

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
Monday, January 9, 2023 – 4:00 PM
Council Chambers - 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. Approval of Minutes

5. Public Hearing

A. Appeal of Travis Stevens to construct a 270 square foot addition onto his home located on a corner lot at 818 Buchholz Street. The property is zoned R-2 Single and Double Family Residence district. This appeal is necessary because Section 10-1-21E states:

“Rear yard. There shall be provided a rear yard having a depth of 25 feet for interior lots and 15 feet for corner lots, except that when the dwelling structure is so oriented as to face the long frontage of a corner lot the rear may be reduced to seven (7) feet, provided that there is no rear door in the dwelling and further provided that an interior side yard not less than 15 feet in width of such corner be reduced to less than 24 feet.”

The proposed addition will encroach upon the seven feet rear yard set back by one (1) foot and be at a six (6) foot yard setback.

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 to 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.



BOARD OF APPEALS
November 17, 2021

MINUTES

1. Call to Order

Chairman Jones called the meeting to order at 5:00 PM.

2. Roll Call

Present: Randall Ammerman, Preston Jones and Jayne Rulseh. Also Present: Joel VanEss, Joe Partipilo, City Planner Elizabeth Runge and City Clerk Jamie Jackson.

3. Statement of Public Notice

Ms. Runge confirmed the statement of public notice.

4. Approval of Minutes - May 19, 2020

Motion by Mr. Ammerman and seconded by Ms. Rulseh to approve the minutes. Motion carried by unanimous voice vote.

5. Public Hearing

Mr. VanEss presented an overview of the applicant's request citing environmental issues make this a difficult site for development.

Ms. Runge provided a project overview and actions to date related to this project.

Chairman Jones opened the public hearing. During the first call, Joe Partipilo addressed the Board. Concerns regarding affordable housing development and contamination. Seeing no one else, Chairman Jones closed the first call. Chairman Jones opened the second call, seeing no one, the second call was closed. Chairman Jones opened the third call, seeing no one, the third call was closed.

6. Action to be Taken

No discussion by the Board.

Motion by Ms. Rulseh and seconded by Mr. Ammerman to grant the variance due to the existence of an unnecessary hardship which is the considerable contamination of the property, the unique physical characteristics of the property which limit the property's development and because the decrease in setbacks will have no adverse effect to the protection of the public interest. Upon a unanimous roll call vote, motion carried.

7. Adjournment

Motion by Mr. Ammerman and seconded by Ms. Rulseh to adjourn at 5:25 PM. Motion carried on unanimous voice vote.



TWO RIVERS
WISCONSIN

LAND DEVELOPMENT APPLICATION

APPLICANT Travis Stevens TELEPHONE 920-973-1681

MAILING ADDRESS 818 Buchholz St Two Rivers WI 54241
(Street) (City) (State) (Zip)

PROPERTY OWNER Travis Stevens TELEPHONE 920-973-1681

MAILING ADDRESS 818 Buchholz St Two Rivers WI 54241
(Street) (City) (State) (Zip)

REQUEST FOR:

- Comprehensive Plan Amendment
- Site/Architectural Plan Approval
- Subdivision Plat or CSM Review
- Zoning District Change
- Conditional Use
- Annexation Request
- Variance/Board of Appeals
- Other

STATUS OF APPLICANT: Owner Agent Buyer Other

PROJECT LOCATION 818 Buchholz St TYPE OF STRUCTURE _____

PRESENT ZONING R2 REQUESTED ZONING _____

PROPOSED LAND USE Building Addition

PARCEL # 1220020107 ACREAGE _____

LEGAL DESCRIPTION Good's Resub Lot 1 BIK 2

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 [Signature] Date 11/18/22
(Property Owner)

