

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



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



RAUWERDINK, STANLEY G.  
2014 DAVID AVE  
SHEBOYGAN WI 530815158

GENS, ROBERT A  
GENS, CAROL A  
1529 S 21ST ST  
SHEBOYGAN WI 530815059

IMMEL, LISA M.  
1519 S 21ST ST  
SHEBOYGAN WI 530815059

VAZQUEZ, ROSENDO BARTOLO  
1517 S 21ST ST  
SHEBOYGAN WI 530815059

BRADLEY, KENNETH D.  
& JULIE ANN  
1511 S 21ST ST  
SHEBOYGAN WI 530815059

CHAVEZ, JUSTIN S.  
& ANGIE C.  
1507 S 21ST ST  
SHEBOYGAN WI 530815059

SWIERCZ, JEFFREY D.  
& CYNTHIA A.  
1508 S 21ST ST  
SHEBOYGAN WI 530815060

VERNICK, KIM J.  
& BARBARA K.  
1512 S 21ST ST  
SHEBOYGAN WI 530815060

CARTER, GARY A  
CARTER, GWIN E  
1516 S 21ST ST  
SHEBOYGAN WI 530815060

WEBER, JEFFERY S  
WEBER, LORI A  
1520 S 21ST ST  
SHEBOYGAN WI 530815060

COMBS, SUSAN C.  
1530 S 21ST ST  
SHEBOYGAN WI 530815060

STARICH, ROBERT W  
STARICH, KAREN A  
2110 DAVID AVE  
SHEBOYGAN WI 530815036

OLSEN, JAMES M  
86 W 11TH ST  
FOND DU LAC WI 549354961

WALTER, BERNICE E  
1527 S 22ND ST  
SHEBOYGAN WI 530815007

MESSNER, TODD J.  
& CLAERBOUT, PEGGY A.  
1521 S 22ND ST  
SHEBOYGAN WI 530815007

CLARK, KELLI L.  
1515 S 22ND ST  
SHEBOYGAN WI 530815007

KAQUATOSH, NICHOLAS  
1511 S 22ND ST  
SHEBOYGAN WI 530815007

MUELLER, JEANNE K.  
1507 S 22ND ST  
SHEBOYGAN WI 530815007

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.**

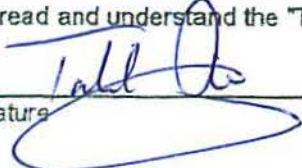
Applicants should be prepared to answer the following questions:

- \* *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 

Date 5/30/2017

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

CASE NO. 28  
FILING DATE 5-30-17  
RECEIPT NO. 50583  
ZONING DIST. SR5

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

- 1). Appeal Location (address): 1516 S 21<sup>st</sup> St
- 2). Applicant: Todd Thone Telephone #: (920) 207-6778  
Address: 2430 Wrepton Ck Rd
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Airport Subd Lot 13 Bk 4
- 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: Adding on to kitchen
- 8). Describe the requested variance and grounds for refusal of a permit.  
Add onto home on south side to increase sq footage for kitchen  
Does not meet zoning aggregate of 15' looking for 10.8'
- 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:  
The kitchen they have now is very small and would like to  
increase by adding on to the southside of home to

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: 5/30/2017

Signature: Todd Thone  
Mailing Address: 2430 Wrepton Ck Rd  
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.**

RAZO, JOSE ANTONIO  
VILLA, JUANA VALLE  
1207 KENTUCKY AVE  
SHEBOYGAN WI 530814921

WOHLRABE, GLENN A.  
& SUSAN CAROL  
1204 S 9TH ST  
SHEBOYGAN WI 530815329

CHURCH, DOUGLAS W.  
& JAMIE M.  
205 SOUTH ST  
QUINCY OH 43343

GONZALEZ, LEOPOLDO  
& OTILIA  
909 KENTUCKY AVE  
SHEBOYGAN WI 530814956

FELLOWS, JOSHUA M.  
913 KENTUCKY AVE  
SHEBOYGAN WI 530814956

NAWROCKI, KIM  
1325 JEFFERSON AVE  
SHEBOYGAN WI 530814342

HILDEBRAND, SCOTT Q ETUX  
919 KENTUCKY AVE  
SHEBOYGAN WI 530814956

CARRIVAU, LARRY C.  
& CINDY A.  
924 ALABAMA AVE  
SHEBOYGAN WI 530815345

VILLARREAL, TANYA L  
918 ALABAMA AVE  
SHEBOYGAN WI 530815345

ROEN, RONALD ALLEN  
& SHANNON LEE  
13309 S 26TH AVE  
BELLEVUE NE 681231908

JCD WISCONSIN HOLDINGS I LLC  
N9566 BUCKTAIL RUN  
ELKHART LAKE WI 530201781

BROWN, ALFRED H.  
& DIANE F.  
1224 S 9TH ST  
SHEBOYGAN WI 530815329

SCHILLING, KENNETH L.  
& LINDA G.  
503 CHURCH ST  
KOHLER WI 530441535

WATERMAN, BRENT  
WATERMAN, LALETTE  
1314 S 9TH ST  
SHEBOYGAN WI 530815331

YANG, GEORGE K  
YANG, YER L  
1308 S 9TH ST  
SHEBOYGAN WI 530815331

MEHALOPOULOS, CHRISTINA  
3724 HIGHCLIFF CT  
SHEBOYGAN WI 530833017

CUPP, CAROL  
907 ALABAMA AVE  
SHEBOYGAN WI 530815344

SANDEE, KENT R.  
911 ALABAMA AVE  
SHEBOYGAN WI 530815344

CHANG, CHAKER  
LEE LEE, KAO  
915 ALABAMA AVE  
SHEBOYGAN WI 530815344

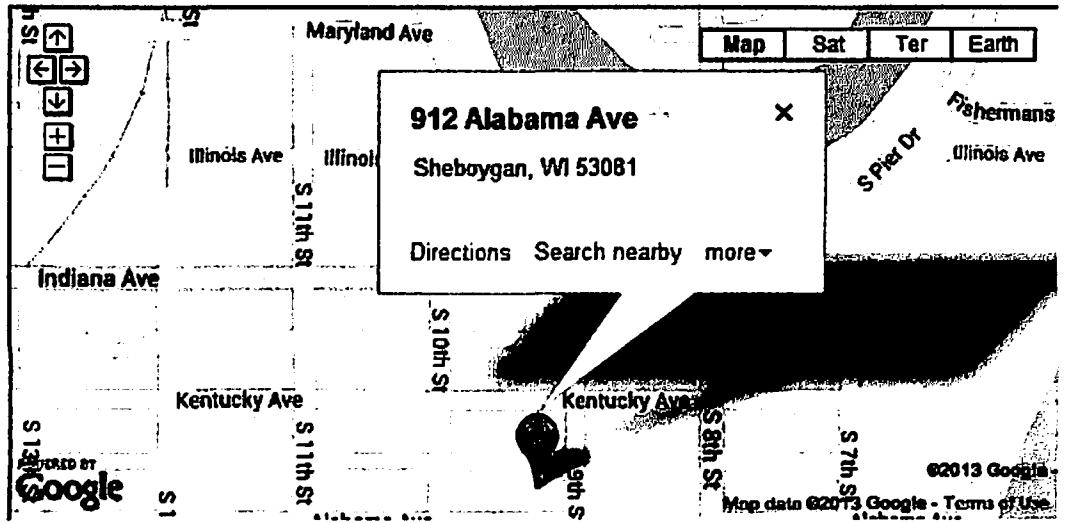
VANG, SARAH SONG  
919 ALABAMA AVE # A  
SHEBOYGAN WI 530815344

MORAINE PROPERTIES, INC  
W3329 SUNSET RD  
SHEBOYGAN FLS WI 530852219

SHEB AREA SCHOOL DIST  
LONGFELLOW SCHOOL  
830 VIRGINIA AVE  
SHEBOYGAN WI 530814427

**PROPERTY INFORMATION**

Parcel Number: 301960  
 Property Type: RES  
 Property Address: 912 ALABAMA AVE  
 Lot Dimension: 60X150  
 Lot SQ FT: 9,000  
 Legal Acres 0.207



**Legal Description | Zoning | Associated Addresses | Assessment | Residential Characteristics | Commercial Characteristics**

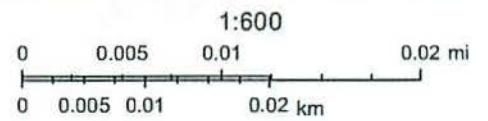
1 of 1 GO

Year Built	Occupancy	Style	Stories	Primary Street Info		
1912	2 family	Duplex	2 story w/attic	Number:	912	
				Name:	Alabama Ave	
				Side:	E	
Exterior Wall	Roof Type	Heating Type	Cooling Type			
Alum/vinyl	Asphalt shingles	Gas, forced air	A/C, same ducts			
Rooms				Square Footage		
Bedrooms:	4	First Floor:	1,102	Finished Basement:		
Family Rooms:	0	Second Floor:	1,092	Full Basement:	1,092	
Other Rooms:	6	Third Floor:		Crawl Space:	10	
Basement Garage:	0	Rec Room:		Finished Attic:		
Bath Rooms				Masonry Fireplaces	Metal Fireplaces	Gas Fireplaces
Full:	2	Openings:	0	0	0	0
Half:	0	Stacks:	0	0	0	0
		Additional Stories:	0	0	0	0
Attachments	Area					
Enclsd porch, frame, lower	30					
Open porch, frame, lower	272					
Deck, fir or pine	128					
Open porch, frame, lower	38					

