

**\*\*\*ATTACHMENTS\*\*\***

APPLYING FOR A VARIANCE

Variances to zoning ordinances are considered by the CITY OF SHEBOYGAN Zoning Board of Appeals monthly at a public hearing. In order to be considered at the next meeting, applications must be received in the Building Inspection Department Office *no later* than NOON on:

Application deadline date (last working day of the month)

Date: Board of Appeals Meeting

All applications must include:

1. Application forms, signed and dated, which are available at the Building Inspection Department Office.
2. A legal description of the property.
3. The non-refundable filing fee - \$250.00.
4. A site sketch, drawn to scale if possible, indicating the location of all existing structures and the proposed construction. Also indicate lot lines, size of lot, streets and other public ways, driveways, off-street parking, loading areas, and existing and proposed front, side and rear yards. Please consult with Building Inspection staff for more information.
5. Photographs of the property.

Note The applicant can present any additional information which is necessary to inform the Board of the facts.

**FAILURE TO SUPPLY ADEQUATE AND / OR ACCURATE INFORMATION AS REQUESTED ABOVE CAN BE GROUNDS FOR DISMISSAL OF THE APPEAL REQUEST.**

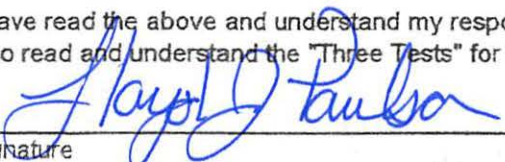
Applicants should be prepared to answer the following questions:

- \* *What **hardship** is created by the application of the Zoning Ordinance to this property? Is **reasonable use** of the property denied by the zoning regulations? In other words, is there an alternative plan that would **comply** with the ordinance?*
- \* *Is there a **unique physical characteristic** of the property which prevents development of the property in compliance with the Zoning Ordinance.*
- \* *Would granting the variance harm the **public interest** in any way? For example, would public safety be compromised? (Note: Lack of neighborhood opposition does not necessarily mean that a variance would not harm the public interest.)*

A notice of the date and time of the hearing will be mailed to all property owners within 100 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important that you discuss your proposal with the Building Inspection Department and Planning Department.

The property owner or a representative shall be present at the public hearing to present his or her request to the Board and to answer any questions the Board members may have. Should an appearance not be made, or should insufficient information be presented, the appeal will not be considered and may be either placed on the agenda for the next meeting or be denied. The appellant will be required to pay the additional expense that is incurred because of postponement of the hearing. Appellants are reminded that the filing fee for a variance request is non-refundable.

I have read the above and understand my responsibilities regarding my appeal to the Zoning Board of Appeals. I have also read and understand the "Three Tests" for a Variance included with this form.

  
Signature

10/05/2018  
Date

APPEAL FROM RULING OF THE BUILDING INSPECTOR  
AND/OR ZONING ADMINISTRATOR

CASE NO. \_\_\_\_\_  
FILING DATE \_\_\_\_\_  
RECEIPT NO. \_\_\_\_\_  
ZONING DIST. NR

TO: THE ZONING BOARD OF APPEALS, CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WI

- 1). Appeal Location (address): 918 Cusner
- 2). Applicant: Lloyd J. Paulson Telephone #: (715) 212-5965  
Address: 2817 S. 15th Street  
SHEBOYGAN, WI 53081
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Lot 1 of C.S.M. No. 1763867 And All of  
Lots 14 And 15 And East Half of Vacated Alley Adjacent to Lots 14 And 15, Ramaker  
Terhorst & Hesses Division, Located in the NW 1/4 of Section 35 T. 15N., R23E, City  
of Sheboygan, Sheboygan County, WI
- 4). Type of Building (Circle): Commercial - Industrial - Institutional - Residential - Apartment - Other (if other)  
please list: \_\_\_\_\_
- 5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other  
(if other) please list: \_\_\_\_\_
- 6). If the request is for a nonconforming use:  
Your intended use: \_\_\_\_\_  
Date last occupied as a nonconforming use: \_\_\_\_\_  
By Whom: \_\_\_\_\_ Previous use: \_\_\_\_\_
- 7). Applicants interest in property: Owner
- 8). Describe the requested variance and grounds for refusal of a permit.  
A 20' setback is Required for the Rear Yard. I AM Requesting that BE Reduced to A 6'  
setback. All other setbacks And house sing will be met. Please Reference Attached  
Blueprint And Site Plan.
- 9). What unnecessary hardship or difficulty is caused by following the regulations or requirements of the ordinance?  
See the attached "The Three Tests" For A Variance" and be prepared to argue how you pass the THREE TESTS  
FOR A VARIANCE.:  
It is Difficult to meet All the setback Requirements to build on this  
Corner Lot. A previous Variance was obtained granting A 60' wide Corner Lot.

