

ZONING BOARD OF APPEALS
Tuesday, May 26, 2020

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

Roll call: Members William Murrock, Nancy Schopf, Dave Augustson, Bill Chaudoir, and Alternate Morgan Rusnak were present. Mr. Chaudoir appeared virtually via Zoom. Excused: Member Wayne Spritka. Also present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 25, 2020.
4. Public hearing: Petition from Robert Jennerjohn to construct a deck that would encroach 8 feet into the street right-of-way setback, located at 425 Quincy Street.
5. Consideration of: Petition from Robert Jennerjohn to construct a deck that would encroach 8 feet into the street right-of-way setback, located at 425 Quincy Street.
6. Election of officers.
7. Adjourn.

Carried.

Approval of minutes from Tuesday, February 25, 2020: Moved by Ms. Schopf, seconded by Ms. Rusnak to approve the minutes from February 25, 2020. All ayes. Carried.

Public hearing: Petition from Robert Jennerjohn to construct a deck that would encroach 8 feet into the street right-of-way setback, located at 425 Quincy Street: Chairperson Murrock opened the public hearing at 12:03 p.m.

Robert Jennerjohn, 4981 Bechtel Road, explained that he owns the rental property at 425 Quincy Street. He intends to build a detached garage, which has no zoning issues. But, he also wants to build a deck in front of his house that would encroach 8 feet into the street right-of-way setback. There are several other houses in the neighborhood that are built close to the street. A deck would improve the aesthetics of the home. His sidewalk is crumbling and plans to replace it. The deck will be constructed with composite material with railings and two steps. The existing concrete steps would be removed. There would be no roof over the deck.

Mr. Sullivan-Robinson pointed out on the site plan that there are several other properties on the same block that encroach the setback. The deck would be pretty much in line with the other homes. There would be no negative impacts to the City.

Mr. Olejniczak added that originally all residential districts had to be 25 feet from the setback for everything. Approximately 15 years ago the City changed the setback from 25 feet to 17 feet for unenclosed decks and porches in the older parts of the City. Most of the buildings were non-conforming and changing the setback was appropriate from an aesthetic standpoint. If this request would get approved, Mr. Jennerjohn would not be able to enclose the deck.

No one spoke in favor of the request. There were no letters of correspondence in favor.

Wendy Bolduc, 415 Quincy Street, spoke against the variance request. She said there was room in the back of the house to build a deck and there was no reason to put it on the front of the house. She also complained about past and present tenants.

There were no letters of correspondence in opposition.

Chairperson Murrock offered rebuttal testimony.

Mr. Jennerjohn stated that when he retires in about 6 or 7 years, he would like to move into the house and become a permanent resident of the City. He felt that the deck placed on the front of the house would improve the aesthetics. The back of the house needs some remodeling and he has plans to do that in the future. A 6-foot deck seemed too small. His plans are to build the garage sometime this year.

Mr. Augustson added that the distance between the deck and the sidewalk would be 9' 6".

Ms. Bolduc repeated that there is still room for a deck and a garage in the back of the house depending where the garage is located.

Chairperson Murrock closed the public hearing at 12:23 p.m.

Consideration of: Petition from Robert Jennerjohn to construct a deck that would encroach 8 feet into the street right-of-way setback, located at 425 Quincy Street: The Board discussed the variance request. Moved by Ms. Schopf, seconded by Mr. Murrock to approve the variance request. The deck would improve the appearance of the house and the neighborhood. It matches a lot of the older homes in the neighborhood. Driving within a five block radius in this area will find that every street has 40-50% of the homes with front porches are 3 - 4 feet from the sidewalk. Mr. Jennerjohn's intention is to move into the house in the future.

Roll call vote: All ayes. Carried.

Election of officers: Mr. Murrock nominated Mr. Chaudoir for vice-chair. There were no other nominations. All ayes. Carried.

Mr. Olejniczak presented an option for election of secretary. The ZBA Rules of Procedure dates back to the 1960's when the secretary actually signed letters, sent mailings, etc. Currently, the City has staff that takes care of performing those duties. The only functions of the secretary is to read the public hearing notice at each meeting and perform roll call. The Rules of Procedure could be changed to no longer have a secretary and have the Zoning Administrator or Community Development Secretary be the secretary of the ZBA as well. The Rules of Procedure would have to be amended at the next meeting and recommended to Council.

Moved by Mr. Chaudoir, seconded by Mr. Augustson to hold off on election of secretary and direct staff to come back to the next meeting with a change to the Rules of Procedure. All ayes. Carried.

Adjourn: Moved by Mr. Augustson, seconded by Ms. Schopf to adjourn. Carried. Meeting adjourned at 12:29 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary