



ZONING BOARD OF APPEALS MEETING AGENDA
THURSDAY, DECEMBER 19, 2024 AT 6:00 P.M.
LARGE MEETING ROOM – SISTER BAY-LIBERTY GROVE FIRE STATION
2258 MILL ROAD, SISTER BAY, WI

(Deviations from the agenda order shown may occur.)

If you are unable to attend the meeting in person, the following link will allow access to it electronically:
<https://zoom.us/j/4439901723?pwd=yAVpi40M1OlqgNufcVUE8XWCUSkKaH.1&omn=97063638580>

Meeting ID: 443 990 1723 Passcode: 304078

To connect by phone: 1-301-715-8592 - Meeting ID 443 990 1723#

For additional meeting information visit: www.sisterbaywi.gov, click 'Agendas and Minutes' or watch the meeting video online.

AGENDA

1. Call Meeting to Order
2. Roll Call

1	Chairperson – TOM SADLER	2	PATRICIA WISNER
3	DEB DUREN	4	HRISTO BLAGOEV
5	ELIZABETH HECHT	6	TERRY KELLY

3. Approval of the Agenda
4. Approval of the September 30, 2024 Zoning Board of Appeals Meeting Minutes
5. Administrative Appeal - Douglas B. Roberts and Ellen B. Roberts; 10631 Little Sister Road; R-1 Zoning District
6. Administrative Appeal Discussion & Action
7. Adjournment

Public Notice

Questions regarding the nature of the Agenda items or more detail on the items listed can be directed to Julie Schmelzer, Village Administrator, at julie.schmelzer@sisterbaywi.gov. Written testimony, including email, is accepted if received by the Office by 2:00 PM, April 19, 2023. Email letters to janal.suppanz@sisterbaywi.gov or send them to: Administration Office, PO Box 769, 2383 Maple Drive, Sister Bay, WI (FAX 920-854-9637). It is possible that members of and possibly a quorum of members of other governmental bodies may attend the meeting to gather information; no action will be taken by any governmental body other than the body specifically referred to above. Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid or accommodation at no cost to the individual. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Sister Bay Village Administration Office at 854-4118, (FAX) 854-9637, or by writing to the Village Administration Building, 2383 Maple Drive, PO Box 769, Sister Bay, WI 54234. Copies of reports and other supporting documentation are available for review at the Village Administration Building during operating hours (8 a.m. – 4 p.m. weekdays).

The Village of Sister Bay is an Equal Opportunity Provider.

POSTED DATE/SIGNATURE _____

1 **HYBRID ZONING BOARD OF APPEALS MEETING MINUTES**
2 **MONDAY, SEPTEMBER 30, 2024**
3 **SISTER BAY/LIBERTY GROVE FIRE STATION – 2258 Mill Road, Sister Bay, WI**
4 **(THE MEETING WAS ALSO ACCESSIBLE VIA “ZOOM”**
5 **VIDEO CONFERENCING SOFTWARE)**
6 **APPROVAL PENDING**

8 **Agenda Item 1. Call Meeting To Order:** The September 30, 2024 meeting of the Village of Sister Bay
9 Zoning Board of Appeals was called to order by Chairperson Tom Sadler at 4:33 P.M.

11 **Agenda Item 2. Roll Call:** Chairperson Sadler and Board members Pat Wisner, Deb Duren and Liz
12 Hecht.

14 **Excused:** Board member Terry Kelly

16 Board member Hristo Blagoev informed staff members that he would be recusing himself due to a
17 potential conflict of interest, and, therefore, he was also excused.

19 **Staff Members:** Village Administrator Julie Schmelzer, Administrative Assistant Janal Suppanz, and
20 Village Attorney Randy Nesbitt.

22 **Others:** One of the Appellants, Brigid White, on behalf of Captain’s Cottage, LLC, and the Appellants’
23 attorney, Bjorn Johnson, as well as Luke Berg of the Wisconsin Institute For Law & Liberty, Louise
24 Howson, Denise Bhirdo, Lars and Jill Johnson, Kurt and Laurel Harff, Karen Berndt, Ken Church, Kim
25 Erzinger, and two unidentified individuals.

27 **Agenda Item No. 3. Approval of the Agenda:**

28 *Motion by Hecht second by Duren that the Agenda for the September 30, 2024 meeting of the Village*
29 *of Sister Bay Zoning Board of Appeals be approved as presented. Motion carried – All ayes.*

31 **Agenda Item No. 4. Approval of minutes for the August 22, 2024 meeting of the Zoning Board of**
32 **Appeals and the Related Decision Document:**

33 *Motion by Sadler, second by Wisner that the minutes for the August 22, 2024 meeting of the Zoning*
34 *Board of Appeals be approved as presented. Motion carried – All ayes.*

36 *Motion by Sadler, second by Wisner that the document that is entitled, “Village of Sister Bay Zoning*
37 *Board of Appeals Final Determination – Wisconsin Statutes Chapter 68 Appeal (Administrative Appeal*
38 *– Captain’s Cottage, LLC)”, be approved as presented. Motion carried – All ayes.*

40 **Agenda Item No. 5. Public Hearing On Petition For Grant of Variance; Adam and Brigid White; 10775**
41 **N. Bay Shore Drive, Which Is Zoned R-1 (Single Family Residence):**

42 *Sadler, who is the Chair of the Village’s Zoning Board of Appeals, introduced himself as well as the*
43 *other Zoning Board of Appeals members, and noted that the Zoning Board of Appeals is a quasi-judicial*
44 *appeals board that is comprised entirely of Village residents. The members of that Board, who are*
45 *bound by the provisions of the Wisconsin Statutes, are formally appointed by the Village Board, and*
46 *they have been charged with hearing appeals of decisions that are made by the Village Administrator*
47 *and/or the Village’s Plan Commission as well as requests for variances. Sadler then explained the facts*

1 *and circumstances surrounding Mr. and Mrs. White's variance request and explained the procedures*
2 *that would be adhered to during the course of this proceeding. At 4:39 P.M. he called the Public*
3 *Hearing on the Petition for grant of variance that was filed by Adam and Brigid White on behalf of*
4 *Captain's Cottage, LLC to order.*

5
6 A Staff Report that was prepared by Schmelzer was included in the digital meeting packets, and she
7 summarized the contents of that document. During that time she stressed that she was only present
8 to answer questions that the Board members may have regarding Mr. and Mrs. White's variance
9 request, and also noted that the Board members can only grant the White's request for a variance if
10 they find that the variance will not be contrary to the public interest, and, where, owing to conditions,
11 a literal enforcement of the provisions of the ordinance would result in practical difficulty or
12 unnecessary hardship. Schmelzer also noted that Mr. and Mrs. White must prove that strict
13 compliance with the Zoning Code would unreasonably prevent them from using their property for the
14 permitted use, would render conformance with the Code to be unnecessarily burdensome, and would
15 leave them with no other reasonable use of their property. Finally, she stated that if the Zoning Board
16 of Appeals members find that there will be unnecessary hardship, it must be based on conditions
17 unique to the property, rather than personal to Mr. and Mrs. White. She also stressed that variances
18 "run with the land", so any decisions that the Board makes this evening will affect the property at
19 10775 N. Bay Shore Drive "forever". In conclusion Schmelzer introduced a copy of a Driveway Plan
20 that had been submitted to her by Mr. White on May 8, 2024, and pointed out that adherence to that
21 Driveway Plan would have satisfied the provisions of the Zoning Code, but Mr. and Mrs. White never
22 took the required follow-up actions, so the proposed driveway alterations never came to fruition. (The
23 previously mentioned Staff Report has been labeled Respondent's Exhibit No. 1, and the Driveway
24 Plan has been labeled "Respondent's Exhibit No. 2". Both of those documents are hereby attached
25 and incorporated by reference.)

