



# Board of Appeals

335 South Broadway  
De Pere, WI 54115  
<http://www.de-pere.org>

## Regular Meeting

### Final Minutes

Monday, April 22, 2019

4:45 PM

De Pere City Hall Council Chambers

#### Call to Order

The meeting was called to order at 4:45 PM by Chairman Bob De Groot

Attendee Name	Title	Status	Arrived
Scott Bonfigt	Board Member	Present	
Bob De Groot	Chairman	Present	
Paul De Leeuw	Board Member	Excused	
James Stadler	Board Member	Present	
William Vande Hei	Board Member	Present	
Andy Van Remortel	Board Member	Present	

Also present City Planner Peter Schlein and members of the public.

- Approval of the minutes of the February 25, 2019 Board of Appeals meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Stadler, Board Member
<b>SECONDER:</b>	Andy Van Remortel, Board Member
<b>AYES:</b>	Bonfigt, De Groot, Stadler, Vande Hei, Remortel
<b>EXCUSED:</b>	Paul De Leeuw

- Variance request for an existing garage, being attached to the rear of an existing house, to encroach 8 feet into the Municipal Code 14-39(6)(1)(a) required 10 foot interior side yard setback, thereby allowing for the interior side yard setback to be reduced to 2 feet on a single family residential property located at 526 N. Superior Street (Parcel ED-494). Submitted by Tim Bader, A Guy & A Hammer LLC, authorized representative for Robert G. & Sandra K. Bloedorn, property owners.

Bob De Groot read the notice of public hearing and City Planner Peter Schlein reviewed the variance request. The petitioner is proposing to construct a pergola which will connect the house and existing detached garage, which would require a 10 foot side yard setback. The homeowner is requesting an 8 foot variance since the distance between the existing garage and the interior side yard is 2 feet. Bob De Groot asked if anyone wished to speak for or against the variance; no one did. James Stadler moved, seconded by Bill Vande Hei, to approve the variance request. Bill added the stipulation that the gable roof be directed so water drains onto the homeowner's property and not onto the neighbor's yard. Upon vote, motion carried unanimously. Bob De Groot reminded the applicant to apply for a building permit within 6 months of the variance approval.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Stadler, Board Member
<b>SECONDER:</b>	William Vande Hei, Board Member
<b>AYES:</b>	Bonfigt, De Groot, Stadler, Vande Hei, Remortel
<b>EXCUSED:</b>	Paul De Leeuw

4. Variance request for an outdoor storage area, at the side of a proposed industrial building addition, to be located at less than the Municipal Code 14-60(6)(i)(3)(B) required 25 percent of the side yard, thereby allowing for the requirement to be to be the rear 30% of the side yard on an industrial property located at 800 Heritage Drive (Parcel ED-F0100-1). Submitted by Robert Mach, Mach IV Engineering & Surveying LLC, authorized representative for Jonathan Darling, Darling Investments LLC, property owner.

Bob De Groot read the notice of public hearing and City Planner Peter Schleinz reviewed the variance request. The authorized representatives, Bob Mach from Mach IV Engineering and Cory Vander Wetting from Keller addressed the board. The proposed location of the outdoor storage will be located in the rear 30% of the building, not the required 25% of the building. They will be adding landscaping to the area to help screen it from the street. Bill Vande Hei asked Peter if the outdoor storage was built with the existing building without the addition, would it be legal. Peter replied yes. Jim Stadler asked whether the outdoor storage area was an actual structure. Cory Vander Wetting replied that the outdoor storage area will be enclosed with a masonry wall so you will not be able to see the pallets from the road. Bob De Groot asked if anyone wished to speak for or against the variance request; no one did. Scott Bonfigt moved, seconded by Bill Vande Hei, to approve the variance request. Upon vote, motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Scott Bonfigt, Board Member
<b>SECONDER:</b>	William Vande Hei, Board Member
<b>AYES:</b>	Bonfigt, De Groot, Stadler, Vande Hei, Remortel
<b>EXCUSED:</b>	Paul De Leeuw

5. Variance request for a proposed new accessory building, at the side of an existing house, to be outside of the Municipal Code 14-13(5)(b) required rear yard, thereby allowing for the accessory building to be in the side yard on a single family residential property located at 1481 Foxborough Court (Parcel ED-216). Submitted by Dean M & Dana D Sitar, property owners.

Bob De Groot read the notice of public hearing and City Planner Peter Schleinz reviewed the variance request. The homeowner is seeking variance approval to allow a 10 foot by 12 foot accessory building to be located at the side yard rather than in the rear yard. There is a tree line with large evergreen trees which will screen the shed from the road. Jim Stadler asked if there are any other accessory buildings within the condominium development. Peter reported that the homeowner's association does have guidelines for accessory buildings and the homeowner is working with the association for approval. Bob De Groot asked if anyone wanted to speak for or against the variance. The homeowner, Dean Sitar, addressed the board. He stated that the reason for the storage shed to be placed in the side yard is so that it will not be seen by any of the neighbors. The shed will be constructed of the same materials as the house. Bill Vande Hei added that the placement of the shed in the side yard seems to make the most sense since the trees block it from view. Jim Stadler moved, seconded by Scott Bonfigt, to approve the

variance request. Upon vote, motion carried unanimously. Bob De Groot reminded the applicant to apply for a building permit within 6 months of the variance approval.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Stadler, Board Member
<b>SECONDER:</b>	Scott Bonfigt, Board Member
<b>AYES:</b>	Bonfigt, De Groot, Stadler, Vande Hei, Remortel
<b>EXCUSED:</b>	Paul De Leeuw

6. Variance request for a new addition, at the rear of an existing house, to encroach 2 feet into the Municipal Code 14-38(6)(1)(b) required 10 foot interior side yard setback, thereby allowing for the interior side yard setback to be reduced to 8 feet on a single family residential property located at 415 S. Erie Street (Parcel ED-216). Submitted by Allan J. Callahan, property owner.

Bob De Groot read the notice of public hearing and City Planner Peter Schleinzi reviewed the variance request. The homeowner is requesting a variance to build an addition that would have an 8 foot interior side yard setback instead of the required 10 foot interior side yard setback. Jim Stadler asked whether the fire department reviews variance applications like this one. Peter replied that applications are not reviewed by the fire department, but they are reviewed by Public Works to determine if any easements exist in the area. Jim suggested that the fire department review the applications going forward. Peter replied that he will include the fire department in the review process for variance applications going forward. Jim Stadler moved, seconded by Andy Van Remortel, to approve the variance request, upon vote, motion carried unanimously. Bob De Groot reminded the applicant to apply for a building permit within 6 months of the variance approval.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Stadler, Board Member
<b>SECONDER:</b>	Andy Van Remortel, Board Member
<b>AYES:</b>	Bonfigt, De Groot, Stadler, Vande Hei, Remortel
<b>EXCUSED:</b>	Paul De Leeuw

### Adjournment

Andy Van Remortel moved, seconded by Jim Stadler, to adjourn the meeting at 5:18 PM. Upon vote, motion carried unanimously.

Respectfully submitted,  
Kelly Barker