# 912 Alabama Ave



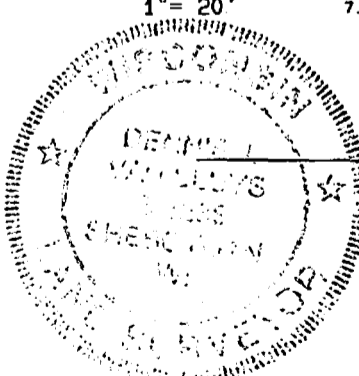
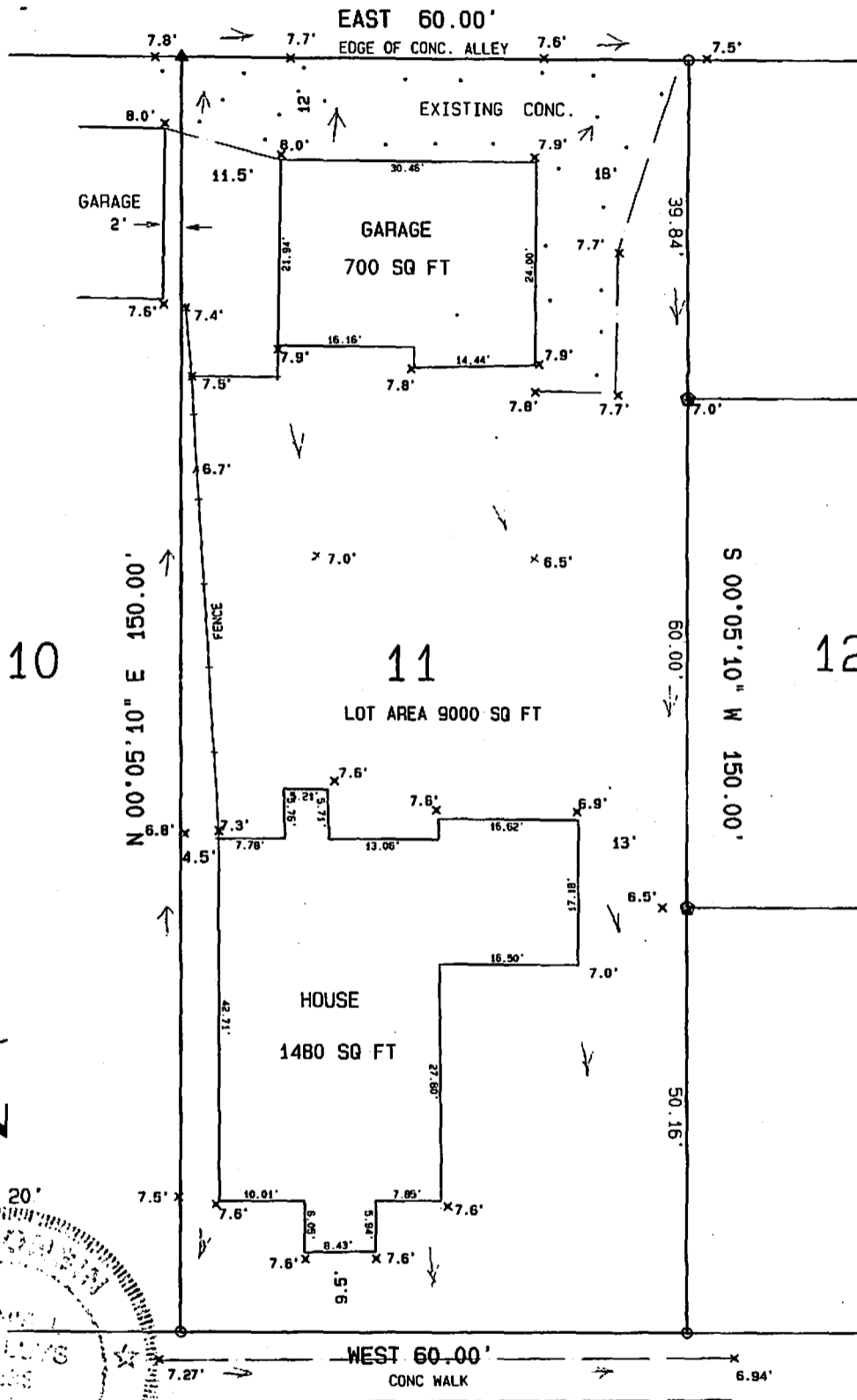
April 12, 2017



D & H LAND SURVEYS LLC  
 1628 GEORGIA AVENUE  
 SHEBOYGAN, WISCONSIN

912 ALABAMA AVE. 301960  
 PARCEL NO. 592813044960  
 BEING LOT 11 OF BLOCK 269 OF THE ORIGINAL PLAT OF THE  
 CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN.

18' PUBLIC ALLEY



THIS IS TO CERTIFY THAT THE INFORMATION SHOWN HEREON  
 IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Dennis J. Van Sluys*  
 Dennis J. Van Sluys S-1238

Dated this 13<sup>th</sup> day of April, 2017.

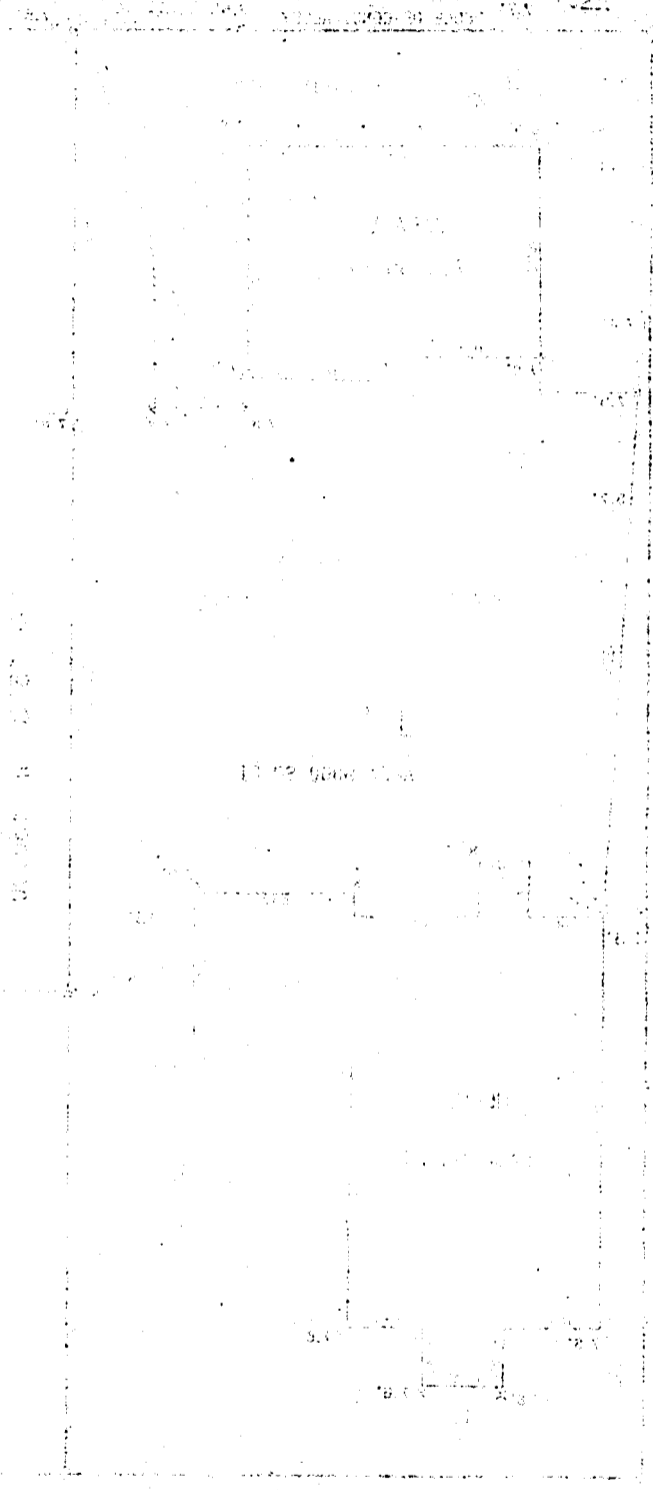
- ◆ = 1" IRON PIPE FOUND
- = 1" IRON PIPE SET
- ▲ = 80d NAIL SET
- × = EXISTING GRADE CITY DATUM

WISCONSIN SURVEYS LTD.  
1000 GEORGIA AVENUE  
MILWAUKEE, WISCONSIN

THIS MAP WAS MADE IN 1912  
BY THE SURVEYOR GENERAL  
AND IS THE ORIGINAL OF THE  
RECORD COPY.