I HEREBY CERTIFY THAT THE ABOVE APPLICATION AND/OR APPEAL AND ALL ATTACHMENTS THERETO ARE TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF

Date: 10/5/2018

Signature: Lloyd Paulson  
Mailing Address: 2817 S. 15th St.  
SHEBOYGAN WI 53081

## THE THREE "TESTS" FOR A VARIANCE

The CITY OF SHEBOYGAN adheres to a set of Zoning Ordinances to make certain that your proposed construction is consistent with neighboring developments, that a development does not infringe on the enjoyment of property belonging to neighboring owners, that it does not detract from surrounding buildings or lots and is not out of character with the neighborhood, and that a project meets necessary public health and safety standards. If your proposed construction cannot meet the requirements of the zoning code or sign code, a **VARIANCE** is needed.

To obtain a variance, you must establish that, due to some peculiarity of the property's size, shape, topography, etc., it would be a hardship or practical difficulty to meet zoning code requirements. ***These circumstances must not be self-imposed or self-created.*** In short, your proposed construction must meet and pass the three "tests" for a variance listed below.

**IT IS RECOMMENDED THAT YOU MEET WITH THE STAFF IN THE CITY'S PLANNING DEPARTMENT AND BUILDING INSPECTION DEPARTMENT BEFORE SUBMITTING YOUR APPLICATION FOR A VARIANCE. BUILDING INSPECTION STAFF WILL REVIEW THE STANDARDS FOR A VARIANCE (BELOW) PRIOR TO YOUR FILLING OUT THE APPLICATION AND PAYING THE NON-REFUNDABLE FILING FEE.**

### **TEST #1: UNNECESSARY HARDSHIP**

The Wisconsin Supreme Court has ruled that unnecessary hardship only exists when the zoning ordinance denies ***all reasonable use*** of property. ***If there is an alternative plan that is within the bounds of the zoning ordinance, a variance is not warranted.***

The hardship experienced ***must not be self-imposed***; loss of profit, expense already incurred and additional expense incurred to comply with zoning ordinances ***are not*** unnecessary hardships.

### **TEST #2: UNIQUE PROPERTY LIMITATIONS**

Unique physical characteristics of your property must prevent you from completing your proposed construction in compliance with the ordinance. The property must qualify for the variance, ***not your particular situation.***

Additionally, existing violations on other properties or improper variances previously granted are not grounds for a variance.

### **TEST #3: NO HARM TO PUBLIC INTEREST**

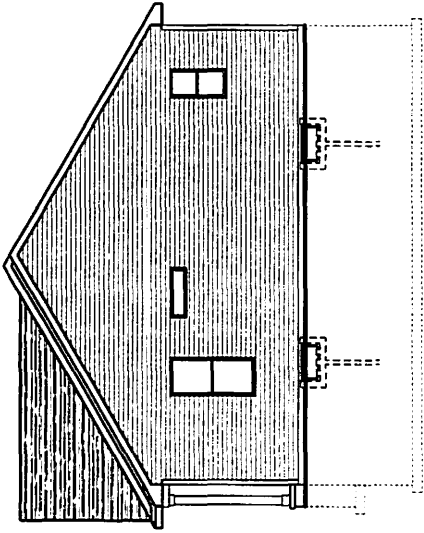
The Board members will be taking into account the reason for the existence of the zoning ordinance in applying this test. Lack of opposition ***does not*** necessarily mean that the proposed construction would not harm the public interest.

The Board, in granting a variance, may impose conditions on the proposed construction to assure that the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

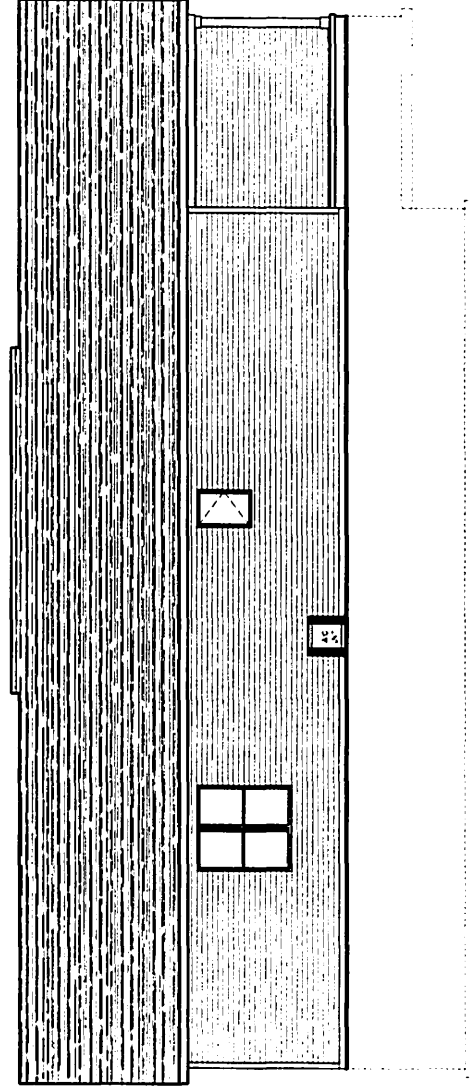
Your proposed construction must meet all three "tests" to qualify for a variance. Variances are meant to be an ***infrequent*** remedy where an ordinance imposes a unique and substantial burden. ***They are not intended as an accommodation for a property owner's convenience.*** A variance decision may be appealed within 30 days of the filing of the decision in the office of the board.

