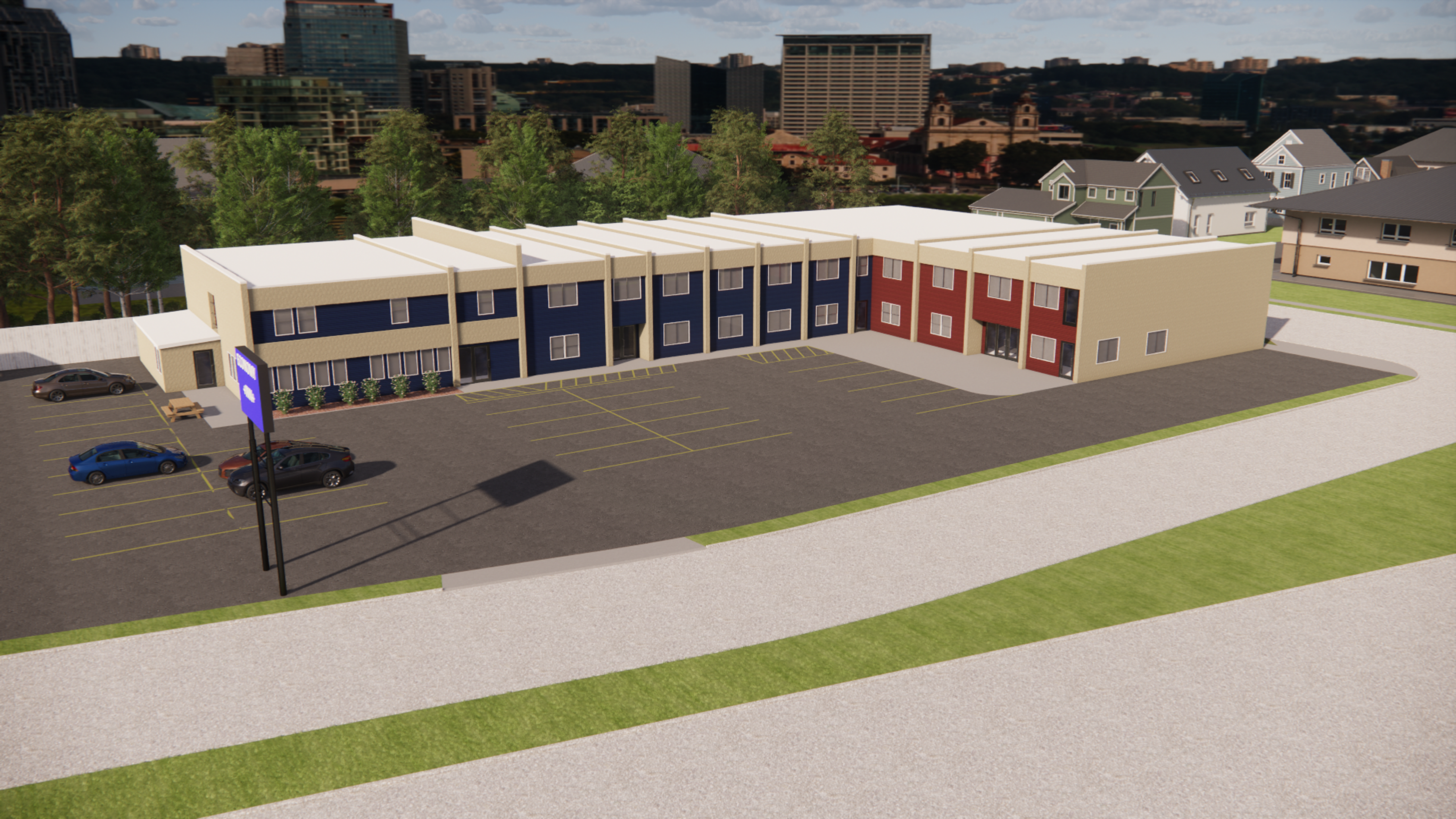
SCALE IN FEET

PRELIMINARY
Not for Construction

										BIGGBY DEVELOPMENT FOR ADVANCED BUILDING CORPORATION CITY OF GREEN BAY BROWN COUNTY, WISCONSIN										SITE PLAN										DATE 01/2024		 Robert E. Lee & Associates, Inc. 1250 Centennial Centre Blvd Hobart, WI 920-662-9641 releeinc.com		SHEET NO.	
																														FILE 6470001D HOTEL PARKING LOTT				1	
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NO.	DATE	APPROV.	REVISION			NO.	DATE	APPROV.	REVISION			DRAWN BDR																							
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ECONOMY
+INN+