26
27 Duren asked if it would be possible to extend the driveway that's on the north end of Mr. and Mrs.
28 White's property any further, and Schmelzer responded that such actions would not be feasible.

29
30 Hecht asked if the regulations that Schmelzer referred to were in place when the White's initially
31 applied for their short-term rental license, and Schmelzer responded that short-term rental licenses
32 are never "grandfathered"; short-term rental operators are required to submit the related
33 applications on an annual basis, and must abide by the regulations that are in effect when they submit
34 their applications. Upon hearing this, Hecht expressed concerns that the Village's short-term rental
35 regulations could technically be amended at any time, and pointed out that amendments to the
36 related parking regulations could definitely negatively impact Mr. and Mrs. White as well as a number
37 of other short-term rental operators "down the road". Schmelzer acknowledged that amendments
38 were recently made to some of the Village's short-term rental parking regulations, but she also noted
39 that all of the other short-term rental operators opted to comply with the new regulations and were
40 ultimately issued their licenses.

41
42 Duren agreed with Hecht, and stated that it is her understanding that there literally is no room to
43 expand the existing driveway. She also noted that the driveway that is the subject of this hearing has
44 been there "forever". Schmelzer responded that there is plenty of room to create a new driveway
45 elsewhere on the property, but as of this time the White's have opted not to do that.

1 Duren then asked if the White's could propose that a driveway be constructed elsewhere on their
2 property, and Schmelzer responded that that would be an option.

3
4 Duren asked how long the White's have actually held a short-term rental license, and Schmelzer
5 responded that she believes they have been issued three STR licenses thus far. The Code was last
6 amended in June of 2023, and that is when the decision was made that driveways for short-term
7 rentals would no longer be allowed to be "grandfathered", but since Mr. and Mrs. White had already
8 been issued a short-term rental license for their property, this will be the first year that they were
9 actually informed that in order to obtain a Short-Term Rental License they must bring their driveway
10 into compliance.

11
12 Sadler requested that Schmelzer describe the components of the Parking Plan that she provided to
13 the Board members, and she did that. He then asked if two vehicles would fit in the area that is
14 designated on the plan, and Schmelzer responded that they would. She also noted that if the plan had
15 come to fruition the previously mentioned right-of-way issues would have been eliminated.

16
17 Nesbitt swore in Attorney Berg, and he subsequently read a portion of a prepared statement aloud.
18 In conclusion Attorney Berg indicated that the White's simply want to continue to utilize their existing
19 driveway, which has been in existence for many years, and for all of the reasons he mentioned in the
20 statement, he and the White's definitely believe a variance is warranted. (The prepared statement
21 and all the documents that are referred to in that statement have been labeled "Appellant's Exhibit
22 No. 1", and have been made part of "the official record", but due to file size limitations only Attorney
23 Berg's statement is actually attached and incorporated by reference.)

24
25 Duren indicated that she believes the Whites should only be allowed to have two parking stalls on
26 their property; one on the north side of the lot, and one by the power pole, and as long as the
27 neighboring property owners don't object, she doesn't believe there should be any issues with such
28 a finding. Schmelzer responded that the Zoning Board of Appeals cannot grant a variance for property
29 that is not owned by the applicants, but Attorney Berg responded that their position is that the
30 driveway is on their property as it is in the right-of-way. Schmelzer responded that the right-of-way
31 issue was debated at length at the last Zoning Board of Appeals Hearing and, therefore, she does not
32 believe it would be appropriate to allow further debate of that issue at this time, and Attorney Nesbitt
33 agreed. Attorney Berg then read the verbiage that he was proposing for a variance aloud.

34
35 Nesbitt stated that if the Board decides to grant the previously mentioned variance he would not
36 recommend that the verbiage that is being proposed by Attorney Berg be utilized as it is quite vague
37 and allows "long-term change", and basically would infer that "what is there now will be allowed to
38 remain forever.". Further, someone looking at the variance years from now would have no idea what
39 the existing driveway even looks like. He also stated that in order to avoid any problems in the future,
40 he is suggesting that a very detailed description of any conditions that are imposed be clearly defined
41 and "sited on the record".

42 Attorney Berg responded that if the Board members share Nesbitt's concerns, they could order that
43 the Site Plan that has been included in Appellant's Exhibit 1 be attached to the Findings of Fact,
44 Conclusions of Law and Decision.

45
46 Sadler asked if anyone in the audience would like to speak in favor of granting the variance, and Brigid
47 White was subsequently sworn in by Attorney Nesbitt. Mrs. White stressed that she and her husband

1 are not trying to be difficult; they honestly believe that the home that is located at 10775 N. Bay Shore
2 Drive resembles an historical, quaint cottage, and they love it. Quite honestly they have no desire to
3 tear the house down and construct a "McMansion" on the previously mentioned property, and
4 because they believe the property is quite charming "just like it is" they also have no desire to tear up
5 a driveway that has existed for many, many years. Because they wanted to improve the appearance
6 of the property they saw that the LP tank was buried and have also put a lot of effort into seeing that
7 very nice landscaping was added.

8
9 Sadler asked if anyone else would like to speak in favor of granting the variance, and when no one
10 responded he asked if anyone would like to speak in opposition to Mr. and Mrs. White's request.

11
12 Denise Bhirdo was sworn in by Attorney Nesbitt, and she subsequently read a prepared statement
13 aloud. In that statement Ms. Bhirdo indicates that she is a Trustee for the Village and is also the Chair
14 of the Plan Commission, but at this hearing will be speaking as an individual resident of the Village
15 and a citizen. She is very concerned that if Mr. and Mrs. White's request for a variance is granted, that
16 variance will affect the land at 10775 N. Bay Shore Drive "forever", which could prove to be very
17 "problematic" from a number of different perspectives. When Act 59 was adopted by the State
18 Legislature the Village lost the ability to regulate transient rentals in residentially zoned districts, but
19 after a number of complaints were received from residents about the issues associated with short-
20 term rentals the Village did enact regulations that establish guidelines for the issuance of Short-Term
21 Rental Licenses. One of those complaints was received from Ingert Johnson, and in her letter Mrs.
22 Johnson adamantly objects to the fact that people who were utilizing STR's on the north end of the
23 Village were allowed to park their vehicles along the highway as there was potential for a number of
24 safety issues to arise. In conclusion Bhirdo stated that she would like to clarify that none of the
25 "parking regulations" that are contained in the Village's Zoning Code have actually been amended
26 recently; the only recent changes that were made to parking regulations are those that are contained
27 in the portions of the Code that actually address licensing requirements for short-term rentals.

28
29 Sadler asked if anyone else would like to testify in opposition to Mr. and Mrs. White's request for a
30 variance, and when no one responded he asked if anyone wished to present rebuttal testimony.
31 Attorney Berg responded that he would like to point out that all of the regulations that Mr. and Mrs.
32 White have requested variances for do pertain to parking, and they are all contained in the Zoning
33 Code.

34
35 *At 5:31 P.M. Sadler asked if anyone else would like to present rebuttal testimony, and when no one*
36 *responded he declared that the Public Hearing was officially closed.*

37
38 **Agenda Item No. 6. Administrative Appeal Discussion and Action:**

39 Sadler asked that each of the Board members voice their opinions with respect to what should happen
40 with the White's variance request, and Duren responded that "at first glance" she believes a variance
41 should be granted on the condition that no more than two on-site parking stalls will be allowed. She
42 suggested that the condition be imposed that one of those stalls must be on the north end of Mr. and
43 Mrs. White's property, and the other must be created in the turn-around area, and Wisner and Hecht
44 concurred.

