

CITY OF SHEBOYGAN

ZONING BOARD OF APPEALS

June 16, 2021

1. OPENING OF MEETING MEMBERS PRESENT: Don Gerber, Richard Linde, Ed Surek,

Kevin Sampson, Don Cvetan, and Keeli Johnson MEMBERS UNEXCUSED:

Nancy Maring STAFF/OFFICIAL PRESENT: Building Inspector Jeffrey Lutzke

Manager of Planning & Zoning Steve Sokolowski

1.1 Call to Order

Chair Don Gerber called the meeting to order.

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited.

1.3 Identify potential conflict of interest.

No committee member had a conflict of interest.

2. MINUTES

2.1 Approval of the Zoning Board of Appeal minutes from May 19, 2021.

Motion by Ed Surek, second by Kevin Sampson to approve. Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

### 3.1 Election of Chairperson for Board of Appeals

Motion by Keeli

Johnson, second by Richard Linde

to nominate Kevin Sampson as Chair of Board of Appeals. Motion carried.

### 3.2 Election of Vice-Chair for Board of Appeals

Motion by Don Gerber, second by Richard Linde

to nominate Keeli Johnson as Vice-Chair of Board of Appeals. Motion carried.

### 3.3 Variance application by Michael Wade requesting to concrete his gravel driveway. Currently

has 11 ' from house to side lot line at 724 Grand Ave.

Applicant Michael Wade and his contractor explained the proposal and

informed the Board that the applicant was looking to raze the existing garage and construct a new garage.

When a new garage is constructed, the driveway must be paved.

The home was originally constructed in the 1890 's and the existing garage is very old and has an existing gravel driveway on the property line.

The driveway does not meet the required three (3) foot setback and there is not enough room between the properties to construct a 10 foot driveway and meet the 3 foot setback requirement.

So the applicant is requesting to construct a 9.5 foot driveway and to continue to have the new driveway on the property line as it already exists today.

Mark Schinabeck, the neighbor of the vacant undeveloped property to the west, objected to the request.

In Mr. Schinabeck's opinion there were other options available to meet the required driveway width and setback that included coming from the unimproved grass alley to the north and the property on the east side of Mr. Wade's lot.

Mr. Schinabeck provided drawings reflecting his opinions to the Board.

Mr. Schinabeck has owned the property for many years and stated he plans on building his retirement home on this lot, however, he provided no timeframe for such construction to take place.

Although the gravel driveway is there now, Mr. Schinabeck believes paving this driveway indicated it could impact how he might develop his property in the future.

Discussion took place regarding moving the driveway over once it got past the northwest corner of Mr. Wades house where there was more yard available to move the driveway over in order to minimize the impact along Mr. Schinabeck's property.

Mr. Wade had no objection to such a proposal.

After a significant amount of discussion and testimony, the board indicated that there appears to be several property issues such as street trees, property trees, structures, overhead power lines and poles,

etc.that impact the location of a driveway on this property.

The board did not believe the proposed driveway would impact the adjoining neighbors especially since some of the driveway will now meet the three (3) foot paving setback.

Motion by Don Gerber, second by Richard Linde to approve with the following conditions: Driveway was approved as presented subject to the applicant meeting the minimum three (3) foot paving setback starting 10 feet north of the northwest corner of the house (the driveway shall meet the minimum 3 -foot setback in all areas 10 feet north of the northwest corner of the house). Prior to building permit issuance, the applicant shall resubmit the survey showing exactly where the driveway is proposed to be located including how the proposed driveway is meeting this three (3) foot setback requirement. The driveway needs to be pitched properly so that it drains out to the road and not on neighboring properties.Roll call vote: Aye: Don Gerber, Richard Linde, Ed Surek,

Kevin Sampson, and

Don Cvetan; Nay: Keeli Johnson

Motion carried.

3.4 Variance application by Alejandro Alvarez requesting to build a 6 ' high fence within their required street yard at 2304 S 9 th Street.

Motion by Keeli Johnson, second by Don Gerber to approve subject to the following condition: Fence type must be vinyl or shadow box. Design should be submitted to and reviewed/approved by Building Inspector prior to permit issuance. Motion carried.

3.5 Variance application by Michael Hameister requesting to replacing part of his existing driveway which is closer than 3 feet to property line (which is allowed) and extend the driveway an additional 9 ' which would also be closer than 3 feet to the property line at 2503 N 8 th Street.

Motion by Don Gerber, second by Keeli John to approve

as subject to the following conditions: The driveway needs to be pitched properly so that it drains out to the road

and not on neighboring properties. Includes replacement and extension of current driveway and replacement of patio. Motion carried.

3.6 Variance application by Timothy and Debra Davis requesting to build a roof over their porch on the front of their house. A covered porch is not allowed within required front yards at 3723 S 16 th Street.

Motion by Keeli Johnson, second by Ed Surek to approve as presented. Motion carried.

#### 4. ADJOURN

4.1 Motion to Adjourn.

Motion by Don Gerber, second by Ed Surek to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 4: 20 p.m.