



AGENDA

DATE: September 1, 2023

TO: ZONING ORDINANCE BOARD OF APPEALS MEMBERS

A meeting of the Zoning Ordinance Board of Appeals will be held **Monday, September 11, 2023 at 4:00 pm**, in the **2nd floor conference room #214** at Marinette City Hall. The following items will be on the agenda:

1. Call the meeting to order.
2. Roll call.
3. Approve minutes from June 5, 2023 (see attached).
4. Discussion and possible action regarding a Variance Application from Scott Haase to construct a new garage with a 3' setback on the east side of the property at 2211 Sherman St.
5. Adjourn.

Sincerely, John Marx
Zoning Ordinance Board of Appeals

Cc: Mayor, Steve Genisot (w/encl.); City Attorney, Robert Gagan (w/encl.); City Clerk, Lana Bero (w/encl.); Building Inspector, Curt Demlow (w/encl.); Dept. Heads; Council Members; Scott Haase, 210 Alameda St., Marinette, WI 54143.; EagleHerald (w/encl.); Peshtigo Times (w/encl.); Bay Cities Radio (w/encl.); City Hall Bulletin Board.

Note: Requests from individuals with disabilities who need special accommodations to participate in this meeting or hearing should be made to the City Clerk's Office at 1-715-732-5140 with as much advance notice prior to the meeting as possible.

CITY OF MARINETTE ZONING ORDINANCE BOARD OF APPEALS MEETING MINUTES FROM JUNE 05, 2023

1. Jon Heraly filling in for Jon Marx, City of Marinette Zoning Board of Appeals Chairperson, **called** the meeting **to order** at 04:00 PM in City of Marinette City Hall Conference Room # 214, 1905 Hall Avenue, Marinette Wis.
2. Upon a **call of the roll** it was determined a quorum of Board members were present and attendance was recorded as follows:
MEMBERS PRESENT: Jon Heraly, Joanne Vieth, Keith West, Wally Hitt & Bob Juul.
MEMBERS ABSENT: John Marx

OTHERS PRESENT: Mayor Genisot, Building Inspector Curt Demlow & Keith Frank.

3. **APPROVAL OF PRIOR MARINETTE ZONING BOARD OF APPEALS MEETING MINUTES.**
Joanne Vieth moved/ Keith West seconded and all concurred, (Heraly abstained) to approve the City of Marinette Zoning Board of Appeals meeting minutes from 6/2/22 as submitted.
4. **Discussion and possible action regarding a Variance request from ATC to allow a security fence with an additional 2' height, bringing the total to 8', including installation of barbed wire on the top of one foot. This fence will provide additional security for the transmission line facility. (Parcel #251-00983.000)**
Keith Frank, representing the property owner was present to answer any questions the Zoning Board of Appeals may have.

Pursuant to Marinette Municipal Code § 13.4102(J) Board members established the following three (3) findings regarding the City of Marinette zoning code variance application:

- i. Joanne Vieth moved/Keith West seconded and **motion passed** by a vote of 5 ayes to 0 nays to find that an unnecessary hardship exists for James Walker and the owner can make no feasible use of the property on Mary St (parcel #251-00983.000).
- ii. Keith West moved/ Joanne Vieth seconded and **motion passed** by a vote of 5 ayes to 0 nay to find that the property has unique property limitations.
- iii. Bob Juul moved/ Wally Hitt seconded and **motion passed** by a vote of 5 ayes to 0 nay to find that the granting of the variance would present no apparent harm to public interest, nor undermine purposes of Marinette Municipal Zoning Code, due to the lack of opposition to the variance application on file from any neighboring property owner and possible enhancement of neighboring property values.

Joanne Vieth moved/Wally Hitt seconded and upon a call of the roll **motion passed** by a vote of 5 ayes to 0 nays to **grant** a variance to ATC to allow a security fence with an additional 2' height, bringing the total to 8', including installation of barbed wire on the top of one foot. This fence will provide additional security for the transmission line facility. (Parcel #251-00983.000)

5. MEETING ADJOURNMENT.

Joanne Vieth moved/ Bob Juul seconded and all concurred, to adjourn at 04:07 PM.

Lana Bero, City Clerk



August 31, 2023

RE: Variance request from Scott Haase, to allow a variance to construct a new garage with a 3' setback on the east side of the property at 2211 Sherman Street:

Dear Property Owner:

A meeting of the Zoning Board of Appeals, of the City of Marinette, will be held Monday, September 11, 2023 at 4:00 P.M. in the Second Floor Conference Room #214 at Marinette City Hall, 1905 Hall Avenue, Marinette, WI. At this meeting, the Zoning Ordinance Board of Appeals will be reviewing the above referenced variance request.

