



AGENDA OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, OCTOBER 21, 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

C. Approval of the Agenda.

- I. Approval of the agenda for the Monday, October 21, 2024, meeting of the Zoning & Planning Board of Appeals.

D. Approval of Minutes.

- I. Approval of the minutes from the September 16, 2024 meeting.

E. Regular Business.

- I. (Appeal 24-28) Consideration with possible action a variance request from Sounthavy Sanavongsay, property owner and applicant; requesting to exceed driveway standards for a one- or two-family residence at 2041 Oakwood Drive. (Ald. M. Eck, District 11)

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 24-30) Consideration with possible action on a variance request from Therese and Mark Ruffedt, applicants and property owners, seeking to construct a fence which exceeds maximum height in the front yard of a home in a residential zoned district at 461 Breccia Way. (Ald. J. Grant, District 1)

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 24-31) Consideration with possible action on a variance request from William Schneider, property owner and applicant, seeking to allow the width of a driveway to exceed standards for a one or two family residential house at 3063 Gilbert Drive. (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.

4. (Appeal 24-32) Consideration with possible action on a variance request from John Kraft, property owner and applicant; seeking to exceed driveway width standards in a front yard of a one or two family residence at 1731 East Shore Circle. (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.

5. (Appeal 24-33) Consideration with possible action on a variance request from Ken Falish, applicant, and Paul Collins of Triple S Properties LLC, property owner, seeking to construct an accessory building with a height which exceeds the height of the primary building in an (R1) Low-Density Residential district at 1255 Thorndale 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.

6. (Appeal 24-34) Consideration with possible action on a variance request from Quan Hoang, applicant and property owner, seeking to construct a driveway in the front yard of a one- or two- family residential property which exceeds maximum width standards at 1508 Shawano Avenue. (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.

7. (Appeal 24-35) Consideration with possible action on a request from Andrew Mevis, applicant and property owner; seeking to exceed minimum lot size standards to construct a

carriage house in a (R1) Low-Density Residential district at 1824 Tenth Avenue. (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.

8. (Appeal 24-36) Consideration with possible action on a variance request from Dalton Ruesch of Ruesch Properties LLC, applicant and property owner, seeking to exceed bulk requirement, landscaping, and impervious surface standards to construct a parking lot for a multi-family residence in an (OR) Office-Residential zoned property at 814 Pine Street. (Ald. A. Profitt, District 7)

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.

9. (Appeal 24-37) Consideration with possible action on a request from Garritt Bader of DJG West Mason LLC, property owner and applicant, seeking to permit signage of a user which is not located on the same property at 2415 W Mason Street. (Ald. M. Eck, District 11)

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.

1. Date of next meeting: November 18, 2024.

G. Public Hearings.

H. 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

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.1

(Appeal 24-28) Consideration with possible action a variance request from Sounthavy Sanavongsay, property owner and applicant; requesting to exceed driveway standards for a one- or two-family residence at 2041 Oakwood Drive. (Ald. M. Eck, District 11)

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. 44-1747 (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 and is set back from the side and rear lot lines by no fewer than 2.5 feet. The applicant seeks to place the parking area alongside a garage and is located between the building and street.

Sec. 44-1746 (3) c.

Where the width of the driveway at the garage or other legal parking space exceeds the maximum width of the driveway at the property line, the driveway shall be tapered between the garage or the edge of a legal uncovered space and the property line starting a minimum of five feet inside the parcel. If said taper "triangle" is found to be driven over and in a deteriorated state, the City may require the installation of vegetation or other item designed to prohibit vehicular trespass. The applicant has started a triangle taper, but it starts past the property line and the dimensions are not precisely documented, but evident that the taper extends beyond the property line.

The applicant placed a new driveway expansion at their home along a corner property at Oakwood and Beech Tree. As noted from previous street photography from as early as 2007, the site had a legal non-conforming gravel drive along side the east side of the driveway, in the corner front of the home. The property owner replaced the non-conforming gravel drive with a concrete drive in the summer of 2024 without a permit. This expansion does not meet the above listed two sections of municipal code.

The applicant has attached some basic, approximate measurements which account for the distance approximately to the street. Note, the street is approximately 17 feet offset from the right of way/property line. The applicant proposes creating a fence coming off an existing wood fence some 5.5 feet from where the existing wood fence runs west towards the garage and south parallel to the property line, east and then going 57 feet to the north. The east-west portion of the fence would match the existing fence, the 3-foot tall portion of fence would run north-south parallel to the newly poured concrete. This fence is proposed to create a buffer of the parking space and corner front yard space.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 28-24 Application
2. 28-24 September 2024 Photos Taken By Inspections
3. 28-24 Photos and Measurements Provided by Applicant
4. 28-0-24 Street View 2007
5. 28-24 Street View 2012
6. 28-24 Street View 2022



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE: 8-22-2024	PROJECT #: 117908	APPEAL #: 28-24
APPLICANT INFORMATION:		
Name: Sounthavy Sanavongsay		
Business Name:		
Address: 2041 Oakwood Dr.		
City, State, Zip: Green Bay WI 54304		
Phone: 920-600-4644		
Email: Sounthavy@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: 2041 Oakwood Dr. Green Bay WI 54304		
Tax Parcel Number(s): WH-3632		
Describe the Variance Request: putting new concrete side parking. Previous owner had concrete block as path for parking. It was broken and shatter. I put new concrete so it would look better and more presentable. It does not block any obstruction for any on coming traffic.		

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

Sec.44-1747(3)(c.) Uncovered parking spaces (not located in driveways). One uncovered space is permitted in the side yard alongside a garage provided said space is *not* located between the building and the street.

Sec. 44-1746 (3)c. The driveway shall be tapered between the edge of a legal uncovered parking space and the property line a minimum of 5 feet inside of the parcel

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

I WENT OVER 5' FROM CURB. CITY OWNS
17' CONCRETE STARTED 12' FROM CURB.

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

NO, LOOKS BETTER CURB APPEARS AND NOT
BLOCK NO VIEWS FOR OTHER DRIVERS

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?

to accomodate and help my family navigate
MULTIPLE VEHICLES. TWO KIDS AND TWO ADULTS
HAVE VEHICLES AND WILL MAKE IT EASIER
FOR PARKING SINCE NO OVER NIGHT PARKING IS
ALLOWED.

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)

Sounthany SANAVONGSAY

Print Name

Print Name

8-22-2024

Date

Date

OFFICE USE ONLY:	Parcel #: 6H-3632	Residential \$125 x ☐	Commercial \$250 ☐
District: 11 Zoning: R1	Meeting Date: 9/24	Receipt #:	
Submittal Date: 8/22/24	Staff Signature: jl		













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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.2

(Appeal 24-30) Consideration with possible action on a variance request from Therese and Mark Ruffedt, applicants and property owners, seeking to construct a fence which exceeds maximum height in the front yard of a home in a residential zoned district at 461 Breccia Way. (Ald. J. Grant, District 1)

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:

44-450 (1) Residential zoning districts; maximum height of a solid fence shall not exceed 3 feet in a front yard. Applicant seeks a solid fence to reach 6 feet in height in the front yard along the eastern side of the property, ending approximately 10 feet from the front ROW at the end of the Breccia Way cul-de-sac.

The applicant seeks to construct a 6-foot tall solid fence along the eastern property line. To the east, a driveway entrance connects a condominium development located behind the applicant's residence. The applicant is seeking to place a solid fence along the side property line, extending into the front yard of the applicants property at 461 Breccia. A solid fence may be placed in the side or rear of the property. Code requires a solid fence to drop in height to 3 feet along a side property line once the fence reaches the front yard setback of the parcel. The applicant seeks to extend a solid fence to approximately 10 feet before the ROW (right of way) at a height of 6 feet as the driveway for the neighboring condominium development is adjacent.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-30 Application
2. 24-30 View from Breccia Way July 2023



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE: 9-20-24	PROJECT #: 118141	APPEAL #: 24-30
APPLICANT INFORMATION:		
Name: MARK & THERESE RUFLUOT		
Business Name: —		
Address: 461 BRECCIA WAY		
City, State, Zip: GREEN BAY, WI 54311		
Phone: 920-621-8205		
Email: MARK@CSM-WI.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: 461 BRECCIA WAY, GREEN BAY, WI 54311		
Tax Parcel Number(s): 21-8027		
Describe the Variance Request: INSTALL 6' DECORATIVE PRIVACY FENCE ALONG EAST PROPERTY LINE PARALLEL WITH THE NEWLY DEVELOPED PRIVATE ROAD THAT RUNS NORTH/SOUTH ALONG EAST PROPERTY LINE. TOTAL FENCE LENGTH TO BE 80-90' STARTING APPROX 25 FT FROM THE CULDESAT CURB AND EXTENDING 80-90' ALONG THE EAST PROPERTY LINE.		

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

44-450 (1) Residential zoning districts, maximum height of a solid fence shall not exceed 3 feet of a front yard.

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 NEW PRIVATE ROAD RESULTS IN LOSS OF PRIVACY IN OUR FRONT, SOUTHSIDE AND REAR WINDOWS OF OUR HOME. PRIVATE ROAD ELEVATION IS HIGHER THAN OUR YARD & PORCH. TO RESTORE OUR PRIVACY WOULD REQUIRE MINIMUM 6' FENCE ALONG THE EAST PROPERTY LINE. IF FENCE WERE SHORTER THAN 6', THE ROAD/YARD ELEVATION DIFFERENCE WOULD NOT IMPROVE ~~BEFORE~~ OR RESTORE ANY MEANINGFUL PRIVACY.

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

NO, BEING A PRIVATE ROAD TO ACCESS THE PRIVATE DEVELOPMENT, A DECORATIVE PRIVACY FENCE WOULD NOT NEGATIVELY AFFECT THE ESTHETICS OR FUNCTION OF THE PRIVATE ACCESS ROAD.

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. WITH CURRENT ELEVATIONS OF THE PRIVATE ROAD, PRIVACY IS DRASTICALLY AFFECTED AS WELL AS HEADLIGHTS SHINING INTO OUR GREAT ROOM, DINING ROOM & KITCHEN. REAR PATIO IS EXPOSED TO ALL TRAFFIC (VEHICLES, WALKERS & BICYCLES) WITHOUT SOME MEANS OF RESTORING PRIVACY.

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)

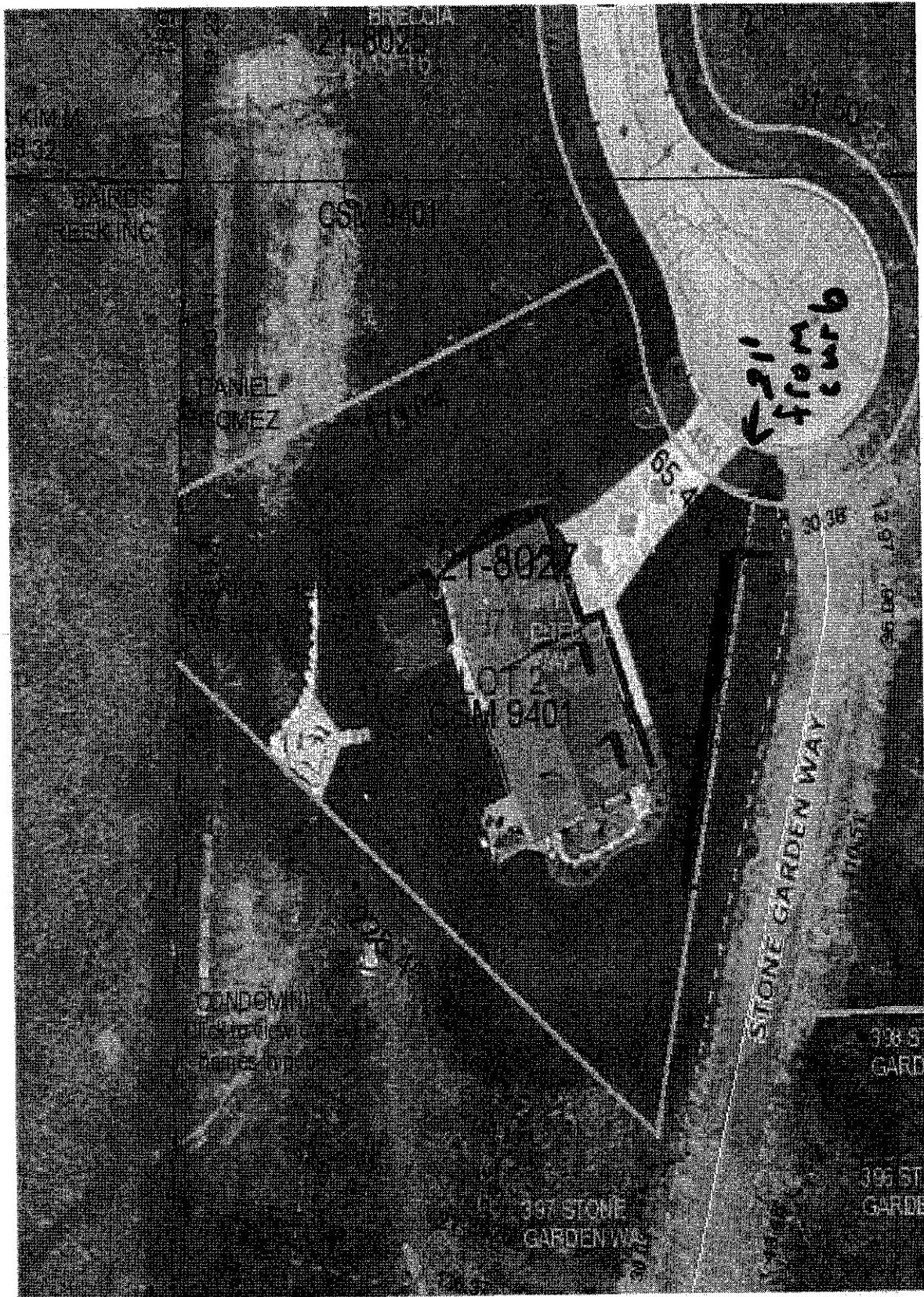
MARK RUFFELT
Print Name

Print Name

9-20-24
Date

Date

OFFICE USE ONLY:	Parcel #: 21-8027	Residential \$125 ☒ Commercial \$250 ☐
District: 1 Zoning: RR	Meeting Date: Oct 2024	Receipt #:
Submittal Date: 9/20/24	Staff Signature: jl	





BUILDING PERMIT APPLICATION SHORT FORM

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

All highlighted fields must be completed before permit will be processed.

