

Two Rivers City Hall
1717 East Park Street
Two Rivers, WI 54241
(920) 793-5532
www.two-rivers.org



**CITY OF TWO RIVERS
BOARD OF APPEALS AGENDA
February 25, 2026 – 4:00 PM
Committee Room, 3rd Floor - City Hall**

1. Call to Order

2. Roll Call

Board of Appeals Members: Randall Ammerman, Jayne Rulseh, Preston Jones, and Roger Russove (three vacant positions)

3. Statement of Public Notice

4. Public Hearing

Appeal of Riverside Seafood Inc (Owner – Applicant) to construct an accessory structure in the front yard. The property is zoned Industrial (I-2). The property includes a commercial building at 2511 Wilson Street. The industry requires the production line to be sampled and discharged into the sanitary sewer system. This appeal is necessary because Section 10-1-15, Entitled “Height and Area Exceptions” includes provisions for the setbacks and placement of structures. Structures are not permitted in the front yard.

The appeal is for a 12'x12' accessory structure to be constructed in the front yard, setback approximately 9' from the curb.

1. Explanation of appeal request by the applicant
2. Explanation of findings by City staff
3. Comments from the public

6. Action to be Taken

7. Adjournment

Please note, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Office of the City Manager by calling 793-5532.

It is possible that members of and possibly a quorum of governmental bodies of the municipality may attend the above meeting to gather information; no other action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



**TWO
RIVERS**
WISCONSIN

LAND DEVELOPMENT APPLICATION

APPLICANT _____ TELEPHONE _____

MAILING ADDRESS _____
(Street) _____ (City) _____ (State) _____ (Zip) _____

PROPERTY OWNER _____ TELEPHONE _____

MAILING ADDRESS _____
(Street) _____ (City) _____ (State) _____ (Zip) _____

REQUEST FOR:

<input type="checkbox"/>	Comprehensive Plan Amendment	<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	Site/Architectural Plan Approval	<input type="checkbox"/>	Annexation Request
<input type="checkbox"/>	Subdivision Plat or CSM Review	<input type="checkbox"/>	Variance/Board of Appeals
<input type="checkbox"/>	Zoning District Change	<input type="checkbox"/>	Other

STATUS OF APPLICANT: Owner Agent Buyer Other

PROJECT LOCATION _____ TYPE OF STRUCTURE _____

PRESENT ZONING _____ REQUESTED ZONING _____

PROPOSED LAND USE _____

PARCEL # _____ ACREAGE _____

LEGAL DESCRIPTION _____

NOTE: Attach a one-page written description of your proposal or request.

The undersigned certifies that he/she has familiarized himself/herself with the state and local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct.

Signed Carol Blasen Date 12/17/2025
(Property Owner)

Fee Required

\$ 350	Comprehensive Plan Amendment
\$ t/b/d	Site/Architectural Plan Approval (Listed in Sec 1-2-1)
\$ t/b/d	CSM Review (\$10 lot/\$30 min)
	Subdivision Plat (fee to be determined)
\$ 350	Zoning District Change
\$ 350	Conditional Use
\$ t/b/d	Annexation Request (State Processing Fees Apply)
\$ 350	Variance/Board of Appeals
\$ t/b/d	Other

Schedule

Application Submittal Date	_____
Date Fee(s) Paid	_____
Plan(s) Submittal Date	_____
Plan Comm Appearance	_____

\$ _____ TOTAL FEE PAID APPLICATION, PLANS & FEE RECEIVED BY _____

We are submitting a request to initiate a small structure to be placed over our wastewater sampling unit which is in our parking lot located at 2511 Wilson Street, occupied by Riverside Foods Inc. This property is zoned I-2, which states that structures need to be setback 25 feet from the road. We are requesting to put a permanent structure approximately 9 feet from the road to properly house our sampling unit from the outside elements and continue our wastewater sampling efforts. The permanent structure won't exceed 12'x12'.



