



AGENDA OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, MAY 18, 2026, 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/85259382056?pwd=z6OdaYq0gNap7CSvkqqg0Ofv7lQ77t.1>

Or call in by phone: +1 312 626 6799

Meeting ID: 852 5938 2056

Passcode: 915604

If you wish to leave a comment for this public meeting, 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 Joshua Koch, Steven Schuchart, and Brian Ritter.

C. Approval of the Agenda.

- I. Approval of the agenda for the Monday, May 18, 2026, meeting of the Zoning & Planning Board of Appeals.

D. Approval of Minutes.

- I. Approval of the minutes from the April 20, 2026 meeting.

E. Regular Business.

- I. (Appeal 26-10) Consideration with possible action on a variance request from Jim Wolfe of Vierbicher, applicant and Dan Peters of Robert Peters Construction Inc. — property owner, requesting approval to deviate from corner front yard setback standards for a one-family residence within an R1 Low Density Residential district at 1437 Baumgart Rd. (Ald. K. Hinkfuss, District 12)

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. Discussion with Law staff regarding ZBOA duties regarding actions relating to Chapter 10 of the Green Bay Municipal Code.

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. Next Meeting: June 15, 2026

G. Adjournment.

1. Adjournment of the Monday, May 18, 2026, meeting of the Zoning & Planning Board of Appeals.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Zoning & Planning Board of Appeals meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.



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

MEETING DATE

May 18, 2026

PREPARED BY

AGENDA ITEM # D.I

Approval of the minutes from the April 20, 2026 meeting.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. BOA Minutes 04.20.2026



MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, APRIL 20, 2026, 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/85259382056?pwd=z6OdaYq0gNap7CSvkqg0Ofv7lQ77t.l>

Or call in by phone: +1 312 626 6799

Meeting ID: 852 5938 2056

Passcode: 915604

If you wish to leave a comment for this public meeting, 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 Joshua Koch, Steven Schuchart, and Brian Ritter.

Present: Steven Schuchart, Joshua Koch, Brian Ritter

Excused: Noel Halvorsen

Absent:

C. APPROVAL OF THE AGENDA.

- I. Approval of the agenda for the Monday, April 20, 2026, meeting of the Zoning & Planning Board of Appeals.

Moved by Steven Schuchart, seconded by Brian Ritter to approve the agenda.
Motion Passed.
Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.

D. APPROVAL OF MINUTES.

- I. Approval of the minutes from the March 25, 2026 meeting.

Moved by Brian Ritter, seconded by Steven Schuchart to approve the minutes.
Motion Passed.
Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.

E. REGULAR BUSINESS.

- I. **(Appeal 26-11)** Consideration with possible action on an appeal filed by Moonlight Spa, by its owner, Qing Liu (Moonlight), following a nonrenewal decision by the Common Council for massage purposes.

Moved by Steven Schuchart, seconded by Brian Ritter to amend the agenda to move on to the next agenda item, lawyer for the applicant who is in traffic coming from Milwaukee.
Motion Passed.
Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had any conflicts of interest. All members affirmed they did not.
Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had received any communication about this matter. All Board members affirmed they did not.
Vice Chair Joshua Koch affirmed Jon Leroy.
Vice Chair Joshua Koch affirmed Lacey Cochart.
Vice Chair Joshua Koch affirmed Logan Wood.
Vice Chair Joshua Koch affirmed Scott Connors.
Vice Chair Joshua Koch affirmed Brian Dufraire.

Speakers:

Jon LeRoy—Staff

Lacey Cochart—City Attorney

Logan Wood—Assistant City Attorney

Scott Connors—Applicant Attorney—10125 W. North Ave., Wauwatosa

Brian Dufraire—1740 E Mason St.

Moved by Steven Schuchart, seconded by none to move this agenda item to the next meeting.
Motion Failed.
Yes-None, No-None, Abstain-None.

Moved by Joshua Koch, seconded by Brian Ritter to deny an appeal filed by Moonlight Spa, by its owner, Qing Liu (Moonlight), following a nonrenewal decision by the Common Council for massage purposes.

Motion Passed.

Yes—Joshua Koch, Brian Ritter, No—Steven Schuchart, Abstain—None.

2. **(Appeal 26-05)** Consideration with possible action on a variance request from Carol Fleming, applicant and property owner, requesting approval to exceed front yard setback standards in an R1 Low-Density Residential District at 1317 Spence Street. (Ald. J. Ridderbush, District 9)

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had any conflicts of interest. All members affirmed they did not.