Fee Required

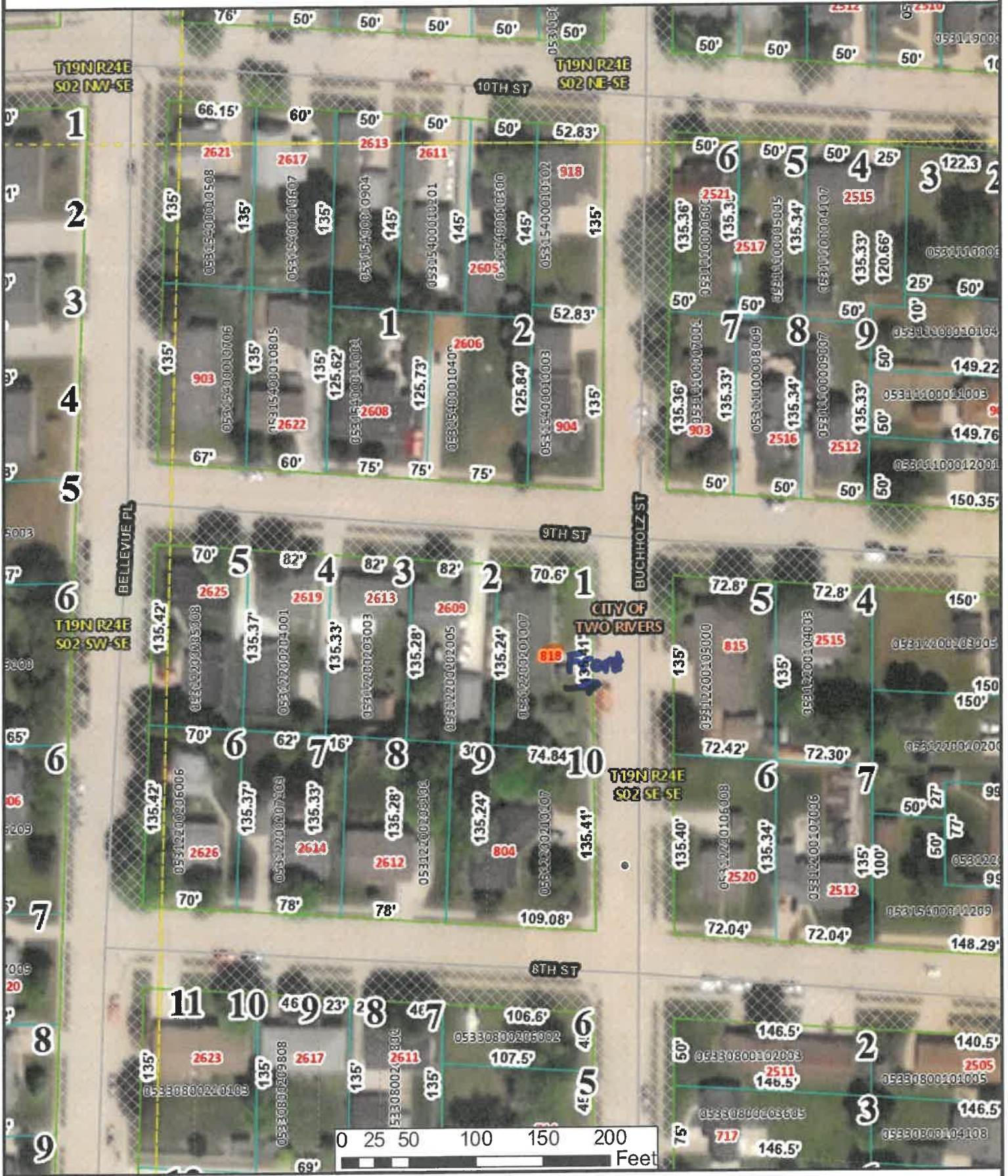
- \$ 350 Comprehensive Plan Amendment
- \$ t/b/d Site/Architectural Plan Approval (Listed in Sec 1-2-1)
- \$ t/b/d CSM Review (\$10 lot/\$30 min)
- Subdivision Plat (fee to be determined)
- \$ 350 Zoning District Change
- \$ 350 Conditional Use
- \$ t/b/d Annexation Request (State Processing Fees Apply)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