Project Address: 461 BRECCIA WAY GB 54311

PROPERTY OWNER	CONTRACTOR INFORMATION (if applicable)
Name: <u>MARK RUFLETT</u>	Name: <u>N/A</u>
Address: <u>461 BRECCIA WAY</u>	Address:
City, State, Zip: <u>GB WI 54311</u>	City, State, Zip:
Telephone #: <u>920-621-8205</u>	Telephone #:
* Email: <u>MARK@CSM-WI.COM</u>	Email:

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

☒ Yes ☐ No

Current Land Use:
(check one)

☒ 1-Family

☐ 2-Family

☐ Multi-Family

☐ Commercial

Project Scope:
(check all that apply)

☒ Fence

☐ Driveway Expansion
or Lot Resurfacing

☐ Patio

☐ Yard Shed (<150 sq ft)

Description of Project: (for fences include fence height, material (i.e. wood, vinyl, chain link), and total length of fence materials)

6' VINYL FENCE 88'-94' FEET ALONG EAST PROPERTY
LINE.

Estimated Cost of Construction: \$1500

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

Mark Rufflett
Signature of Applicant

9/18/24
Date

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

For Office Use Only

Project # _____

Receipt # _____

Parcel # _____

Permit Fee _____

Reviewed By: _____

Credential # _____

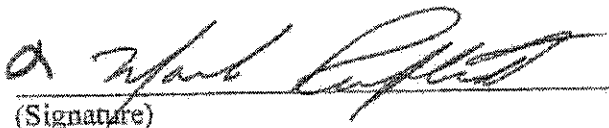
City Representative who reviewed the above requirements with the Project Representative:

(Signature)

(Print Name and Title Here)

City Project ID: _____
Site Name: _____
Address / Location: _____
Land Owner: _____
Land Owner's Contact Representative: _____

I have reviewed the City of Green Bay Permit Conditions for the Erosion and Sediment Control Standards for the Non-Permitted referenced project above. I agree to comply with these conditions and will notify the City of Green Bay of any changes to the plan or project schedule.


(Signature)


(Print Name and Title Here)

(1 Copy Permittee, 1 Copy Inspection Files, 1 Copy Engineering Files)



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

100 N. Jefferson Street, Room 300
Green Bay, WI 54301
Tel (920) 448-3100
Fax (920) 448-3102

**EROSION AND SEDIMENT
CONTROL NON-PERMITTED
CONDITIONS**

Per 16-38 PERFORMANCE STANDARDS FOR CONSTRUCTION SITES NOT REQUIRED TO BE PERMITTED.

- (a) Responsible party. The landowner of the construction site or other person contracted or obligated by other agreement with the landowner to implement and maintain construction site BMPs is the responsible party and shall comply with this section.
- (b) Erosion and sediment control practices. Erosion and sediment control practices at each site where land disturbing construction activity is to occur shall be used to prevent or reduce all of the following:
- (1) The deposition of soil from being tracked onto streets by vehicles.
 - (2) The discharge of sediment from disturbed areas into on-site stormwater inlets.
 - (3) The discharge of sediment from disturbed areas into adjacent waters of the state.
 - (4) The discharge of sediment from drainage ways that flow off the site.
 - (5) The discharge of sediment by dewatering activities.
 - (6) The discharge of sediment eroding from soil stockpiles existing for more than seven days.
 - (7) The transport by runoff into waters of the state of chemicals, cement, and other building compounds and materials on the construction site during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this section.
- (c) Location. The BMPs shall be located so that treatment occurs before runoff enters waters of the state.
- (d) Implementation. The BMPs used to comply with this section shall be implemented as follows:
- (1) Erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin.
 - (2) Erosion and sediment control practices shall be maintained until final stabilization.
 - (3) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.
 - (4) Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.
 - (5) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.3

(Appeal 24-31) Consideration with possible action on a variance request from William Schneider, property owner and applicant, seeking to allow the width of a driveway to exceed standards for a one or two family residential house at 3063 Gilbert Drive. (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:

44-1747 (c) (3) 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 applicant seeks to place a parking stall at 20 feet in width, which exceeds a standard of 12 feet in width for a single stall.

The applicant applied for a building permit to allow for expansion of their driveway at their Gilbert Drive residence. The applicant received approvals to construct a 12-foot wide driveway stall along the side of the attached garage, in compliance with 44-1747(c) (3). The contractors for the applicant proceeded to pour a 20-foot wide driveway stall alongside the garage instead during the summer months.

Code calls for the allowance of one stall alongside a garage. Stall sizes are interpreted to be a width ranging from 8 feet to 12 feet in width. The maximum size driveway width may be 12 feet, if leading to a legal driving space. The only time the drive width can be larger is when leading directly to a garage stall.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-31 Application
2. 24-31 View From Street Gilbert Drive Summer 2023
3. 24-32 Approved Plans
4. 24-31 Existing Driveway Images



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE:	9/25/2024	PROJECT #:	116789	APPEAL #:	
APPLICANT INFORMATION:					
Name: William Schneider					
Business Name: None					
Address: 3063 Gilbert Drive					
City, State, Zip: Green Bay, WI, 54311					
Phone: 920-445-6789					
Email: willjschneider@gmail.com					
PROPERTY OWNER INFORMATION (if different from above):					
Name: Same					
Business Name: Same					
Address: Same					
City, State, Zip: Same					
Phone: Same					
Email: Same					
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: 3063 Gilbert Drive					
Tax Parcel Number(s):					
Describe the Variance Request:					
I am requesting a variance for the violation of the municipal code that only allows a driveway extension to be 12ft wide. I am requesting a variance that would allow my concrete slab to be 20ft wide due to the fact that my property is unique. Majority of homeowners do not have more than 12ft between their driveway and property line.					

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 angle at which you would need to take to park a vehicle on this driveway extension is more extreme
than most other properties. It is also worth arguing that my property is unique in the fact that this is an
uncommon occurrence. Most properties do not have more than 14.5ft (12ft + 2.5ft from property line)
to make a driveway extension more than 12ft wide.
Would granting the variance be contrary to the public interest? Explain.
No this would not be contrary to public interest. In fact, this would only benefit the public because
a recreational vehicle would not be as hazardous to the public if the variance is granted. If variance is granted,
recreational vehicle parking would be in a safer location for public, because it would be on a flat surface and
further away from the 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?
Not getting this variance would prevent me from not being able to use my property to its fullest capacity
It would obstruct me from parking a recreational vehicle on my property in the safest way possible.
Because it would become more dangerous to the public than necessary, because of the angle of the driveway
and it would then be closer to the sidewalk.

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.

Wm Sc

Signature of the Property Owner

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

William Schneider

Print Name

Print Name

9/26/24

Date

Date

OFFICE USE ONLY:	Parcel #: 21-8397	Residential \$125 ☒ Commercial \$250 ☐
District: 2 Zoning: R1	Meeting Date: 10/21/24	Receipt #: 2766187-0009
Submittal Date: 9/26/24	Staff Signature: <i>[Signature]</i>	





p#116789

Conditionally

APPROVED

BUILDING INSPECTION DIVISION
GREEN BAY, WISCONSIN

SEE CORRESPONDENCE

7/9/24







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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.4

(Appeal 24-32) Consideration with possible action on a variance request from John Kraft, property owner and applicant; seeking to exceed driveway width standards in a front yard of a one or two family residence at 1731 East Shore Circle. (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:

44-1746 (3) e. Side-loaded drives. The maximum width of a driveway leading to a side-loaded garage shall not exceed 12 feet except for the area directly leading of the garage, where it can increase to the width of the garage.

The applicant seeks to extend the driveway width beyond 12 feet and leading to a width of approximately 40 feet in length south of the front plane of the garage and tapering the driveway back to a width of 12 feet approximately 35 feet south of the south plane of the garage.

The exact dimensions are not fully known as the driveway is designed around a curve and the constructed driveway has a slight curve associated with the eastern edge of the driveway.

The applicant applied for and received approval on plans to construct a driveway leading a side-loaded garage for a new home on East Shore Circle. The driveway leading from the street sought to have a 12-foot wide driveway which would have a radius leading to a right-hand turn to the front of the side loaded garage. The driveway radius was not explicitly stated, but staff does not generally ask for a specific dimension, so long as the radius is not expansive enough to create a de facto additional parking in the front yard.

Inspection staff reviewed the driveway after construction and observed the driveway was nearly 35 feet in length from the front of the front plane of the garage as it approached the area directly leading to the garage. The radius did not appear as shown on the approved plans. The paved area in front of the garage had sufficient space to both have a turning radius to lead to the near garage stalls and space to allow for a vehicle to be parked in the driveway leading to the side-loaded garages.

To meet code, a specific radius is not set forth in code, however an additional parking stall(s) which could be parked in the driveway is not permitted. The approved plans called for a turn radius which demonstrates a turn into a side loaded parking stall. The constructed result allows for room to park a vehicle in the front yard, not aligned with a garage stall.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-32 Application
2. 24-32 Approved Site Plan with Approximate Constructed Driveway Layout
3. 24-32 View from Street October 1
4. 24-32 Image 2
5. 24-32 Image 3
6. 24-32 October View 2

DATE:	10/1/24	PROJECT #:	112817	APPEAL #:	24-32
APPLICANT INFORMATION:					
Name: John Kraft					
Business Name:					
Address: 1751 E Shore Circle					
City, State, Zip: Green Bay, WI, 54302					
Phone: 920-366-2226					
Email: jkraft@acosta.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: 1751 E Shore Circle, Green Bay, WI, 54302					
Tax Parcel Number(s): 21-434					
Describe the Variance Request:					
I am requesting a variance to expand the width of my driveway beyond 12 feet wide in the area approaching the front of my garage.					
The driveway is extremely long and meets the 12ft wide code for the majority of the driveway until it approaches the					
area of existing concrete in front of the garage doors. That is where I would like to expand it beyond 12 feet wide.					

List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).
4-1746 (3) e. Side-loading drives. The maximum width of a driveway leading to a side-loaded garage shall not exceed 12 feet except for the area directly leading of the garage, where it can be increase to the width of the garage.
Applicant seeks to extend garage beyond 12 feet and leading to width of approximately 30 feet wide south of the plane of the garage.
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, we had built our home with a side entry garage to fit on our lot. Because of the unique characteristic of our lot and long distance from the road, approximately 240ft from the curb to the front of house, we extended the width of the driveway near the front of the garage for a few reasons:
1. to have the ability to turn a car around in order to drive straight out of the driveway rather than back it up 230+ feet down a winding driveway.
Both of our elderly parent's and other guests would not be able to navigate the driveway backing up this distance and with the curve. There are also trees along the driveway that would be a hazard if they had to back up all the way. 2. We have a boat and the narrow driveway would prevent us from utilizing our garage for storage because we wouldn't be able to navigate the turn into the garage coming off a 12ft wide driveway at the front of the garage.
3. Due to the overall size of our lot, 1.02 acres, the city required that we had a storm water management plan done prior to getting an occupancy permit. This was a very expensive project that required profesional engineering services and additional work from my excavator and landscaper.
The current layout of the driveway is exactly what was approved in the storm water management plan by the Green Bay Public Works department.
The storm mangement plan, which includes the dimensions of the driveway, have been certified by the engineering firm, Vierbicher, and the city.
Would granting the variance be contrary to the public interest? Explain.
No, in fact it would be beneficial to the public interest. It is following the storm water management plan that was required and approved by the city. In fact, deviating from this plan might negatively affect storm water flow to my home and surrounding area.
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?
Please see reasons stated above. As I mentioned, our property is very deep and not very wide. It would be hazardous for anyone to have to navigate backwards on this very long driveway that has a curve, especially at night. Cosmetically, it looks very nice and there is still an extremely large green area with grass, trees, and bushes. Because of the very expensive cost of doing concrete, I was not going to do anything with my driveway until 2025. The inspector later informed me it was code to have a hard surface on new construction so we took out a loan to adhere to that code. I dropped off a site plan map and met with an inspector at the city office prior to having it poured. I didn't hear anything back from that person for a few weeks so I thought everything was approved according to the site plan I submitted. My contractor was able to pour the driveway and it wasn't until after it was done that I found out the site plan was not accepted and now I am being told it needs to be cut out so it doesn't exceed the 12 feet width in the front of my 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.