***Please contact the staff at the City's Planning Department and/or Building Inspection Department if you have any further questions.***





**RIGHT ELEVATION**  
SCALE: 3/16" = 1'-0"



**REAR ELEVATION**  
SCALE: 3/16" = 1'-0"

**APPROVED**  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_



DATE	TIME
9-15-2018	

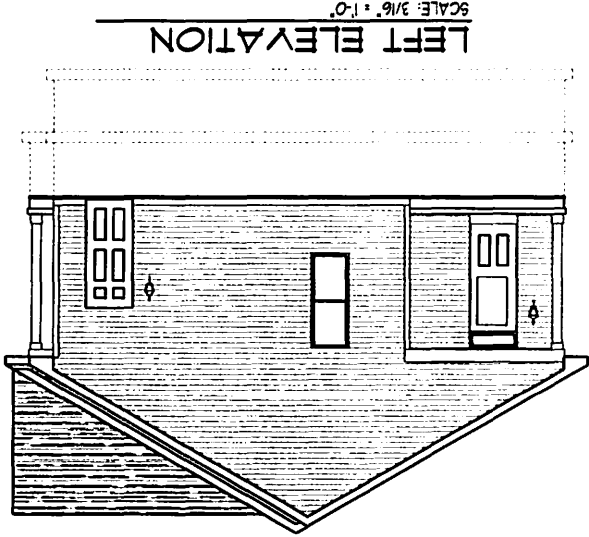
VISIT US AT [www.hillcrestbuilders.com](http://www.hillcrestbuilders.com)

**Hillcrest**  
builders

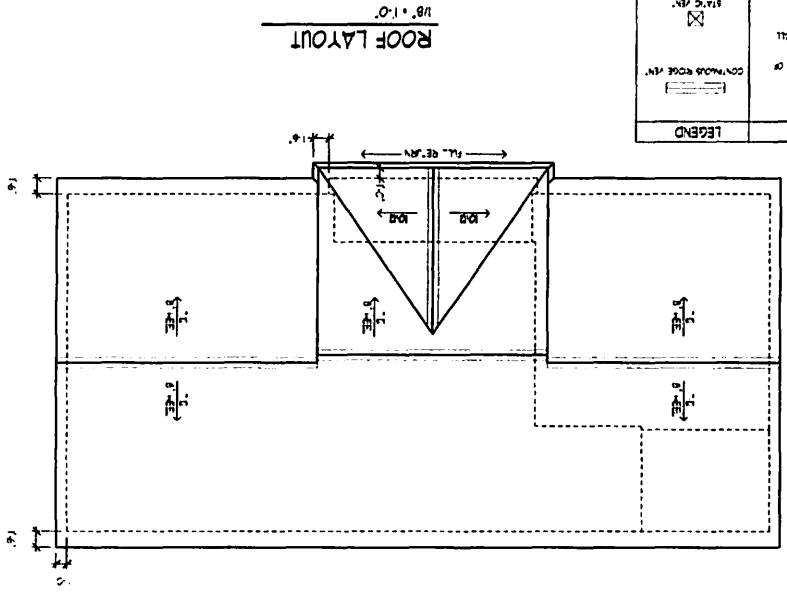
**PAULSON RESIDENCE**

CLUSTER AVE  
RAYMAKER TERHORST & HESSES DIVISIONS  
CITY OF SHEBOYGAN  
SHEBOYGAN

MATERIAL	CUSTOM
SHEET	2 OF 7
JOB NO.	L18-041



LEGEND	NOTES
 SLOPE: 12/12	<ul style="list-style-type: none"> <li>* ACCORDING TO BUILDING CODES IN ALL JURISDICTIONS</li> <li>* ALL ROOF SHEATHING = CD-PS</li> <li>* RAFTERS AND ALL VALLES</li> <li>* ALL CONTIGUOUS ROOF VENTS IN ALL APPLICABLE LOCAL CODES</li> <li>* ALL DRAINAGE AREAS TO STUB</li> <li>* TOP VENT OF ROOF SHALL BE RESERVED ONLY TO BE USED TO EXHAUST MEANS</li> <li>* ALL VENTS TO BE VERIFIED UPON FINAL LAYOUTS</li> </ul>
 CONTRIBUTE EDGE FIN.	



BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVED**

L18-041  
JOB NO  
3 OF 7  
SHEET  
CUSTOM  
PRINT

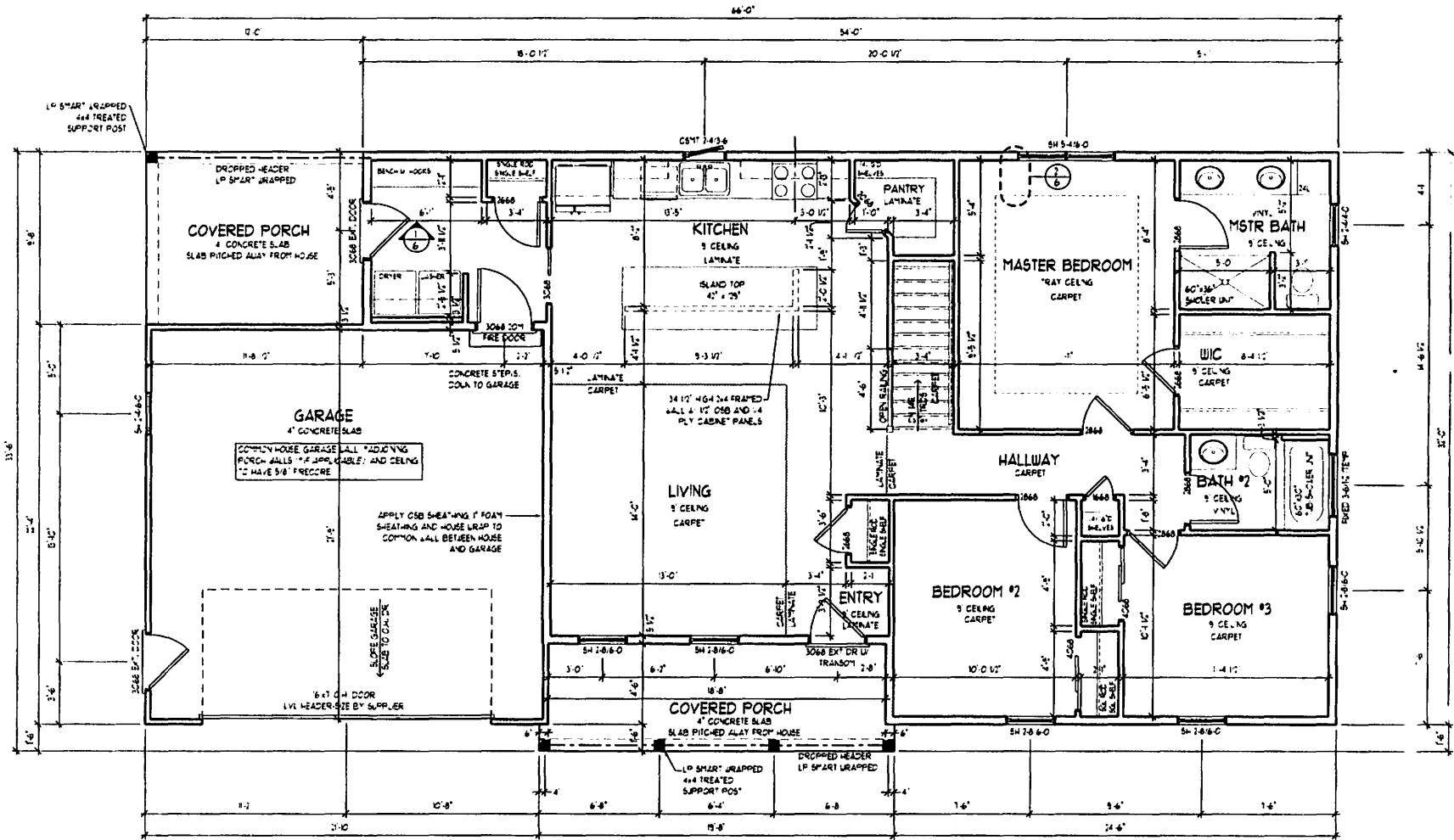
**PAULSON RESIDENCE**  
CUSTOMER: PAULSON RESIDENCE  
CUSTOMER AVE  
CITY OF SHERBOURNE  
CUSTOMER: TERPSTORST & HESSES DIVISIONS  
CITY OF SHERBOURNE



