

**ALLOUEZ BOARD OF APPEALS  
MONDAY, JANUARY 13, 2020  
5:15 P.M., ALLOUEZ VILLAGE HALL**

CALL TO ORDER / ROLL CALL

Chair Kornowske called the meeting to order at 5:15 p.m.

Present: Clark, Matuszek, Kornowske, Kapla, Straughan  
Also Present: Fuller, Wieland

APPROVAL OF MINUTES FROM 12/09/19

**Kapla / Straughan moved to table approval of the minutes from 12/09/19 to next meeting (minutes were not available). Motion carried.**

PETITION OF MICHAEL DANIELSKI, 238 LITTLE ROAD, GREEN BAY, WI 54301 REQUESTING A 7.5' VARIANCE OF THE FRONT YARD SETBACK REQUIREMENT TO MODIFY THE FRONT ENTRANCE OF THE HOME AT 238 LITTLE ROAD, PARCEL AL-1392-18 TO ACCOMMODATE A NEW DRIVEWAY AND GARAGE ORIENTATION

Petitioner submitted a request in 2016 for a 10' variance of the side yard setback and a 4' variance of the front yard setback to modify their front entrance and change the driveway and garage entrance orientation.

At that time, for reasons unknown, only the 10' variance of the side yard setback was noticed and brought before the Board for consideration. Request was granted based on the following variance standards:

- Unnecessary Hardship – strict conformity is unnecessarily burdensome in moving from a 2 stall to 1 stall garage and it has a deleterious effect on the property value
- Unique Property Limitations – it's a corner lot with a short corner (dangerous)
- Protection of the Public Interest – for safety when turning in, the ice and water buildup, and protection and integrity of the structure

Current petition is to allow them to modify the front entrance they thought was approved in the original 2016 petition with a change from a 4' to 7.5' front yard variance request.

Note: if the front yard variance was granted in 2016, it would have been for a 4' front yard variance. Petitioner would be back before the Board of Appeals today as the petition changed from a 4' to 7.5' variance request and is required to be noticed as such.

Fuller

- Provided an overview of the request and the variance granted in 2016 and the amended request for a 7.5' variance of the front yard setback being considered today.
- Felt the variance request being considered today should be considered as a separate project from the variance granted in 2016.

Mike and Sue Danelski, 238 Little Road

- In a letter included with their original request, they asked for a 4' front yard variance which was measured from the existing structure. This is the same plan as originally requested just worded differently. Furthest point from the structure is actually 7.5'.
- They want to keep the integrity of the architecture and to the neighborhood so it is a pleasing looking structure. Bringing the window forward will shorten the visual length of the structure.

Discussion:

- Matuszek and Straughan, both on the Board in 2016, recall approving the plan which they thought included the front entrance.
- Average setback for properties on Little Road is 27'. This property would be at 22.7'.
- If garage is bumped out, it wouldn't make sense to do the plan without the front entrance.
- Precedent setting?
- Village error in 2016?
- Variance request changed from a 4' front yard variance in 2016 to a 7.5' variance in 2020. Same plan – measured differently.
- Have signed documents from neighbors that they don't object.
- Garage relocation/reorientation met the requirements for a hardship due to the unique property and safety concerns. The thought was a 4' variance for the entrance was included in approval at that time.
- When viewing as one project, to accommodate the new garage and interior changes, the changes to the front entrance have to be made.
- Unnecessary hardship – project would be affected or no longer be feasible without approval for the front entrance they thought was approved in 2016.
- There is a hardship and safety concern with the project. Separating the two requests wasn't the original intent. Strict conformity would be unnecessarily burdensome.

**Matuszek / Kapla moved to grant the 7.5' variance of the front yard setback to modify the front entrance at 238 Little Road when changing their driveway and garage entrance orientation. Motion carried.**

## ANNOUNCEMENTS

Kornowske

- Announced this being his last Board of Appeals meeting due to family obligations

Matuszek

- Suggested scheduling a meeting prior to next appeal for the Board to review the criteria for granting or denying appeals.

Fuller

- Invited Board members to an Open House on Tuesday from 5 – 6:30 p.m. to meet with consultant on the draft Zoning Code rewrite for questions and answers.

## ADJOURNMENT

**Kapla / Clark moved to adjourn at 6:00 p.m. Motion carried.**

Minutes submitted by Debbie Baenen, Clerk-Treasurer