Temporary structure is approx 3.5' x 6'





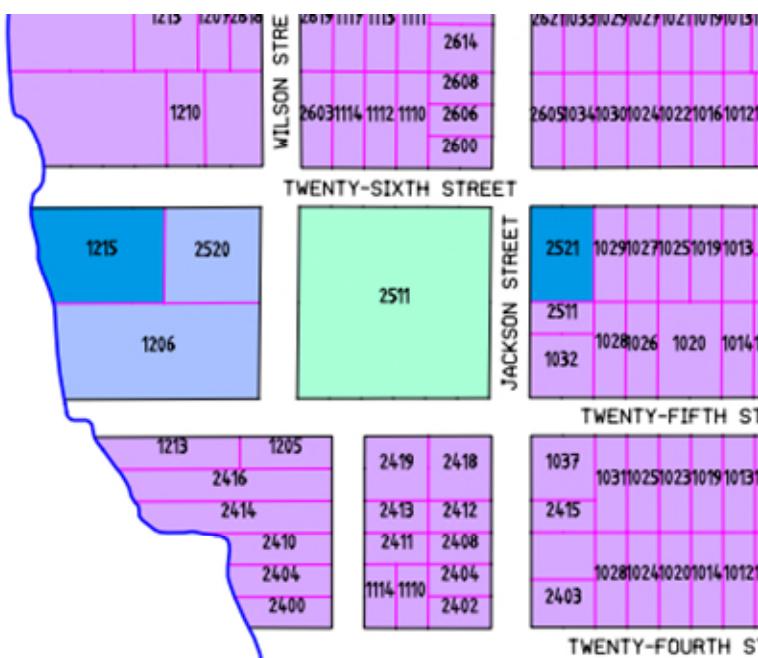
Temporary structure is 9.5' from the curb