Sadler stated that it is his understanding that parking issues have existed on the previously mentioned property for years. Quite honestly, he believes Mr. and Mrs. White “had way more than adequate time” to address the issues that Schmelzer referred to during this meeting, and, therefore, he is not in favor of granting the variance.

Upon hearing that comment Duren stated, “Well, technically, if the Code is strictly adhered to none of the previously mentioned variance requests should actually be granted.”, and Wisner stated, “It’s one thing to talk about something, but enforcement is another”. She also stated that she is very concerned that “precedent will be set” if the White’s variance request is granted. Wisner asked what the impacts of granting the variance actually would be, and Nesbitt responded that if the variance is granted any conditions that are imposed by the Zoning Board of Appeals will apply to the property “in perpetuity”.

Motion by Wisner, second by Sadler that the request from Adam and Brigid White on behalf of Captain's Cottage, LLC for a variance from the following sections of the Zoning Code be and hereby is denied:

- *Section 66.0403(2), which states that a parking stall must be 9'X 20' in size;*
- *Section 66.0403(5), which states that parking spaces must be on the same lot as the principal use they serve, and states that residential parking must be in a garage or carport or on a driveway that does not exceed 24' in width unless there is a spur that is a maximum size of 10' X 20', or the flare to access a parking area is in the side or rear yard;*
- *Section 66.0403(10)(d)(1), which states that a single family dwelling must have two parking spaces per dwelling unit, and also states that a short-term rental must have a minimum of two parking stalls but not more than four conforming parking spaces on the property;*
- *Section 66.0405(1)(c), which states that vehicles must be located outside of all ultimate rights-of-way, vision clearance triangles and drainage and utility easement areas;*
- *Section 66.0406(5)(a), which states that driveways and vehicles that are parking in an R-1 zoning district shall be 10' from a side lot line; and,*
- *Section 66.0406(6), which states that lots in the R-1 Zoning District are limited to one driveway, and short-term rentals with a non-conforming number of driveways shall be brought into compliance with the provisions of the Code.*

A roll call vote was taken on that motion, and the Board members voted in the following fashion:

Sadler – Aye; Hecht - Nay Wisner – Aye, Duren – Aye

Motion carried.

Nesbitt distributed a template for the Findings of Fact, Conclusions of Law & Decision that pertains to the White’s variance request to each of the Board members, and they jointly reviewed that document and eventually came to a consensus as to the verbiage that document should contain. Suppanz took note of all the suggested revisions, and indicated that she will see that a final draft of the Findings of Fact, Conclusions of Law & Decision is provided to Sadler ASAP.

Village of Sister Bay September 30, 2024 Zoning Board of Appeals Meeting Minutes –
Adam & Brigid White on Behalf of Captain's Cottage, LLC

Adjournment:

At 5:56 P.M. a motion was made by Hecht, second by Duren that the September 30, 2024 meeting of the Village of Sister Bay Zoning Board of Appeals be adjourned. Motion carried – All ayes.

Sadler thanked everyone who was present for taking the time to attend this meeting, and indicated that he will see that the Findings of Fact, Conclusions of Law and Decision is executed in as timely a fashion as possible.

Respectfully submitted,



Janal Suppanz,
Administrative Assistant



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Testimony on September 30, 2024, to the Sister Bay Zoning Board of Appeals

INTRODUCTION

Good afternoon, members of the Zoning Board of Appeals. I am here on behalf of Adam and Brigid White and Captain's Cottage, LLC, to seek a variance with respect to their driveway at their short-term-rental property. The Whites live in Sister Bay full-time and own a short-term-rental property across the street, at 10775 North Bay Shore Drive. They have owned that property since 2020 and have been renting it on a short-term basis that entire time (and using the driveway). The prior owners also rented it on a short-term basis since 2018.

The driveway at that property has been in place, as it is now, for at least 50 years. It has never been an issue until recently. Since this spring, however, the Zoning Administrator has taken the position that, to get a short-term-rental license, the Whites have to rip up their driveway, widen it, and move it over ten feet. We are here to seek a variance from those provisions of the zoning code that the Zoning Administrator believes their current driveway does not meet.

Before I go further, I'd first like to summarize how we got here today to get everyone up to speed. When the Whites applied for their short-term-rental license last spring, they were denied their license on the grounds that their driveway doesn't meet the current zoning code. The Whites attempted to work through the issue with the Administrator, explaining that their driveway is grandfathered, but were unsuccessful. The Whites then tried to appeal to the Village Board, but they were denied an appeal for failing to pay an appeal fee that, it turns out, didn't actually exist. At that point they had no other option but to file a lawsuit, and that case remains pending at the Door County Circuit Court. The Court granted the Whites a temporary injunction to allow them to continue to rent their property and ordered the Village to follow the administrative review process. The first step of that process was a review by Nate Bell and Randy Nesbitt. They reversed the Zoning Administrator's denial and granted the Whites their license, but it was still conditioned on them replacing their driveway. We appealed that condition to this board and had a hearing on that appeal on August 22.

During that hearing this board indicated that it believed a variance would be the simplest way to resolve this issue. It modified the condition on their license to allow the Whites to continue to rent their property without changing their driveway, so long as they seek and are granted a variance. So, following this board's lead, we applied for a variance, and that's why we're here today.

Now, just to be clear for the record here, our position continues to be that the Whites technically don't need a variance, because their driveway already is a legal, nonconforming use—i.e., grandfathered. But we're looking for the simplest way to resolve this dispute, and this board felt that the variance was the best way to do that. So, if this board grants a variance, the Whites will be able to go on with their lives and continue their short-term rental as they already have for years.

THE RELEVANT ORDINANCES

The Whites' variance application seeks a variance from six different provisions of the zoning code, as follows:

- 66.0403(2)
- 66.0403(5)
- 66.0403(10)(d)(1)
- 66.0405(1)(c)
- 66.0406(5)(a)
- 66.0406(6)

Now, at the outset, I want to note that, in our view, the Whites' existing driveway already meets all but one of those provisions. But the Zoning Administrator has taken the position that it violates each of these, which is why we are seeking a variance from all of them. I will discuss each in more detail, but I want to emphasize that our variance request, at bottom, is very simple: just to be able to keep and continue to use their existing driveway, and not have to replace it just to renew and keep their short-term-rental license.

Before I get into more detail, it will be helpful for everyone to see what the driveway looks like. Along with a copy of these remarks, I've submitted an appendix of materials that I'll be referencing. I apologize for the length. Most of it you don't need to read; it's just all the documents from the whole history of this dispute, including the litigation and the prior administrative appeal. I included all of that in case you want to see it or think it's relevant.

The most important stuff for this hearing is at the beginning. On pages 1–5, you can see pictures of the Whites' driveway. On page 6, you can see a survey of their property. As you can see, their driveway has two portions to it, one that is perpendicular to the road and a turn-around that is parallel to the road. The pictures show that the turn-around comfortably fits a minivan in just the front half. And the vehicle is well outside the shoulder of the road. The turn-around curves around a utility pole and is farther from the shoulder than the fences on the neighboring properties, so cars parked there in no way interfere with the flow of traffic along the road. If any car were to veer off the shoulder of the road, it would hit the utility pole or the neighbors' fences before any cars parked in the Whites' driveway.

A few years ago, the Whites put in landscaping next to their driveway, including trees and bushes. To replace their driveway, they would now have to tear all of that out and would end up paving more of the front of their property, reducing the natural beauty along the shoreline-side of the road.

