

CITY OF STURGEON BAY
Zoning Board of Appeals
February 27, 2024

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:00 p.m. by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members William Murrock, and Dave Augustson were present. Member William Chaudoir appeared via zoom. Members Nancy Schopf and Morgan Rusnak were excused. Staff present were Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Colleen Michiels.

Adoption of agenda: Moved by Mr. Augustson, seconded by Mr. Murrock to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 9, 2024.
4. Public Hearing: Street yard variance from Section 20.27(2) of the municipal code for Christ the King Church located at 2 N 5th Avenue.
5. Consideration of: Street yard variance from Section 20.27(2) of the municipal code for Christ the King Church located at 2 N 5th Avenue.
6. Adjourn.

All ayes. Carried.

Approval of minutes from January 9, 2024: Moved by Mr. Augustson, seconded by Mr. Chaudoir to approve the minutes of January 9, 2024. All ayes. Motion carried.

Public Hearing: Street yard variance from Section 20.27(2) of the municipal code for Christ the King Church located at 2 N 5th Avenue: Chairperson Murrock opened the public hearing at 12:04 p.m. Ms. Servia explained that Christ the King Episcopal Church is petitioning for a variance from Chapter 20 of the Municipal Code so they may add a 474 square foot addition onto their building located on their property at 2 N 5th Avenue. The property is zoned R-2 which requires a 20-foot street setback, side yards of 8 feet, and rear yard setbacks of 25 feet. The church is requesting a 13.5-foot setback from N 5th street to accommodate their addition which includes a meeting room, an ADA bathroom and ADA ramp access.

Ms. Servia further explains that this parcel is more restricted in terms of building space because it is a corner lot which requires street setbacks from two streets. She goes on to explain the reasons for street setbacks were established and adds that without a variance, the church would only be able to add an additional 11.5 feet before reaching the required setback.

Skyler Witalison of Stantec located at 312 N 5th Avenue and Cole, a representative from Keller explain the project and the need for the variance. They explain that while there is currently a small ramp on the west side of the building, there is no ADA accessible restroom – which is the main purpose of this addition.

Mr. Murrock questions if they have gone back as far as they can, and the representatives confirmed that they have. Mr. Murrock also asks about the foundation of the building and if there were any underground utilities that would need to be moved. Mr. Witalison explains that only part of the church has a basement and there is stormwater management about two feet underground which will need to be moved. He adds that this has already been discussed with and approved by the city engineer.

Mr. Chaudoir asks about the ground cover. Cole from Keller explains that there is a group of church members that will handle the plantings. Everyone agrees that the current landscaping is beautiful, and the members think that it is important to maintain something similar. Mr. Augustson asks if any trees will be affected by the addition. The representatives confirm that the two front trees will remain but the silver maple in the northwest corner will likely have to be removed.

Mr. Murrock asks Ms. Servia if additional parking will be needed. To which she replies that in this case, there is no additional seating being added so no additional parking would be required.

Dale Logan, of 1849 Georgia Street, is the current junior warden at the church explains that while there is currently a small bathroom in the church, there is a step that goes up into it making it inaccessible for those with disabilities. He reiterates the need to have an ADA accessible bathroom to accommodate the public and the aging parishioners. He also assures members that the landscaping will be at least as spectacular as it currently is. When asked, he also confirms that he has no knowledge of any issues between any neighbors and the church.

No members of the public were present, and no letters were submitted. The public hearing was closed at 12:22 p.m.

Mr. Augustson states that while the proposed plan is the only way they could add enough space for an ADA bathroom, he doesn't feel that they need 474 square feet for that purpose. However, he does sympathize with the current cost of construction, and agrees it makes financial sense to get the extra space while you are addressing the bathroom.

Mr. Chaudoir agrees with Mr. Augustson in regard to the excessive square footage but expresses concern about the significant encroachment. To which Mr. Augustson points out that even though this is a corner lot, the two roads meet at much less than ninety degrees and therefore construction right up to the sidewalk, if allowed, would not impede traffic. Ms. Servia adds that while the property isn't currently zoned commercial, there are neighboring parcels zoned as commercial which would support this parcel being zoned commercial if desired. A commercial zoning would allow them to request a setback right up to the sidewalk.

Mr. Chaudoir adds that if the variance is approved, he would like to see a minimum square footage required for landscaping and that a plan be prepared for approval by the city staff. Mr. Augustson agrees.

Mr. Murrock motioned to approve the variance.

Mr. Chaudoir moved to amend the motion subject to an improved landscape plan, approved by staff, providing a minimum square footage of landscaping of that which currently exists. Seconded by Mr. Augustson. All ayes, carried. Vote on original motion as amended to read: motion to approve the variance subject to an improved landscape plan, approved by staff, providing a minimum square footage of landscaping of that which currently exists. All ayes, motion carried.

Moved by Mr. Chaudoir, seconded by Mr. Augustson to adjourn. All ayes. Motion carried. The meeting adjourned at 12:21 p.m.

Respectfully submitted,

Colleen Michiels
Community Development Administrative Assistant