Since you own property within 200 feet from the property in question, your attendance is welcome at this meeting. If you do not attend this meeting, or we do not hear from you, the Zoning Ordinance Board of Appeals will assume that you do not object to the variance request.

Sincerely,
Zoning Ordinance Board of Appeals

A list of all the property owners within two hundred (200) feet of the above-described property, and the property owner were mailed a copy of the above notice on August 31, 2023. A copy of the above notice was also placed in the City Hall mailboxes of each of the following persons on August 31, 2023: All Common Council Members, Mayor, Steve Genisot, City Clerk, Lana Bero, and Curt Demlow, Bldg. Inspector. A notice for each of the following was emailed on August 31, 2023: Eagle Herald, Peshtigo Times, Bay Cities Radio. A copy was also posted on the City Hall Bulletin Board on August 31, 2023.

Myril Brix III
W2657 Wagner Rd
Wausaukee, WI 54177

Brayden Zuraski
1123 Elizabeth Ave.
Marinette, WI 54143

Donna Pintarelli
N3904 Patti Lane
Marinette, WI 54143

Laura Heilman
308 5th Ave.
Menominee, MI 49858

AITF WI INC.
N4466 County Rd. W.
Peshtigo, WI 54157

Marinette Industrial Board ETAL
Attn: Jerry Derusha
3214 14th Ave.
Menominee, MI 49858

Tina Zalewski
2301 Sherman St.
Marinette, WI 54143

Rise and Shine Adult Family Home
2302 Thomas St.
Marinette, WI 54143

Kenneth Kobus
2235 Sherman St.
Marinette, WI 54143

Scott Haase
210 Alimeda St.
Marinette, WI 54143

Michael Malmstadt
N1588 State Hwy M35
Menominee, MI 49858

Raymond Plautz
2214 Thomas St.
Marinette, WI 54143

Pamela Vista
N6271 Old Hwy C
Marinette, WI 54143

Christopher Krcma
2222 Thomas St.
Marinette, WI 54143

Scott Walters
2123 Sherman St.
Marinette, WI 54143

Jennifer Lazarski
2119 Sherman St.
Marinette, WI 54143

Gary Johnston
2122 Thomas St.
Marinette, WI 54143

Variance Request Scott Haase
2211 Sherman St. 8-31-23

VARIANCE APPLICATION

City of Marinette, Wisconsin

(Adopted Sept. 27, 2004)

Zoning Board of Appeals

Petition No.: _____

Date Filed: _____

Filing Fee: \$150.00

Date Paid: 8-31-23 pd ✓

	Owner / Agent	Contractor
Name	SCOTT HANSE	
Address	210 ALIMECA ST	
Phone	715. 716. 0554	

Legal description: SW 1/4, SW 1/4, S. 6 T. 30N R. 24E, City of Marinette, Wis.

Tax parcel number: 251-02805, 001

Lot dimensions and area: 86 x 120.43 feet. = _____ sq. ft.

Zoning District: 251-CITY OF MARINETTE

Part A: General Information and Alternatives Analysis.

(To be completed by the applicant).

1. General Information.

(a) Current use and improvements.

2 BEDROOM HOUSE W/ DETACHED GARAGE

(b) Proposed use.

2 BEDROOM HOUSE W/ ATTACHED GARAGE

(c) Description and date of any prior petition for variance, appeal, or special exception.

N/A

(d) Description and location of all nonconforming structures and uses on the property.

HOUSE IS NOT SET 6 FT BACK FROM ADJOINING LOT

(e) Ordinance standard from which variance is being sought (include code citation).

6 FOOT SET BACK

(f) Describe the variance requested.

I WOULD LIKE TO ATTACH GARAGE TO BACK OF HOUSE AND CENTER IT SO LOOKS GOOD
SO I NEED TO ~~BEHIND~~ HAVE ~~BEHIND~~ GARAGE
ONLY 4 FT SET BACK FROM PROPERTY LINE

(g) Specify the reason for the request.

ATTACHING A NEW GARAGE TO HOUSE I WOULD LIKE TO CENTER IT FOR AESTHETICS

(h) Describe the effects on the property if the variance is not granted.