With that overview, I'll explain each of the provisions we're seeking a variance from. And the order I've chosen is, I hope, to make it as easy to understand as possible.

66.0406(5)(a)

This is the easiest one to understand. It's the requirement that a driveway must be at least 10 feet away from the neighboring lot line. Everyone agrees, and the survey shows, that the Whites' driveway is not. But, again, the driveway has been that way for 50 years. There is no evidence that the neighbor has ever complained about this; as the pictures show, there is a thick line of trees and bushes at the edge of the driveway to separate the lots.

As a brief aside, the evidence that the driveway has been in place for at least 50 years is found in the appendix at pages 29–30, in a declaration from Kevin Woldt, one of the prior owners of the property. As he explains, he lived there in the 1970s when he was in high school, the driveway was the same then as it is today, and it hasn't changed since, to his knowledge.

Furthermore, as I explain in a declaration at pages 31, I attempted to obtain the permit for the original driveway from the Wisconsin Department of Transportation. They were unable to find it in their records but explained to me that their electronic records only go back to the 1980s, so it's very possible the permit is in a physical logbook somewhere that is apparently much harder to search—or the driveway might have even pre-dated the permitting process.

66.0406(6)

The second ordinance we're seeking a variance from is 66.0406(6), which limits properties in R-1 zones to one driveway and requires short-term-rental properties with more than one driveway to remove all but one. Now, to be clear, I would characterize the Whites' driveway as one driveway. It has a wide front, but it's all connected. Some of the Zoning Administrator's emails with me (these are in the appendix at pages 97–105) suggest that she believes the turnaround portion and the perpendicular portion are two separate driveways. So that's why we're seeking a variance from this one.

66.0405(1)(c)

The next is 66.0405(1)(c), which says that "vehicles shall be located outside of all ultimate right-of-ways." This one takes a little explaining, but it's important to understand the rest of what I'm going to talk about, so bear with me a moment.

The phrase “right of way” is not always used consistently. One way it’s used is to refer to a sort-of virtual, 66-foot-wide strip of land that follows the road. This is not the actual width of the road. The actual width of the road, including the shoulder on both sides, is roughly 37 feet. Instead, this is land that the state has a right to use if it ever wants to expand the road, widen the shoulder, etc. Along Bay Shore Drive, that potential, 66’ strip extends 10–15 feet beyond the actual paved shoulder of the road into the lots.

With respect to the Whites’ property specifically, the turnaround portion of their driveway is mostly within that unused portion of the potential right-of-way. That’s not unique though. It should be obvious, but every single driveway is partially in the potential “right-of-way.”

The way I would interpret 66.0405(1)(c) is that it means simply that you can’t park cars in the *actual* right of way, i.e. on the shoulder of the road. The ordinance, after all, refers to the “*ultimate* right of way.” But even if “right of way” refers to that potential, 66’ strip, rather than the actual, paved road, the same ordinance, just two subsections above, says explicitly that vehicles under 12 tons “may be parked on a driveway.” That’s a pretty clear authorization to park on a driveway, to my mind. The way these would work together then, is that you can park on a driveway, but you can’t otherwise park in the potential right of way—like in the grass right next to the shoulder of the road.

The Zoning Administrator’s position, however, is that the part of the driveway that is in the potential right of way either can’t be used for parking, or, perhaps, can’t count as parking for purposes of the other requirements that I’ll get to. I’m hedging here a bit because I’m not sure I understand the Zoning Administrator’s position.

In any event, we are seeking a variance from this section just to be absolutely clear that the Whites can park on their own driveway—all of it—and can count that space as available parking for purposes of the other requirements.

66.0403(10)(d)(1)

The next section we’re seeking a variance from is 66.0403(10)(d)(1). That section says that short-term rentals must have at least two, but not more than four, parking spaces. If you count their whole driveway, the Whites’ property has 3–4 spaces. As the pictures show, you can fit 2–3 cars in the turnaround portion of the driveway, and one in the perpendicular portion. The Zoning Administrator’s position is that the Whites cannot count the turnaround because it’s in the potential, but unused, right-of-way strip. Again, I think that’s a bad interpretation, but just in case, we’re seeking a variance from the requirement to have a minimum of two parking spaces. Everyone agrees, I think, that they have at least one parking space in the perpendicular portion of their driveway.

66.0403(5)

The next section, 66.0403(5), says that parking spaces must be on the same lot as the principal use. The Zoning Administrator's position is that 2–3 of the parking spots on the driveway are *not* on the same lot because they are in the unused portion of the right of way.

That is incorrect, in our view, under what's called the "center-of-street" rule, which is a well-established rule of property law in Wisconsin. The basic idea is that property owners abutting a road own the land under the road all the way to the center of the street. Our Supreme Court has said that this rule applies "even where the conveyance names the highway as the boundary of the parcel conveyed." *Spence v. Frantz*, 195 Wis. 69, 217 N.W. 700, 701 (1928) (citing *Gove v. White*, 20 Wis. 425, 426 (1866)).¹ So the Whites' lot technically runs to the center of street, and thus their driveway and parking spaces on that driveway *are* on the same lot, even though they are within the potential, but unused, right of way.

But again, in case we're wrong about that, and just to be absolutely clear, we are seeking a variance from the requirement that their parking be on the same lot—so that their whole driveway can count.

66.0403(2)

Finally, the last section, 66.0403(2), is just the minimum dimensions of a parking spot. It says that parking spots have to be at least 9' wide and 20' long. As the pictures show, the perpendicular portion of the Whites' driveway is much wider and longer than that—it's 12 feet wide and 36 feet long. And the turnaround portion is about 12' wide and well over 20' long—so they clearly have at least two spots that meet those dimensions. But the Zoning Administrator's position is, again, that any portions of the driveway that are within the potential right of way do not count.

So, again, just to be absolutely clear, we are seeking a variance from this section to the extent that any of the parking spaces in the existing driveway do not meet the dimensions, for whatever reason.

Summary

I know that was a lot of detail, and I apologize for that; I'm just trying to be as clear and precise as possible. At bottom, the request here is really simple: the Whites just

¹ *Williams v. Larson*, 261 Wis. 629, 631 (1952) ("It has long been the established law in Wisconsin that the abutting owner has title to the center of the highway or street adjacent to his property, subject to the public easement."); *Miller v. City of Wauwatosa*, 87 Wis. 2d 676, 680 (1979); *Olson v. Swanson*, 85 Wis. 2d 834 (Ct. App. 1978); *Geyso v. Daly*, 2005 WI App 18, ¶ 9; *see also* Wis. Stat. § 80.32(3) (providing a reversionary interest to the abutting property owners if the road is ever discontinued).

want to keep and be able to use their existing driveway, and not have to modify it just to renew and keep their short-term-rental license. So, I would propose wording the variance like this: “A variance from Village Ordinances §§ 66.0403(2), 66.0403(5), 66.0403(10)(d)(1), 66.0405(1)(c), 66.0406(5)(a), and 66.0406(6), as they may apply, and to the extent that the existing driveway and parking at 10774 N. Bay Shore Drive do not meet any of these requirements. This variance only applies to the existing driveway.”

VARIANCE REQUIREMENTS

The Whites meet all of the applicable requirements for a variance here. I’ll go through each in turn.

Preservation of Intent

A variance would be consistent with the intent of the Village’s zoning regulations. The Village’s main concern with respect to short-term rentals is clearly ensuring that they have adequate parking. Per the current code, that means at least two parking spots at a short-term rental. As I’ve already explained, the Whites’ current driveway has more than that—it has room for three, possibly up to four, cars on it.

There is no safety concern with parking in the turnaround portion of their driveway. As already noted, it curves behind the utility pole; so traffic would hit that first.