Signature of the Property Owner

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

John Kraft

Print Name

Print Name

10/1/24

Date

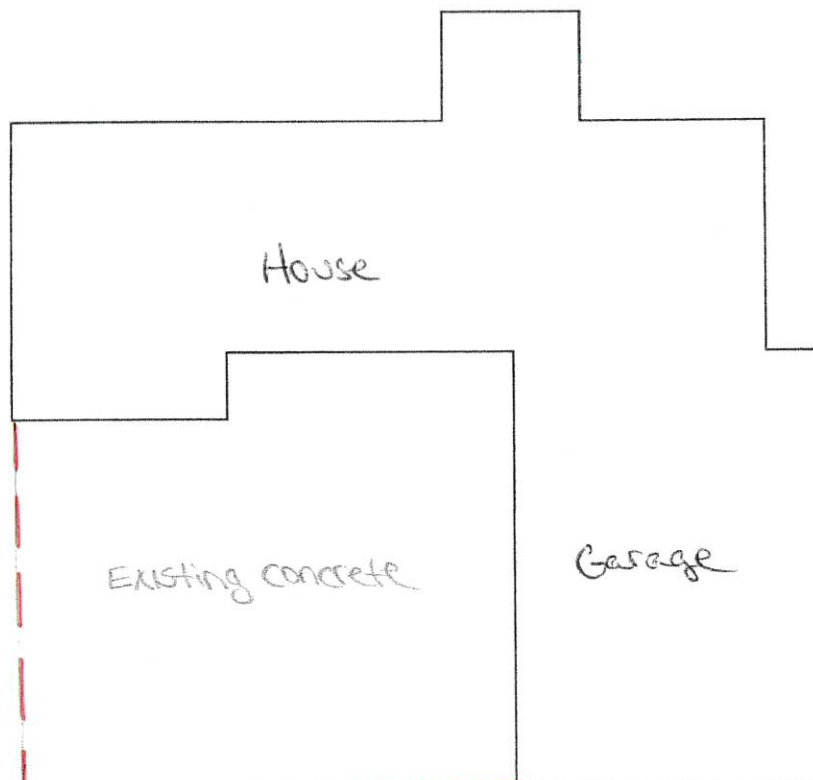
Date

OFFICE USE ONLY:	Parcel #:	Residential \$125 ☐ Commercial \$250 ☐
District: Zoning:	Meeting Date:	Receipt #: 2766 2.9-0001
Submittal Date:	Staff Signature:	

N

Property line

Property line



p# 112817
Conditionally
APPROVED
BUILDING INSPECTION DIVISION
GREEN BAY, WISCONSIN
M. B. [Signature]
SEE CORRESPONDENCE
8/1/2024

Red = Approved plans
Blue = Approximate
paved driveway

1751 E SHORE CR.









12-002002



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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.5

(Appeal 24-33) Consideration with possible action on a variance request from Ken Falish, applicant, and Paul Collins of Triple S Properties LLC, property owner, seeking to construct an accessory building with a height which exceeds the height of the primary building in an (R1) Low-Density Residential district at 1255 Thorndale 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:

44-588 (3) The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served.

The applicant seeks to place a clear open rail system on top of an accessory garage which has a maximum height which exceeds the top of house by approximately 0.13 feet.

The applicant has been working on a property constructing a new detached garage. The applicant seeks to use the top of the garage as 'party deck' space on top of the garage. The applicant has constructed a garage which is xx feet tall and has a limited roof pitch of xx feet. On top of the roof, the applicant seeks to place a clear open rail system to allow people to access the top of the detached garage as a deck.

The applicant meets height code for the garage and roof, but not the deck. In other party deck constructions, staff has interpreted the code to allow garage deck structures to have a railing or wall system to reach the top height of the peak of the roof the primary building in the case of an accessory structure party deck, so long as the roof heights met bulk code requirements. In this case, the peak of the roof of the primary building is 14 ft 5 inches (14.42 ft). The top of the roof structure is 11.04 feet. This means the railing can have a height of 3.37 feet and remain subordinate. The applicant is seeking to put a railing structure which is 42 inches tall (3.50 feet tall). This equates to the accessory structure is 0.12 feet taller than the primary structure.

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

1. 24-33 Application
2. 24-33 Building Plans
3. 24-33 View From Street 2022
4. 24-33 Aerial



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE: 10/8/24	PROJECT #: 116610	APPEAL #: 27-33
APPLICANT INFORMATION:		
Name: Ken Falish		
Business Name: Ken Falish const LLC		
Address: 2411 Vanden Bergh PL		
City, State, Zip: Green Bay WI 54311		
Phone: 920 639 0948		
Email: KFalish@gmail.com		
PROPERTY OWNER INFORMATION (if different from above):		
Name: Paul Collins		
Business Name: N/A		
Address: 1255 Thorndale		
City, State, Zip: Green Bay, WI 54304		
Phone: 920-737-2683		
Email: Paul@OverheadSolutionsInc.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: 1255 Thorndale ave		
Tax Parcel Number(s):		
Describe the Variance Request:		
HEIGHT VARIANCE FOR OPEN RAIL SYSTEM		
Would like to change RAIL SYSTEM FROM PROPOSED 36" RAIL TO 42" RAIL. This would put TOP of POST RAIL APPROX 8" OVER TOP of HOUSE PEAK.		

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

Section 44-598(3)

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

Current Height of Home Has Lower Profile Than Neighboring Structures

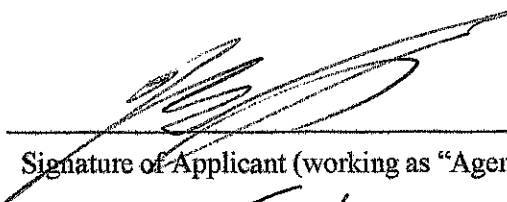
Would granting the variance be contrary to the public interest? Explain.

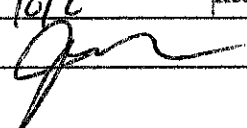
Height Variance would only apply to see through rail

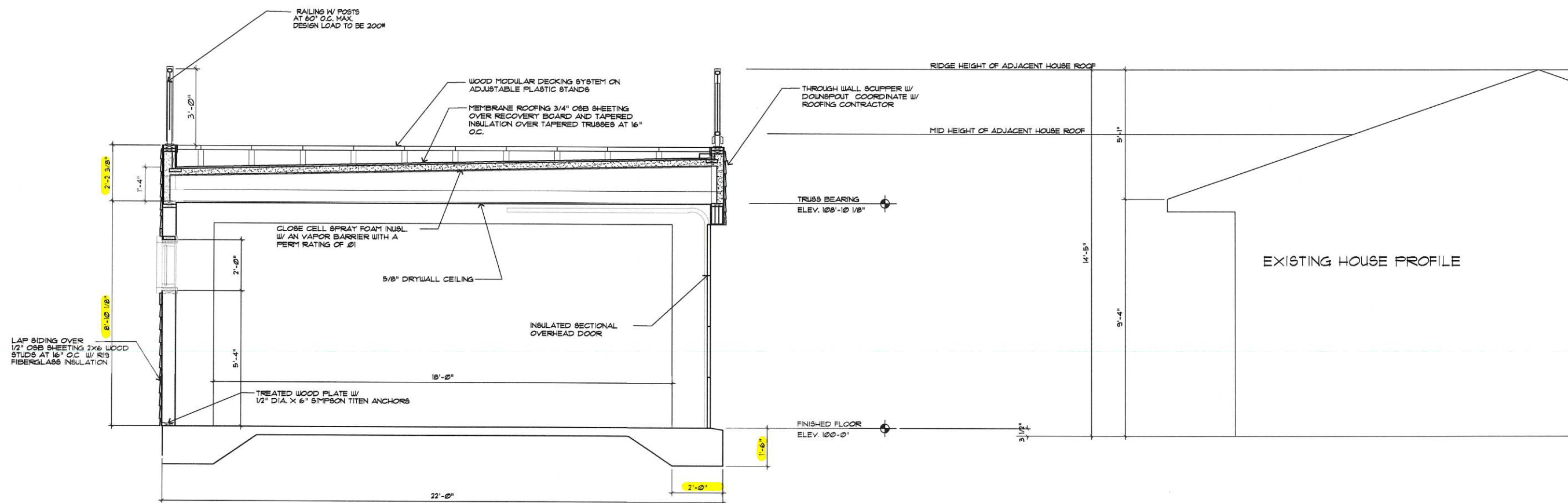
Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

Original Project was figured for 36" Rail Height
Would like to use 42" Rail system for additional safety purpose
Current Garage HT Built to lowest possible height

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 Paul Collins _____ Print Name 10/8/24 _____ Date	 _____ Signature of Applicant (working as "Agent" for owner) Ben Falish _____ Print Name 10/8/24 _____ Date
--	---

OFFICE USE ONLY:		Parcel #:	Residential \$125 ☒ Commercial \$250 ☐
District: 8	Zoning: R1	Meeting Date: 10/2	Receipt #:
Submittal Date: 10/21/24		Staff Signature: 	



RELEASE #1 5/22/24
PRELIM 4/16/24
PRELIM 3/18/24

DRAWN BY:
RJF
CHK'D BY:
RJF
JOB NUMBER:
24005
DATE:
3/18/24

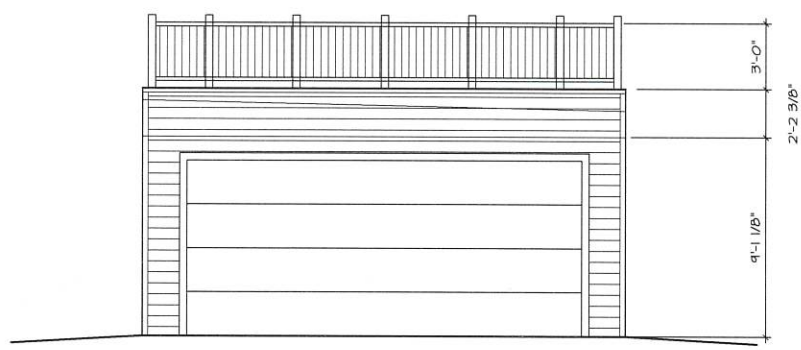
A4.1

FISHER & ASSOCIATES, LLC
Architects / Planners
163654 BALSAM LAKE ROAD, CUMTIZ, MI
41320 | 530-4164
fisher@fisherandassociatesllc.com

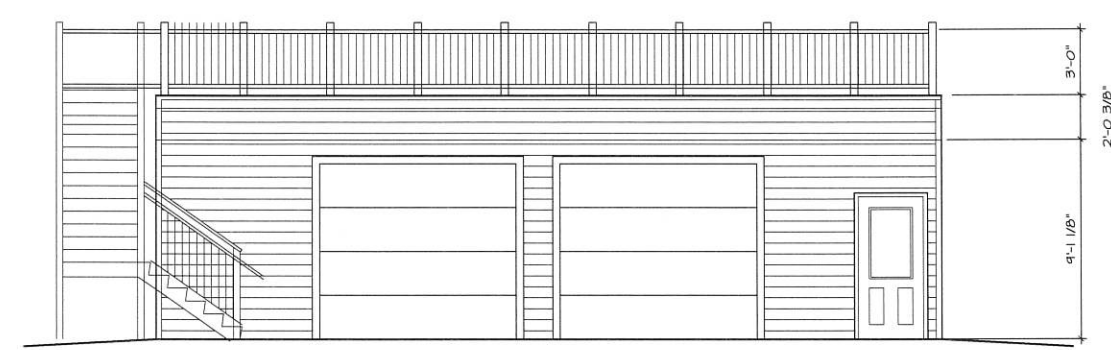
WISCONSIN

REVISIONS:

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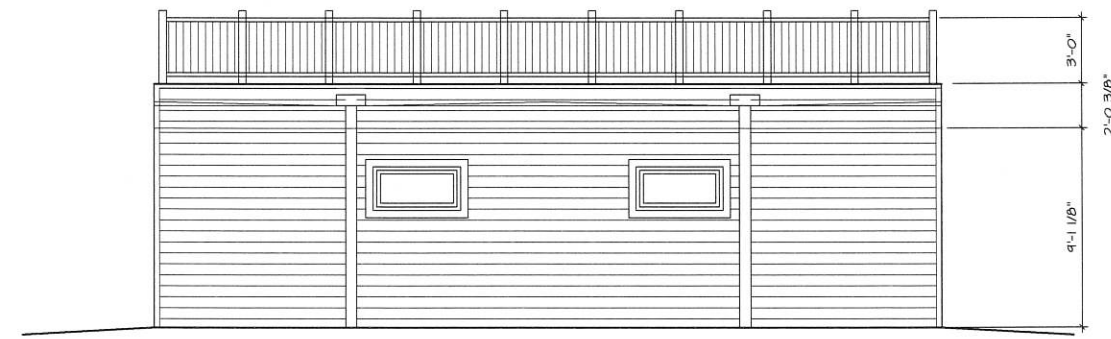
NORTH ELEVATION
1/4" = 1'-0"



EAST ELEVATION
1/4" = 1'-0"



SOUTH ELEVATION
1/4" = 1'-0"



WEST ELEVATION
1/4" = 1'-0"

REVISED HEIGHT FIELD VERIFIED 5-24-24
RELEASE #1 5/22/24
PRELIM 4/16/24
PRELIM 3/18/24

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REVISIONS:	
FISHER & ASSOCIATES, LLC Architects / Planners 96 CEDAR STREET DE FREER, IN 5415 P.O. BOX 352-1441 fisherandassociatesllc.com	
PROJECT:	PROPOSED NEW GARAGE FOR PAUL COLLINS 1255 THORNDALE DRIVE CITY OF GREEN BAY
DRAWN BY:	R.F.
CHK'D BY:	R.F.
JOB NUMBER:	NA
DATE:	3/24/24





STEPHEN
LOU ANN
BEECHER

RONALD J SHARON
VANDERPERREN

TRICIA L
GARRISON
LIVING TRUST

DANIEL G
JACQUELINE J
SPOENTGEN

JOHN F
LINDA M
KATERS

DAVID D
HOLEWINSKI

COREY W
BEHNKE

JANET S
ANGUS

SHANK JULIE A
REVOCABLE TRUST

MATTHEW
RICHTER LABOZETTA
&
CHRISTINA
LABOZETTA

ROBERT J
CONNELLY

HAROLD T LOISE
ANDERSON

STADIUM VIEW
PROPERTIES LLC

STADIUM VIEW
PROPERTIES LLC

DONALD E
AMY JO
MAKI

STEPHEN E
WELHOUSE TRUST

ARDEN V
GLENDA M
SCHALK

NATALYA
EVANS

DENIS F
KAIN

JERRY H
CHERYLA
HANSON

HOLTON
IRREVOCABLE



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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.6

(Appeal 24-34) Consideration with possible action on a variance request from Quan Hoang, applicant and property owner, seeking to construct a driveway in the front yard of a one- or two- family residential property which exceeds maximum width standards at 1508 Shawano Avenue. (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 one variance from the Green Bay Municipal Code, Chapter 44, Zoning:

44-1747 (B) 3. e. Front yard space is limited to no greater than 8 feet in width beyond the garage door, but shall not be located in front of the primary entrance.