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had received any communication about this matter. All Board members affirmed they did not.

Vice Chair Joshua Koch affirmed Jon Leroy.

Vice Chair Joshua Koch affirmed Carol Fleming.

Vice Chair Joshua Koch affirmed Teresa Shaw.

Speakers:

Jon LeRoy—Staff

Carol Fleming—1317 Spence St

Teresa Shaw—2613 Greenbriar

Moved by Steven Schuchart, seconded by Brian Ritter to deny the placement of a front porch exceeding front yard setback standards by 9.7 feet past the established front yard setback in an R1 Low-Density Residential District.

Motion Passed.

Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.

3. **(Appeal 26-08)** Consideration with possible action on a variance request from Dalton Ruesch of Ruesch Management, applicant on behalf of JEM Properties and Investments LLC Etal, property owner, requesting approval to deviate from minimum standards for an enclosed garage for a 3-4 family residence at 1330 Crooks Street. (Ald.B. Galvin, District 4)

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had any conflicts of interest. All members affirmed they did not.

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had received any communication about this matter. All Board members affirmed they did not.

Vice Chair Joshua Koch affirmed Jon Leroy.

Vice Chair Joshua Koch affirmed Dalton Ruesch.

Speakers:

Jon LeRoy—Staff
Dalton Ruesch—1241 Bellevue St

Moved by Steven Schuchart, seconded by Brian Ritter to approve a variance request to deviate from minimum standards for an enclosed garage for a 3-4 family residence at 1330 Crooks Street. Applicant is not required to have an enclosed garage on site for a 3-family residence.

Motion Passed.

Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.

4. **(Appeal 26-10)** Consideration with possible action on a variance request from Jim Wolfe of Vierbicher, applicant and Dan Peters of Robert Peters Construction Inc. — property owner, requesting approval to deviate from corner front yard setback standards for a one-family residence within an RI Low Density Residential district at 1437 Baumgart Rd. (Ald. K. Hinkfuss, District 12)

Moved by Steven Schuchart, seconded by Brian Ritter to move (Appeal 26-10) to the next meeting, the applicant was not in attendance.

Motion Passed.

Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None

5. **(Appeal 26-09)** Consideration with possible action on a variance request from Seth Kollmer applicant and property owner, requesting approval to deviate from front yard setback standards for a one-family residence within an RI Low Density Residential district at 1737 East Shore Circle. (Ald. J. Prestley, District 6)

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had any conflicts of interest. All members affirmed they did not.

Vice Chair Joshua Koch asked the Board of Appeals members to confirm whether they had received any communication about this matter. All Board members affirmed they did not.

Vice Chair Joshua Koch affirmed Jon Leroy.

Vice Chair Joshua Koch affirmed Seth Kollmer.

Vice Chair Joshua Koch affirmed LeAnn Kollmer.

Vice Chair Joshua Koch affirmed Kathy Lefebvre.

Vice Chair Joshua Koch affirmed John Kraft.

Speakers:

Jon LeRoy—Staff

Seth Kollmer—1737 E Shore Circle

LeAnn Kollmer—1737 E Shore Circle

Kathy Lefebvre—1731 E Shore Circle

John Kraft—1751 E Shore Circle

Moved by Brian Ritter, seconded by Steven Schuchart to approve a variance request to deviate from front yard setback standards for a one-family residence within an RI Low

Density Residential district. To allow the variance to exceed the front yard setback for a single-family residence principal structure, setback 121 feet from the front right of way.
Motion Passed.

Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.

F. INFORMATIONAL.

- I. Next Meeting: Monday May 18, 2026

G. ADJOURNMENT.

- I. Adjournment of the Monday, April 20, 2026, meeting of the Zoning & Planning Board of Appeals.

Moved by Board Member Steven Schuchart, seconded by Board Member Brian Ritter to adjourn.

Motion Passed.

Yes—Steven Schuchart, Joshua Koch, Brian Ritter, No-None, Abstain-None.



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

MEETING DATE

May 18, 2026

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.1

(Appeal 26-10) Consideration with possible action on a variance request from Jim Wolfe of Vierbicher, applicant and Dan Peters of Robert Peters Construction Inc. — property owner, requesting approval to deviate from corner front yard setback standards for a one-family residence within an R1 Low Density Residential district at 1437 Baumgart Rd. (Ald. K. Hinkfuss, District 12)

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

(Appeal 26-10) Consideration with possible action on a variance request from Jim Wolfe of Vierbicher, applicant and Dan Peters of Robert Peters Construction Inc. — property owner, requesting approval to deviate from corner front yard setback standards for a one-family residence within an R1 Low Density Residential district at 1437 Baumgart Rd. (Ald. K. Hinkfuss, District 12)

RECOMMENDATION

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

Section 44-554, Table 44-2 Note e

Corner properties: The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street. If no structure exists on the adjacent property, the setback shall be a minimum of one-half the required front yard setback of the subject property's zoning district.