And finally, the Village has an interest in the beauty of the Village and the landscaping along the roads, especially along the shoreline. You can see that in the landscaping requirements in the zoning code, for example, 66.1060. To replace their driveway, the Whites would have to rip out all of their landscaping and pave more of the front of their property. This makes no sense, even from the Village’s perspective.

Exceptional Circumstances

This is a unique situation. The Whites’ property has been there for a very long time, and their driveway has been there, as it is now, for at least 50 years. No other property along Bay Shore Drive has a driveway quite like theirs, so granting a variance for them will not require a variance for lots of other properties—if any at all. Although unique, their driveway has never caused any problems.

The placement of the home on the lot and the placement of a utility pole in the front of the lot also make this an exceptional situation and would make replacing the driveway a logistical challenge. As you can see from the pictures and the survey, the front step into their home is relatively close to the front of their lot, such that the driveway would not be long enough if it came directly towards the front of the house (especially if they cannot use or count any portion of the driveway in the “potential” right of way). And, on the left side of the property, there is a utility pole that they

would have to work around. So, replacing the driveway would require significantly more pavement and less green space in the front of their lot.

Hardship

Forcing the Whites to tear out and replace their driveway would also be unnecessarily burdensome for them. As already noted, it would require them to remove all of the landscaping they recently added. It would also require them to tear out all the pavement that is currently there. And, as just mentioned, given the placement of the home and utility pole, any new driveway would have to wind around the left side of the house, adding even more pavement and reducing the green space along the shoreline.

Preservation of Property Rights

Granting a variance will fully preserve the property rights of all nearby properties. Again, all the Whites are asking for is to keep and continuing using their existing driveway as they have already been doing for the entire time they've owned the home.

It would also preserve *their* property rights. As I mentioned, our position is that they have a vested property right to continuing using their existing driveway without replacing it. A variance will simply confirm that property right.

Absence of Detriment

Finally, granting the variance will not cause any detriment to any nearby properties. Again, the driveway has been in place, as it is now, for at least 50 years. The Whites aren't asking to change anything. They just want to keep and to use their existing driveway and to be able to get a short-term-rental license without having to tear it out and replace it.

I'm happy to answer any questions.



STAFF REPORT



Date: September 30, 2024

To: Zoning Board of Appeals

From: Julie Schmelzer, Village/Zoning Administrator

Re: White Petition for Grant of Variance

As you know, Attorney Berg has submitted a Petition for Grant of Variance on behalf of his clients, Adam and Brigid White. In my position I am to provide you facts and code information to help you determine whether the request meets state statute and municipal code, and if it does, whether a variance should be granted. It is not my position in a variance case to make recommendations.

In this particular case, I'm troubled on how to advise you since the Attorney didn't explain *what* they want, rather just said they want a variance(s). Although we have never had a petition where someone didn't know what they wanted, the application doesn't require them to specify their request and we therefore had to deem the application complete and schedule the hearing (we did request more detail but did not receive it). You, however, will have the extra work of extracting from the petitioner *what* they want, *how much* of a variance, etc. As such, I'll do my best to guide you in the below.

Wisconsin Stats. 62.23(7)(e)7 explains you can approve a variance only if:

1. The variance from the code will not be contrary to the public interest, where, owing to conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
2. The statutes further read a property owner bears the burden of proving 'unnecessary hardship' by demonstrating the strict compliance with the zoning code would unreasonably prevent the property owner from using the property for the permitted use or would render conformance with the code to be unnecessarily burdensome. The owner must therefore demonstrate strict conformance means we would leave the owner with no other reasonable use of the property (except of course unless they got a variance).
3. Lastly, stats require: The owner bears the burden of proof to prove the unnecessary hardship is based on conditions unique to the property, rather than personal to the property owner, and, that the hardship was not created by the property owner (meaning, 'a property owner' since variances shouldn't be used to correct violations, unless they meet the tests above).
4. Lastly, remember variances run with the land, so any decision will mean the variance(s) are warranted forever.

This is what we know:

1. Single-family residences need at least two code complying parking stalls – each must be 9' x 20', not in a right-of-way, and 10' off a property line.

2. This property is licensed as a short-term rental. Short-term rentals need at least two stalls, but not more than four.
3. Parking cannot be in a public right-of-way or off-site (they can't be on someone else's property).
4. Driveway cannot exceed 24' in width and only one driveway (access point) allowed.

The Property:

1. Flat, open.
2. A power pole approximately 34' from south lot line.

Overview: (Pink area the public highway right-of-way)



Lot Lines:



RECEIVED MAY 08 2024

Adam & Bridget White
10775 N. Bay Shore Dr.

Plat of Survey

LOCATED IN:

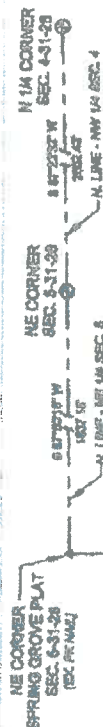
SPRING GROVE PLAT, GOV'T LOT 2,
SECTION 8, T. 31 N., R. 28 E., VILLAGE OF
SISTER BAY, DOOR COUNTY, WISCONSIN

PREPARED FOR:

RICHARD A. WOLDT & NEVIN R. WOLDT
10775 NORTH BAY SHORE DRIVE
SISTER BAY, WI 54234

PREPARED BY:

BRIAN D. FRISQUE
REGISTERED LAND SURVEYOR
3121 WAYNE ROAD
STURGEON BAY, WI 54236
(920) 743-7183



LEGEND

- = EXISTING DOOR COUNTY MONUMENT
- = EXISTING 1/2" IRON PIPE
- △ = EXISTING MAG NAIL
- = RESET 1/2" IRON PIPE FOUND BENT
- = SET 1" IRON PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT
- = UTILITY POLE

corner of house is 33' from right of way



North Bay Shore Drive (S.T.H. "42")



SCALE: 1" = 20'

SURVEYOR'S NOTES

BEARINGS REFERENCED TO THE NORTH LINE OF THE NE 1/4 OF SECTION 8-31-28 BEARING S 77°07'16" W BASED FROM THE CONTROL SURVEY SUBMANY DIAGRAM FOR THE TOWN OF LIBERTY GROVE-SOUTH