9-19-2018  
TM  
BY: WINSTON







**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

**APPROVED**  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_


REVISIONS	
D-18-2018	TM



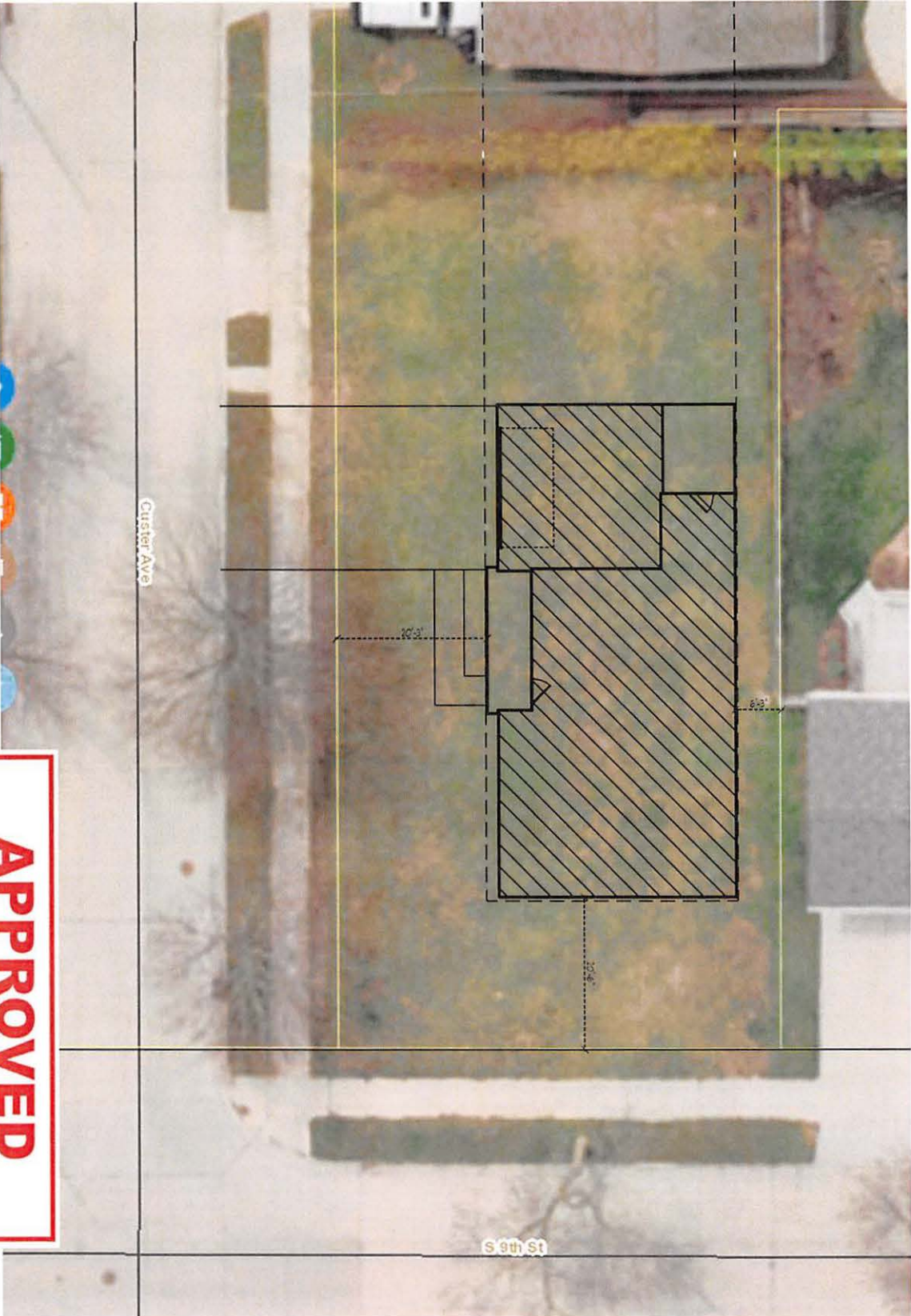
**PAULSON RESIDENCE**  
CUSTER AVE  
RAYMAKER TERRHORTH & HESSES DIVISIONS  
CITY OF SHEBOYGAN  
SHEBOYGAN