Applicant is seeking to construct a 12' x 20' turnaround drive/parking stall which is proposed to be attached to an existing 8-foot wide front yard of the property on Shawano Ave.

The residence has a single stall attached garage which has a driveway lane and an additional 8-foot wide driveway lane leading to the garage. The overall width of this driveway is approximately 17 feet. The applicant seeks to add a perpendicular turnaround lane measuring 12 feet in width and 20 feet in length off the western edge of the driveway. The applicant seeks to construct the driveway about 17 feet from the right of way (southern edge of additional driveway pavement) and about 12 feet from the existing sidewalk leading to the front door of the house (northern edge of additional driveway pavement) with 3 foot radius curves at the corners where the proposed driveway expansion meets the existing driveway.

The home is located on the north side of Shawano Avenue between Military Avenue and Fisk Avenue. Shawano Avenue (Highway 29) is a four-lane street which does not have on-street parking.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-34 Application
2. 24-34 Aerial
3. 24-34 View from street 2022
4. 24-34 Proposed Site Plan



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE: 10/7/2024	PROJECT #: 11/8/33	APPEAL #: 24-34
APPLICANT INFORMATION:		
Name: QUAN HOANG		
Business Name:		
Address: 1508 Shawano Ave		
City, State, Zip: Green Bay, WI 54303		
Phone: 920-227-8019		
Email: quan.hoang1920@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: 1508 Shawano Ave - Green Bay - WI 54303		
Tax Parcel Number(s):		
Describe the Variance Request: Owner would like to put an addition to the current driveway with concrete in order to turn around to get to the road (HWY 29, Shawano Ave) safely. The street is super busy and it is hard and unsafe to back vehicles out to the street. I would like to pour a 12' x 20' slab concrete connected to the current driveway. 12'		

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

44-1747 sec. B sec 3, seeking to place driveway parking stall (20' Deep x ^{12'}~~13'~~ wide) in front yard

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 house was built in the early 19ths. The lot was quite narrow. The garage is 1 car garage. We are not able to widen our driveway with compliance to the City of Green Bay codes. With a ^{12'}~~13'~~ x 20' extra, we will be able to use the driveway more efficient and more safe.

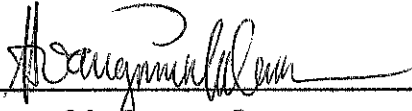
Would granting the variance be contrary to the public interest? Explain.

No, it would help the public (other vehicles on the street) to travel more safely.

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?

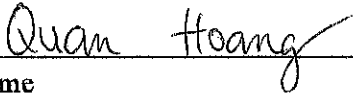
With a current driveway, we are unable to widen it because of the City ordinance (the driveway can't be extended past the garage. We must back out of the driveway to get on the street. With an approved variance, we will be able to head out to the heavy traffic highway with ease and safe for ~~the~~ our community.

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)



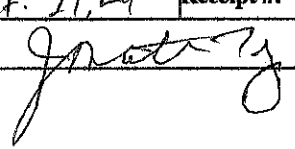
Print Name

Print Name

10/7/2024

Date

Date

OFFICE USE ONLY:	Parcel #: 6-237-A	Residential \$125 ☒ Commercial \$250 ☐
District: 10 Zoning: R1	Meeting Date: Oct. 21, 24	Receipt #:
Submittal Date: 10/3/24	Staff Signature: 	

GREEN BAY CITY OF

BASTEN INVEST

QUAN M HOANG & HUYEN T
VU REVOCABLE
TRUST OF 2024

QUAN M HOANG & HUYEN T
VU REVOCABLE
TRUST OF 2024

MICHAEL J
CANDY R
HENDRICKS

WILLIAM
EVERARD

MICHAEL J
CANDY R
HENDRICKS

WILLIAM
EVERARD

BASTEN INVESTMENTS LLC

MATTHEW D
STOWE

ANDREW

OTIS
FELTY

1522

1508

1504

1500

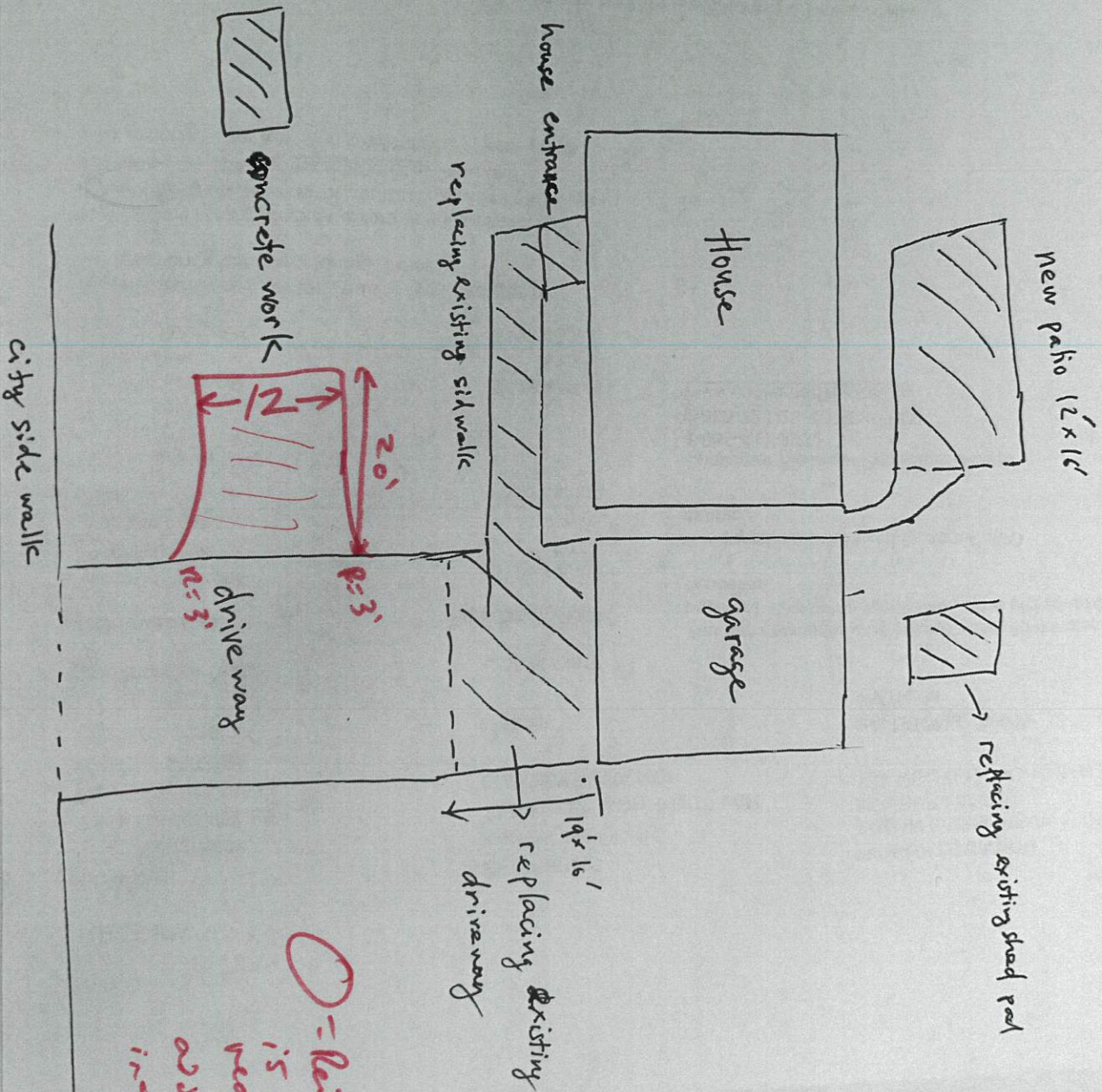
1492

1708

1505

6-1698
36,300 SE





O = Red marking
is variance
request for
additional driveway
in front yard



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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.7

(Appeal 24-35) Consideration with possible action on a request from Andrew Mevis, applicant and property owner; seeking to exceed minimum lot size standards to construct a carriage house in a (R1) Low-Density Residential district at 1824 Tenth Avenue. (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:

44-1580(g) (5) Carriage House: Detached garage lot dimension. Minimum lot area must be a minimum of 2,500 square feet larger than required for zoning district. Zoning district is R1, requires a 7,500 square foot lot. Plus 2,500 square feet, carriage house requires a 10,000 square foot lot.

The applicant is seeking to create a carriage house at their 6,000 square foot parcel on Tenth Avenue. A carriage is a dwelling unit located above a detached garage. Carriage houses are considered a conditional use. The applicant applied for a carriage house use with the Green Bay Plan Commission at its October 7, 2024, meeting. To qualify for consideration, a site plan must demonstrate that the addition of a carriage house on a parcel is feasible insofar that the addition will be able to meet bulk dimensional requirements for a parcel. The applicant submitted a basic site plan as part of the review and believes the applicant can meet all but one of the requirements to place a carriage house on this lot at 1824 Tenth Avenue given the site information provided. The following are the land use development standards for a carriage house:

- (1) A carriage-house dwelling unit shall be located above a detached garage that is accessory to a single-family detached dwelling and located within the rear yard.
- (2) Any exterior changes or additions for a carriage-house dwelling shall be constructed of similar materials and shall be architecturally compatible with the main (principal) building.
- (3) The dwelling unit may not contain more than 30 percent of the total floor area on the zoning lot.
- (4) There shall be a total of no more than one carriage-house dwelling on a zoning lot.
- (5) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for the main (principal) building in the zoning district.**
- (6) A detached garage with a carriage-house dwelling shall meet all requirements for accessory buildings. If walls of a carriage-house dwelling facing interior lot lines contain windows or other openings, the wall shall be set back at least four feet from the lot line.
- (7) There shall be an unobstructed walkway leading from the public street to the carriage-house dwelling.
- (8) At least one dwelling unit on the zoning lot shall be owner-occupied.
- (9) A site plan and a building plan shall be submitted to the Plan Commission at the time of application

for review and approval.

Plan Commission voted unanimously to recommend approval; a carriage house for the property given conditions placed on the property that the house could meet bulk requirement standards for the parcel with the R I district, land use development standards for a carriage house, and receive a needed variance from the Board of Appeals to address a requirement of a carriage house to be located on a parcel which is 2,500 square feet larger the minimum required size for a parcel within an R I district. The Common Council approved the request with conditions on October 15.

The applicant is seeking a variance to allow a carriage house on the property because of the size of the lot being 6,000 square feet. The carriage house is now considered a conditionally approved use pending the approval of the Board of Appeals.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-35 Application
2. ZP 24-34 Staff Report For Plan Commission
3. ZP 24-34 Carriage House Specs
4. ZP 24-34 House Details
5. 24-35 View From Street
6. ZP 24-34 Site Plan

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

44-1580(g)(5) Detached garage (Min lot area +2500 sq ft
over district RI min SF = 7500 (+2500) = 10,000 (Min 6000 sq 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

One characteristic that does prevent the compliance with the ordinance is that my property is a 6000 sq ft lot and an RI. So it is technically small to code. However, my lot can support my plans.

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

No, it would not be in contrary to public interest. It brings life and a rejuvenation to the neighborhood. We want to build up our neighborhood.

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?

I would not be able to build my marriage house/garage. Family and friends who do come over to visit will have to use a Hotel if they want their own space.

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.