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

MEETING DATE

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.6

(Appeal 24-17) Consideration with possible action on a request from Jesse Daniels, property owner and applicants; seeking to create a driveway within the side yard setback for a single-family residence at 621 S Monroe Ave. (Ald. B. Galvin, District 4)

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.

BACKGROUND

The applicant seeks one variance from the Green Bay Municipal Code, Chapter 44: Zoning

44-1747 (b.) (3) b. 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 and is set back from the side and rear lot lines by no fewer than 2.5 feet

The applicants are looking to replace part of their driveway at 621 S Monroe. The applicants are seeking to replace the main drive and retaining wall on the south side of the building to create a driveway which is 10 feet in width and keep the concrete retaining wall along the side yard line in place, along side the property line and encroaching over the property line at the flare of the driveway at the northwest corner of the property.

An existing driveway with retaining walls on both sides of the driveway exists. The width of the driveway is about 7.4 feet currently. This is below the minimum width required for a driveway. The applicants are seeking to make the entire driveway 10 feet wide. The new expansion would include new retaining walls on the south side of the driveway, but keep the existing walls along the north property line. The retaining wall could be considered separate from a drive, but the max overall width of the wall is 2.0 feet and driveway minimum setback is 2.5 feet.

The driveway/retaining wall encroaches over the property line with the 621 property. To allow for a driveway to cross the property, an easement agreed upon by both property owners is required. Both the applicant and adjacent property owner have been in contact with staff on the matter and the neighboring property has verbally granted the access for an updated driveway. If the variance is approved, a staff recommends a condition placed to require an easement to be recorded.

This property was part of a Landmarks Commission review in July of 2023 for the driveway and other improvements proposed for the house. The Commission approved redevelopment at the home.

RECOMMENDATION

FISCAL IMPACT

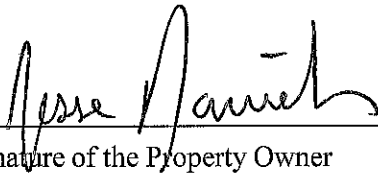
ATTACHMENTS

1. 24-17 Application
2. 24-17 Exhibits
3. 24-17 View From Street

[illegible]

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).
Ch. 44-1746 (2.) d.
Driveways leading to uncovered parking must meet setback requirements
Ch. 44-1747 (b) (3.) b.
Uncovered parking spaces must meet setback requirement of 2.5 feet
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 current driveway sits on and over the north lot line, is narrower than the minimum eight feet width, and the grade is among the steepest in our area. The grade prevents even the most capable all-wheel-drive vehicles from driving on the driveway in certain weather and creates treacherous conditions when walking. A furnace vent pipe, underground gas line and the historic nature of the house prevent excavating too close to the house for regrading the driveway while making the driving surface wider. Keeping the new driveway on the lot line where it currently lies a safer option.
Would granting the variance be contrary to the public interest? Explain.
No. Granting the variance would cause less alteration to the appearance of the driveway and retaining walls. It would allow simply replacing what is already there along the north lot line with new concrete instead of a complete redesign, particularly where the retaining walls are. Granting the variance would leave 619 S Monroe's property unchanged. Not granting the variance would require alterations to their front yard along our lot dividing line.
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?
Most driveways in the area are more than eight feet wide with less severe grading. Simply entering or exiting the property in a vehicle or on foot is unsafe or impossible in icy conditions or heavy snow. Rendering conformity would require major reconfiguration of the two properties' front yards in addition to heavy excavation in close proximity of the historic house and an underground gas line. Granting the variance would maintain more of the current appearance of the historic properties' street-facing view.