M411  
CUSTOM  
SHEET  
5 of 7  
JOB NO  
**L18-041**





ALL DIMENSIONS ARE APPROXIMATE TO BE  
 VERIFIED UPON FINAL SURVEY

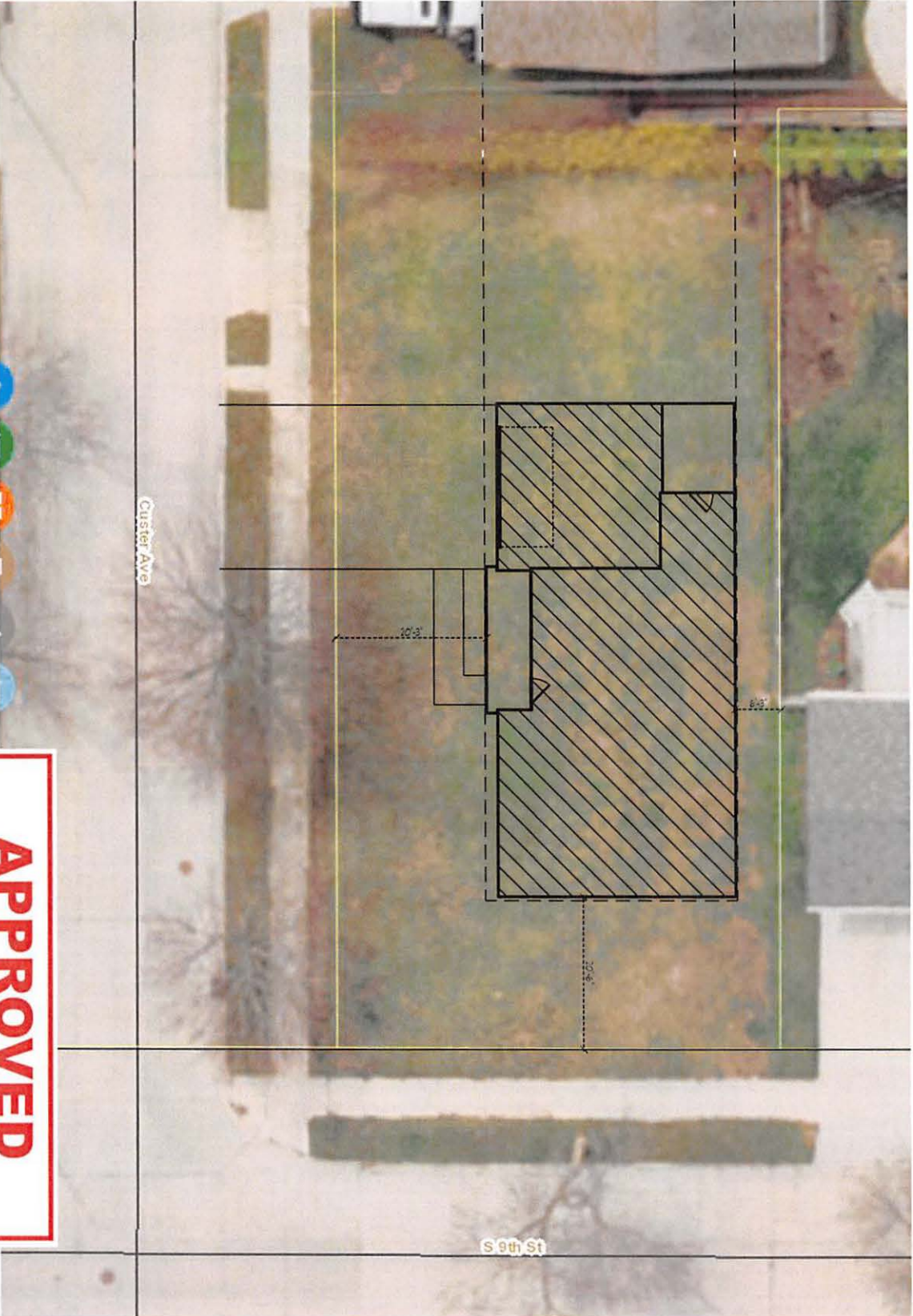


**APPROVED**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

 <b>HILLCREST</b> builders <small>VISIT US AT <a href="http://www.hillcrestbuilders.com">www.hillcrestbuilders.com</a></small>	HILLCREST BUILDERS P.O. BOX 28 GLENBEULAH, WI 53023 PH: (920) 526-3028 FAX: (920) 526-3501	REVISIONS:	
		DATE 9-19-2018	BY TM
L18-041 PAULSON RESIDENCE			
HOUSE PLACEMENT			

ALL DIMENSIONS ARE APPROXIMATE TO BE  
 VERIFIED UPON FINAL SURVEY



**APPROVED**  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_

 <p><b>HILLCREST</b> builders</p> <p>VISIT US AT <a href="http://www.hillcrestbuilders.com">www.hillcrestbuilders.com</a></p>	<p>HILLCREST BUILDERS          P.O. BOX 28          GLENBEULAH, WI 53023          PH: (920) 526-3028          FAX: (920) 526-3301</p>	<p>REVISIONS:</p>							
		<p>L18-041 PAULSON          RESIDENCE</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>9-19-2018</td> <td>TM</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	BY	9-19-2018	TM		
DATE	BY								
9-19-2018	TM								
<p>HOUSE PLACEMENT</p>		<table border="1"> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>							