Andrew Meris

Signature of the Property Owner

Andrew Meris

Print Name

10/7/2024

Date

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

Print Name

Date

OFFICE USE ONLY:	Parcel #: <i>1-1232</i>	Residential \$125 ☒ Commercial \$250 ☐
District: <i>9</i> Zoning: <i>R1</i>	Meeting Date: <i>10/21/24</i>	Receipt #:
Submittal Date: <i>12/8/24</i>	Staff Signature: <i>[Signature]</i>	



Report to the Green Bay Plan Commission

MEETING DATE

October 7, 2024

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.6

(ZP 24-34) Consideration with possible action on a request for a Conditional Use Permit for a carriage house at 1824 Tenth Avenue, submitted by Andrew Mevis, property owner. (Ald. Johnson, District 9)

BACKGROUND

Primary Address: 1824 Tenth Avenue

Aldersperson/District: Ald. Johnson, District 9

Reason for Request: To allow for the development of a carriage house

Surrounding Zoning and Land Uses:

Subject Property: Low-Density Residential (RI) | Single-Family Home

North: Low-Density Residential (RI) | Single-Family Homes

South: Low-Density Residential (RI) | Single-Family Homes

East: Low-Density Residential (RI) | Single-Family Homes

West: Low-Density Residential (RI) | Single-Family Homes

Comprehensive Plan: The 2022 Smart Growth Plan currently designates this area for Low Density Residential uses and High Intensity Retail, Office, or Housing. The CUP request is consistent with the recommendations of the Comprehensive Plan.

Report: 1824 Tenth Avenue is a 6,000 square foot parcel, a half-block north of Lombardi Avenue. This parcel has an existing single-family home. The applicant is seeking a Conditional Use Permit for a carriage house on the property.

A new garage is proposed for the parcel, sized 26' x 30' and reaching 22' in height. It will be a two-car garage with living quarters above, making it a carriage house. Carriage houses require a Conditional Use Permit in the RI zoning district. This project also includes work done to the primary structure (house), but that work does not require a CUP. After the improvements, the house will be 23' in height. The primary structure on a property must be taller than the accessory structures, so the new house height is required for the proposed carriage house and reflected in a condition of approval.

Neither the house nor the carriage house plans have been through the City's Site Plan Review process; they will both need to meet all other requirements in the Green Bay Municipal Code (setbacks, impervious coverage, etc.), as well as the Land Use Development Standards for carriage houses which are as follows:

Section 44-1580 (g) Carriage-house dwelling in all residential districts.

(1) A carriage-house dwelling unit shall be located above a detached garage that is accessory to a single-family detached dwelling and located within the rear yard.

(2) Any exterior changes or additions for a carriage-house dwelling shall be constructed of similar materials and

shall be architecturally compatible with the main (principal) building.

(3) The dwelling unit may not contain more than 30 percent of the total floor area on the zoning lot.

(4) There shall be a total of no more than one carriage-house dwelling on a zoning lot.

(5) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for the main (principal) building in the zoning district.

(6) A detached garage with a carriage-house dwelling shall meet all requirements for accessory buildings. If walls of a carriage-house dwelling facing interior lot lines contain windows or other openings, the wall shall be set back at least four feet from the lot line.

(7) There shall be an unobstructed walkway leading from the public street to the carriage-house dwelling.

(8) At least one dwelling unit on the zoning lot shall be owner-occupied.

(9) A site plan and a building plan shall be submitted to the Plan Commission at the time of application for review and approval.

Item(5) cannot be met for this parcel and will require a variance from the Board of Appeals.

Item(6) is not currently being met on their site plan but could be accommodated without a Variance.

Item(7) is not currently being met on their site plan but could be accommodated without a Variance.

Item(8) is listed as a condition of this CUP approval, noting also that only one unit can be a short-term rental unit, as defined by Green Bay Municipal Code.

Conditional use approval may be recommended by the Plan Commission with reasonable consideration of the following:

- The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
- The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.
- Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.
- Adequate parking facilities as specified in Article XVIII of Section 44-83 within the Municipal Code.
- The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable City ordinances.

Staff feels this addition of a carriage house to this parcel is in keeping with both the existing neighborhood fabric, as well as the Comprehensive Plan's recommendation for higher density in this area. If the applicant can adjust their site plan to meet bulk requirements and/or receive a Variance from the Board of Appeals concerning lot size, this use and site should function much like it does today while adding a housing unit to the market.

Ald. Johnson and adjacent property owners within 200 ft. of the subject area have been notified of the request. There have been no inquiries regarding this request as of the drafting of this report.

RECOMMENDATION

Approval of the request, subject to the following conditions:

- I. An approved Variance for Section 44-1580(g)(5) relating to lot size for carriage houses.

2. The height of the primary structure (house) shall exceed the height of the accessory structure (carriage house) at the time of occupancy of the carriage house.
3. At least one unit on this parcel shall be owner occupied.
4. Only one unit on this parcel is allowed to be a short-term rental (as defined by Green Bay Municipal Code).
5. Compliance with all other regulations of the Green Bay Municipal Code.

FISCAL IMPACT

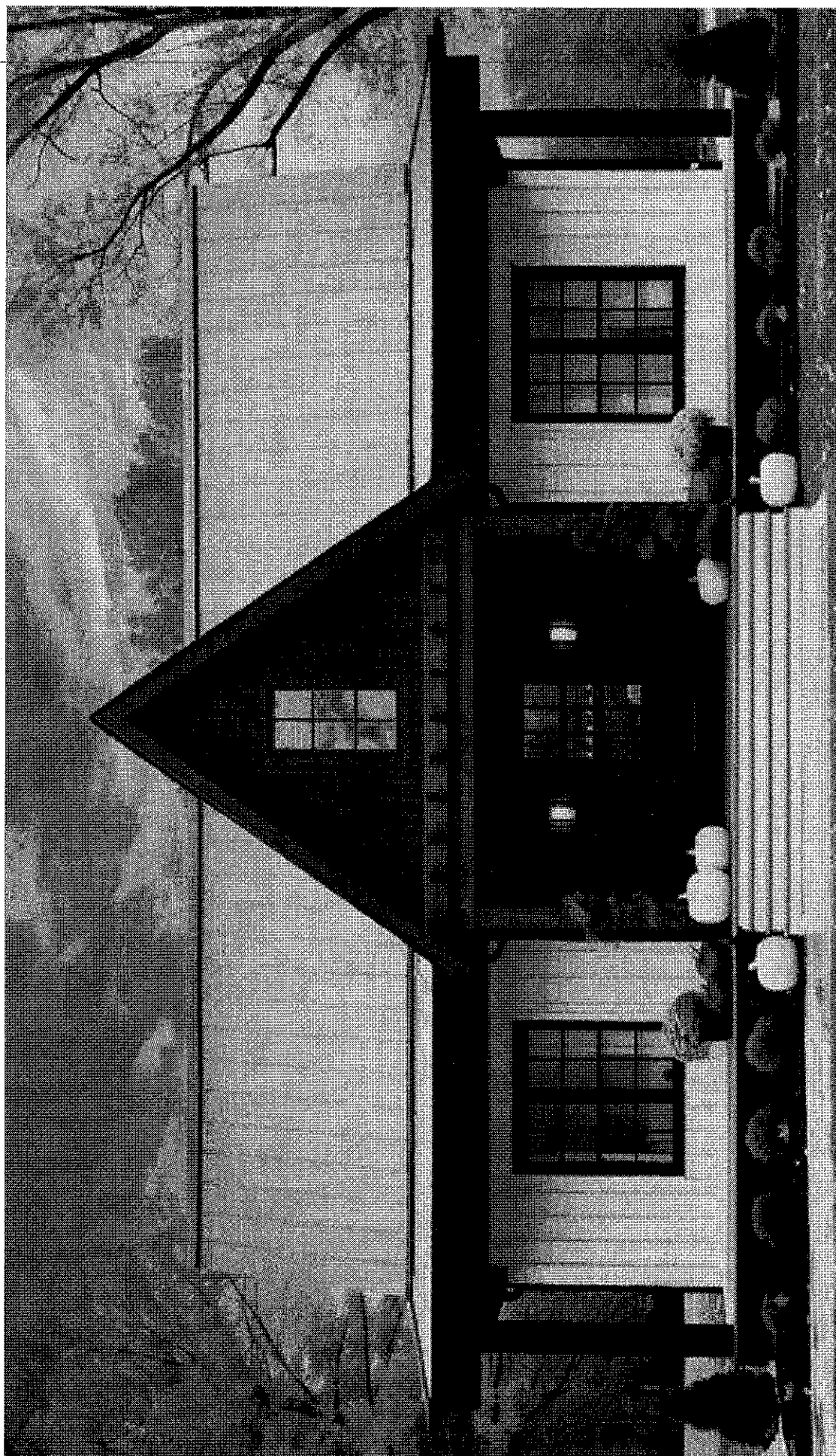
ATTACHMENTS

1. ZP 24-34 Map
2. ZP 24-34 Street View
3. ZP 24-34 Carriage House Details
4. ZP 24-34 Site Plan
5. ZP 24-34 House Details
6. ZP 24-34 Project Narrative
7. ZP 24-34 Application

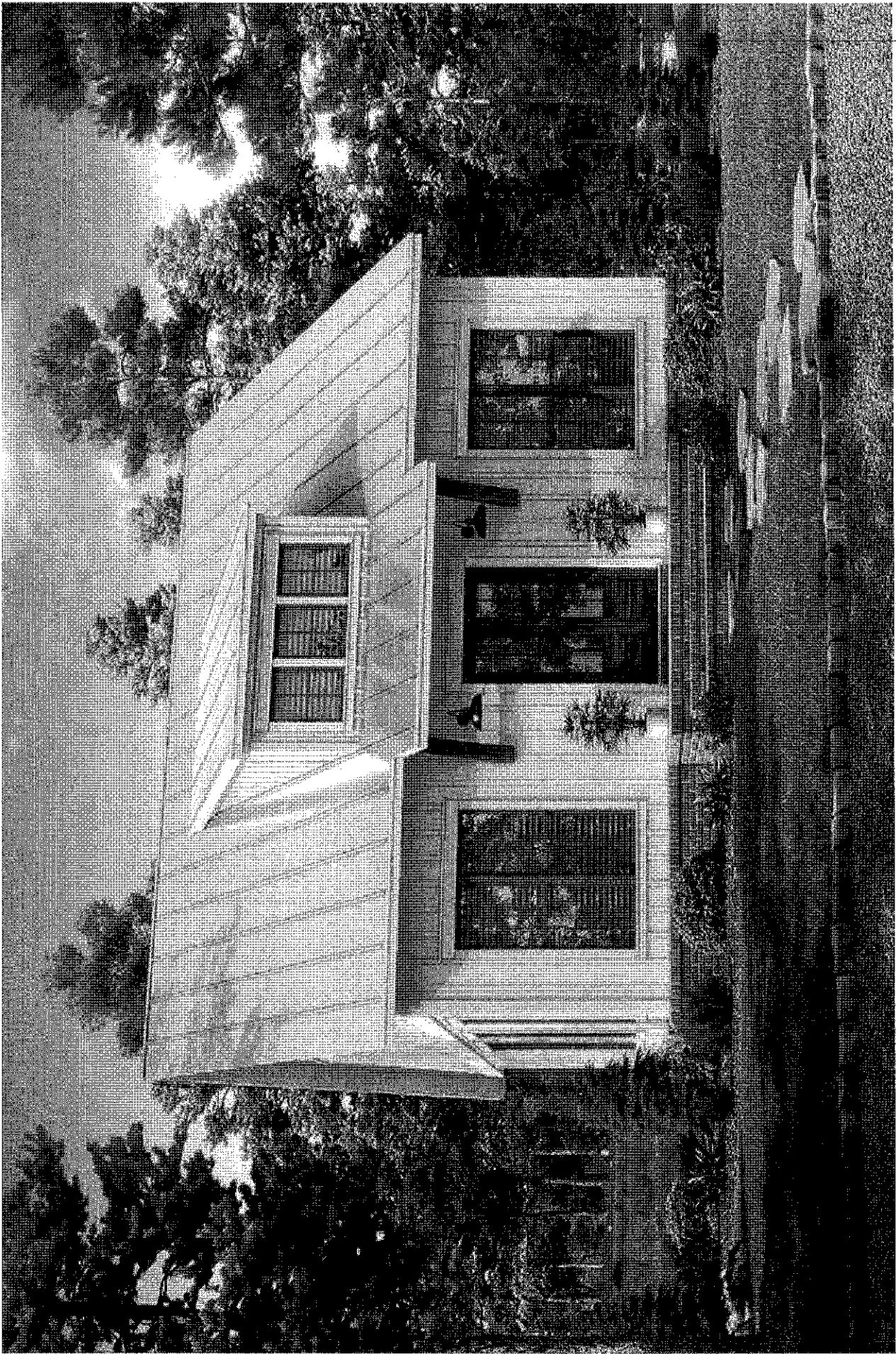
26 x 26 ADU GARAGE				
FOUNDATION & FLOORING				
QTY	MATERIAL	SIZE	AREA	PURPOSE
20	2x16 Engineered Wood Joist @ 16" O.C	25'-2"		First Floor
20	3/4" Subfloor	4'x8'	630 SF	First Floor
20	Hardwood Flooring(F-60)	4'x8'	630 SF	First Floor
EXTERIOR WALLS				
QTY	MATERIAL	SIZE	AREA	PURPOSE
6	2x6 Top and Bottom Plate	28'-0"		Garage Floor Exterior Wall Framing
6	2x6 Top and Bottom Plate	25'-1"		Garage Floor Exterior Wall Framing
79	2x6 Wall Studs @ 16"	8'-0"		Garage Floor Exterior Wall Framing
6	2x6 Top and Bottom Plate	28'-0"		First Floor Exterior Wall Framing
6	2x6 Top and Bottom Plate	25'-1"		First Floor Exterior Wall Framing
88	2x6 Wall Studs @ 16"	8'-0"		First Floor Exterior Wall Framing
10	2x10 Water Table Board	12'-0"		Exterior Facade
-	1/2" Exterior Sheathing	-	1591 SF	Exterior Facade
150	Wood Furring	8'-0"		Exterior Facade
-	Exterior Siding	-	1591 SF	Exterior Facade
INTERIOR WALLS				
QTY	MATERIAL	SIZE	AREA	PURPOSE
15	2x4 Wall Stud @ 24"	8'-0"		Interior Wall Stud and Plates on Ground Floor Level
41	2x4 Wall Stud @ 24"	8'-0"		Interior Wall Stud and Plates on First Floor Level
CEILING AND ROOFING				
QTY	MATERIAL	SIZE	AREA	PURPOSE
44	2x10 Ceiling Joists @ 16" O.C	13'-0"		Ceiling
38	2x10 Roof Rafters @ 16" O.C	16'-0"		6/12 Pitched Roof
3	2x10 Lumber	14'-0"		Main Ridge tie
22	2x10 King Post @ 16" O.C	6'-6"		6/12 Pitched Roof
44	2x10 Roof Struts @ 16" O.C	8'-0"		6/12 Pitched Roof
44	2x10 Roof Struts @ 16" O.C	8'-6"		6/12 Pitched Roof
44	2x10 Roof Struts @ 16" O.C	4'-6"		6/12 Pitched Roof
44	2x10 Roof Struts @ 16" O.C	2'-1"		6/12 Pitched Roof
6	2x10 Engineered Roof Rafters @ 16" O.C	22'-0"		12/12 Pitched Roof
38	2x10 Roof Rafters @ 16" O.C	2'-0"		12/12 Pitched Roof
11	2x6 Roof Rafters @ 24" O.C	2'-6"		4/12 Pitched Roof over Garage Door
22	6/12 Pitched Roof			
-	Plywood Sub-roofing Boards	4'x8'	805 SF	Sub-roofing Materials
-	Underlayment	-	805 SF	Waterproofing Roofing Layer
-	Metal Decking	-	805 SF	Roofing
4	12/12 Roofing			
-	Plywood Sub-roofing Boards	4'x8'	174 SF	Sub-roofing Materials
-	Underlayment	-	174 SF	Waterproofing Roofing Layer
-	Metal Decking	-	174 SF	Roofing
2	4/12 Roofing over Garage Door			
-	Plywood Sub-roofing Boards	4'x8'	68 SF	Sub-roofing Materials
-	Underlayment	-	68 SF	Waterproofing Roofing Layer
-	Metal Decking	-	68 SF	Roofing
STAIRS				
QTY	MATERIAL	SIZE	AREA	PURPOSE
2	2x12 Stairs Stringer	16'-0"		Stairs
16	Stairs Tread	0'-2" x 0'-9" x 3'-0"		Stairs
17	Stairs Riser	0'-2" x 0'-6" x 3'-0"		Stairs
1	Railing	24'-0"		Stairs

