

ZONING BOARD OF APPEALS  
Tuesday, July 14, 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 Wayne Spritka, William Murrock, Nancy Schopf, Dave Augustson, and Bill Chadoir were present. Mr. Chadoir appeared virtually via Zoom. 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. Schopf to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 26, 2020.
4. Public hearing: Petition from Brian Hesprich to modify the northerly lot line creating a lot width of 66 feet measured at the front yard setback line, located at 526 N. Hudson Avenue.
5. Consideration of: Petition from Brian Hesprich to modify the northerly lot line creating a lot width of 66 feet measured at the front yard setback line, located at 526 N. Hudson Avenue.
6. Consideration of: Rules of Procedure.
7. Adjourn.

Carried.

**Approval of minutes from May 26, 2020:** Moved by Ms. Schopf, seconded by Mr. Augustson to approve the minutes from May 26, 2020. All ayes. Carried.

**Public hearing: Petition from Brian Hesprich to modify the northerly lot line creating a lot width of 66 feet measured at the front yard setback line, located at 526 N. Hudson Avenue:** Chairperson Murrock opened the public hearing at 12:03 p.m.

Mr. Sullivan-Robinson stated that Mr. Hesprich is seeking a variance from the minimum 70-foot lot width requirement. The certified survey map indicates a land swap which will alter the lot width equating to 66 feet at the front yard setback line. Staff is in favor of the land swap even with not meeting the width standard. The lot is not uniform and the CSM eliminates a remnant piece of land between two parcels. In addition, increasing the width more would encroach the neighboring driveway. They want to be able to maintain the driveway accessibility. He added that most of the lots on that side of the street are non-conforming lots.

Brian Hesprich, owner of the property at 526 N. Hudson Avenue, knew when he purchased it that there was a discrepancy on the piece of property on the bayside. Dufek's, the owners of the neighboring property, have been trying to resolve this for quite some time. The upper portion is the cut-out for them to access their driveway. With a land swap, it would make the property clean and neat. Mr. Hesprich would also end up gaining more shore frontage.

Jeanette Dufek, 536 N Hudson Avenue, spoke in favor of the request. She and her husband are the abutting property owners. They wanted to clean this up for a long time. They are unable to get to the shore frontage anyway.

There were no letters of correspondence in favor.

No one spoke in opposition of the variance and there was no correspondence in opposition.

Chairperson Murrock closed the public hearing at 12:11 p.m.

**Consideration of: Petition from Brian Hesprich to modify the northerly lot line creating a lot width of 66 feet measured at the front yard setback line, located at 526 N. Hudson Avenue:** The Board discussed the variance request. Moved by Ms. Schopf, seconded by Mr. Spritka to approve the variance request. The neighboring property owner is in favor of the variance and allows access to their driveway. The property line will be cleaned up. Granting the variance will resolve the existing lot discrepancy. Roll call vote: All ayes. Carried.

**Consideration of: Rules of Procedure:** Mr. Sullivan-Robinson stated that at the last meeting it was discussed that the secretary be removed from the list of officers and sections of the Rules of Procedure, since most items were handled by City staff.

Mr. Chaudoir questioned Section 2, regarding one of the duties of the chair is to supervise the work of the Zoning Administrator. Mr. Olejniczak responded that in relation to the Board of Appeals tasks, there could be complicated cases, such as an appeal, where staff confers with the chair. There could be a case that the chair would review, approve, and sign off on.

Mr. Olejniczak added that years ago there used to be a secretary of the Board that did mailings, letters, etc., and now staff does the clerical duties.

After further discussion, it was moved by Mr. Chaudoir, seconded by Mr. Augustson to recommend to Council the amendments to the Rules of Procedure as proposed. Roll call vote. All ayes. Carried.

**Adjourn:** Moved by Mr. Augustson, seconded by Mr. Murrock to adjourn. Carried. Meeting adjourned at 12:21 p.m.

Respectfully submitted,

Cheryl Nault  
Community Development Secretary