PAWLING, WILLIAM C  
VINES, LAURALEE ANN  
2613 S 9TH ST  
SHEBOYGAN WI 53081

KERRY O DOYLE & MARCIA E DOYLE  
REVOCABLE TRUST OF 2018  
2522 S 9TH ST  
SHEBOYGAN WI 53081

THOMPSON, ALLISON E  
919 CUSTER AVE  
SHEBOYGANWI53081

GARCIA, ELOY E  
2523 S 9TH ST  
SHEBOYGANWI53081

HAEUSER, RYAN  
926 CUSTER AVE  
SHEBOYGANWI53081

NOEL, STEPHANIE S  
2518 S 9TH ST  
SHEBOYGANWI53081

WANG, XIAOHUA  
N6177 COLONIAL CT  
SHEBOYGANWI53083

TUZINKEWICH, KURT D  
TUZINKEWICH, SHELLEY A  
918 CUSTER AVE  
SHEBOYGANWI53081

PERKINS, NATHAN D  
MELANIE L.  
2607 S 10TH ST  
SHEBOYGAN WI 53081

EIDEN TRUST  
2606 S 9TH ST  
SHEBOYGAN WI 53081

ANDERSON, RYAN D  
ANDERSON, REBECCA A  
2603 S 10TH ST  
SHEBOYGANWI53081

KERRY O DOYLE & MARCIA E DOYLE  
REVOCABLE TRUST OF 2018  
2522 S 9TH ST  
SHEBOYGANWI53081

MEDINGER, SHAYNA L  
2517 S 9TH ST  
SHEBOYGANWI53081

SPADER, JONATHAN S  
JORGENSEN, SIGNE E  
2514 S 9TH ST  
SHEBOYGANWI53081

SPRINGS HOMES LLC  
2221 LINCOLN AVE  
TWO RIVERSWI54241

JUERS, PATRICIA M  
835 CUSTER AVE  
SHEBOYGAN WI 53081

SHIMENETTO, THOMAS M  
SHIMENETTO, COURTNEY A  
913 CUSTER AVE  
SHEBOYGANWI53081

STEFFEN, THOMAS J  
STEFFEN, BILLIE JO  
2527 S 9TH ST  
SHEBOYGANWI53081

OUR SAVIOR'S LUTHERAN CHURCH  
917 MEAD AVE  
SHEBOYGANWI53081

MALWITZ, CRAIG A  
2525 S 10TH ST  
SHEBOYGANWI53081

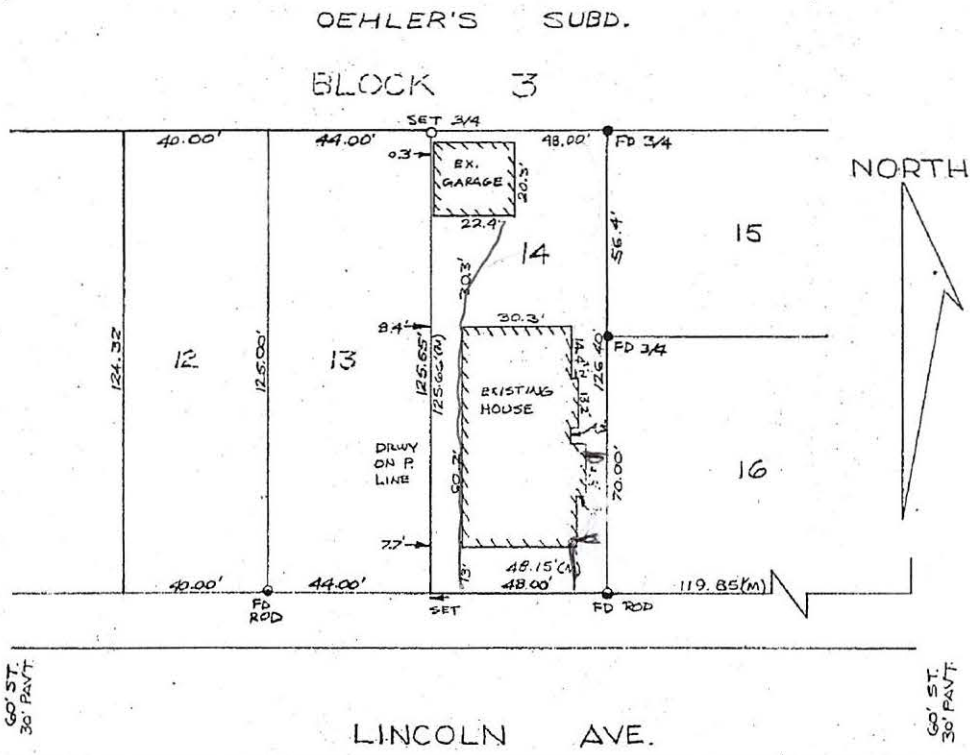
MATTERN, DAVID L  
2118 S 7TH ST  
SHEBOYGANWI53081

OUR SAVIOR'S LUTHERAN CHURCH  
917 MEAD AVE  
SHEBOYGANWI53081

DESCRIPTION: Lot 14, Block 3, Assessment Subd. No. 13,  
City of Sheboygan, Sheboygan County, WI.

SCALE: 1"=40'

JUNE : 1984



Lot width

Side yard House Bumpout  
 $7.7 + 30.3 + 2' = 40' - 48' = 8'$  Bump out to prop. line  
 Front setback Parking pad  
 $13' + 18.5 = 31.5$  w/o bump out = 10'

1212 SOUTH 21st STREET • P.O. BOX 144 • SHEBOYGAN, WISCONSIN 53081 • (414) 458-5921

SURVEY CERTIFICATE

I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE YEAR FROM DATE HEREOF.



*Filed  
8-2-84  
mms*

ST PAUL'S EVANGELICAL LUTHERAN  
CHURCH  
1818 N 13TH ST  
SHEBOYGAN WI 53081

FIRESIDE HOMES LLC  
W5971 PHEASANT LN  
PLYMOUTH WI 53073

GABRIELSE, MICHAEL J  
1919 N 18TH ST  
SHEBOYGANWI53081

ANDERSON, TANYA J  
1910 N 13TH ST  
SHEBOYGANWI53081

JACOBS, BRENT S  
JACOBS, LAUREN  
1345 MARIE CT  
SHEBOYGANWI53081

MONDLOCH ENTERPRISES LLC  
130 SAUK TRAIL RD  
OOSTBURG WI 53070

FILIPIAK, VICKI  
1906 N 13TH ST  
SHEBOYGAN WI 53081

PIETENPOL, RICHARD M  
1340 LINCOLN AVE  
SHEBOYGANWI53081

ZERKEL, JOSEPH D  
ZERKEL, JENNIFER L  
1916 N 13TH ST  
SHEBOYGANWI53081

ALVAREZ, MARIA G  
1333 MARIE CT  
SHEBOYGANWI53081

KCPLATE RENTALS LLC  
740 MORNING DOVE DR  
SHEBOYGAN WI 53083

OCHOA, ISABEL  
1402 LINCOLN AVE  
SHEBOYGANWI53081

OLIVAS, JUAN  
1232 TRIMBERGER CT  
SHEBOYGANWI53081

JACOBS, BRENT S  
JACOBS, LAUREN  
1345 MARIE CT  
SHEBOYGANWI53081  
WILHELM, GENE & KAREN A  
1920 N 13TH ST  
SHEBOYGANWI53081