■ WFB Waterfront Business District

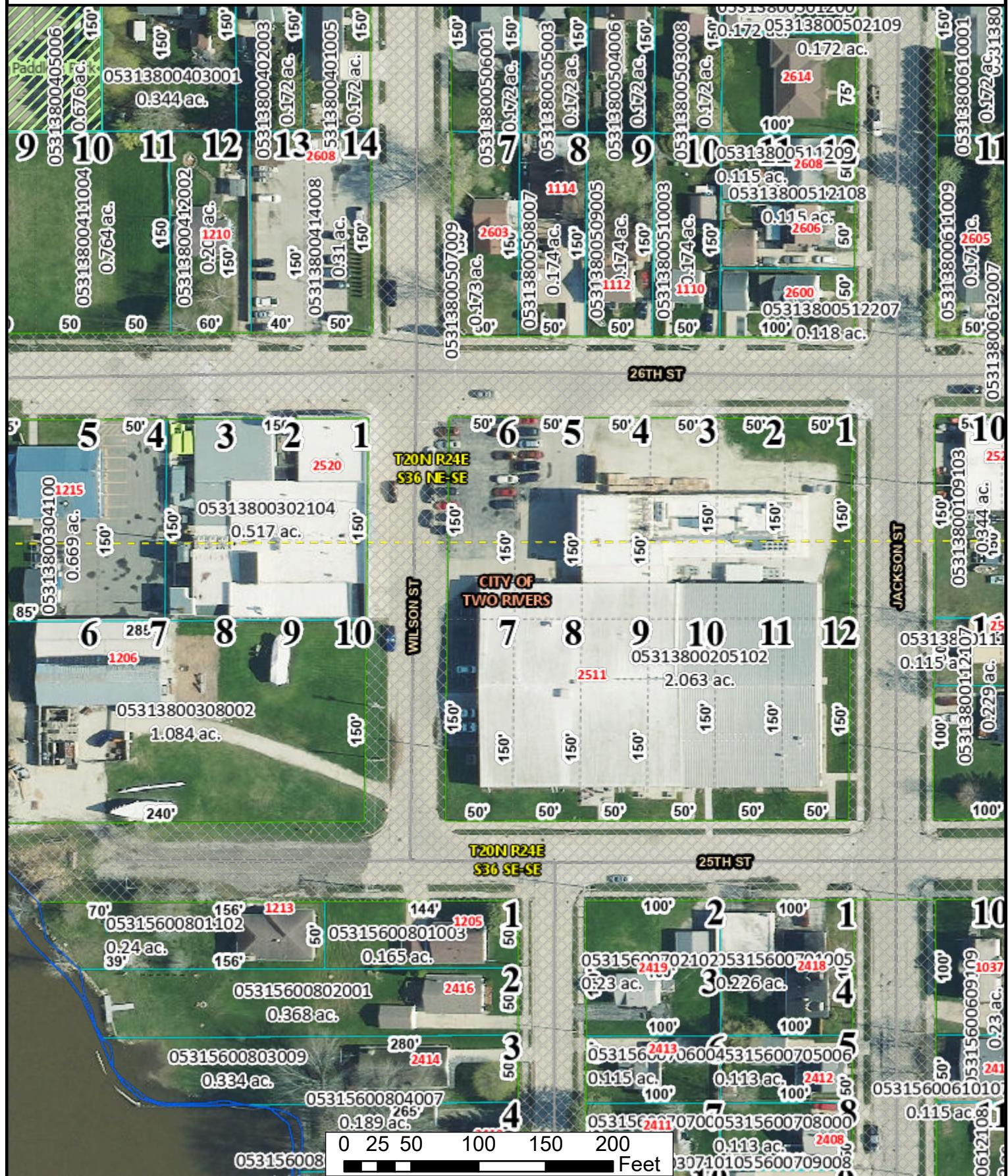
Industrial Districts

- I-1 Industrial District
- I-2 Industrial District
- I-3 Industrial District

— City Limits



Manitowoc County Parcel Viewer



TO: City of Two Rivers Board of Appeals

FROM: Adam Taylor, Zoning Administrator

DATE: 01/28/2026

SUBJECT: Appeal of Riverside Seafood Inc (Owner – Applicant) to construct an accessory structure in the front yard. The property is zoned Industrial (I-2).

BACKGROUND

- Current Zoning: I-2 Industrial District
- Current Use: Industrial
- Future Use: Industrial
- Parcel: The property is located at 2511 Wilson Street (Riverside Foods). The proposed accessory structure won't exceed 12'x12' and is to be placed on the west side of the lot approximately 9' from the curb. This conflicts with the provisions of Section 10-1-15 "Height and area exceptions" G (b) where accessory structures are not permitted in the front yard.

STATUTORY STANDARDS

A variance must meet the following three (3) statutory standards to be granted:

1. That an unnecessary hardship exists.
2. That there is a unique property limitation.
3. That the public interest is protected if a variance is granted.

STAFF FINDINGS ON MEETING STATUTORY STANDARDS

The following is a summary of staff findings on how the variance request does or does not meet the above statutory standards:

1. Existence of an Unnecessary Hardship - An unnecessary hardship is a situation where, in the absence of a variance, an owner can make no feasible use of a property or strict conformity with the applicable zoning regulations is unnecessarily burdensome.
2. Unique Property Limitation - Unique physical characteristics that limit the reasonable use of a property are a basis to grant a variance.
3. Protection of the Public Interest - Dimensional requirements in Zoning Districts are established to create certain aesthetic/appearance characteristics specific to each Zoning District.
 - a. *Hardship*: An unnecessary hardship is a situation where, in the absence of a variance, an owner can make no feasible use of a property or strict conformity with the applicable zoning regulations is unnecessarily burdensome.

The property's current use is an industrial facility. The proposed accessory structure is necessary in order for them to handle what is being discharged into the sanitary sewer system from the westerly production line. They are required to continually sample their discharge, which needs to be protected from the elements. The structure would meet all other building and zoning code requirements. Based on the property owner's current use of the property and the information included in the application, the applicant is showing that an unnecessary hardship exists. The Board may wish to further investigate whether an unnecessary hardship exists.

b. *Unique Property Limitation:* Unique physical characteristics that limit the reasonable use of a property are a basis to grant a variance.

The property at 2511 Wilson Street is not a unique shape, however it could be said that it is in an irregular location in terms of the use. The westerly production line is on a different parcel and is separated by a street right of way. This makes things difficult and limits what the industry can do to connect the two facilities. Based on the physical characteristics of the land, it seems likely that the characteristics of the land would limit the reasonable use of the property. The Board may wish to further investigate whether the characteristics of the land would limit the reasonable use of the property.

c. *Protection of the Public Interest:* Dimensional requirements in Zoning Districts are established to create certain aesthetic/appearance characteristics specific to each Zoning District.

The resulting 9-foot setback would exceed the typical setback for a detached structure. The request seems unlikely to cause any harm to the interest of the public or city.

ALTERNATIVES

The Zoning Board of Appeals may consider the following alternatives:

1. Deny the variance because the Board finds that one or more of the following conditions exist:
 - a. There is no "Unnecessary Hardship".
 - b. There is no "Unique Property Limitation".
 - c. The "Public Interest" is not protected.
2. Approve the variance as requested.
3. Approve the variance with conditions to be determined by the Board.