TO BE OPENED

TO BE OPENED



TO BE OPENED

TO BE OPENED

TO BE OPENED

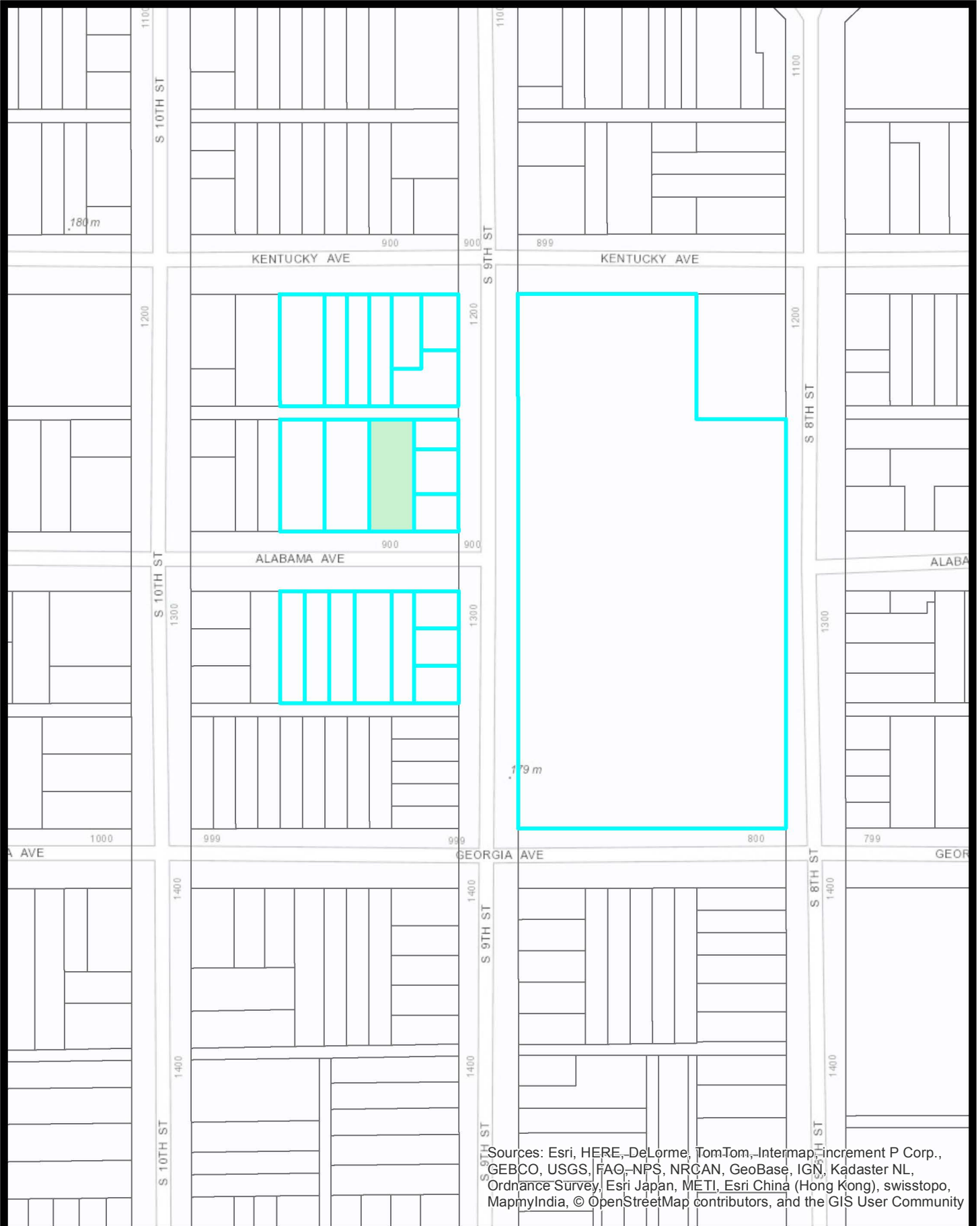
TO BE OPENED

TO BE OPENED

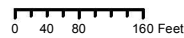
TO BE OPENED

TO BE OPENED

TO BE OPENED



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



# 171412

APPLYING FOR A VARIANCE

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May 31, 2017 (Wed)  
Application deadline date (last working day of the month)

June 21, 2017 (3rd Wed)  
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

5/16/17  
Date

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

CASE NO. 22.  
FILING DATE 5.24.17  
RECEIPT NO. 50327  
ZONING DIST. NR

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

- 1). Appeal Location (address): 912 Alabama Ave, Sheboygan, WI 53081
- 2). Applicant: Ron Roen Telephone #: (402) 709-0915  
Address: 13309 S. 26th Ave, Bellevue, NE 68123
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) See Survey (attached)  
912 Alabama Ave, Sheboygan, WI 53081  
Parcel # 592813341968
- 4). Type of Building (Circle): Commercial - Industrial - Institutional - Residential - Apartment - Other (if other)  
please list: Parking
- 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: 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 Slab does not meet the 9' width requirement  
to meet 3'
- 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.:  
Parking Slab 22 L x 9' width - with a 2.5" setback  
on  
Parking Slab 22 L x 8.5' width - to meet 3' setback

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: 5/16/2017  
5/4/2017

Signature: [Signature]  
Mailing Address: 13309 S. 26th Ave  
Bellevue, NE 68123

## 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.

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

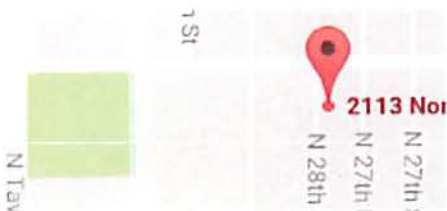
Google Maps 2113 N 28th St

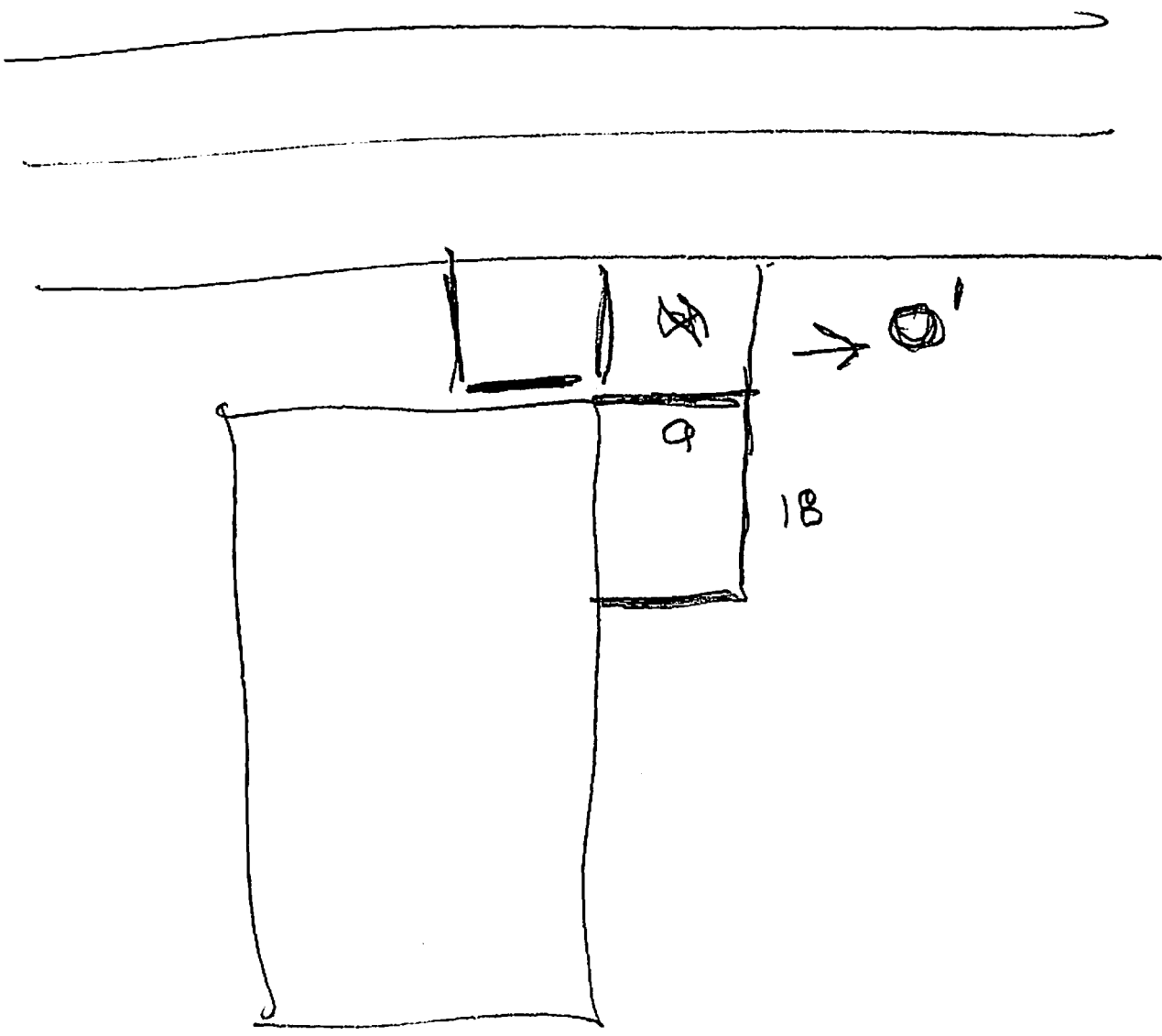


Image capture: Oct 2013 © 2017 Google

Sheboygan, Wisconsin

Street View - Oct 2013





TAX157S - Property Owner Change History Lookup

F3=Exit  
PageUp/PageDown

Address: 1532 S. 11TH ST. or Parcel No: 307520

Date

Changed

Owner Name & Address

03/24/2011	PEREZ, JESUS GONZALEZ & REYNA C. 1221 MICHIGAN AVE SHEBOYGAN, WI 53081-3355
03/24/2011	PEREZ, JESUS GONZALEZ & REYNA C. 1221 MICHIGAN AVE SHEBOYGAN, WI 53081