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)

Jesse Daniels

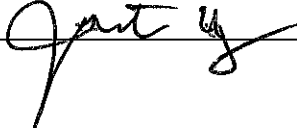
Print Name

Print Name

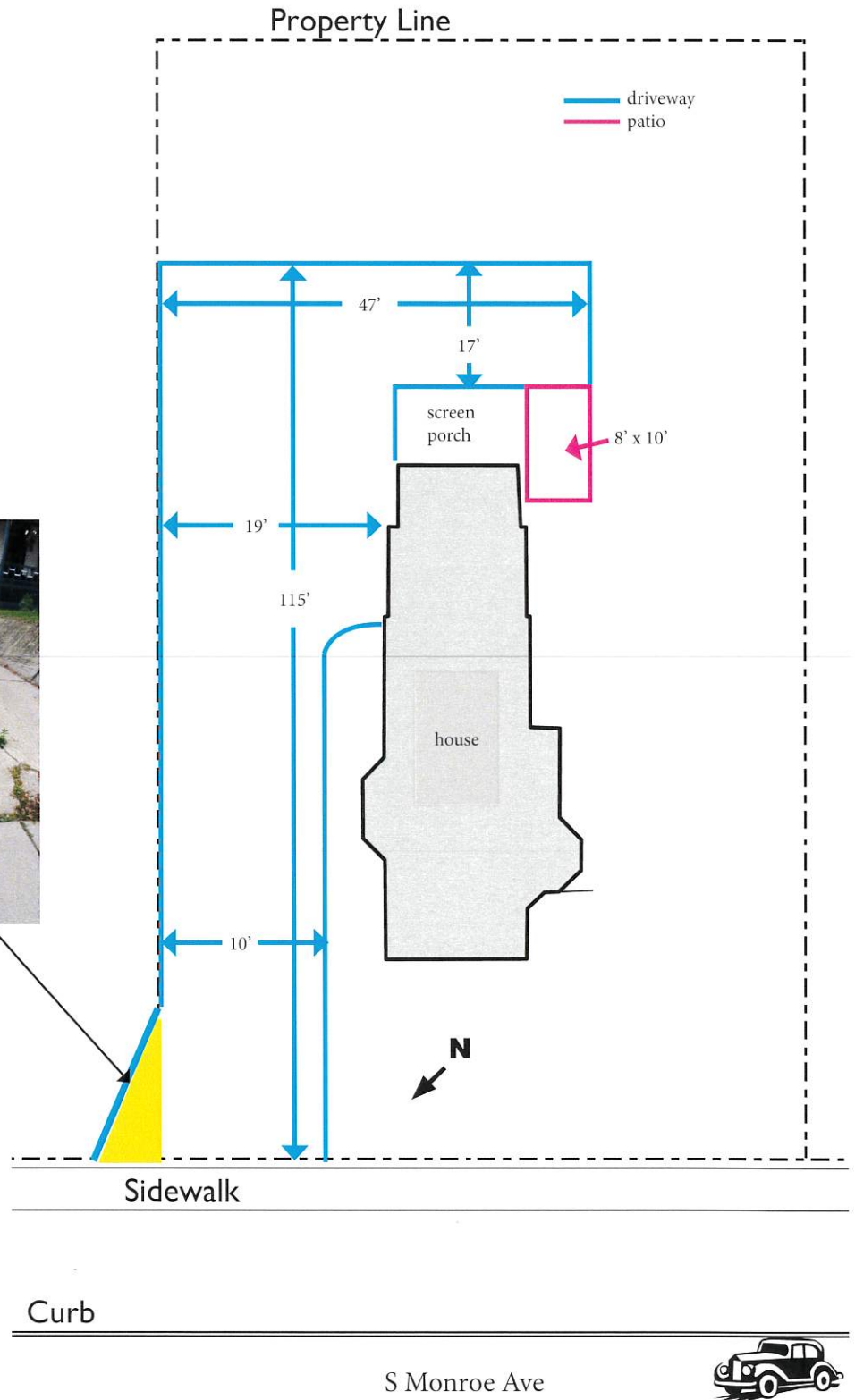
9 May 2024

Date

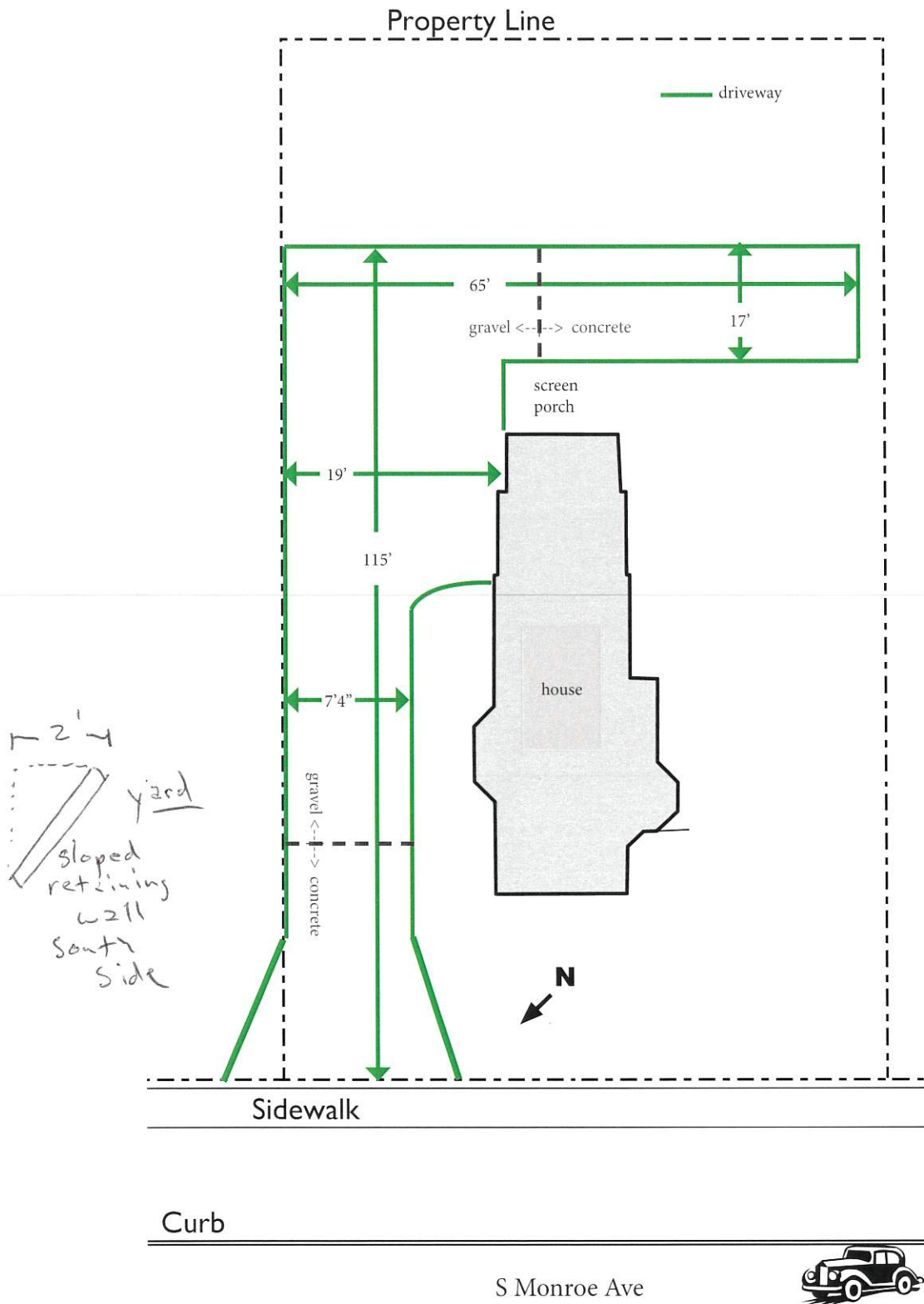
Date

OFFICE USE ONLY:	Parcel #: 14-362	Residential \$125 ☒ Commercial \$250 ☐
District: 4 Zoning: OR (9F)	Meeting Date: 5/16/24	Receipt #:
Submittal Date: Nov. 2023 rev. 5/9/24	Staff Signature: 	

PROPOSED NEW CONCRETE DRIVEWAY
MAP NOT TO SCALE



CURRENT DRIVEWAY
MAP NOT TO SCALE



LEGEND

- ⊕ DENOTES CUT CROSS SET
- DENOTES 3/4" IRON PIPE FOUND
- () DENOTES RECORD DIMENSION, WHERE DIFFERENT THAN ACTUAL MEASUREMENT
- DENOTES 1.25" OUTSIDE DIAMETER IRON PIPE 18" LONG SET, WEIGHING NOT LESS THAN 1.13 LBS PER LINEAL FOOT.

