



MINUTES 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

Present: Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz , Joshua Koch

Excused:

Absent: Benjamin Andrews

C. APPROVAL OF THE AGENDA.

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

Board of Appeals.

Moved by Barbara Dorff, seconded by Steven Schuchart to approve the agenda.

Motion Passed.

Yes-Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Joshua Koch,

No- None, Abstain-None.

D. APPROVAL OF MINUTES.

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

Moved by Barbara Dorff, seconded by Joshua Koch to approve the minutes.

Motion Passed.

Yes-Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Joshua Koch,

No- None, Abstain-None.

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 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 constructed a parking stall alongside a garage located between the building and the 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 constructed a triangle taper, but the taper begins past the property line and the dimensions are not precisely documented, but it is evident that the taper extends beyond the property line.

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the

Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halvorsen affirmed Jon LeRoy

Chair Noel Halvorsen affirmed Sounthavy Sanavongsay

Speaker:

Sounthavy Sanavongsay - 2041 Oakwood Dr.

Moved by Joshua Koch to deny single stall driveway between garage and front yard (Relating to Sec. 44-1747 (3)(c.)).

Motion was not seconded by another member.

Motion Failed.

Discussion among the Board continues:

Moved by Barbara Dorff, seconded by Corey Bogenschutz to approve single stall driveway between garage and front yard (Relating to Sec. 1747 (3) (c.)).

Motion Passed to Approve.

Yes-Noel Halvorsen, Barbara Dorff, Corey Bogenschutz, No-Steven Schuchart, Joshua Koch, Abstain-None.

Moved by Barbara Dorff, seconded by Steven Schuchart to deny triangle taper extending past right of way (Relating to Sec. 44-1746 (3) c.).

Motion Passed to Deny.

Yes-Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Joshua Koch, No-None, Abstain-None.

2. (Appeal 24-30) Consideration with possible action on a variance request from Therese and Mark Rufledt, 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 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.

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halvorsen affirmed Jon LeRoy

Chair Noel Halvorsen affirmed Mark Rufledt

Chair Noel Halvorsen affirmed Therese Rufledt

Speakers:

Mark Ruffedt, 461 Breccia Way

Therese Ruffedt, 461 Breccia Way

Moved by Joshua Koch, seconded by Barbara Dorff to approve a 6-foot-tall solid fence along the eastern side yard lot line extending into the front yard and ending 10 feet from the front ROW of Breccia Way.

Motion Passed to Approve.

Yes-Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz, Joshua Koch,

No- None, Abstain-None.

Joshua Koch excused from the meeting at approximately 5:15 pm.

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 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. 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.

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halvorsen affirmed Jon LeRoy

Chair Noel Halvorsen affirmed William Schneider

Speaker:

William Schneider, 3063 Gilbert Dr

Moved by Noel Halvorsen, seconded by Steven Schuchart to enter closed session.

Motion Passed to Approve.

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

Zoning and Planning Board of Appeals went into closed session.

Moved by Barbara Dorff, seconded by Steven Schuchart to return to regular session.

Motion Passed to Approve.

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

Zoning and Planning Board of Appeals returns to open session.

Moved by Steven Schuchart, seconded by Corey Bogenschutz to deny the appeal to allow a parking stall 20 feet in width alongside a garage.

Motion Passed to Deny.

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

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 1751 East Shore Circle. (Ald. J. Prestley, District 6)

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.

Chair Noel Halverson affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halverson affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halverson affirmed Jon LeRoy

Chair Noel Halverson affirmed John Kraft

A letter from Leann Seidl-Kollmer and Seth Kollmer of 1737 East Shore Circle, Green Bay was read.

Speaker:

John Kraft - 1751 East Shore Dr

Moved by Barbara Dorff, seconded by Corey Bogenschutz to approve an extension of 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.

Motion Passed to Approve.

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

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 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.

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halvorsen affirmed Jon LeRoy

Chair Noel Halvorsen affirmed Ken Falish

Chair Noel Halvorsen affirmed Paul Collins

Speaker:

Paul Collins - Triple S Properties LLC

Moved by Steven Schuchart, seconded by Barbara Dorff to approve 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.

Motion Passed to Approve.

Yes-Noel Halvorsen, Steven Schuchart, Corey Bogenschutz, No-None, Abstain-None.

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 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.

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halvorsen affirmed Jon LeRoy

Chair Noel Halvorsen affirmed Quan Hoang

A letter from Otis Felty of 1526 Shawano Avenue, Green Bay was read.

Speakers:

Quan Hoang - 1508 Shawano Ave

Moved by Corey Bogenschutz, seconded by Steven Schuchart to deny the appeal to allow a turnaround drive/parking stall in the front yard.

Motion Passed to Deny

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

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 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.

Chair Noel Halverson affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halverson affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.

Chair Noel Halverson affirmed Jon LeRoy

Chair Noel Halverson affirmed Andrew Mevis

Speaker:

Andrew Mevis - 1824 Tenth Ave

Moved by Corey Bogenschutz, seconded by Steven Schuchart to approve a carriage house on a parcel which is 4000 square feet less than the minimum required standard (6000 square foot lot).

Motion Passed to Approve.

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

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 applicant seeks five variances from the Green Bay Municipal Code, Chapter 44:

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 the 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.

Applicant seeks to plant 10 emerald green trees along southern portion of the lot rather than meet requirements for buffer design along the south and west edge of new parking lot.

44-1965 (2) Landscape Islands.

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.

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the

Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.
Chair Noel Halvorsen affirmed Jon LeRoy
Chair Noel Halvorsen affirmed Dalton Ruesch

Speaker:
Dalton Ruesch - 814 Pine St.

Discussion occurs amongst Board members and applicant. After discussion, applicant does not seek 44-1964(2) Buffer Design variance. Four remaining variance questions.

Moved by Barbara Dorff, seconded by Steven Schuchart to approve a 16-stall parking lot with relief in the following variances:
44-1964 (1)(b), permit buffer width to be reduced on west (2.5 feet) and south side (3.0 feet) of property.
44-1965 (2), permit no landscaping at the island adjacent to the alley.
44-1774(g), permit a 2.6' driveway throat.
44-620, Table 44-6, permit 70 percent impervious surface maximum.
Motion Passed to Approve.
Yes-Noel Halvorsen, Steven Schuchart, Barbara Dorff, Corey Bogenschutz, No-None, Abstain-None.

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 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-premises user (Dollar Tree),

Chair Noel Halvorsen affirmed the Board of Appeals Board Members on having any conflict of interest. All Board members affirmed that they do not. Chair Noel Halvorsen affirmed the Board of Appeals Board Members on receiving any communication about this matter. All Board members affirmed that they have not.
Chair Noel Halvorsen affirmed Jon LeRoy
Chair Noel Halvorsen affirmed Garritt Bader

Speaker:
Garritt Bader - 2415 W Mason St

Moved by Board Member Steven Schuchart, seconded by Barbara Dorff to approve two signs on one pole sign at 2415 W Mason, one of which is for the user of the property (Currently: Verizon) and one off-premises user (Currently proposed Dollar Tree). Condition placed by the Board that the off-premise user must be the user at Parcel 6H-4459.

Motion Passed to Approve.

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

F. INFORMATIONAL.

- I. Date of next meeting: November 18, 2024.

G. ADJOURNMENT.

Moved by Barbara Dorff, seconded by Steven Schuchart to adjourn the meeting.

Motion Passed.

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