Disclaimer: The purpose of the material list provided here is for reference only, please consult your builder or GC for an official takeoff for the construction phase. Due to various building methods and builder preferences, some materials might differ than the list provided here. It is recommended you consult your local engineer or architect before starting the building process. Build Blueprint is not responsible for any issues or damages during any building projects.

House Plan

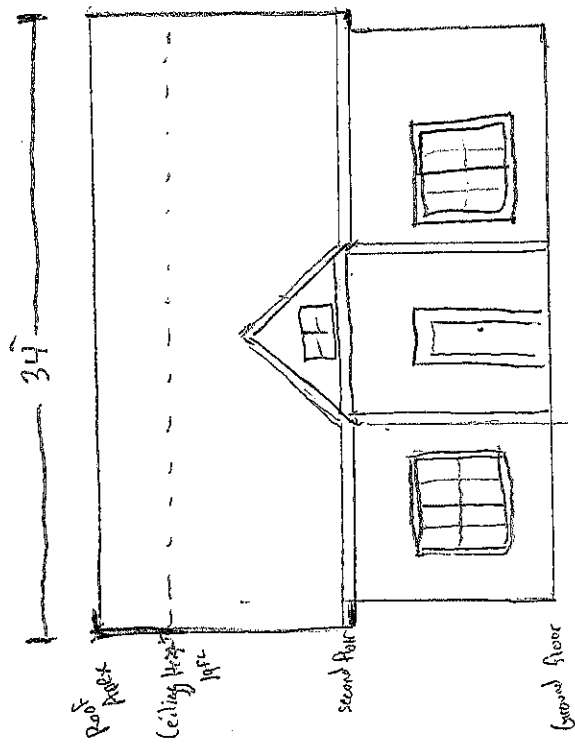


House Plan

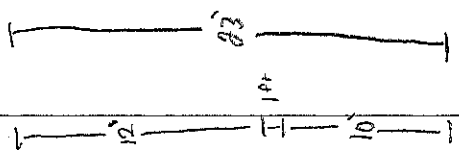
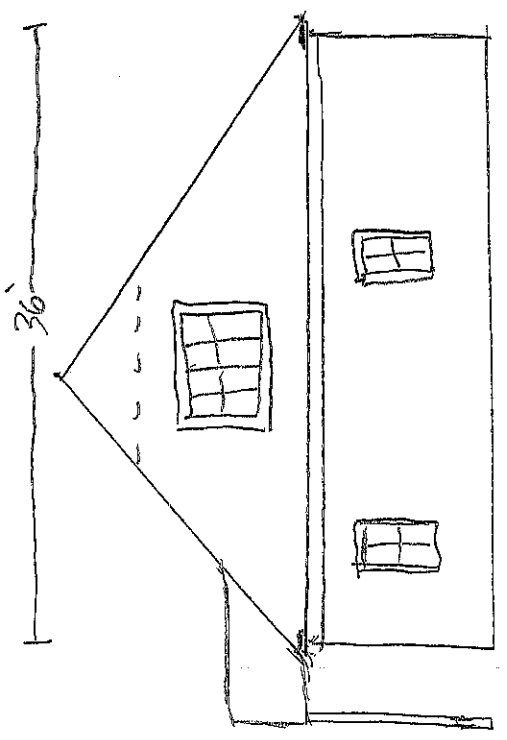


House Elevation

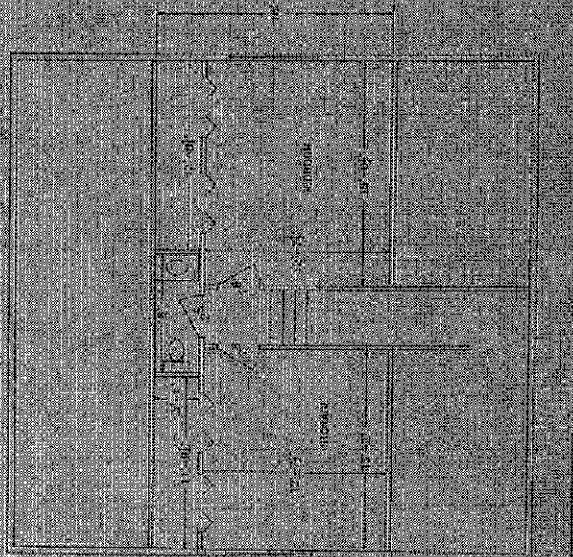
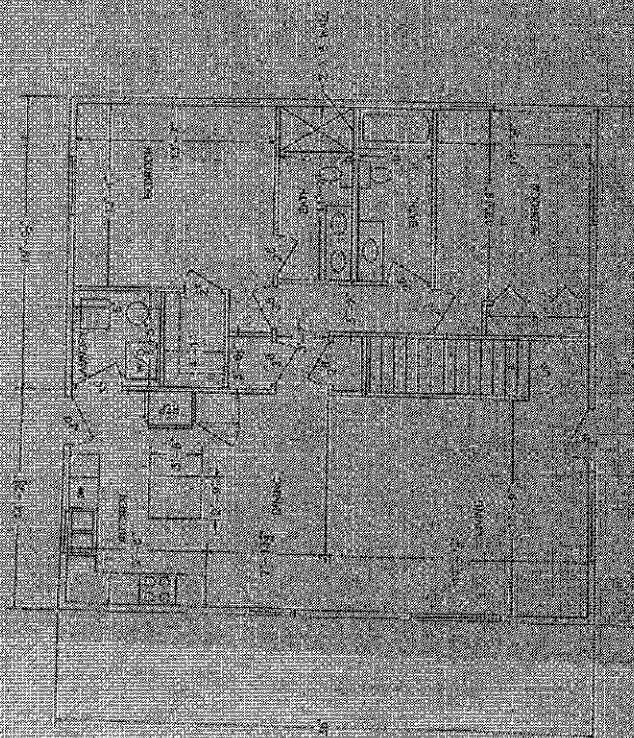
Front



Side



House Plans



25B15

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THE UNIVERSITY OF CHICAGO

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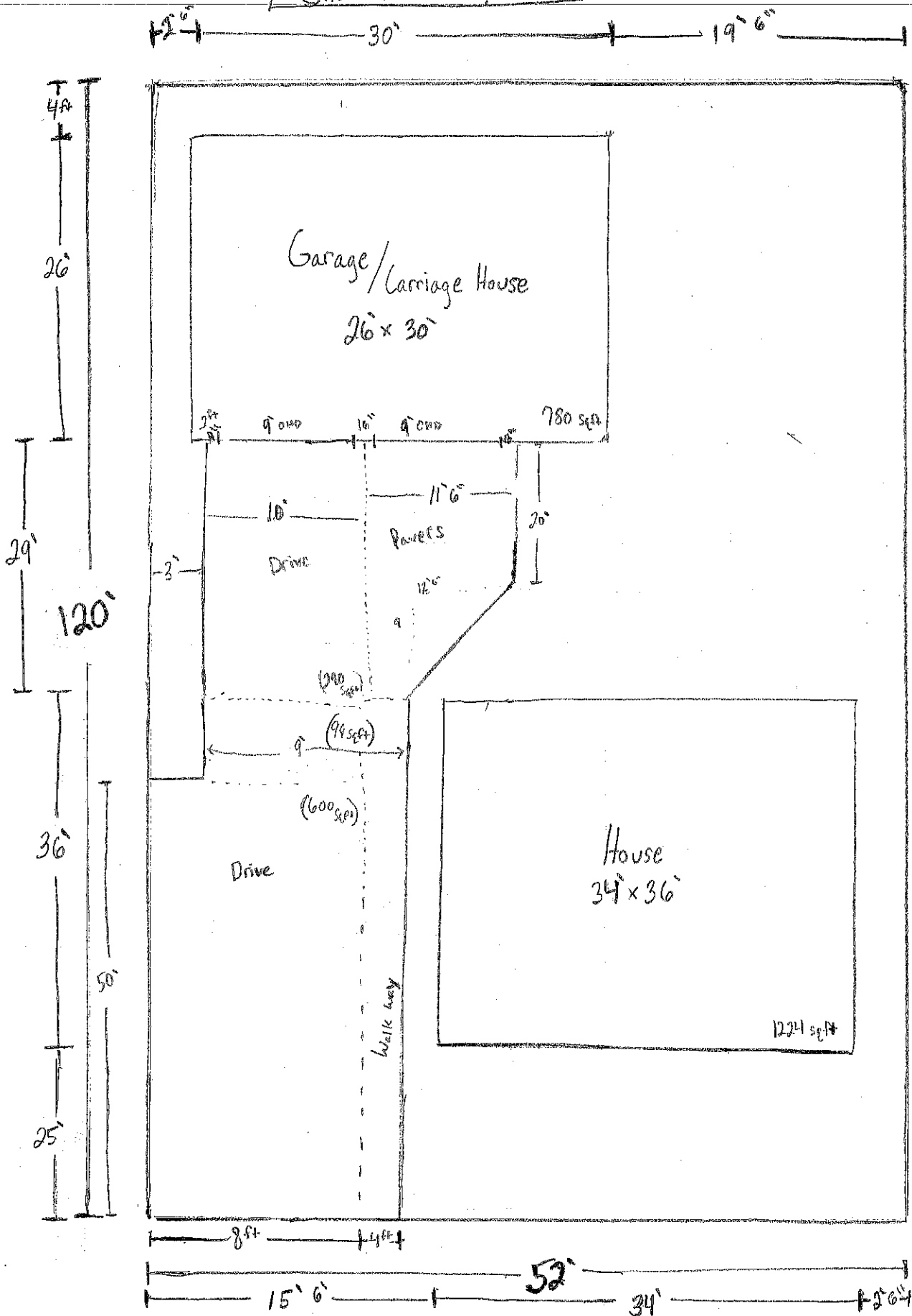
THE UNIVERSITY OF CHICAGO

PLATE 22



1874 Tenth Ave Green Bay WI, 54304

Site Plan Layout



Impervious
2,993



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

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.8

(Appeal 24-36) Consideration with possible action on a variance request from Dalton Ruesch of Ruesch Properties LLC, applicant and property owner, seeking to exceed bulk requirement, landscaping, and impervious surface standards to construct a parking lot for a multi-family residence in an (OR) Office-Residential zoned property at 814 Pine Street. (Ald. A. Profitt, District 7)

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 5 variances from the Green Bay Municipal Code, Chapter 44, Zoning:

44-1964(1)(b) Perimeter Landscape Buffer. The following buffers shall be at least 25 feet wide:

- a. Buffers for non-residential or multifamily buildings of two or more stories when adjacent to residential zoned property or property used for residential purposes. **Applicant seeks a buffer of 2.5 feet along west side of parking lot and 3.0 feet along south side of property adjacent to residential used properties.**

44-1964(2) Buffer Design.