WARDEN, DAVID H. & KIM M  
2120 N 27TH PL  
SHEBOYGAN WI 530812027

CHURCHILL, JONATHAN D.  
2112 N 27TH PL  
SHEBOYGAN WI 530812027

DUNN, ROSALIE  
2104 N 27TH PL  
SHEBOYGAN WI 530812027

CHANG, HUE  
& LEE, PLAI  
2030 N 27TH PL  
SHEBOYGAN WI 530812025

CHANG, JENG & THONG L.  
2125 N 28TH ST  
SHEBOYGAN WI 530811912

EISENHARDT, MERLIN D.  
2119 N 28TH ST  
SHEBOYGAN WI 530811912

DANA, DAVID L.  
& KATHLEEN A.  
2113 N 28TH ST  
SHEBOYGAN WI 530811912

GROTBECK, MARILYN L.  
2107 N 28TH ST  
SHEBOYGAN WI 530811912

LOEBBAKA, ROBERT P.  
2101 N 28TH ST  
SHEBOYGAN WI 530811912

HEIM LIVING TRUST OF 2007  
2116 N 28TH ST  
SHEBOYGAN WI 530811911

CHANG, TENG  
VANG, NOU  
2102 N 28TH ST  
SHEBOYGAN WI 530811911

SANDEE, JEREMY J.  
& CORALEE S.  
2110 N 28TH ST  
SHEBOYGAN WI 530811911

GORT, THEUNIS D.  
2122 N 28TH ST  
SHEBOYGAN WI 530811911

CLARK, MICHAEL V.  
2130 N 28TH ST  
SHEBOYGAN WI 530811911

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:

May 31st  
Application deadline date (last working day of the month)

June 21st, 2017  
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.

David L. Dana  
Signature

5-25-17  
Date

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

CASE NO. \_\_\_\_\_  
FILING DATE \_\_\_\_\_  
RECEIPT NO. \_\_\_\_\_  
ZONING DIST. S12-5

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

- 1). Appeal Location (address): 2113 N 28th St.
- 2). Applicant: David L. Dana Telephone #: (920) 458-2725  
Address: 2113 N 28th St
- 3). Legal Property Description (Lot, Block, Subdivision, etc.)  
\_\_\_\_\_  
\_\_\_\_\_
- 4). Type of Building (Circle): Commercial - Industrial - Institutional - Residential - Apartment - Other (if other)  
please list: Cement Driveway + Approach To Property line
- 5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other  
(if other) please list: Cement Driveway To Property line
- 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.  
Cement Driveway to Property line approach required  
is 3'.
- 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.:  
Summer months parking of camper in front yard  
winter its in Sheboygan County Fairgrounds  
only in Driveway about 4 months or less

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: 5-25-17

Signature: David L. Dana  
Mailing Address: 2113 N. 28th St.

## 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.

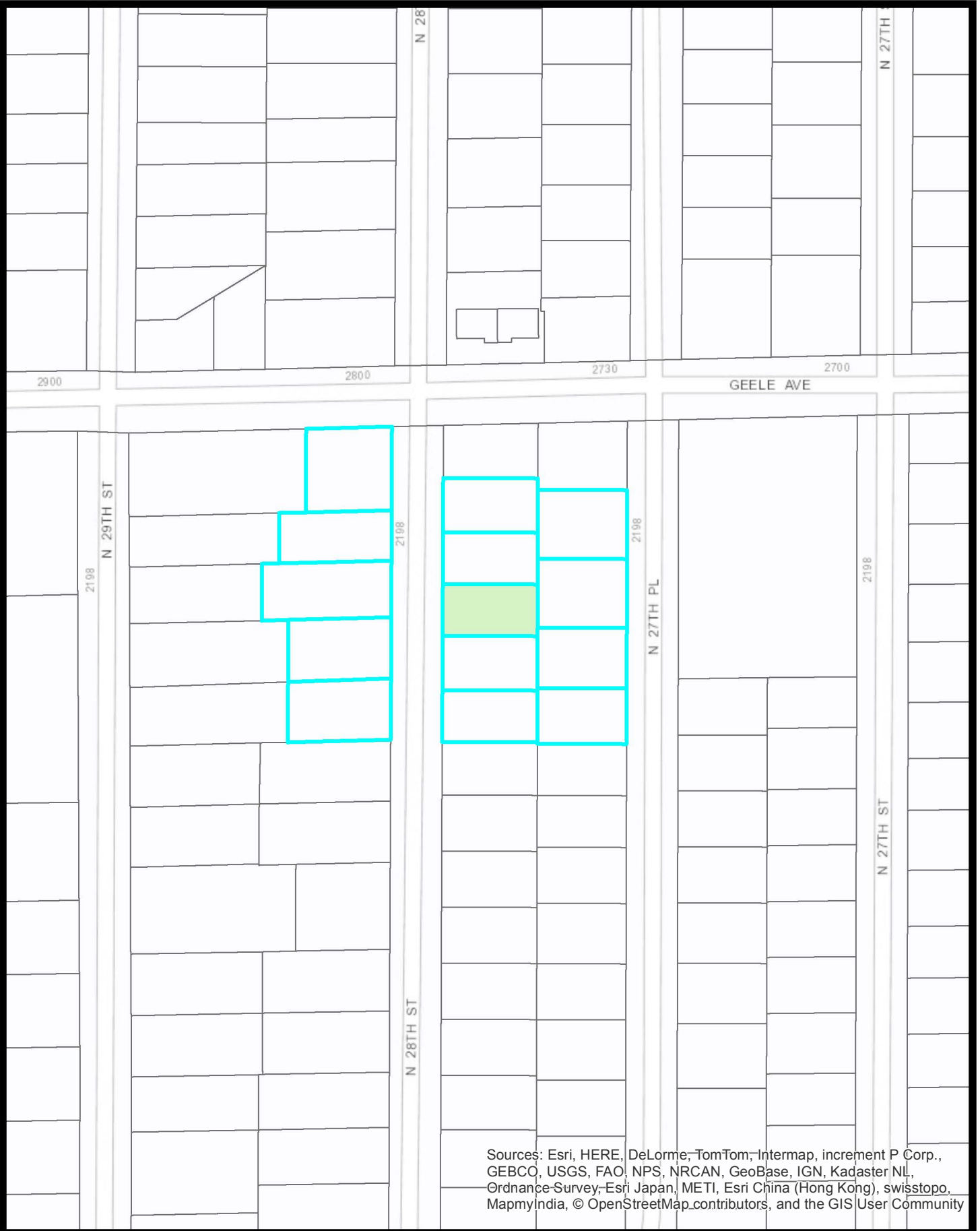
### **TEST #3: NO HARM TO PUBLIC INTEREST**

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.

