

**Zoning Board of Appeals
December 14, 2021**

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, Dave Augustson, Nancy Schopf and Morgan Rusnak were present. Members Bill Chaudoir and Alternate Michael Marit were excused. Also present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson and Deputy Clerk/Treasurer Laurie Spittlemeister.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 9, 2021.
4. Public Hearing: Petition for variance from Section 20.27 (2) of the City of Sturgeon Bay Zoning Code for Collin Jeanquart, located at 1642 Cove Road, Parcel #281-34-65001101.
5. Consideration of: Petition for variance from Section 20.27 (2) of the City of Sturgeon Bay Zoning Code for Collin Jeanquart, located at 1642 Cove Road, Parcel #281-34-65001101.
6. Adjourn.

All ayes. Carried.

Approval of Minutes from November 9, 2021:

Moved by Mr. Murrock, seconded by Ms. Schopf to approve the minutes from November 9, 2021. All ayes. Carried.

Public hearing: Petition for variance from Section 20.29(2) of the City of Sturgeon Bay Zoning Code Collin Jeanquart, located at 1642 Cove Road, Parcel #281-34-65001101:

Chairperson Murrock opened the public hearing at 12:04 p.m.

Mr. Sullivan-Robinson introduced the item for public hearing. Mr. Jeanquart is looking for a variance from Section 20.27 (2) of the City of Sturgeon Bay Zoning Code. The current setbacks are 40 feet and requesting a variance of 15 feet to rebuild a single-family home with a 25 feet setback from the edge of Cove Road right-of-way. The subject property, as well as properties to the north and east are zoned agriculture, properties to the west are zoned single family. Wetlands surrounds the property on the north and east side, limiting the buildable area. The property owner petitioned the City to vacate undeveloped Ackerman Street right-of-way on the north side of the property back in September, which was successful, however the City required an easement for municipal vehicles and school buses to turn around. The vacated right-of-way was added to Mr. Jeanquart's property, however it has substantial wetlands restricting the buildable area of the property.

In the 1990's, there were two variances granted for this property. Agriculture zoned properties do not have design standards for single family homes, however the house design does meet design standards for single family homes zoned in Rural Residential areas.

Ms. Schopf asked why the property was zoned Agriculture.

Mr. Sullivan-Robinson responded that the property was zoned Agriculture years ago. Mr. Olejniczak added Cove Road does not have City sewer or water to the homes and many of the lots were subdivided before there was a modern zoning code.

Mr. Murrock inquired that City Council voted on vacated Ackerman Street.

Mr. Olejniczak replied the City suggested Mr. Jeanquart go through the street vacate process for Ackerman Street to gain additional buildable area for the new house. The current house on the property is not conforming, however the new house plan is more conforming.

Collin Jeanquart, 1647 Cove Road, stated that the current house is unsafe and full of mold and mildew. The house will be removed and replaced with one that is more conforming. They went through the street vacation process of Ackerman Street. If the street was not vacated, there would be less than 10 square feet of buildable area. Also limiting buildable area is a City owned culvert.

Mr. Murrock asked if the full house was to be demolished and inquired if there would be a crawl space or basement.

Mr. Jeanquart responded the current house would be removed. They are still fine tuning the elevation, so it is not yet decided if there will be a crawl space or basement.

Mr. Augustson questioned if the approximate square footage of the house living space is 1050 square feet.

Mr. Jeanquart confirmed that it was.

Mr. Murrock asked if there were any hurdles they had to overcome.

Mr. Jeanquart responded the street vacation, drainage ditch leading to a culvert on the north side of the property and buildable area because of the considerable area of wetlands on the property. He would like the new house to be more conforming and safer.

Ms. Rusnak inquired if the new home would be their primary residence.

Mr. Jeanquart stated that it would be a guest home or rental.

Michael LeClair, 1635 Cove Road spoke in favor of the variance request. All of the neighbors like the idea of the new home, which will make the neighborhood more attractive.

There was one letter of correspondence in favor of the variance request from William and Martha Beller, 1627 Cove Road.

No one spoke in opposition of the variance request.

There were no letters of correspondence in favor of the variance request.

The public hearing was declared closed at 12:21 p.m.

Consideration of: Petition for variance from Section 20.29(2) of the City of Sturgeon Bay Zoning Code Collin Jeanquart, located at 1642 Cove Road, Parcel #281-34-65001101:

Mr. Murrock stated that the current house is in bad repair. It would be easier to tear down and rebuild, in which Ms. Schopf agreed.

Ms. Rusnak commented the property owner on the steps taken for the vacated street prior to requesting a variance.

Moved by Ms. Schopf, seconded by Ms. Rusnak to approve the variance as presented. Ms. Schopf's reasons are that the new home would be an improvement for the City and neighborhood. Ms. Rusnak's agreed, adding that the property would be more conforming and the property owner did due diligence of vacating Ackerman Street prior to requesting a variance. Roll call: all ayes. Carried.

Moved by Mr. Augustson, seconded Ms. Schopf to adjourn. All ayes. Carried. The meeting adjourned at 12:25 p.m.

Respectfully submitted,

Laurie Spittlemeister,
Deputy Clerk/Treasurer