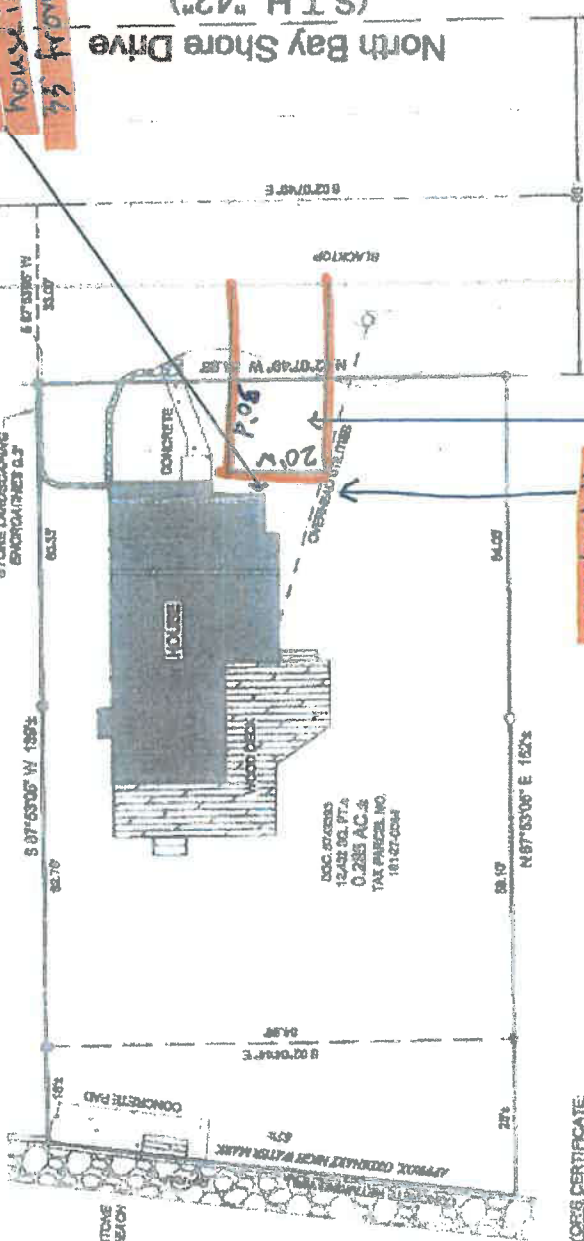
DESCRIPTION: TAX PARCEL NO. 101.47-0044

Lot Forty-Four (44) and Forty-Five (45) comprising the South Fifteen (15) and Lot Forty-Five (45) of Spring Grove Plat located in Government Lot One (1) of Section 8, Township 31 North, Range 28 East, Village of Sister Bay, Door County, Wisconsin and containing 0.285 acres of land more or less, including all riparian rights appurtenant thereto.

Reviewed: 5-13-11
10-25-10
D-002810.dwg
Drawn By: D.F.A. //
JOB#: D-082810

016408

New driveway/parking
Spaces 20' wide x 30' deep



SURVEYOR'S CERTIFICATE

I, Brian D. Frisque, Registered Land Surveyor, do hereby certify that I have surveyed this property described herein, and that the attached map is a true representation in the best of my knowledge and belief, and of the true location of the property, its exterior boundaries, the location of all visible monuments, boundary lines, adjacent streets, roads, and visible encroachments, if any.

This survey is made for the use of the present owners of this property and also those who purchase, mortgage or guarantee this thereto.

Dated: 5-13-2011

Brian D. Frisque
R.L.S. 9-2428

Julie Schmelzer

From: Julie Schmelzer
Sent: Wednesday, May 22, 2024 6:12 PM
To: Adam White
Subject: Driveway Proposal

Hi Adam,

I looked over your driveway plan. For two parking spaces, a driveway has to be 18' wide and 20' deep outside of the right-of-way. It also cannot exceed 24' in width. The driveway you propose would work for two stalls if it is indeed at least 20' from the 'waterside'/west of the driveway to the right-of-way line, and asphalt or concrete (or pavers). Due to the reduced scale on the survey I can't verify it would fit, so I'm relying on your measurements. Can you confirm the above is what you propose? Also, you will need a driveway permit to do what you propose. The link to the application is here: <https://app.heygov.com/sisterbaywi.gov/forms/driveway-permit/send>

Thank you for working with us; we're just trying to be fair to everyone.

Julie



**PUBLIC HEARING NOTICE
SISTER BAY ZONING BOARD OF APPEALS**

NOTICE IS HEREBY GIVEN that the Village of Sister Bay Zoning Board of Appeals will hold a public hearing on Thursday, December 19, 2024, at 6:00 PM for the purpose of considering an appeal of the Zoning Administrator's decision. The public hearing will be held in the Large Meeting Room, Sister Bay-Liberty Grove Fire Station, 2258 Mill Road, Sister Bay. A virtual (Zoom) option is available for the hearing.

Douglas B. and Ellen B. Roberts appeal the decision of the Zoning Administrator whereby the Administrator determined the height of their proposed residence would exceed the allowable height of 35 feet. The Roberts allege the decision was based upon a height calculation that is not in accord with the definition of 'Building Height' or 'Illustration No. 6 Building Height' as shown in the Village's Zoning Code. The development site is located at 10631 Little Sister Road, and in a Single-Family Residence (R-1) zoning district.

The purpose of the public hearing is to hear testimony from the appellant or his agent(s), and from any party in favor of or opposed to the appeal. All interested parties are urged to participate in the hearing and give testimony. Written testimony, including emails, will also be accepted until 4:00 PM, December 12, 2024. Correspondence can be delivered to the Village Administration Office, 2383 Maple Drive, PO Box 769, Sister Bay, WI 54234 (FAX 920-854-9637), or, email janal.suppanz@sisterbaywi.gov. Letters and emails will be entered into the record and forwarded to Board members prior to the hearing. Anonymous correspondence will not be accepted.

The Zoning Code, Zoning Map, and the appeal file are on file at the Village Administration Office and may be viewed weekdays between 8:00 AM – 4:00 PM Monday through Thursday. Visit the village's website to access the meeting materials, including the agenda with Zoom link: www.sisterbaywi.gov, scroll to the bottom of the page and click on 'Agendas & Minutes'.

Julie Schmelzer
Village Administrator
julie.schmelzer@sisterbaywi.gov



Village of Sister Bay
 2383 MAPLE DRIVE • SISTER BAY, WI 54234
 PHONE: (920) 854-4118 • FAX: (920) 854-9637
 E-MAIL: INFO@SISTERBAYWI.GOV
 WEB SITE: WWW.SISTERBAYWI.GOV

Appeals and Variances

THIS AREA FOR OFFICE USE ONLY	
Account No.	Issue Date:
Fee Amount Paid: \$1000.00	Receipt #: 5005701

Appeals may be made from a decision of the Zoning Administrator concerning the literal enforcement of the Village Zoning Code. Appeals shall be filed within thirty days of the date of written notice of the decision or order of the Zoning Administrator.

Area variances may be granted if there are unusual circumstances that apply to a lot, structure or use that don't apply to other properties or uses in the district; granting a variance would not adversely impact the purposes of the ordinance; strict application of the ordinance provisions would result in exceptional difficulties or hardship; and literal interpretation of the ordinance would leave the owner with no practical use of his land or buildings.

A variance may not be granted to increase the profitability of the property, because of personal inconvenience, because of construction errors, for personal economic gain, because of self created hardships, or if the present use of the property is nonconforming.

NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION
Appellant (Agent) Douglas B. Roberts and Ellen B. Roberts	Parcel Identification Number (PIN) 181- 23-0006
Street Address 33 Franklin Court S	Subdivision or CSM (Volume/Page/Lot) Lot 6, according to the recorded Little Sister Plat
City • State • Zip Code St. Petersburg, FL 33711	Address Of Property (DO NOT Include City/State/Zip Code) 10631 Little Sister Road
Property Owner (If different from appellant)	
Street Address	
City • State • Zip Code	

CONTACT PERSON

Name and daytime phone number (include area code) of a person we can contact if we have any questions about your appeal or variance.

Name Thomas O. Gartner Daytime Phone (414) 270 - 2716 Email togartner@michaelbest.com

CERTIFICATE

I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Sister Bay Plan Commission, members of the Zoning Board of Appeals and the Zoning Administrator to enter the above described property for purposes of obtaining information pertinent to my application/appeal/variance request.