Schedule

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

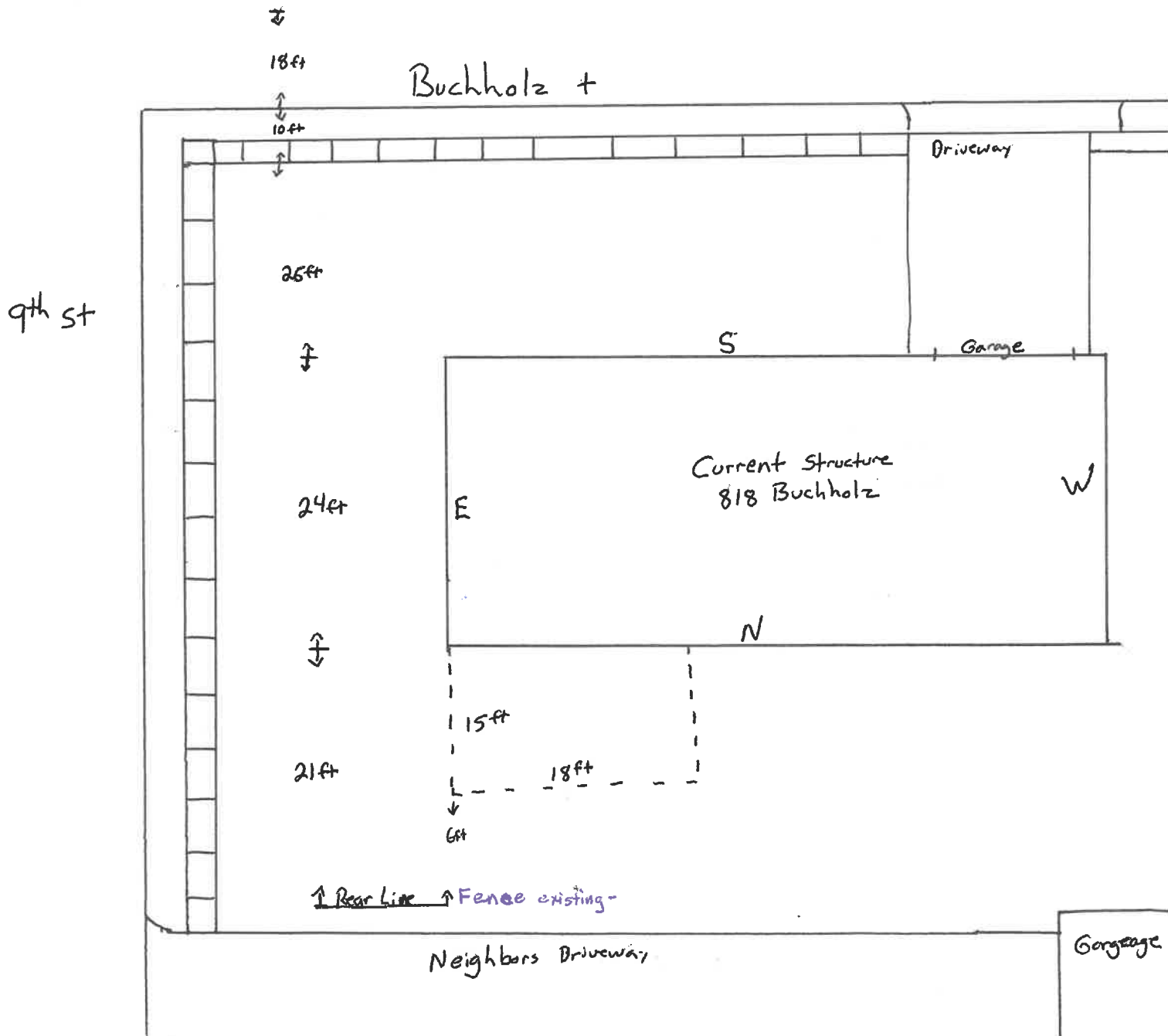
\$ 350** TOTAL FEE PAID APPLICATION, PLANS & FEE RECEIVED BY _____

Manitowoc County Parcel Viewer



Thank you for your consideration.

We are looking to build a 15ft wide by 18ft long addition to our current property. we need this addition to provide room for our family as we do not have the space needed for a family of six. We have explored purchasing a new property that would fit our family but as most know the housing market is tough and a larger house is out of our budget. We were able to refinance our current mortgage and gain enough equity to complete this addition, unfortunately the only spot on our residence able to be added on to is the North East corner which is roughly 21 ft off the back property line currently. We are seeking a Variance to allow us to build within 6ft of the current property line so that we can accommodate the 15ft wide addition of a bedroom and closet. See illustration below.



TO: City of Two Rivers Board of Appeals

FROM: Elizabeth Runge, Community Development Director

DATE: 1/5/2023

SUBJECT: Appeal of Travis Stevens (Owner – Applicant) to construct a 270 square foot addition onto his home located on a corner lot at 818 Buchholz Street. The property is zoned R-2 Single and Double Family Residence district.

BACKGROUND

- Current Zoning: R-2 Single and Double Family Residence.
- Current Use: Residential Corner Lot
- Future Use: Residential Corner Lot
- Parcel: The house is situated such that the proposed would encroach into the rear yard addition where the rear yard exceeding the provisions of Section 10-1-21E which states:
- Rear yard. There shall be provided a rear yard having a depth of 25 feet for interior lots and 15 feet for corner lots, except that when the dwelling structure is so oriented as to face the long frontage of a corner lot the rear may be reduced to seven (7) feet, provided that there is no rear door in the dwelling and further provided that an interior side yard not less than 15 feet in width of such corner be reduced to less than 24 feet.

This appeal is necessary because the proposed addition will encroach upon the seven feet rear yard set back by one (1) foot and be at a six (6) foot yard setback.

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 protect if a variance is granted.

STAFF FINDINGS ON MEETING STATUTORY STANDARDS

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 which 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.

The house is situated on the "short" side of the lot; however, the owner is choosing addition which encroaches into the required setback area by one foot leaving a six foot rear yard setback compared to a seven foot setback.

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.