APPEAL FROM RULING OF THE BUILDING INSPECTOR  
AND/OR ZONING ADMINISTRATOR

CASE NO. 2.3  
FILING DATE 10-1-18  
RECEIPT NO. 82991  
ZONING DIST. NR

TO: THE ZONING BOARD OF APPEALS, CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WI

- 1). Appeal Location (address): 1334 Lincoln Av Sheboygan WI
- 2). Applicant: Juan Olivas Telephone #: (920) 207-24-95  
Address: 1332 Trimmer Ct
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Assessment Subd No.  
13 Lot 14 Bk 3
- 4). Type of Building (Circle): Commercial - Industrial - Institutional - Residential - Apartment - Other (if other)  
please list: \_\_\_\_\_
- 5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use Other  
(if other) please list: see 2000000000 parking pad (2nd access)
- 6). If the request is for a nonconforming use:  
Your intended use: N/A  
Date last occupied as a nonconforming use: \_\_\_\_\_  
By Whom: \_\_\_\_\_ Previous use: \_\_\_\_\_
- 7). Applicants interest in property: Owner
- 8). Describe the requested variance and grounds for refusal of a permit.  
Parking pad (2nd access) on side of home - 0' to side property line, 8' wide (bump out)
- 9). What unnecessary hardship or difficulty is caused by following the regulations or requirements of the ordinance?  
See the attached "The Three Tests" For A Variance" and be prepared to argue how you pass the THREE TESTS FOR A VARIANCE.:  
Lot is 48' wide, two family & garage is located in far corner of lot & having access problems for both families also limited street parking due to this property is located on a "one-way" street.

I HEREBY CERTIFY THAT THE ABOVE APPLICATION AND/OR APPEAL AND ALL ATTACHMENTS THERETO ARE TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: 10-1-18

Signature: [Signature]  
Mailing Address: \_\_\_\_\_

## THE THREE "TESTS" FOR A VARIANCE

The CITY OF SHEBOYGAN adheres to a set of Zoning Ordinances to make certain that your proposed construction is consistent with neighboring developments, that a development does not infringe on the enjoyment of property belonging to neighboring owners, that it does not detract from surrounding buildings or lots and is not out of character with the neighborhood, and that a project meets necessary public health and safety standards. If your proposed construction cannot meet the requirements of the zoning code or sign code, a **VARIANCE** is needed.

To obtain a variance, you must establish that, due to some peculiarity of the property's size, shape, topography, etc., it would be a hardship or practical difficulty to meet zoning code requirements. ***These circumstances must not be self-imposed or self-created.*** In short, your proposed construction must meet and pass the three "tests" for a variance listed below.

IT IS RECOMMENDED THAT YOU MEET WITH THE STAFF IN THE CITY'S PLANNING DEPARTMENT AND BUILDING INSPECTION DEPARTMENT BEFORE SUBMITTING YOUR APPLICATION FOR A VARIANCE. BUILDING INSPECTION STAFF WILL REVIEW THE STANDARDS FOR A VARIANCE (BELOW) PRIOR TO YOUR FILLING OUT THE APPLICATION AND PAYING THE NON-REFUNDABLE FILING FEE.

### TEST #1: UNNECESSARY HARDSHIP

The Wisconsin Supreme Court has ruled that unnecessary hardship only exists when the zoning ordinance denies ***all reasonable use*** of property. ***If there is an alternative plan that is within the bounds of the zoning ordinance, a variance is not warranted.***

The hardship experienced ***must not be self-imposed***; loss of profit, expense already incurred and additional expense incurred to comply with zoning ordinances ***are not*** unnecessary hardships.

### TEST #2: UNIQUE PROPERTY LIMITATIONS

Unique physical characteristics of your property must prevent you from completing your proposed construction in compliance with the ordinance. The property must qualify for the variance, ***not your particular situation.***

Additionally, existing violations on other properties or improper variances previously granted are not grounds for a variance.

### TEST #3: NO HARM TO PUBLIC INTEREST

The Board members will be taking into account the reason for the existence of the zoning ordinance in applying this test. Lack of opposition ***does not*** necessarily mean that the proposed construction would not harm the public interest.

The Board, in granting a variance, may impose conditions on the proposed construction to assure that the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

Your proposed construction must meet all three "tests" to qualify for a variance. Variances are meant to be an ***infrequent*** remedy where an ordinance imposes a unique and substantial burden. ***They are not intended as an accommodation for a property owner's convenience.*** A variance decision may be appealed within 30 days of the filing of the decision in the office of the board.

***Please contact the staff at the City's Planning Department and/or Building Inspection Department if you have any further questions.***