Appellant Thomas O. Gartner Date November 5, '24
 Daytime Contact Number (414) 270 - 2716 Email TOGARTNER@

*Michael, Best + Friedrich
 Attorney for Appellant*

MichaelBest.Com

APPEAL	VARIANCE
I hereby appeal the following decision: <u>E-mail decision of</u> <u>Ms. Julie Schmelzer, Village Zoning Administrator dated</u> <u>October 30, 2024 regarding building height. A copy of</u> <u>the decision is attached as Exhibit A.</u>	I hereby appeal for the following variance: _____
DECISION MADE BY: <u>Ms. Julie Schmelzer, Village Zoning</u> <u>Administrator</u>	Reason for Variance: _____
REASONS STATED: _____ <u>The decision is based upon a height calculation that was</u> <u>not in accord with the definition of "Building Height" or</u> <u>"Illustration No. 6 Building Height" in the Village Zoning</u> <u>Code. Copies are attached as Exhibits B and C.</u> <u>The proposed building height at the front of the building</u> <u>is 27'5". See Exhibit D.</u>	

Renee Sannes

From: Julie Schmelzer <julie.schmelzer@sisterbaywi.gov>
Sent: Wednesday, October 30, 2024 8:11 PM
To: Daniel Gawronski
Subject: 10631 Little Sister Road

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Daniel,

I wanted to get back to you regarding the required water setback and height limitation for the property at 10631 Little Sister Road. I started a new email string in the event you opt to appeal my decision.

I think we both can agree the zoning code is not clear on what is a 'development pattern', and admittedly it would be difficult to defend if challenged absent a clear definition. As such, the way the code is currently written, the setback recently proposed on the site plan provided to me can be approved at this time.

However, I cannot approve the height of the building. The building is limited to 35', minus anything above the roof, such as a chimney.

Julie Schmelzer, Village Administrator
Sister Bay, WI

EXHIBIT A

VILLAGE OF SISTER BAY ZONING CODE

SECTION 2000 – GENERAL DEFINITIONS

SECTION 2000 – GENERAL DEFINITIONS

- 1 Bathroom Facilities
- 2 An area equipped with potable water and a flushing toilet that is connected to Village sewer or a
- 3 private on-site wastewater treatment system.
- 4 *(Amended – Ordinance No. 308-122022)*
- 5 Bed and Breakfast
- 6 Any place of lodging that provides four or fewer rooms for rent for more than 10 nights in a 12-month
- 7 period, is the owner's personal residence, is occupied by the owner during the time of rental, and in
- 8 which the only meal served to guests is breakfast.
- 9 Bedroom
- 10 A private room, 100 square feet or more in area, planned for sleeping and separable from other rooms
- 11 by a door.
- 12 Benign Non-Conforming
- 13 Benign non-conformities are those that do not have a negative impact on the health and safety of the
- 14 public, but may have a negative impact on public welfare. *(Amended Ordinance 171-071310)*
- 15 Billboard. See "Sign, Off-Premise."
- 16 Boardinghouse
- 17 A place in which lodging, with or without meals, is offered for compensation to non-transient guests,
- 18 that provides four or less rooms for rent, is the owner's personal residence, and is occupied by the
- 19 owner during the time of rental.
- 20 Boathouse
- 21 An accessory structure, which is accessible by boats from navigable water, is designed, constructed
- 22 and used solely for the purpose of protecting or the storing of boats used for noncommercial purposes
- 23 in conjunction with a residence.
- 24 Brewing
- 25 Preparing the ingredients of a consumable beverage by soaking, boiling, fermenting, infusing or
- 26 steeping. *(Amended Ordinance No. 263-021919)*
- 27 Buffer Yard
- 28 An area of land containing sufficient area and width, landscape plantings, earth berms, fencing, walls,
- 29 or other visual and/or sound barriers intended to eliminate or minimize land use conflicts between
- 30 adjacent land uses.
- 31 Buildable Area
- 32 The area of the lot remaining after the minimum front setback, side setbacks, rear setback, and
- 33 other green_space requirements, such as wetlands, have been met. (See Illustration No. 5)
- 34 Building Footprint
- 35 The ground area covered by and including the exterior dimensions of a building, including enclosed
- 36 porches, attached garages and carports.
- 37 Building Height
- 38 The vertical distance above the finished lot grade at the front of the building measured to the highest
- 39 point of the coping of a flat roof or to the deck line of a mansard roof or to the average height between
- 40 the eaves and the ridge of the highest gable, hip or gambrel roof. The finished lot grade shall be
- 41 the average grade across the front of the building measured five feet away. The height of a stepped or
- 42 terraced building is the maximum height of any segment of the building. Not included in the maximum
- 43 height are chimneys, bell towers, steeples, roof equipment, flagpoles and similar features, which are
- 44 not for human occupancy.
- 45

Village of Sister Bay Zoning Code

ILLUSTRATION OF TYPICAL
LANDSCAPING FOR
PARKING ADJACENT TO A BUILDING

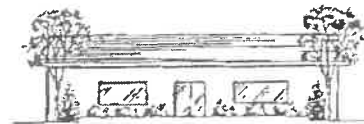
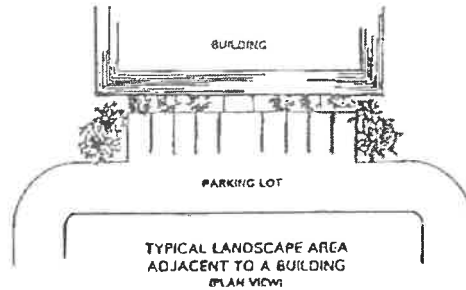


ILLUSTRATION NO. 4 LANDSCAPING FOR PARKING ADJACENT TO A BUILDING

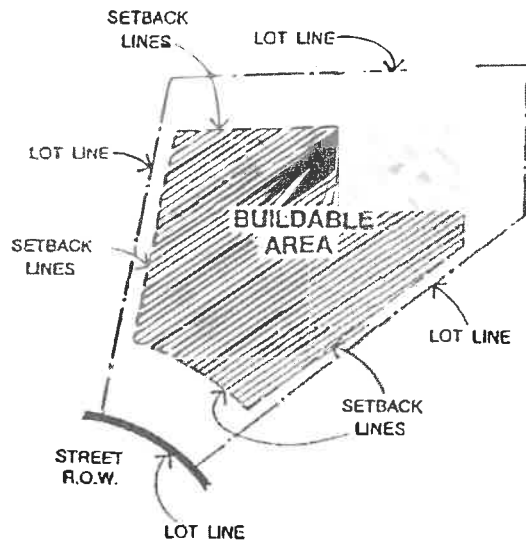


ILLUSTRATION NO. 5 BUILDABLE AREA

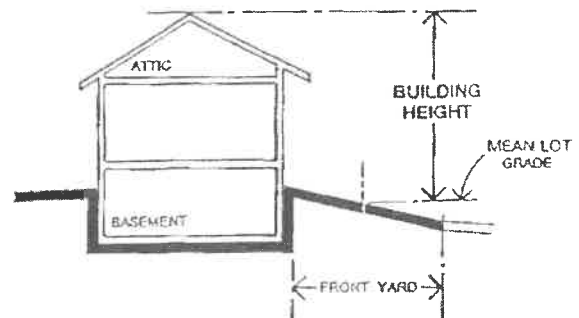


ILLUSTRATION NO. 6 BUILDING HEIGHT



EXHIBIT D

WEST HOME DESIGNS

ROBERTS - SISTER BAY COTTAGE
MARK WAEGHE BUILDERS

SHEET NO.:	LATEST PLAN DATE SEPTEMBER 4, 2024	PREVIOUS PLAN DATE:	PRELIMINARY PLAN DESIGN CONCEPT ONLY
		PROJECT NO.:	PRICING PLAN 10% PLAN FOR BIDDING ONLY
		23-677	CONSTRUCTION PLAN

RECEIVED 10/06/2024



LEFT SIDE ELEVATION
SCALE 1/2" = 1'-0"



REAR ELEVATION
SCALE 1/2" = 1'-0"