- a. Buffer areas shall consist of either a masonry wall, fence, berm, plantings, or a combination thereof that forms a screen a minimum of four feet in height and not less than 90 percent opaque on a year-round basis. Screening located along front and corner side yards is limited to four feet in height and not less than 90 percent opaque on a year-round basis and shall effectually block automobile headlights from trespass on roads or adjacent property.
- b. Buffers shall be landscaped with at least one tree and five shrubs for every 50 linear feet. Soil volumes and depths associated per tree type (small, medium or large) shall be determined by the Director of Community Development or their designee, in consultation with the City Forester, but shall not be greater than 1,200 cubic feet of volume or three feet of depth.
- c. Buffers may be interrupted for necessary pedestrian and vehicle access.
- d. Buffer designs included in an approved stormwater management plan under Chapter 16 of this Code shall be constructed in accordance with said plan. Any combination of fencing and plantings may be used, provided the degree of opacity and screening required in this section is achieved. **Applicant seeks to not meet the 90 percent opaque buffer. Applicant seeks to plant 10 emerald green trees along southern portion of the lot rather than meet requirements for buffer design along south and west edge of new parking lot.**

44-1965 (2) Landscape Islands.

- a. Landscape islands shall be provided at the end of each parking row and within the row of parking spaces so that there are no more than 15 consecutive parking spaces without a landscape island. An alternative to landscape islands at the end of each parking row and within rows is the incorporation of a landscaped median as described in Section 44-1965. **Applicant seeks to create landscape islands without landscaping at end of row along alley.**

44-1774(g) Driveway Throat Length.

- The minimum permitted throat length of access drives serving parking lots is 18 feet, as measured from the right-of-way/property line along the centerline of the access drive to the access point of any parking stall within the parking facility, as depicted below. In no case shall the driveway throat length be less than the required setback. **Applicant seeks variance permitting 2.6' throat.**

44-620, Table 44-6 (OR District).

- Maximum impervious surface for OR district is 60 percent. **Existing impervious surface is approximately 59 percent of property. Applicant seeks 70 percent.**

The applicant seeks to create a 16 stall parking lot to be used for the purposes of on-site and shared parking for multifamily residential facilities located along Pine Street. An existing 7 stall parking lot is currently located off the alley in the mid-block of Pine/Cherry/Van Buren/Jackson. Those stalls service 31 apartment units. Currently, the apartments are served by 27 parking stalls. The proposed addition will bring the total to 36 stalls. The minimum requirement for 31 units is 39 parking stalls. The amount of stalls is legal conforming at this time.

A site plan has been attached. Please note, the property line shown dividing the parking lot is not accurate. The parcels were combined, and the existing property boundary follows the western and southern lot lines and consequently along the adjacent alley to the east.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 24-36 Application
2. 24-36 Site Plan
3. 24-36 Aerial



ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

DATE:	10-7-24	PROJECT #:	APPEAL #:
APPLICANT INFORMATION:			
Name: Dalton Ruesch			
Business Name: Ruesch Properties			
Address: 1241 Bellevue St			
City, State, Zip: Green Bay WI 54302			
Phone: 7154593263			
Email: daltonruesch@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: 814 Pine St. Green Bay WI.			
Tax Parcel Number(s): 10-43			
Describe the Variance Request:			
I am requesting a variance to install a parking lot located at 814 Pine St. This parking lot will work in conjunction for both 814 Pine St and 822 Pine St.			
Total of 31 Apartment Units. This proposed parking lot is essential to accomodate the needs of the residents at this property.			
Variance Requested: 1. Impervious Surface Area: The current zoning regulations limit the amount of impervious surface are that can be installed on the property.			
It is important to note that this parcel wast never in copmliance. Adding the lot and parking area will keep the a similar % of impervious areas on this lot.			
2. Parking Lot Setbacks: This zoning ordiance specifies minimum setback requirements for parking lots from property lines. The design of the proposed			
parking lot wil not fully meet these setback standards due to the characateristics of the lot and its surrounding environments.			
A variance is requested to allow for reduced setbacks. Fences and shrubs will be used for a buffer zone with neighboring properties.			

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

The unique characteristics of the property, including its size and location warrant consideration for these variances to ensure that residents have access to parking. The current property is not in compliance with impervious areas nor is it compliant with adequate parking.

By adding this lot to the parcel and building a new parking lot we will not be changing the % of impervious area and we will have 36 parking stalls rather than 27 parking stalls for our 31 apartments.

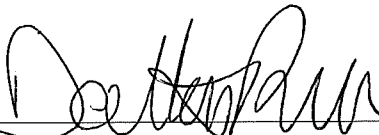
Would granting the variance be contrary to the public interest? Explain.

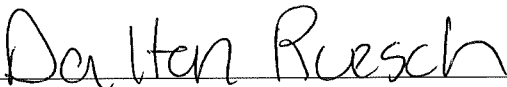
Granting these variances will not negatively impact the surrounding properties or the community. The design incorporates landscaping and fences to mitigate and potential adverse effects. A portion of this area is already used as parking and is right off an alleyway. This parking lot expansion will enhance the area with a new fence and shrubs. This parking lot will also provide residents and guests to allow for more parking off the road providing safety for pedestrians.

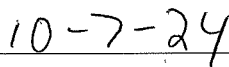
Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

1. Inadequate Parking- The primary concern is the lack of adequate parking for the 31 unit apartments. Without the variance, the property does not have enough space to accommodate the number of parking spots, which leads to inconvenience for residents. This discourages potential tenants and affects occupancy.
2. Increased Strain on Local Infrastructure- If the parking lot cannot be constructed it leads to current overflow onto surrounding streets. This exacerbates parking issues in the neighborhood and creates safety hazards, as vehicles may be parked inappropriately or in ways that obstruct traffic flow. Not receiving the variances significantly hinders the ability to effectively use the property for its intended purpose and impose challenges to the residents and neighborhood that are not aligned with the goals of providing quality housing.

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


Print Name


Date

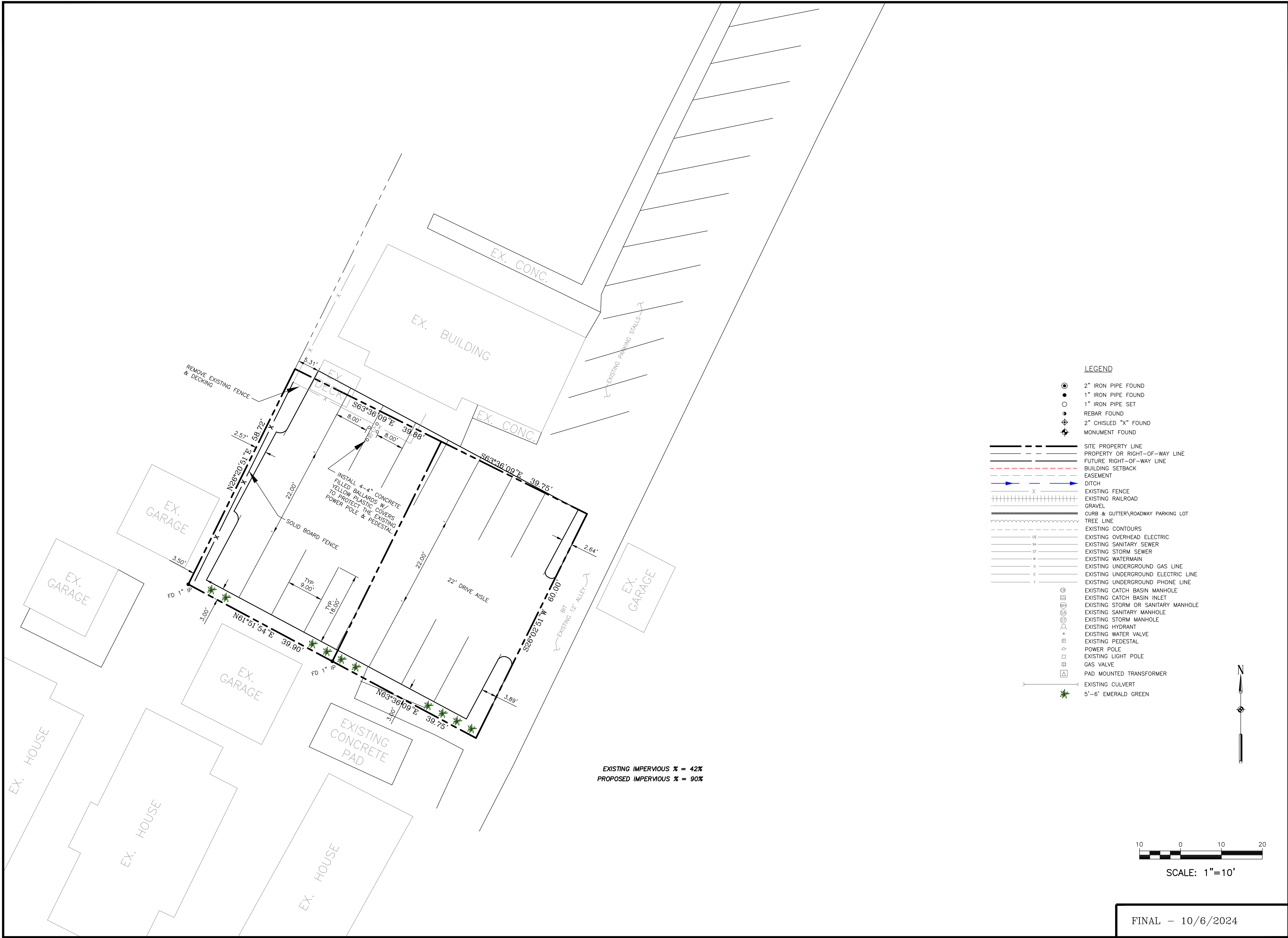
Signature of Applicant (working as “Agent” for owner)

Print Name

Date

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

FX\2024_Plan_Sit Parking Lot\Site Plan 100624.dwg

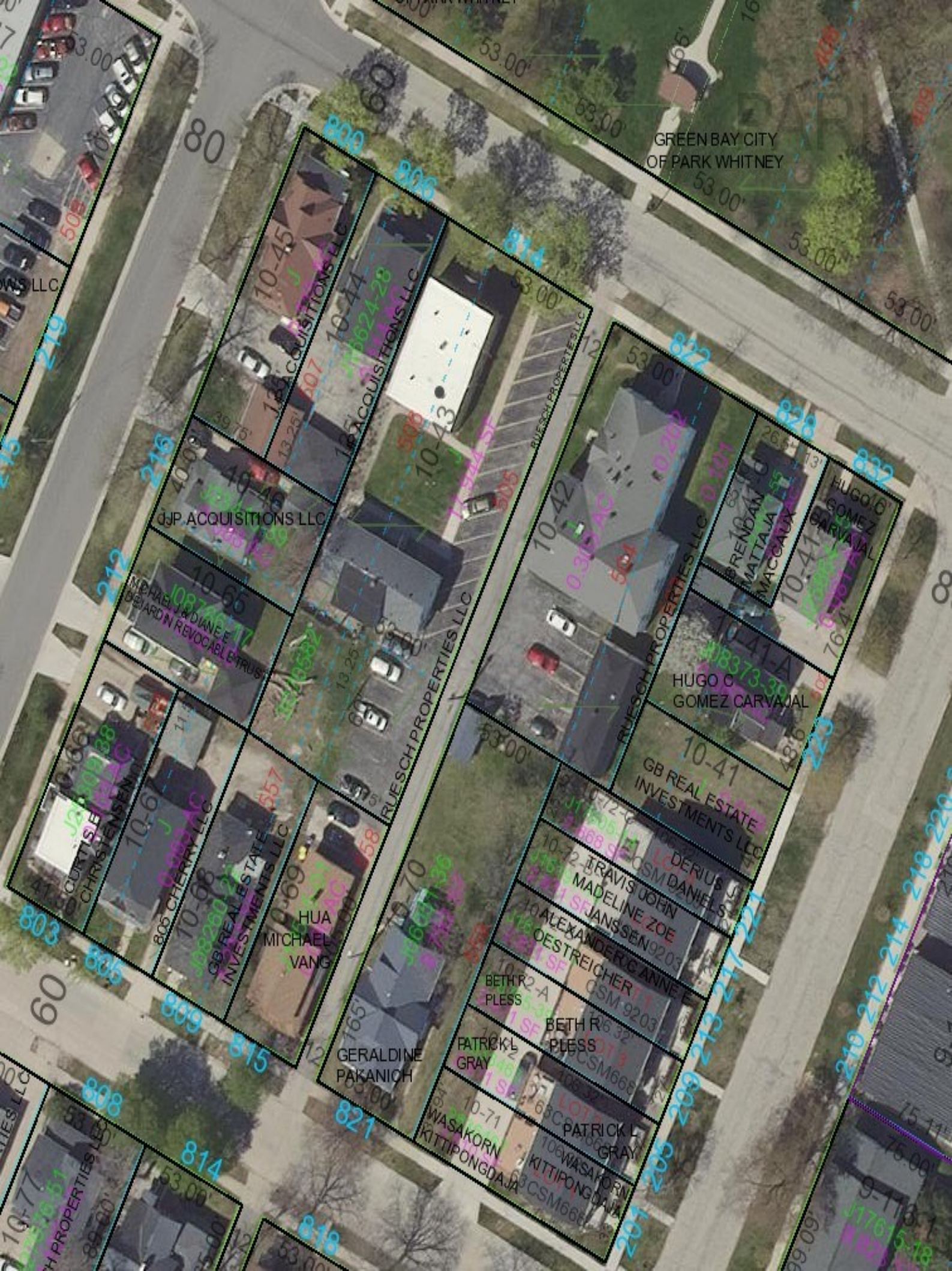


RELEASE	DATE:	BY:
Project Review		
5		
4		
3		
2		
1		
NO.	DATE:	BY:
DESCRIPTION		
REVISIONS		
JMM CONSULTING, LLC 840 CHALLENGER DRIVE - SUITE 140 Green Bay, WI 54311-8351 Phone: 920/592-9606 Fax: 920/592-9613 CONSULTING ENGINEERS		
SITE PLAN		
DRAWN BY: MJE		
DATE: 10/6/2024		
SCALE: 1" = 10'		
DRAWING NO.		
2		