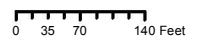
The Board, in granting a variance, may impose conditions on the proposed construction to assure that the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

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.***



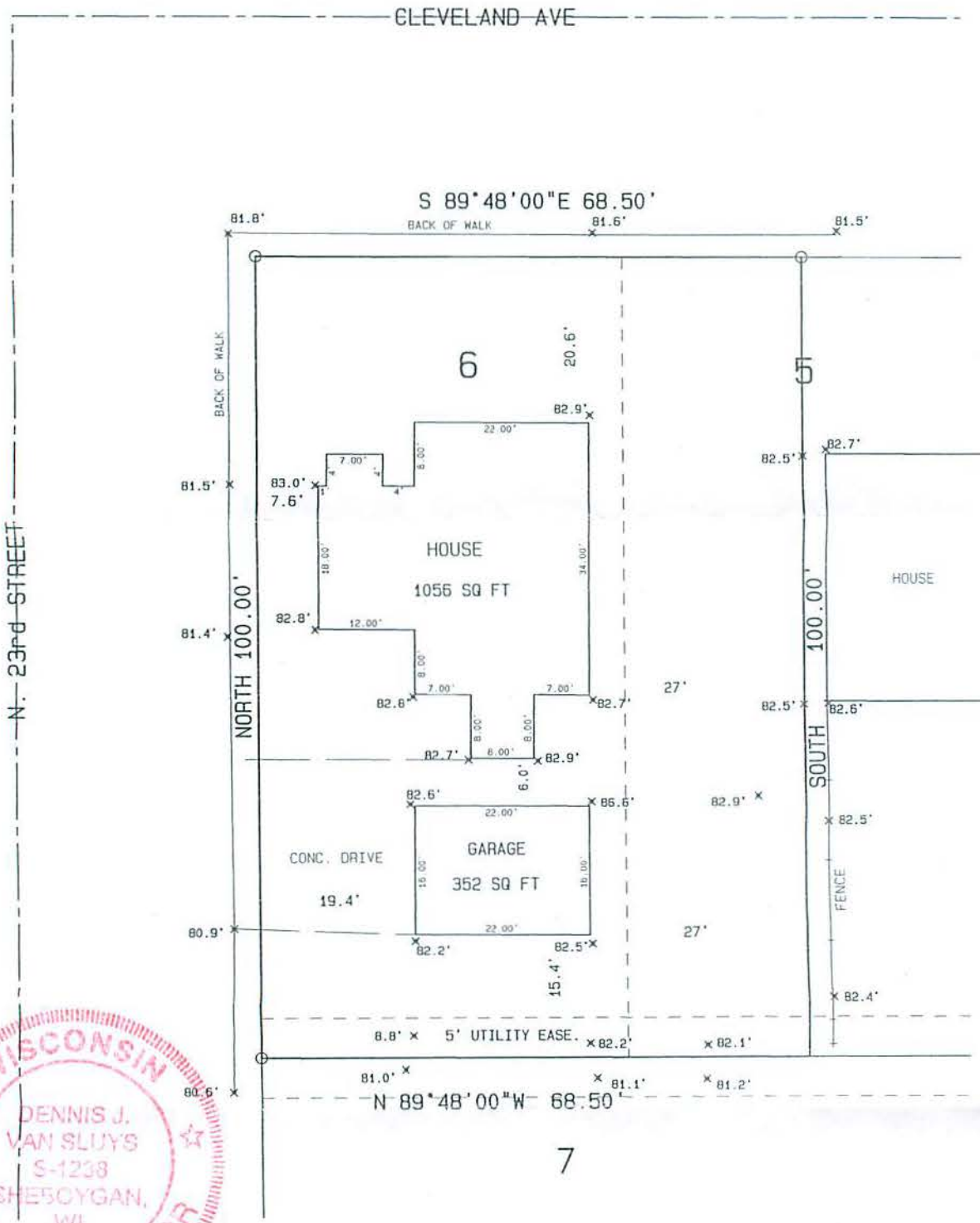
Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community





D & H LAND SURVEYS LLC  
 1628 GEORGIA AVENUE  
 SHEBOYGAN, WISCONSIN

2225 CLEVELAND AVE.  
 PARCEL NO. 59281625070  
 BEING THE WEST HALF OF LOT 5 AND ALL OF LOT 6 OF BLOCK 4 OF  
 ST. DOMINIC'S SUBDIVISION, CITY OF SHEBOYGAN, SHEBOYGAN  
 COUNTY, WISCONSIN.



1" = 20'

LOT AEA 6850 SQ FT

x = EXISTING GRADE CITY DATUM  
 o = 1" IRON PIPE SET

THIS IS AN ORIGINAL PRINT ONLY  
 IF SEAL IS IMPRINTED IN RED  
 THIS IS TO CERTIFY THAT THE INFORMATION SHOWN HEREON  
 IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Dennis J. Van Sluys*  
 Dennis J. Van Sluys S-1238

Dated this 14<sup>th</sup> day of APR, 2017.

DATA/CSHEB17/2225CLEA L-21925

THE UNIVERSITY OF CHICAGO  
LIBRARY

THE UNIVERSITY OF CHICAGO  
LIBRARY  
1215 EAST 58TH STREET  
CHICAGO, ILLINOIS 60637  
TEL: 773-936-3000

UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO  
LIBRARY  
1215 EAST 58TH STREET  
CHICAGO, ILLINOIS 60637  
TEL: 773-936-3000

THE UNIVERSITY OF CHICAGO  
LIBRARY  
1215 EAST 58TH STREET  
CHICAGO, ILLINOIS 60637  
TEL: 773-936-3000

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

CASE NO. 25  
FILING DATE 5-26-17  
RECEIPT NO. \_\_\_\_\_  
ZONING DIST. NR

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

Send  
Separate  
notice  
to  
2225  
Cleveland

1). Appeal Location (address): 2225 Cleveland Ave, Sheboygan

2). Applicant: Mary Ann Perl Telephone #: (920) 452-7121  
Address: 1635 N. 10<sup>th</sup> St.  
Sheboygan, WI 53081

3). Legal Property Description (Lot, Block, Subdivision, etc.) West half of Lot 5 and  
all of Lot 6 of Block 4 of St. Dominic  
subdivision, City of Sheboygan, Sheboygan County,  
WI

4). Type of Building (Circle): Commercial - Industrial - Institutional - Residential - Apartment - Other (if other)  
please list: garage

5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other  
(if other) please list: expansion of 1 1/2 car to a 2 car  
garage.

6). If the request is for a nonconforming use:  
Your intended use: \_\_\_\_\_  
Date last occupied as a nonconforming use: \_\_\_\_\_  
By Whom: \_\_\_\_\_ Previous use: \_\_\_\_\_

7). Applicant's interest in property: owner

8). Describe the requested variance and grounds for refusal of a permit.  
Variance request street side 19' 4" and  
rear property 7' 4"

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:  
Existing attached garage does not meet  
current zoning setbacks but would like to  
replace garage in same location

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: 5-25-17

Signature: Mary Ann Perl  
Mailing Address: 1635 N. 10<sup>th</sup> St.  
Sheboygan, WI 53081

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.

Mary Ann Pearl  
Signature

5-25-17  
Date

## 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.

Neighbor to South of garage on  
2225 Cleveland Ave, Sheboygan, WI,

Mrs. Emma Balde

2009 N. 23<sup>th</sup> St.

Sheboygan, WI 53081

We would like to inform you that  
we are planing to expand the  
1 1/2 car garage to 2 car. It would  
come within 7'4" of the property  
line and 13'4" from your house.

Date 5-25-17

X Emma Balde  
Emma Balde  
(920-457-3738)



TAPIA, MARY JO  
620 SCHOOL ST  
KOHLER WI 530441430

BUZAITIS, JONATHON  
VANDOSKE-BUZAITIS, CATHY MARIE  
2003 N 23RD ST  
SHEBOYGAN WI 530812112

DIER, DOUGLAS A.  
2006 N 23RD ST  
SHEBOYGAN WI 530812111

HOCEVAR, PAULA A  
4022 N 31ST ST  
SHEBOYGAN WI 530832017

METZ, MICHAEL G.  
& NICOLE L.  
2219 CLEVELAND AVE  
SHEBOYGAN WI 530812142

PERL, MARY ANN  
1637 N 10TH ST  
SHEBOYGAN WI 530812619

BALDE, EMMA  
2009 N 23RD ST  
SHEBOYGAN WI 530812112

KUZNACIC, JULIA A.  
2010 N 22ND ST  
SHEBOYGAN WI 530812238

BECK, LARRY O.  
2224 CLEVELAND AVE  
SHEBOYGAN WI 530812141

SCHMITTING, JOHN T.  
& AUSTRENG, TINA M.  
2220 CLEVELAND AVE  
SHEBOYGAN WI 530812141

BOERNER, JAMES M.  
2216 CLEVELAND AVE  
SHEBOYGAN WI 530812141

HEANEY, MAUREEN A  
2212 CLEVELAND AVE  
SHEBOYGAN WI 530812141

NACK, JESS P  
2104 N 23RD ST  
SHEBOYGAN WI 530812113

SCHUETTE, JOAN E.  
2020 N 23RD ST  
SHEBOYGAN WI 530812111

KEMPF, RICHARD J.  
2307 CLEVELAND AVE  
SHEBOYGAN WI 530812144

KRUEGER, KATHRYN L.  
2010 N 23RD ST  
SHEBOYGAN WI 530812111





2225 →  
Cleveland  
Ave







our fence will not  
have brick pillars.



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.

L. Adams  
Signature

5-30-17  
Date

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

CASE NO. 2.5  
FILING DATE 5-30-17  
RECEIPT NO. 50542  
ZONING DIST. SR-5

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

- 1). Appeal Location (address): 11014 N. 24th St
- 2). Applicant: Lindsay Cadoo Telephone #: (920)889-8111  
Address: 11014 N. 24th St.
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Fairview lots 74 + 75 + E 1/2 of vac e-w alley adjacent
- 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: Replace chain link with privacy fence
- 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.  
Not allowed to have left privacy fence in required street yard.
- 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.:  
unigue property limitation due to location on corner lot. House is set back 25' ft. from sidewalk, do not want to lose that much yard

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: 5-30-17

Signature: L Cadoo  
Mailing Address: 11014 N. 24th St.