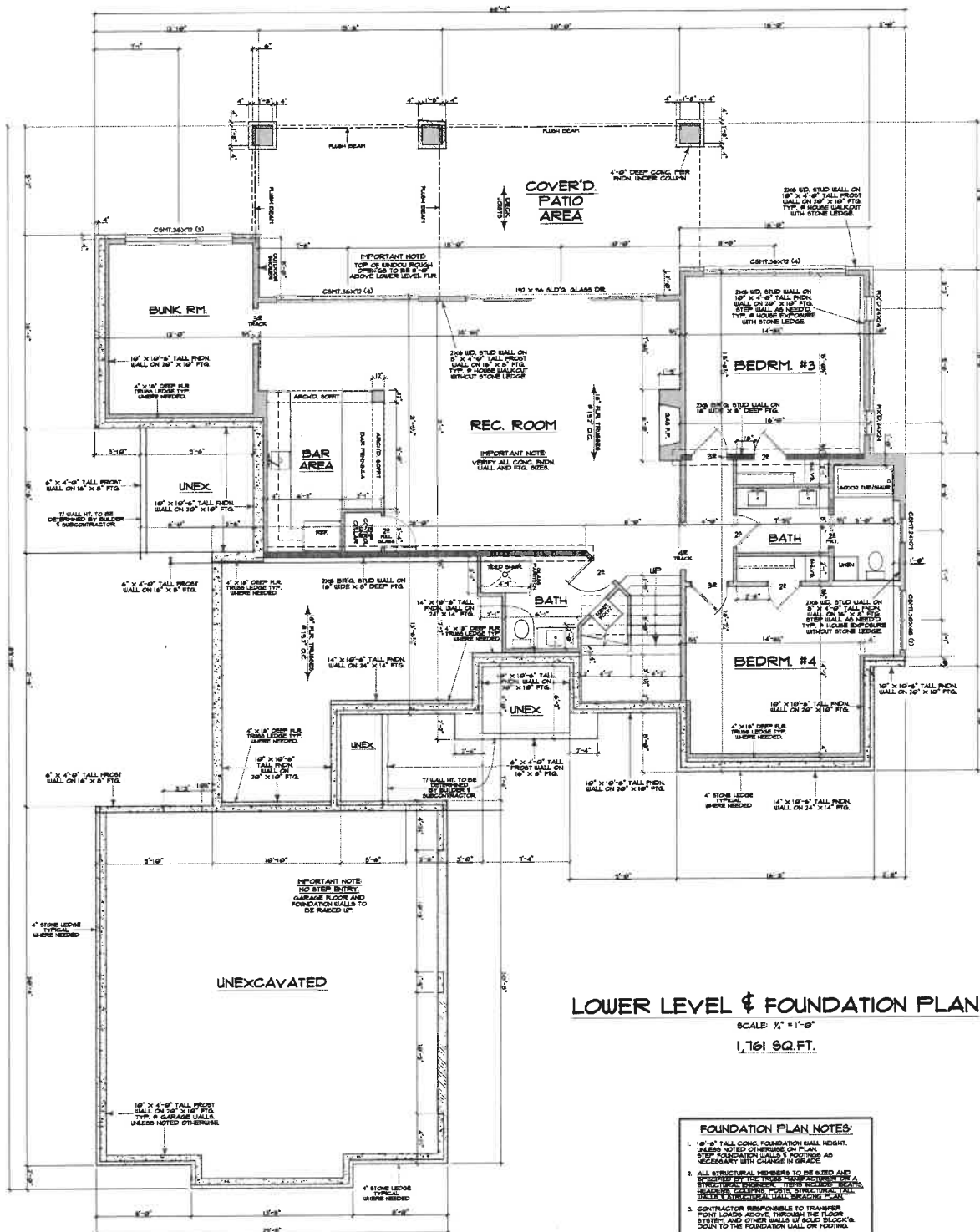
WEST HOME DESIGNS
ARCHITECTS

ROBERTS - SISTER BAY COTTAGE
MARK WAEGHE BUILDERS

SHEET NO.: 2 of 4	DATE: SEPTEMBER 4, 2024	PROJECT NO.: 23-677	PRELIMINARY PLAN	CONSTRUCTION PLAN
			1/15/2024	11/07/2023



RECEIVED JULY 06 2024



SHEET NO.	DATE	PREVIOUS PLAN DATES	PRELIMINARY PLAN
4 OF 4	SEPTEMBER 4, 2024	5/23/2024	CONCEPT ONLY
		2/22/2024	PRICING PLAN
		11/10/2023	CONSTRUCTION PLAN
			FINAL PLAN

ROBERTS - SISTER BAY COTTAGE
MARK WAEGHE BUILDERS

WST HOME DESIGNS
www.wsthome.com - email: wst@wsthome.com

December 11, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own properties located at 10607, 10611 and 10627 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,


Lance and Bridget Crane

December 10, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own property located at 10683 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,



December _11_, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

Re:10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own property located at 10691 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,
David and Carole Frykman

December 11, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own property located at 10721 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nicholas Gerrits".

Nicholas Gerrits and Katherine Gerrits
10721 Lt. Sister Rd., Sister Bay

December 12, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

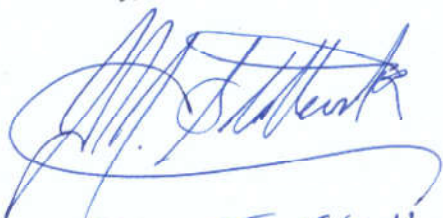
Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own property located at 10673, 10661 + 10647 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,

A handwritten signature in blue ink, appearing to read "John J. Stollenwerk". The signature is stylized with a large, sweeping initial "J" and "S".

John J. Stollenwerk

December 1, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own property located at 10643 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,

The block contains two handwritten signatures in black ink. The top signature is a cursive signature that appears to read 'Doug Roberts'. The bottom signature is another cursive signature, likely 'Ellen Roberts', which is written below the first signature.

December 11, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

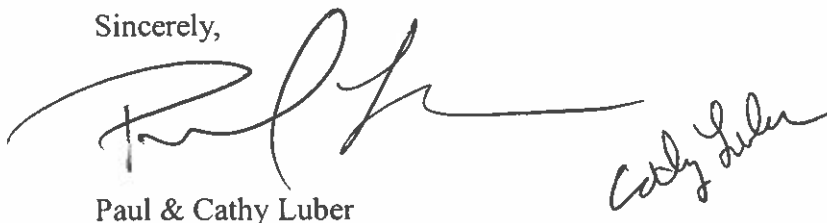
Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own property located at 10709 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul & Cathy Lubber". The signature is stylized and fluid, with a long horizontal line extending to the right. Below the signature, the names "Paul & Cathy Lubber" are printed in a standard font.

Paul & Cathy Lubber

December 12, 2024

Zoning Board of Appeals, Village of Sister Bay
Attn: Ms. Janal Suppanz
2383 Maple Drive
Sister Bay, WI 54234

Re: 10631 Little Sister Road

Dear Board Members:

Doug and Ellen Roberts own the property located at 10631 Little Sister Road in Sister Bay, and they have filed plans for the construction of a new home at that location. It is our understanding that an appeal of the Village of Zoning Administrators interpretation on the height of the proposed new home at 10631 Little Sister Road is scheduled for public hearing on December 19, 2024.

We own the immediately adjacent property located at 10637 Little Sister Road, Sister Bay, and we have been provided with a copy of the Roberts' appeal package. We are writing in support of the Roberts and their appeal. Not only is their proposed new home consistent with the existing neighboring homes, but their home will also be a wonderful addition to the neighborhood.

Sincerely,

Michael & Sarah Mercurio

Michael Mercurio

Sarah Mercurio