SURVEY PREPARED FOR:

JESSE DANIELS
621 S. MONROE AVE.
GREEN BAY, WI 54301
PARCEL 14-362

NOTES

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, BROWN COUNTY, (NAD 83, 1991), WHERE THE EAST RIGHT-OF-WAY LINE OF MONROE AVE. BEARS NORTH 26°25'25" EAST

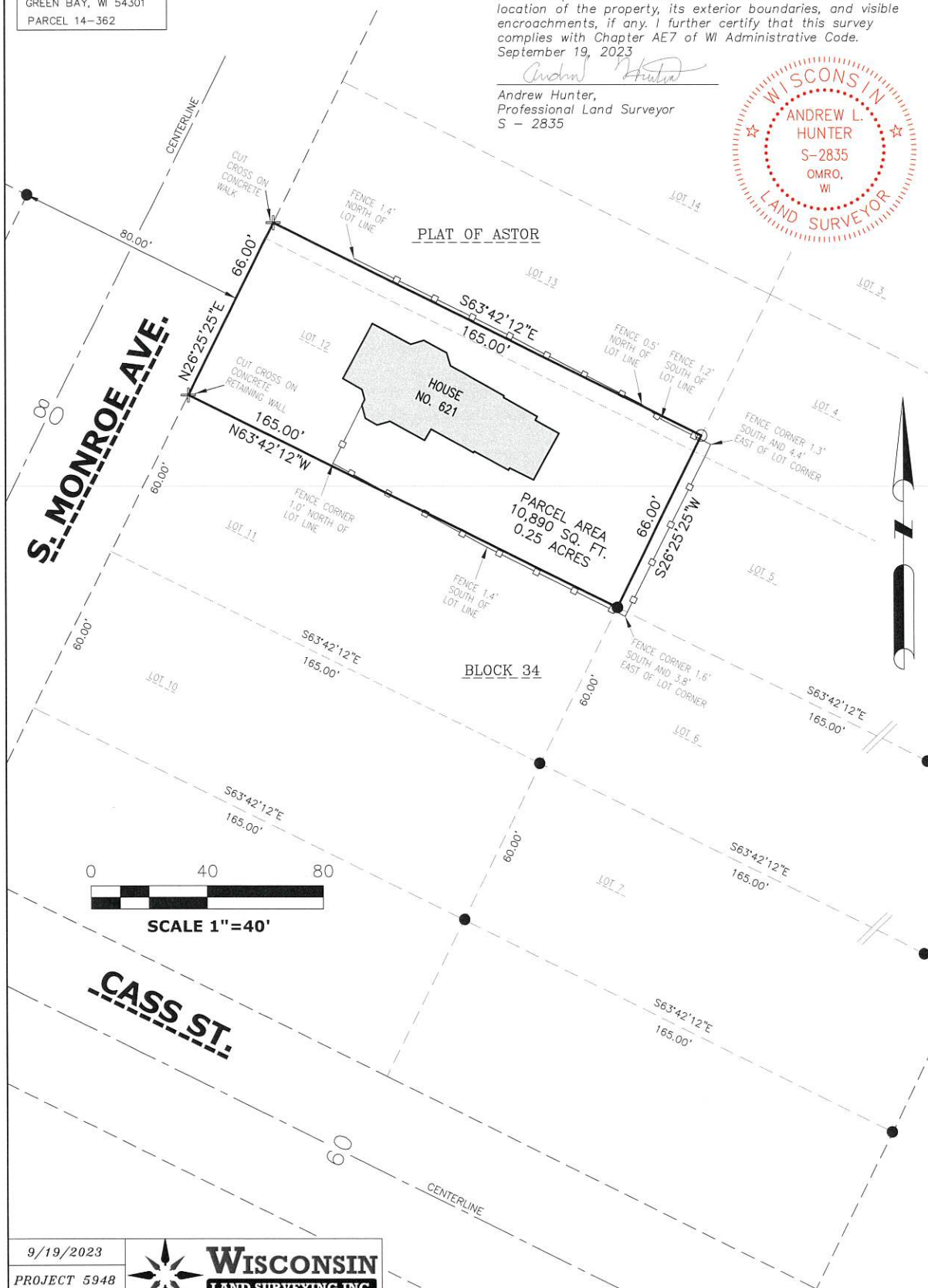
PLAT OF SURVEY

LOT 12 AND THE SOUTH 6' OF LOT 13, BLOCK 34,
PLAT OF ASTOR, BEING PART OF PRIVATE CLAIM 5,
EAST SIDE OF THE RIVER, CITY OF GREEN BAY,
BROWN COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I Andrew Hunter, Wisconsin Professional Land Surveyor, certify that I have surveyed the above described lands and that, to the best of my knowledge and belief, this map is a correct representation thereof and shows the size and location of the property, its exterior boundaries, and visible encroachments, if any. I further certify that this survey complies with Chapter AE7 of WI Administrative Code. September 19, 2023

Andrew Hunter,
Professional Land Surveyor
S - 2835



9/19/2023

PROJECT 5948

SHEET 1 OF 1



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LAND SURVEYING INC.

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www.wisconsinlandsurveying.com (920) 410-7744



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

MEETING DATE

May 20, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.7

(Appeal 24-18) Consideration with possible action on a variance request 1st Security Credit Union, property owner and Brett Paul of XSite Real Estate applicant; 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 the 3000 block of Finger Road (Parcel 21-7596). (Ald. J. Hutchison, District 2)

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.

BACKGROUND

The applicant seeks one variance from the Green Bay Municipal Code, Chapter 44: Zoning.

Sec.. 44-1584 (m.) 1. No drive-through windows and menu board shall be located between the front face of the principal building and the street.

The applicants seek to create a restaurant building with a drive-through component on the edge of the building. The parcel has three frontages along E Mason, Ontario, and Finger. This creates a situation where frontage will occur on three sides of the overall site. Drive-throughs are permitted through a conditional use permit. The applicant received conditional use approval for the property at the May 7 Common Council with a need to secure a variance to proceed.