## 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.

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

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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.***

TAX923DS  
1604 N. 26TH ST.

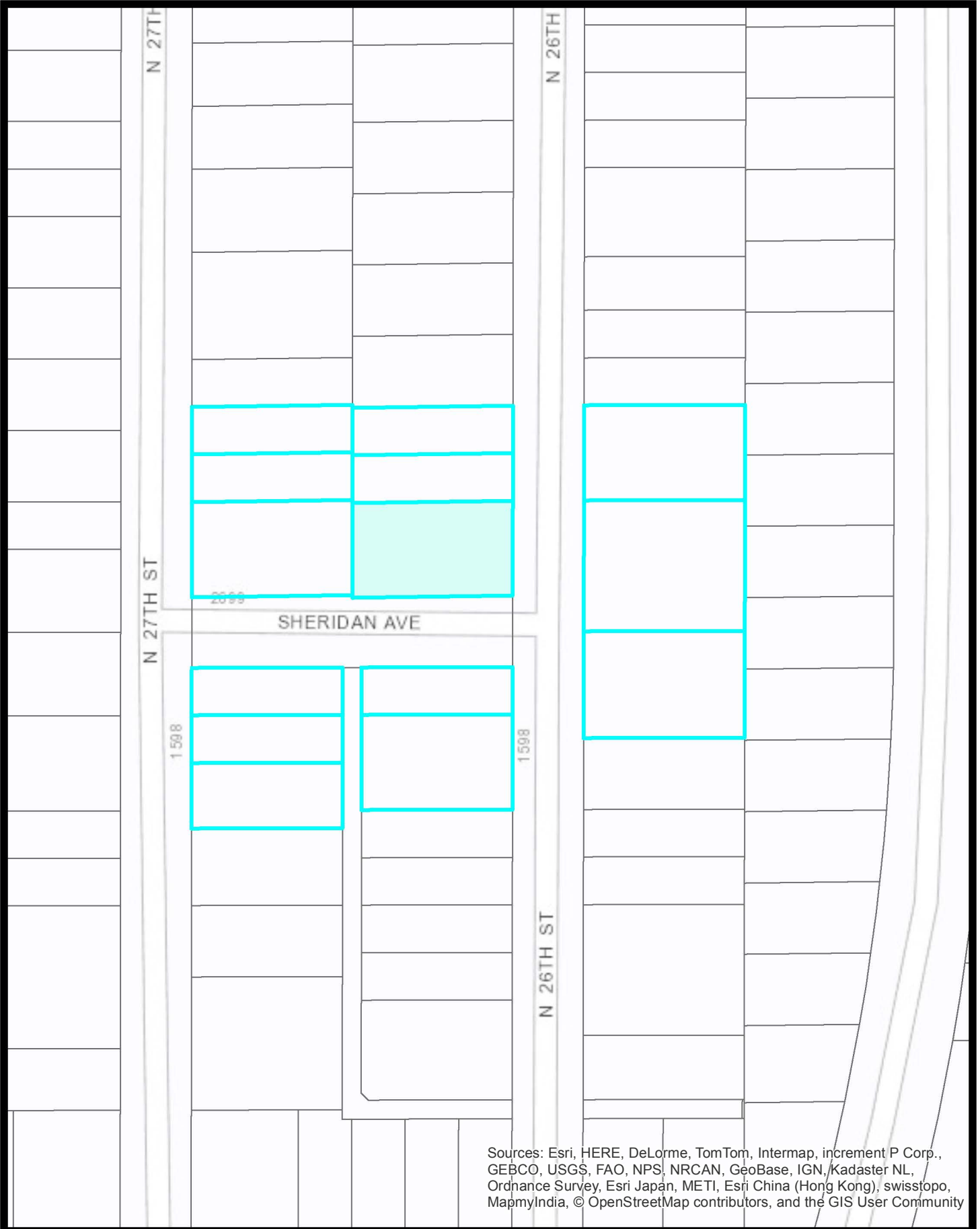
ASSESSMENT ROLL LEGAL DESC.  
SEQ# 610330 MAP#: 16 479 025

PAGE 01

05/30/17

FAIRVIEW LOTS 74 & 75 &  
E 1/2 OF VAC E-W ALLEY  
ADJACENT

F3=Exit F12=Previous



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



STAPLES

Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160  
label size 1" x 2 5/8" compatible with Avery®5160/8160

RANDALL, NICHOLAS V  
1541 N 27TH ST  
SHEBOYGAN WI 530812030

DELKER, MARLENE C.  
1545 N 27TH ST  
SHEBOYGAN WI 530812030

BERG, KAREN K  
1549 N 27TH ST  
SHEBOYGAN WI 530812030

KLUTH, MICHAEL A.  
& MARISA M.  
1601 N 27TH ST  
SHEBOYGAN WI 530812032

SCHMITT, BARBARA J.  
W695 GARTON RD  
SHEBOYGAN WI 530835355

SMITH, NANCY L.  
1613 N 27TH ST  
SHEBOYGAN WI 530812032

CADDOO, LINDSEY M  
1604 N 26TH ST  
SHEBOYGAN WI 530812003

CADDOO, LINDSEY M  
1604 N 26TH ST  
SHEBOYGAN WI 530812003

CADDOO, LINDSEY M  
1604 N 26TH ST  
SHEBOYGAN WI 530812003

MULLEN, SCOTT M.  
2605 SHERIDAN AVE  
SHEBOYGAN WI 530812048

HITSMAN, RICHARD F  
1544 N 26TH ST  
SHEBOYGAN WI 530812001

MOORE TRUST 1-13-06  
N8163 SNAKE RD  
ELKHART LAKE WI 530202010

MATHA, BRIAN K & TONIA L  
1603 N 26TH ST  
SHEBOYGAN WI 530812004

OLAZABAL, JOSE F ARAUJO  
DE ARAUJO, LUCILA C ANGULO  
1611 N 26TH ST  
SHEBOYGAN WI 530812004

STAPLES

label size 1" x 2 5/8" compatible with Avery®5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

KIRCHSTEIN, BENJAMIN D  
KIRCHSTEIN, CONNIE M  
905 CLARA AVE  
SHEBOYGAN WI 530815352

LARSON, RAYMOND J.  
& DIANE C.  
911 CLARA AVE  
SHEBOYGAN WI 530815352

GEE, KARL  
GEE, TINA RENEE  
917 CLARA AVE  
SHEBOYGAN WI 530815352

DORA, KENNETH E  
DORA, SUSAN E  
W2857 COUNTY ROAD C  
SHEBOYGAN FLS WI 530852521

FIBIGER, TAMMY J.  
925 CLARA AVE  
SHEBOYGAN WI 530815352

HIGGINS, JOSEPH P  
2514 ELM RD  
MANITOWOC WI 542209570

LEE, THAO PAO & MAI KIA  
1515 S 10TH ST  
SHEBOYGAN WI 530815802

DAVIES, MICHAEL W  
DAVIES, NANCY J  
1521 S 10TH ST  
SHEBOYGAN WI 530815802

KETTLEVIEW PROPERTIES LLC  
N4320 KETTLE VIEW RD  
PLYMOUTH WI 530734505

SAWATZKI, GARY  
SAWATZKI, SARAH  
4218 S 12TH ST  
SHEBOYGAN WI 530817806

MOUA, BOUA THAI  
& DER YANG  
1534 S 9TH ST  
SHEBOYGAN WI 530815835

LAUMANN, KEITH  
1528 S 9TH ST  
SHEBOYGAN WI 530815835

BULKOW, RICHARD ETAL  
1524 S 9TH ST  
SHEBOYGAN WI 530815835

HABITAT FOR HUMANITY LAKESIDE  
INC  
PO BOX 973  
SHEBOYGAN WI 530820973

HABITAT FOR HUMANITY LAKESIDE  
INC  
PO BOX 973  
SHEBOYGAN WI 530820973

KIRCHSTEIN, DANA S.  
1512 S 9TH ST  
SHEBOYGAN WI 530815835

VAESSEN, SCOTT & DAVID  
VAESSEN, PATRICK  
828 SPRING AVE  
SHEBOYGAN WI 530815840

SHEBOYGAN SOUTH, LLC  
PO BOX 785  
SHEBOYGAN WI 530820785

MENDEZ, MAURO M.  
& ISABEL G.  
3437 S 17TH ST  
SHEBOYGAN WI 530817171

ALBITER, ROSA ISELA BENITEZ  
1525 S 9TH ST  
SHEBOYGAN WI 530815834

FISCHER, KEITH F &  
STROHMEYER, KRISTEN M  
5225 S 12TH ST  
SHEBOYGAN WI 530818012

CHOPICH, JOHN F  
W6678 ESKER RDG  
ELKHART LAKE WI 530201804

WALLACE HOMES OF SHEBOYGAN LLC  
1610 HURON AVE  
SHEBOYGAN WI 530813265

WALLACE HOMES OF SHEBOYGAN LLC  
1610 HURON AVE  
SHEBOYGAN WI 530813265

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

CASE NO. 2.6  
FILING DATE 5-30-17  
RECEIPT NO. 50548  
ZONING DIST. NR C

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

- 1). Appeal Location (address): 1518 S 9th St Sheboygan, WI 53081 Parcel 306000
- 2). Applicant: Habitat For Humanity Telephone #: (920) 458-3399 x304  
Address: 111 N 8th St Sheboygan, WI 53001
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) lots 45, Block 2, Assessment subdivision no. 17, 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: temporary non-conforming
- 6). If the request is for a nonconforming use:  
Your intended use: Future home will have use of the garage  
Date last occupied as a nonconforming use: N/A  
By Whom: \_\_\_\_\_ Previous use: \_\_\_\_\_
- 7). Applicants interest in property: Future development
- 8). Describe the requested variance and grounds for refusal of a permit.  
We would like to be able to leave the garage standing on the property after the house gets demolished. The garage is in good structural shape with a new roof, 2 insulated garage doors. We would scrape and paint the structure it allowed to remain standing.
- 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.:  
Habitat does not include a garage in our new home builds. The existing garage not only adds value to the home, but for the future home owner, it adds secure storage for their vehicles and belongings.