The applicant seeks to create a corner front setback at 39.5 feet from the property line. The adjacent property has a front setback of approximately 86 feet from the right of way. The applicant seeks relief to allow for a difference of 46.5 feet.

The applicant is seeking to create a residence at the corner of Baumgart Rd and West Point Rd. The lot is currently vacant, and the applicant seeks to create a single family home on the site. Single-family homes are the most typical permitted use feature within this R1 neighborhood. Because the site is a corner lot, a front yard and a corner front yard must be established. The applicant has chosen to create a home facing Baumgart with the northern portion of the home placed at the minimum required side yard setback of 5 feet from the northern property line. Additionally, the proposed site layout calls for a drive entrance off Baumgart, located near the northern edge of the parcel.

The applicant seeks to create a 35.5 foot wide home, leaving 39.5 feet to the West Point corner front setback. The neighboring property has an existing house built at approximately 86 feet from the right of way.

New homes located on corner lots are required to have corner front setbacks in alignment with existing homes. The overall size of the parcel is 80 feet in depth, thus any proposed development cannot meet the existing corner front threshold.

The applicant has provided a compilation of other front yard setbacks on the block face along West Point both on the block to the east and the neighboring block to the west. Home front setback averages range from approximately 47–55 feet to the east and 33 to 37 feet with two outliers extending to 86 feet (to the east) and 54 feet (to the west).

FISCAL IMPACT

ATTACHMENTS

1. 26-10 Redacted Application
2. 26-10 View From Street
3. 26-10 Site Plan
4. Averaging setback for West Point Rd




ZONING BOARD OF APPEALS VARIANCE APPLICATION

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

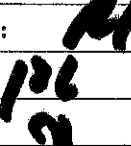
DATE:	04/06/2026	PROJECT #:	APPEAL #: 26-16
APPLICANT INFORMATION:			
Name: Jim Wolfe			
Business Name: Vierbicher			
Address: 400 Security Blvd			
City, State, Zip: Green Bay WI 54313			
Phone:			
Email:			
PROPERTY OWNER INFORMATION (if different from above):			
Name: Dan Peters			
Business Name: ROBERT PETERS CONSTRUCTION INC			
Address: 1141 W MAIN AVE UNIT 102			
City, State, Zip: DE PERE WI 54115			
Phone:			
Email:			
HAS A SITE PLAN BEEN REVIEWED BY PLANNING STAFF? <input checked="" type="checkbox"/> YES <input type="checkbox"/> 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: 1437 BAUMGART RD BLK			
Tax Parcel Number(s): 6H-1122-17			
Describe the Variance Request:			
The applicant is requesting a variance from Section 44-554, Table 44-2, Note (f) , which requires the street-side yard of this corner lot to match the front yard of the adjacent lot to the east. The adjacent property at 2698 West Point Road is an extreme outlier with a setback of 86.3 feet. Adhering to this would push the buildable footprint significantly north, reducing the buildable area to a point where it fails to meet minimum residential building size standards or renders the buildable area virtually non-existent. We are requesting a corner side yard setback of 39.5 feet to allow for a functional, standard-sized home .			