The proposed site plan intends a driveway entrance off Finger Road. Finger Road serves as the only access point to the property. Drive through traffic is designed to flow counterclockwise along the side of a future property split. The property has not been split yet, but will be in the future. The conceptual design notes a basic plan, noting landscaping between the pickup window and Finger Road. The issues at play are the second order board being placed in front of the building along Mason Street and a pickup window in front of the building along Ontario.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-18 Application
2. 24-18 Concept Site Plan
3. 24-18 View From Intersection of E Mason and Ontario

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).
44-1584(m) 1. Drive through windows and menu board shall not be located between front facade and principal building
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, given the parcel is surrounded on three sides by streets, we are unable to design the building to comply with the ordinance.
Would granting the variance be contrary to the public interest? Explain.
Yes, this will allow the property to be developed per the approval of the CUP for the drive-through and rezone of the property to C-1. Which will bring a new business to the local community and the economic impact of the business. Also, will allow development of a now vacant parcel bringing additional sales tax revenue and increases the real estate taxes for the parcel.
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?
Yes, the permitted purpose is for a coffee shop, which relies on a drive-through to have a financially successful business. The drive-through element is a mandatory part of their business.

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)

Mitchell J Musial

Brett Paul

Print Name

Print Name

5/9/2004

5/9/24

Date

Date

OFFICE USE ONLY:	Parcel #: 21-7596	Residential \$125 ☐	Commercial \$250 ☒
District: 2 Zoning: RRtoC1	Meeting Date: 5/20/24	Receipt #:	
Submittal Date: April 2024 Rev. 5/9	Staff Signature: jl		

O Rd



Ontario Rd