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: 5/16/17

Signature: \_\_\_\_\_  
Mailing Address: PO Box 973  
Sheboygan, WI 53082

### APPLYING FOR A VARIANCE

Variations 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:

5/31/17  
Application deadline date (last working day of the month)

6/21/17  
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

Date

5/16/17

## 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.

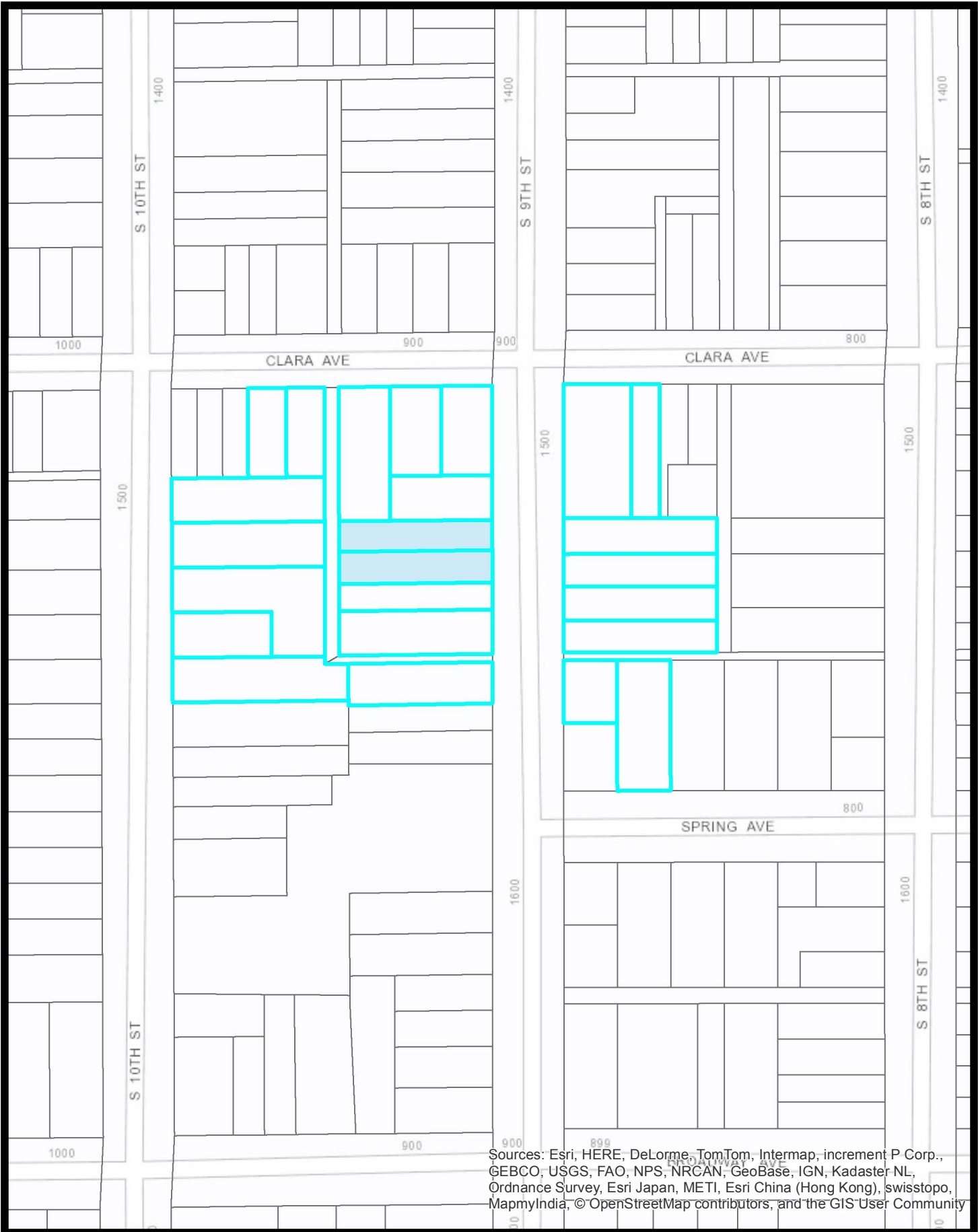
### TEST #3: NO HARM TO PUBLIC INTEREST

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.

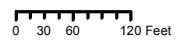
The Board, in granting a variance, may impose conditions on the proposed construction to assure that the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

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.***

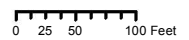


Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community





Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



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:

5/31/2017  
Application deadline date (last working day of the month)

June 21, 2017  
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

5-30-2017  
Date

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

CASE NO. 28  
FILING DATE 5-30-17  
RECEIPT NO. \_\_\_\_\_  
ZONING DIST. NR

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

- 1). Appeal Location (address): 1612 N 10th Street Parcel 702950
- 2). Applicant: Habitat for Humanity Telephone #: (920) 458-3399  
Address: P.O. Box 973, Sheb, WI 53082
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Lot 19, Block 2, Subdivision 11, City of Sheb. County of Sheb. 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: \_\_\_\_\_
- 8). Describe the requested variance and grounds for refusal of a permit.  
Variance requested for core footprint dimensions for house (Plans Attached)
- 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.:  
- Desire to maintain 2 story house to match historical of neighborhood  
- Property narrow for side to side setbacks  
- Great Benefit for Public Interest

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.

Signature: [Signature]  
Mailing Address: P.O. Box 973  
Sheboygan, WI 53082

Date: 5-30-17

## 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.

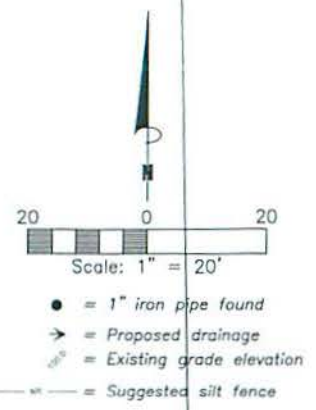
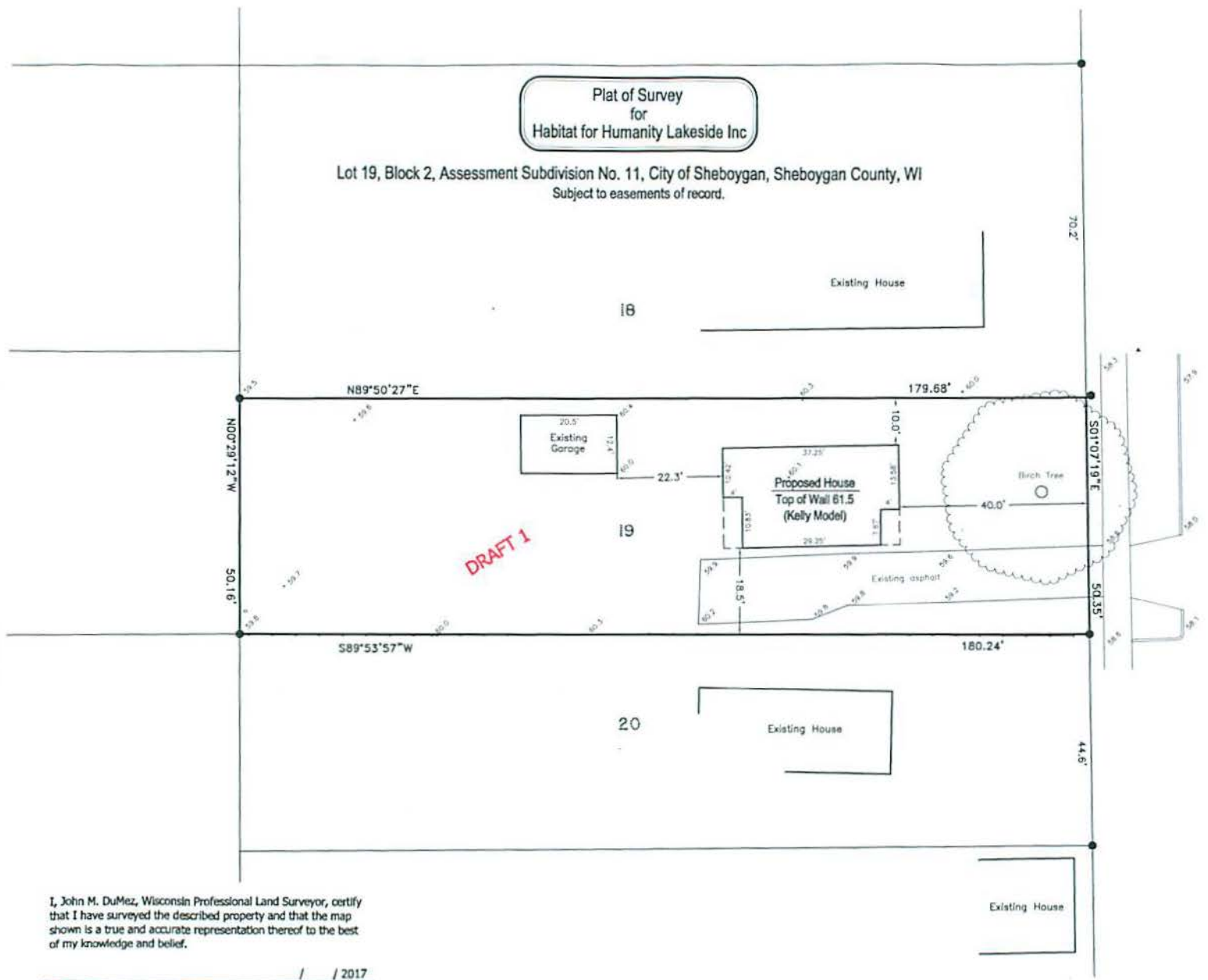
The Board, in granting a variance, may impose conditions on the proposed construction to assure that the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