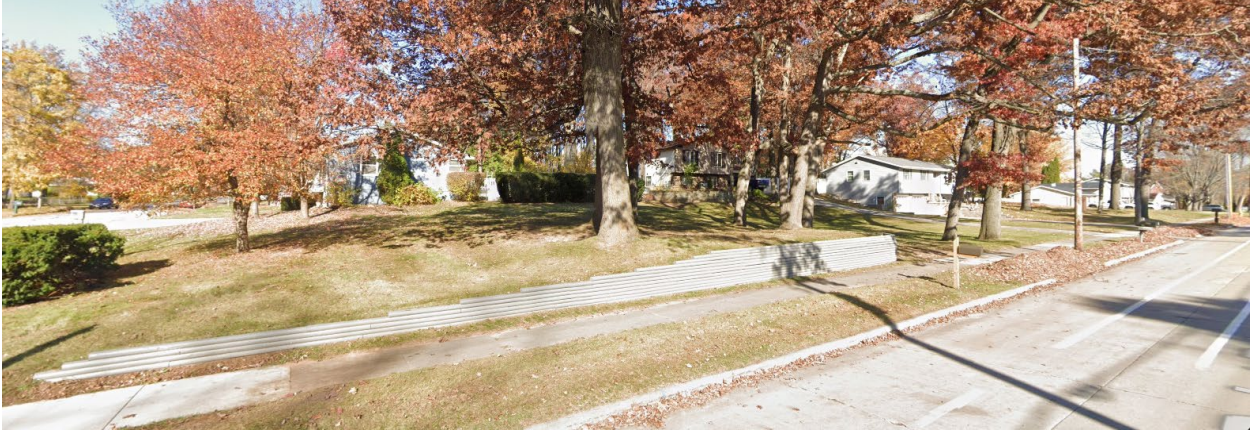
List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).
Section 44-554, Table 44-2, Note (f) "(f)
The side yard on the street side of a corner lot shall be no less than the front yard required on the adjacent lot which fronts on the same street."
THREE 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 property's status as a corner lot, combined with the 86.3-foot setback of the adjacent eastern neighbor, creates a unique physical constraint. This outlier setback is nearly double the neighborhood average of 43.2 feet. Because the lot depth along the eastern property line is only 86.41 feet, requiring an 86.3-foot setback leaves a buildable depth of less than one foot. This creates a 'pinched' building envelope unique to this parcel that does not apply to other properties in the district.
Would granting the variance be contrary to the public interest? Explain.
No. Granting the variance preserves the public interest by maintaining a consistent residential streetscape. A review of 12 nearby properties on West Point Road shows an average setback of 43.2 feet. Our proposed 39.5-foot setback is consistent with the established neighborhood pattern and is actually deeper than five other homes on the block. Aligning with the neighborhood average—rather than a single extreme outlier—ensures the home is not a visual detriment to the community.
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?
Strict conformity with Note (f) would result in an unbuildable lot, leaving the owner with no feasible use of the property. Requiring an 86.3-foot setback on a lot with an 86.41-foot eastern boundary eliminates the buildable area entirely. This is an unnecessary hardship that is not self-imposed. Without this variance, the property cannot support a residential structure—the primary permitted use—rendering the zoning restrictions unnecessarily burdensome and effectively stripping the owner of their substantial property rights.

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)
Dan Peters	James R Wolfe Jr. (Jim)
Print Name	Print Name
Date	04/06/2026

OFFICE USE ONLY:

District: 12	Zoning: M1	Parcel #:	Residential \$225 <input type="checkbox"/>	Commercial \$350 <input type="checkbox"/>
Submittal Date: 4/6/26	Meeting Date: 4/20		Work started or completed: Residential \$450 <input type="checkbox"/>	Commercial \$700 <input type="checkbox"/>
Staff Signature: 			Receipt #:	



View from street of West Point and Baumgart

G:\RPC, Robert Peters Construction\260208_1437_Baumgart_Rd_Green_Box\CADD\260208_Variance.dwg by: jwolfe



BAUMGART ROAD

S00°03'43"W 71.92'

L=22.16'

26'

S89°44'43"W 109.00'

5'

proposed new structure

27.7'

N00°03'43"E 86.41'

LOT 3
0.22 Acres
9,375 Sq. Ft.

39.5'

N89°42'09"E 94.92'

WEST POINT ROAD

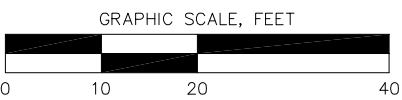


Exhibit
1437 BAUMGART RD
Parcel #6H-1122-17



Adress	Distance	Outlier	20% Average low	Averge High	Proposed
2754 WEST POINT	36.8				
2746 WEST POINT	53.8				
2738 WEST POINT	33.3				
2734 WEST POINT	33.7				
2726 WEST POINT RD	32.8				
1438 BAUMGART	33.6				
2698 WEST POINT		86.3			
2690 WEST POINT	54.9				
2680 WEST POINT	49.4				
2674 WEST POINT	47.5				
2664 WEST POINT	50.4				
2660 WEST POINT	49				
total Average	43.2		8.64	34.56	51.84
1437 BAUMGART					39.5



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

MEETING DATE

May 18, 2026

PREPARED BY

AGENDA ITEM # F.1

Discussion with Law staff regarding ZBOA duties regarding actions relating to Chapter 10 of the Green Bay Municipal Code.

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

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None