BOARD'S FINDINGS

Please note that the Board of Appeals must express reasons for their findings and decision. The Board shall state how each of the above reference conditions are met for proper documentation.

APPLICANT'S ROLE

The Applicants have the burden of providing proof that a hardship, unique property limitation, and protection of the public interest exists.

Sec. 10-1-15. Height and area exceptions.

The regulations contained herein relating to the height of buildings and the size of yards and other open spaces shall be subject to the following exceptions:

- A. *Public and quasi-public buildings.* Churches, schools, hospitals, medical clinics, sanatoriums and other public and quasi-public buildings may be erected to a height not exceeding 60 feet or five stories, provided the front, side and rear yards required in the district in which such building is to be located are each increased at least one foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.
- B. *Extraordinary structures.* Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, parapet walls not exceeding two feet in height, penthouses, stacks, scenery lofts, tanks, water towers, ornamental towers, spires, wireless television or broadcasting towers, masts or aerials, telephone, telegraph and power poles and lines, microwave radio relay structures and necessary mechanical appurtenances are hereby excepted from the height regulations of this chapter and may be erected in accordance with other regulations or ordinances of the city.
- C. *Residences.* Residences in the residence districts may be increased in height by not more than ten feet when all yards and other required open spaces are increased by one foot for each foot which such building exceeds the height limit of the district in which it is located.
- D. *Through lots.* Buildings on through lots and extending from street to street may waive the requirements for a rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard, provided that the setback requirements on both streets be complied with.
- E. *Nonconforming lots.* Where a lot has an area less than the minimum number of square feet per family required for the district in which it is located and was of record on September 8, 1953, such lot may be occupied by one family.
- F. *Accessory buildings and structures.*
 - (1) *Time of construction.* No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory unless expressly permitted by the board of appeals.
 - (2) *Height.* In all residential districts the maximum height of any detached accessory building shall not exceed the height of the principal building but in no case be higher than 20 feet unless expressly permitted by the board of appeals.
- G. *Yards to be open upward.*
 - (1) Except where otherwise specified in this chapter, every part of a required yard shall be open to the sky unobstructed.
 - (2) *Location of required open space.* All yards, courts, usable open spaces and other open spaces allocated to a building or dwelling group shall be located on the same zoning lot as such building or dwelling group.
 - (3) *Required yards for existing buildings.* No yards now or hereafter provided for a building existing on the effective date of this chapter shall subsequently be reduced below, or further reduced if already less than, the minimum required by this chapter for equivalent new construction.
 - (4) *Permitted obstructions in required yards.* The following shall be considered permitted obstructions when located in the required yard specified. Any obstruction not expressly described is prohibited.

(a) In all yards:

- [1] Arbors and trellises, trees, shrubs and plantings.
- [2] Awnings.
- [3] Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, antenna masts or towers, cornices, eaves, gutters and the like, projecting not more than 24 inches.
- [4] Fences, walls and hedges, subject to the provisions of this chapter.
- [5] Flagpoles and garden ornaments.
- [6] Open terraces not over three feet above the average level of the adjoining ground, but not including a permanent roofed-over terrace or porch unless otherwise specifically permitted.
- [7] Recreational accessory uses.
- [8] Steps not over three feet above the ground level which are necessary for access to a permitted building or for access to a zoning lot from a street or alley.
- [9] Walks and driveways.

(b) In front yards and street side yards:

- [1] Open fire escapes, open porches, decks, patios or terraces, including those with roofs but not walls, extending not more than six feet into a required front yard or street side yard, provided that these projections do not encroach in any vision clearance triangle.
- [2] Overhanging eaves and gutters projecting three feet or less into the yard.
- [3] Open off-street vehicle parking spaces when approved by the plan commission in business, industrial, institutional and multifamily residence districts.
- [4] Open off-street vehicle parking on a paved or gaveled driveway, provided no vehicle may be parked within five feet of a front property line within three feet of an interior side lot line or 25 feet of a street side lot line.

The minimum width of any driveway on private property shall be 12 feet. The maximum width of any driveway on private property shall not exceed the width of the garage to which said driveway leads. Maximum width shall not exceed 20 feet for properties with no garage.

