



City of Algoma
Zoning Board of Appeals Minutes
Thursday, May 26, 2016

The May 24, 2016 meeting of the Zoning Board of Appeals for the City of Algoma which was recessed until Thursday, May 26, 2016, was called back to order and reconvened in City Hall at 4:00 PM by Chairman Hutter.

Present at roll call: Bob Bennett, Bill Bush, Don Guth, Chuck Hutter, and Secretary Jeff Wiswell. Absent at roll call: Terry Jorgenson.

The Secretary noted that the May 24, 2016 agenda was posted on bulletin boards in the City Hall, Library, and a notice was also published in the Green Bay Press Gazette. The Chairman declared that the meeting was in compliance with the open meetings law.

A motion was made by Guth, and seconded by Bennett, to approve the agenda for the meeting. Motion passed.

A motion was made to approve the minutes of the July 30, 2014 regular meeting and the recessed May 24th meeting of the Zoning Board of Appeals by Guth, and seconded by Bennett. Motion passed.

The Secretary briefed members of the Board on the matter presently before it.

Tina Marie Kazmierczak, (appellant) the owner of a residential property located at 407 Fremont Street, Algoma, Wisconsin, appeared before the City of Algoma, Zoning Board of Appeals to request a variance from the Algoma Municipal Code, Chapter 18 Establishment of Zones and Zoning Map – Schedule of Controls, to create a two (2) foot interior side yard setback; two (2) foot interior rear yard setback; and a 46% “maximum coverage of lot area” in order to construct an attached garage, breezeway, and other improvements onto the existing house, that unless granted would otherwise be “non-conforming” under the code.

In her appearance, Ms. Kazmierczak also requested that a building permit be issued to her to construct a garage, breezeway, and other improvements onto this same existing house situated on the property located at 407 Fremont Street, Algoma, Wisconsin.

Her application for a building permit was denied by the Building Inspector pursuant to the City of Algoma, Municipal Code, Chapter 18, which requires: [1] a six (6) foot interior side yard setback, [2] a twenty-five (25) foot interior rear yard setback, and [3] a 30% “maximum coverage of lot area” in order to construct an

attached garage, breezeway, and other improvements onto the existing house (principal building).

The appellant was administered the oath by the Secretary, and she proceeded to review her plans with the Board. Ryan Wiegert, of 443 East Main St., Mishicot, WI, and Ms. Kazmierczak's contractor, was also administered the oath by the Secretary.

The home was constructed in January, 1901 and purchased by the current owner in September, 1999. When Ms. Kazmierczak purchased the property in 1999 the existing garage, positioned with: a two (2) foot interior side yard setback, and a two (2) foot interior rear yard setback on the property, was in disrepair. As a result of its poor condition the garage needs to be raised, and the appellant is seeking to construct an attached garage (in the same location as the previous structure), breezeway, and other improvements onto the existing house (principal building).

Given the very large foot print of the building once construction is completed, and its great length along the north-south axis of the lot, the Chair and the City Administrator asked several questions of the appellant relating to fire protection for the remodeled structure. Wiegert responded by stating that noncombustible siding and cement board would be used on the new addition.

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Ms. Kazmierczak also presented the Board with a written statement supporting her request for a variance from James and Mary Carger, her most proximate neighbors at 417 Fremont St.

At the conclusion of the presentation, a motion was made by Guth, and seconded by Bennett, to close the public hearing. Motion passed.

A motion was made by Bush, and seconded by Bennett, to grant Ms. Kazmierczak a variance from the Algoma Municipal Code, Chapter 18 Establishment of Zones and Zoning Map – Schedule of Controls, to create a two (2) foot interior side yard setback; two (2) foot interior rear yard setback; and a 46% "maximum coverage of lot area" in order to construct an attached garage, breezeway, and other improvements onto the existing house, that unless granted would otherwise be "non-conforming" under the code. The motion passed, with all members present voting in the affirmative.

Bush then moved, seconded by Bennett, to grant Ms. Kazmierczak a building permit in order for her to construct a garage, breezeway, and other improvements onto this same existing house situated on the property located at 407 Fremont Street, Algoma, Wisconsin.

A motion was made to adjourn at 4:39 PM by Guth, and seconded by Bennett. The motion carried, and the Board stood adjourned until further notice.