

**CITY OF STURGEON BAY**  
**Zoning Board of Appeals**  
**February 14, 2023**

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:02 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. Member Bill Chaudoir was excused. Staff present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Cindy Sommer.

**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 December 13, 2022.
4. Public Hearing: Side yard and street yard variances from Section 20.27(2) of the municipal code for Karl and Kay Seitz located at 406 W. Ironwood St, parcel #281-64-61000201.
5. Consideration of: Side yard and street yard variances from Section 20.27(2) of the municipal code for Karl and Kay Seitz located at 406 W. Ironwood St, parcel #281-64-61000201.
6. Adjourn.

All ayes. Carried.

**Approval of minutes from December 13, 2022:** Moved by Mr. Augustson, seconded by Ms. Schopf to approve the minutes of December 13, 2022. All ayes. Motion carried.

**Public Hearing: Side yard and street yard variances from Section 20.27(2) of the municipal code for Karl and Kay Seitz located at 406 W. Ironwood St, parcel #281-64-61000201:**

Chairperson Murrock opened the public hearing at 12:01 p.m.

Mr. Olejniczak explained that the zoning code allows existing non-conforming buildings that encroach on the street, side and rear yards to be reconstructed at the present location. But if there is a substantial change to the building footprint or building location, the reconstructed building must conform to the required yards, or a variance must be granted. The zoning code dictates that the street and rear yards be 25 feet and the side yards be 10 feet. There is a recommendation before Council at this time that would reduce the side yards to 8 feet and the street yard to 20 feet, which, if approved, will take effect in a few weeks. The existing dwelling encroaches over the west property line by an inch or two and the front of the home is about 11 feet from the street. The applicant is proposing to demolish the existing dwelling on the property and replace it with a manufactured home on a concrete slab. He is proposing to set the home three feet from the west lot line and 11 feet from the street (front) lot line. Mr. Olejniczak also noted that this is the smallest lot on the block and the second smallest in the neighborhood, which limits the buildable area.

Mr. Murrock asked if the neighbors to the west have had any concerns. Mr. Olejniczak indicated they expressed concern about the height of the new structure but were happy to learn it will be a single story. He further indicated there is no known historic value to the home and it is not in an historic district.

Ms. Servia explained that the Board has the options of approving one or both of the variances as presented, approve a lesser variance for one or both of the requests, or deny one or both of the yard variances.

Karl Seitz of 309 N. Joliet Avenue explained that he would like to remove the existing dwelling that dates back to 1864 due to its age and state of disrepair. The foundation and roof are both failing and the costs to make the necessary repairs is extensive. He feels a new dwelling would be a better value and improve the appearance of the lot. The proposal is to keep a similar footprint but lessen the current encroachments. He

would also remove the existing one car garage and the back porch, thereby cleaning up the appearance and opening up space on the lot. His request for a 3-foot west side yard variance would allow for a 15-foot wide driveway on the east side. He has no intention to add a garage. The requested 11-foot front yard is to keep the house in line with the others on the block and to allow for a back yard without encroachment. He is open to moving the house if the Board sees fit to limit his request, or he may reconsider repairing the existing structure if his request is denied.

Alisa Landman of 330 N. Joliet Avenue spoke in support of the proposal and indicated that the Seitz's have wonderful taste and a beautiful home and she is fully supportive of their project.

One letter of support was read by the recording secretary from Jeff Kanzelberger. A second letter was read from Russell and Jill Kelley indicating they welcome the improvement to the neighborhood but requested that any demolition or construction be done outside of tourist season and that the side yard be at least 7 feet rather than the proposed 3 feet.

The public hearing was declared closed at 12:28 p.m.

**Consideration of: Side yard and street yard variances from Section 20.27(2) of the municipal code for Karl and Kay Seitz located at 406 W. Ironwood St, parcel #281-64-61000201:**

The members discussed the advantages of having a larger backyard and wider driveway, as well as the ability to do future maintenance on the new dwelling without encroaching on the neighbor. An 8-foot side yard would reduce the width of the driveway and a 3-foot side yard would not allow much access for maintenance.

Mr. Augustson moved to approve an 11-foot street yard with the reasoning that it will allow for a nice size backyard and the front of the dwelling will be in line with the neighbor, and to approve a 5-foot side (west) yard with the reasoning that it will allow for future maintenance to the new dwelling without encroaching on the neighbor and will also allow for a wide enough driveway to accommodate two vehicles. Ms. Schopf seconded the motion with the same reasoning. Roll call vote, all ayes. Motion carried.

Moved by Ms. Schopf, seconded by Ms. Rusnak to adjourn. All ayes. Motion carried. The meeting adjourned at 12:33 p.m.

Respectfully submitted,

Cindy Sommer  
Community Development Administrative Assistant