Provided, however, that if the driveway width on private property is greater than that driveway's width at the edge of the public right-of-way there shall be a taper of the driveway on private property that narrows said driveway to the width at the right-of-way. Said taper shall be in a line starting at a point at least five feet from the edge of the right-of-way. Such tapers may be on one or both sides of the driveway.

In addition driveways may provide access to a parking space located in a side yard and immediately adjacent to the garage, provided that such parking space may be no wider than 12 feet and may not be within three feet of an interior side lot line (25 feet from a street side lot line.) The driveway may be widened beyond the edge of the garage only to the extent necessary to provide access to such parking space.

Driveway width at the edge of the public right-of-way and the width of driveway approaches and curb cuts within the public right-of-way are regulated by section 4-1-11 of this Code, curb cuts and driveway approaches.

- [5] Garages in embankments. Where the mean natural grade of a front or street side yard is more than eight feet above the curb level, a private garage may be erected within said yard, provided as follows:
 - [a] That such private garage shall be located not less than five feet from the street lot line;
 - [b] That the floor level of such private garage shall be not more than one foot above the curb level; and
 - [c] That at least one-half the height of such private garage shall be below the mean grade of the yard.
- [6] Produce gardening is permissible in front yards by meeting the following criteria:
 - [a] Produce gardens must be planted in raised beds and/or containers. Materials that raised bed can be built from:
 - Bricks and cinder blocks.
 - Natural and manufactured stones such as cobblestones and slab stones.
 - Plastic.
 - Milled wood and logs.
 - Corrugated metal and metal troughs.
 - Reclaimed materials such as old canoes or kayaks.
 - [b] 4-foot setback is required from the front property line.
 - [c] 3-foot maximum plant height.
 - [d] Total garden area is limited to 100 square feet of soil surface.
 - [e] Raised bed height allowed shall be a minimum of six inches and a maximum of 24 inches.
 - [f] Raised bed and/or container plus height of plants cannot impede vision clearance restrictions found in section 10-1-15.I(4)
- [7] Produce gardening is permitted in street side yards. Such gardens shall not encroach into the minimum required street side yard.
- [8] Garages in front yards.
 - [a] In the aggregate shall not occupy more than 30 percent of any required front yard and not more than 50 percent of non-required front yard areas;
 - [b] Shall be located on a lot being not less than five acres in size;
 - [c] The primary structure on the lot shall be located at least 500 feet from the street on which the property fronts;

- [d] Garages shall reflect the same minimum setbacks allowed for a principal structure on the lot.
- [e] Shall be located no closer than three feet from any part of any other building, or structure, except swimming pools as described in subsection H.
- [f] Shall comply with all applicable municipal and state code provisions.
- [9] Garages in street side yards.
 - [a] Shall be no closer than the required front yard setback;
 - [b] Street side yard setback shall be 25 feet from the lot line;
 - [c] In the aggregate, shall not occupy more than 30 percent of any required street side yard nor more than 50 percent of non-required street side yard areas.
 - [d] Shall be located no closer than three feet from any part of any other building, or structure, except swimming pools as described in subsection H.
 - [e] Shall comply with all applicable municipal and state code provisions.
 - [f] Permitted only where there is a previously existing driveway.
- (c) In rear yards:
 - [1] Open fire escapes, open porches, decks, patios or terraces, including those with roofs but not walls, projecting six feet or less into the required rear yard.
 - [2] Overhanging eaves, bay windows and gutters projecting three feet or less into the required rear yard.
 - [3] Detached accessory buildings and structures such as storage buildings, garages, swimming pools, heating and air-conditioning equipment, wind and solar energy conversion equipment antenna structures, including those mounted on towers or masts or those employing parabolic or similar reflectors, provided such buildings, structures or equipment:
 - [a] In the aggregate shall not occupy more than 30 percent of any required rear yard nor more than 50 percent of non-required rear yard areas.
 - [b] Shall be located no closer than three feet from any part of any other building, structure or property line, except swimming pools as described in subsection H.
 - [c] Shall comply with all applicable municipal and state code provisions.
 - [d] Driveways not exceeding 35 percent of the lot width or 35 feet, whichever is less.
 - [4] Storage canopies complying with the following:
 - [a] Storage canopies erected prior to June 7, 2021.
 - [i] Shall not exceed 240 square feet in area.
 - [ii] Shall not exceed 14 feet in height.