~~UNDER GARAGE~~
NO NEW GARAGE - OLD GARAGE WILL STAY

2. Alternatives.

(a) Alternatives you considered that comply with existing standards and reasons why you rejected them.

ATTACHING THE GARAGE IN CENTER OF THE HOUSE WOULD LOOK THE BEST. SO NONE AS OF TODAY

(b) Alternatives you considered that require a lesser variance and reasons why you rejected them.

Part B: Three-Step Test.

1. Unique Property Limitation. (To be completed by the applicant).

Do unique physical characteristics of your property prevent compliance with the ordinance?

Yes. Where are they located on your property? In addition, please show the boundaries of these features on the site map that you used to describe alternatives you considered.

No. A variance cannot be granted.

2. No Harm to Public Interest.

(a) **Ordinance Purpose.** (To be completed by zoning staff).

A non-exclusive list of common purpose and intent provisions from the Marinette Municipal Code follows. They include:

- | | | |
|-----------|-----------|-----------|
| § 13.0102 | § 13.1901 | § 13.3000 |
| § 13.0103 | § 13.1902 | § 13.3100 |
| § 13.1001 | § 13.2001 | § 13.3301 |
| § 13.1401 | § 13.2101 | § 13.3501 |
| § 13.1501 | § 13.2201 | § 13.3701 |
| § 13.1601 | § 13.2301 | § 13.4001 |
| § 13.1701 | § 13.2401 | |
| § 13.1801 | § 13.2901 | |

(b) **Purposes of Standard from which Variance is Requested.** (To be completed by zoning staff).

(c) **Analysis of Impacts.** (To be completed by applicant).

(1) Short-term Impacts (through the completion of construction):

- Impact: *NOISE WHEN BULDOZING*
Mitigation measure(s):
Extent to which mitigation reduces project impact:
- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

(2) Long-term Impacts (after construction is completed):

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:
- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

(3) Cumulative Impacts (what would happen if a similar variance request was granted for many properties?):

- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:
- Impact:
Mitigation measure(s):
Extent to which mitigation reduces project impact:

Will granting the variance harm the public interest?

Yes. A variance cannot be granted.

No. Mitigation measures described above will be implemented to protect the public interest.

3. Unnecessary Hardship. (To be completed by the applicant).

Are you applying for an area variance or a use variance?

- For an area variance, proceed to next question.
- For a use variance, the Zoning Board lacks authority to grant any use variance pursuant to Marinette Municipal Code § 13.4102(b).

Assuming an area variance is sought, is unnecessary hardship present?

- Yes. Describe. *HOUSE CURRENTLY SITS ON THE PROPERTY LINE AS THE BACK OF THE HOUSE IS ONLY 3 FT FROM PROPERTY LINE I WOULD LIKE TO CENTER THE GARAGE TO THE HOUSE AND THE FRONT EAST OF GARAGE WILL ONLY BE 36" OF PROPERTY LINE BUT REAR OF GARAGE WILL CONFORM TO CURRENT CODE (SET BACK)*
- No. A variance cannot be granted.

Part C: Additional Materials / Exhibits.

When needed, the applicant's site map and other exhibits should show the following:

- Location of requested variance
- Property lines
- Vegetation removal proposed
- Contour lines (2 ft. interval)
- Ordinary high-water mark
- Floodplain and wetland boundaries
- Dimensions, locations and setbacks of existing and proposed structures
- Utilities, roadways and easements
- Well and sanitary system
- Location and extent of filling/grading
- Location and type of erosion control measures
- Any other construction related to your request
- Anticipated project start date
- Sign locations, dimensions and other specifications
- Location of nonconforming structures
- Alternatives considered
- Location of unique property limitation
- Lot corners, lines and footprints have been staked out

Part D: Certification.

By signing below, I certify that I have received and reviewed all of the application materials, including instructions and explanations. I further certify that all of my answers herein are true and accurate; I have not made any intentional misrepresentation or omission. I understand that if I intentionally misrepresented or omitted anything in this application that my application may be denied and any variance granted thereunder might be revoked.

Signed: (applicant / owner)

Date:

Joel Haas

Aug 29th 2023

210 ALMEDA ST

MARINETTE, WI 54143-3002

0.22 AC



Abbreviated Legal Descr
GILBERTS 2ND ADD LOT
T LOTS 3-5 BLK 5 SUBJ T

Mailng Address
SCOTT A HAASE

Owned by
SCOTT HAASE

Parcel Number: 251-02805.001
Status: Active