SCALE: 1"=10'

FINAL - 10/6/2024



GREEN BAY CITY
OF PARK WHITNEY

JJP ACQUISITIONS LLC

10-66
MICHAEL J & DIANE E
DEARDIN REVOCABLE TRUST

10-68
GB REAL ESTATE
INVESTMENTS LLC

HUA
MICHAEL
VANG

GERALDINE
PAKANICH

10-71
WASAKORN
KITIPONGDAJ

BETH R
PLESS

PATRICK L
GRAY

10-72
TRAVIS JOHN
MADELINE ZOE

10-73
ALEXANDER CANNEE
OESTREICHER

10-74
DERIUS J
OSM DANIELS

10-75
JANSSEN ZOE
OSM 9203

10-76
BETH R
PLESS

10-77
PATRICK L
GRAY

10-78
WASAKORN
KITIPONGDAJ

10-79
BETH R
PLESS

10-80
PATRICK L
GRAY

10-81
WASAKORN
KITIPONGDAJ

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PATRICK L
GRAY

10-84
WASAKORN
KITIPONGDAJ

10-85
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Report to the Zoning & Planning Board of Appeals of the City of Green Bay

MEETING DATE

October 21, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.9

(Appeal 24-37) Consideration with possible action on a request from Garritt Bader of DJG West Mason LLC, property owner and applicant, seeking to permit signage of a user which is not located on the same property at 2415 W Mason Street. (Ald. M. Eck, District 11)

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:

- **30-4, General Provisions: All signs allowed by this chapter shall be limited to on-premises signs, except where otherwise specifically noted.**
- **30-36, Table 30-2. One freestanding sign is permitted per frontage.** The applicant seeks to have two signs on one pole sign at 2415 W Mason Street, one of which is for the user of the property (Verizon) and one for an off-premise user (Dollar Tree).

The applicant seeks to place an additional freestanding sign on an off-premises parcel for a nearby Dollar Tree Store which is located at 2405 W Mason Street. The applicant is seeking to place a second sign on a freestanding mount at 2415 W Mason Street. This parcel has a retail use for a Verizon Wireless shop. The applicant is seeking to place an additional sign for a Dollar Tree user which is located off property, to the east and south of the Verizon store.

An applicant can propose a freestanding sign both along West Mason Street frontage and Hinkle Street frontage for the Dollar Tree site user as there are two frontages for the corner lot. Section 30-4, General Provisions, notes all signs allowed by this chapter shall be limited to on-premises signs, except where otherwise specifically noted. Chapter 30-36 are code sections which specifically relate to signage for commercial districts. The underlying zoning of this parcel is general commercial.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Variance Request Form - 10.8.24
2. Variance Letter - 10.8.24

3. Variance Exhibit - Sign Rendering
4. Variance Exhibit - Site Plan
5. 24-37 View From West Mason at Future Intersection
6. 24-37 Aerial

[illegible]

[illegible]

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

Garritt R. Bader

Print Name

October 7, 2024

Date

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

Garritt R. Bader

Print Name

October 7, 2024

Date

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

Members of the Zoning & Planning Board of Appeals:

This request of you today is to approve an off-premises sign for the Property (Parcel No. 6H-1109, 2405 W. Mason Street) as part of a much larger improvement plan for this area being undertaken in coordination with the city's Planning & Economic Development departments that will do the following:

- Extend Hinkle Street southward to improve north-south access along with the Frontage Road / Hinkle Street / Mason Street intersection;
- Develop 40 new homes along the newly extended Hinkle Street; and
- Redevelop and develop new commercial properties along West Mason Street, all-together adding millions in new property development and tax revenue.

The Property (6H-1109) is being redeveloped for Dollar Tree. The adjacent parcel to the northwest (6H-1109-1) is occupied by Verizon, and both properties currently share a driveway to the Frontage Road along with customer parking. To the casual observer, the two parcels act as "one."

This request is to allow Dollar Tree, a separate tax parcel, to have sign panels on the existing pylon sign of Verizon, a separate tax parcel. (Please see accompanying sign rendering).

THREE STEP TEST QUESTIONS AND RESPONSES:

#1: Do unique physical characteristics of the property prevent compliance with the ordinance?

Yes. As part of this overall neighborhood improvement plan that will extend Hinkle Street, new right-of-way for the extended Hinkle Street exists in portions of what used to be the Property's. The street extension wasn't possible without this dedication, but the dedication eliminated feasible locations for a separate pylon sign for the Property that would meet code but not interfere with intersection design—as well as the existing driveway to the Frontage Road serving both the Property and the Verizon parcel.

#2: Would granting the variance be contrary to the public interest?

No, quite the opposite. As noted above, the Dollar Tree and Verizon parcels act as "one" given their shared driveway and customer parking design. The parcel line separating the two parcels is less than 50 feet away from the existing Verizon pylon, and having two users on one pylon would eliminate the "blight" of a separate pylon sign within that 50 feet (which is the only place code would allow).

In fact, this approval will hopefully set the stage for a future shared monument sign that would display both of these users, as well as other new commercial users to the west, eliminating multiple unsightly pylon signs with one aesthetically attractive monument sign near the Mason & Hinkle intersection. This potential signage planning can be determined in the near future when new street planning is finalized.

GB Real Estate Investments, LLC
Licensed Wisconsin Brokerage
Garritt R. Bader
300 N. Van Buren Street, Green Bay, WI 54301
Phone: (813) 500-0296 • E-Mail: gb@gb-re.com
www.gb-re.com

#3: Why would not receiving the variance unreasonably prevent use of the Property for a permitted purpose, or render conformity with such restrictions unnecessarily burdensome?

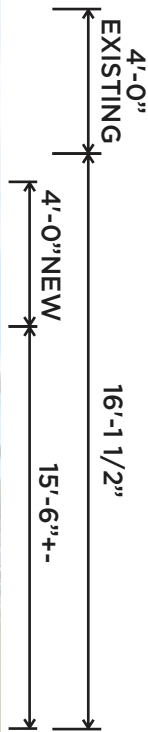
Per current code, the parcel has the right to have a pylon sign installed even as the potential locations for it are extremely limited due to the above-referenced site constraints.

Lack of properly located signage could reduce marketability and visibility of the property (and Verizon), and subsequently the ability for the users, or future users, to be successful. To ensure the highest chances of success, and thus success of adjacent parcels as well, this variance to allow the shared sign is vital. Plus, as noted above, it could be the first step toward a holistic, multi-parcel shared monument sign that is of high quality and reflective of the neighborhood improvements being advanced.

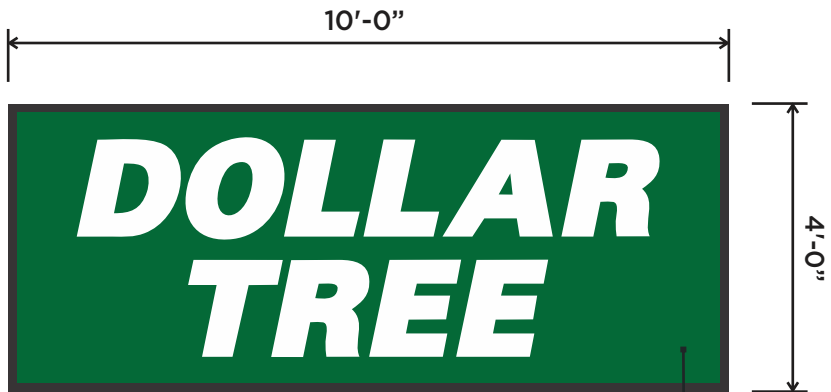


SCALE: 3/16"=1'-0"

PROPOSED



NIGHT VIEW



SCALE: 3/8"=1'-0"

SPECIFICATIONS

(2) SINGLE FACE CABINETS CABINETS

Face Material: .150 Polycarb
Extrusion: 6"
Retainer: 1 1/2"
Sides Enclosed w/Aluminum
Color: Paint to Match SW 7075 Web Grey / MP 36597
Illumination: Lit w/LEDs
Voltage: 120v-277v

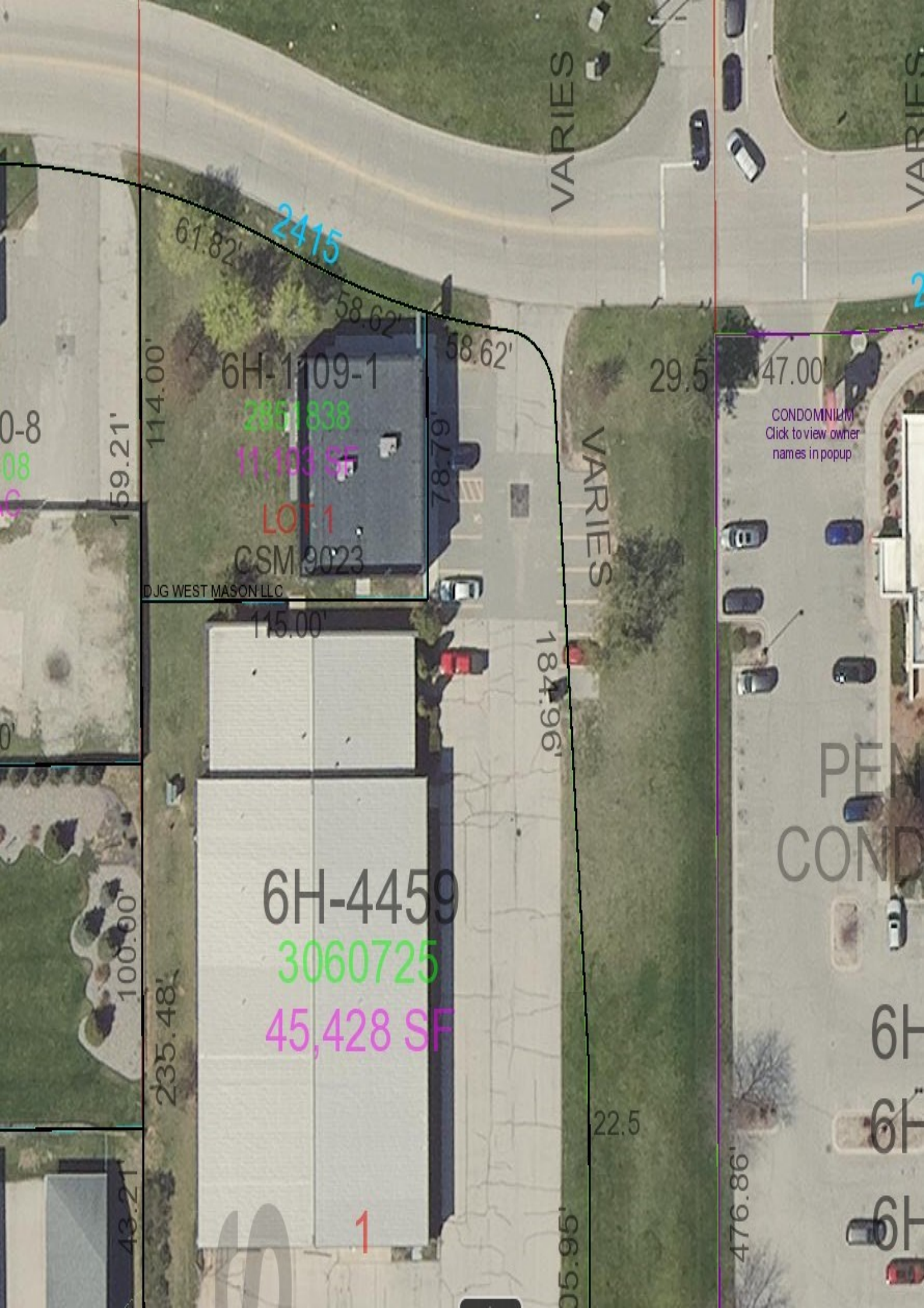
DOLLAR TREE GRAPHICS
Produced & Installed by Others

MOUNT
To Existing 11" Steel Pole

SQ. FEET
Total: 40



Eb W Mason Frontage Rd



2415

61.82'

58.62'

58.62'

6H-1109-1

2851838

11,103 SF

LOT 1

CSM 9023

DJG WEST MASON LLC

159.21'

114.00'

78.79'

184.96'

115.00'

6H-4459

3060725

45,428 SF

100.00'

235.48'

43.21'

1

55.95'

22.5

476.86'

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VARIES

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Click to view owner names in popup

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