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.***

Plat of Survey  
for  
Habitat for Humanity Lakeside Inc

Lot 19, Block 2, Assessment Subdivision No. 11, City of Sheboygan, Sheboygan County, WI  
Subject to easements of record.



N. 10th St.

Benchmark:  
Top of hydrant,  
Elev. 60.78

**Compsite**  
Surveying & Mapping  
Oostburg, Wisconsin  
(920) 564-6812

TAX KEY No. 59281702900  
ADDRESS: 1612 N 10th St  
PATH: c:\projects\habitat\1612\_N10th.dwg  
DRAWN BY: jam  
PROJECT: 3816

I, John M. DuMez, Wisconsin Professional Land Surveyor, certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.

John M. DuMez - Wisconsin P.L.S. 5-2267 / / 2017 Date

The certification contained on this document shall not apply to copies.

MORAINÉ PROPERTIES INC  
W3329 SUNSET RD  
SHEBOYGAN FLS WI 530852219

VANG, YANG SENG & PANG X  
N4475 HIDDEN VALLEY DR  
SHEBOYGAN FLS WI 530852761

XIONG, BEE  
& CHANG, KHOU  
1611 N 10TH ST  
SHEBOYGAN WI 530812619

GILIPSKY, JOHN G  
LEX, LAURA L  
219 TIMBERLAKE RD  
SHEBOYGAN WI 530818726

SCHULTZ, JAMES A  
SCHULTZ, ANN P  
15327 CTY TRK XX  
KIEL WI 53042

BROWN, STACY J.  
1622 N 10TH ST  
SHEBOYGAN WI 530812618

CHANG, MAI  
1616 N 10TH ST  
SHEBOYGAN WI 530812618

HABITAT FOR HUMANITY LAKESIDE  
INC  
PO BOX 973  
SHEBOYGAN WI 530820973

MORAINÉ PROPERTIES INC  
W3329 SUNSET RD  
SHEBOYGAN FLS WI 530852219

PLOTKA, PATRICIA J  
3903 HIGHCLIFF CT  
SHEBOYGAN WI 530833022

BONELLI, JOSEPH P  
315 HURON AVE  
SHEBOYGAN WI 530813551

VANG, TOULEE  
YANG, MALILA  
7007 PARK PLACE DR  
SHEBOYGAN WI 530819130

VANG, XAYKOU  
1601 N 11TH ST  
SHEBOYGAN WI 530812633

LEE, MELODY NOUT  
1607 N 11TH ST  
SHEBOYGAN WI 530812633

DOYLE, KERRY O  
DOYLE, MARCIA E  
2522 S 9TH ST  
SHEBOYGAN WI 530816340

RIEMER, ELIZABETH  
1617 N 11TH ST  
SHEBOYGAN WI 530812633

ALVAREZ, EDUARDO  
1623 N 11TH ST  
SHEBOYGAN WI 530812633







SCHULZ, SCOTT A.  
3606 LAKESHORE RD  
SHEBOYGAN WI 530832905

JONES, DANIEL K  
W7748 COUNTY RD W  
CASCADE WI 530111258

SCHNURR, GENE &  
BADE, SHARON L  
1727A STAHL RD  
SHEBOYGAN WI 530818892

SCHNEIDER, DANIEL L.  
& WANDA L.  
2316 CALUMET DR  
SHEBOYGAN WI 530834605

KLUMB, PEGGY A.  
1844 COOPER AVE  
SHEBOYGAN WI 530834675

FRAUENSHUH HOSPITALITY  
GROUP OF MN, LLC  
7101 W 78TH ST STE 200  
MINNEAPOLIS MN 554392531

TLC PROPERTIES, INC  
2809 S 5TH CT  
MILWAUKEE WI 532071458

RICHTER, JAY W.  
& DEBORAH J.  
1819 BELL AVE  
SHEBOYGAN WI 530834644

BAEZA, DEAN  
2327 CALUMET DR  
SHEBOYGAN WI 530834606

DNR LLC  
W1976 REDWOOD RD  
NEW HOLSTEIN WI 530619529

HARTMANN, GREGORY J  
ANDERSON, JILL M  
1837 COOPER AVE  
SHEBOYGAN WI 530834677

CAVANH, ALINA O.  
1833 COOPER AVE  
SHEBOYGAN WI 530834677

YANG & SON LLC  
2610 MACARTHUR AVE  
SHEBOYGAN WI 530832715

FAHSER PROPERTIES LLC  
5729 SUPERIOR AVE  
SHEBOYGAN WI 530833329



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

CASE NO. 29  
FILING DATE 5-31-17  
RECEIPT NO. 50666  
ZONING DIST. NR

TO: THE ZONING BOARD OF APPEALS, CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WI Parcel 602960

1). Appeal Location (address): 2304 CALUMET DR.

2). Applicant: DAN JONES Telephone #: (920) 980-4058  
Address: W7748 HWY W.  
CASCADE WI 53011

3). Legal Property Description (Lot, Block, Subdivision, etc.) ASSESSMENT SUB # 22  
PART OF LOT # 1

4). Type of Building (Circle): Commercial - Industrial - Institutional - Residential - Apartment - Other (if other)  
please list: NON-CONFORMING NEIGHBORHOOD RESIDENTIAL

#1 ~~OR~~ 5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other  
(if other) please list: PROPERTY VARIANCE / RE-ZONE

OR #2 6). If the request is for a nonconforming use:  
Your intended use: SALON  
Date last occupied as a nonconforming use: 2016  
By Whom: PREVIOUS OWNER Previous use: DENTIST

7). Applicants interest in property: OWNER / OPERATOR

8). Describe the requested variance and grounds for refusal of a permit.  
PROPERTY IS ZONED NR & THE BUILDING, ITS LOCATION,  
AND ITS PROPERTY ARE NOT SUITED FOR RESIDENTIAL  
USE. PROPERTY SHOULD BE RE ZONED PERSONAL / PROFESSIONAL  
SERVICES OR COMMERCIAL

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.:  
THE ZONING MAKES THE PROPERTY ALMOST UNUSEABLE  
& GREATLY AFFECTS THE PROPERTY VALUE. IT ALSO DOES  
THE CITY A DISSERVECE BY LIMITING THE USE OF A HIGH TRAFFIC  
COMMERCIAL LOCATION.

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: 5-30-17

Signature: [Signature]  
Mailing Address: W7748 HWY. W  
CASCADE WI 53011

## 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.***

**THE THREE TESTS FOR A VARIANCE**

The City of El Paso (EPCAM) will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets. The Board will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets. The Board will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets.

To obtain a variance, you must establish that, due to some peculiarity of the property, strict application of the zoning ordinance would be a hardship or a practical difficulty to meet zoning code requirements. These circumstances must not be self-created or self-inflicted. In other words, your proposed construction must meet the three tests for a variance listed below.

THE BOARD OF PLANNING AND ZONING ORDINANCE (BPOZ) WILL REVIEW YOUR APPLICATION FOR A VARIANCE BEFORE YOU SUBMIT IT TO THE CITY'S PLANNING DEPARTMENT AND BEFORE THE CITY'S PLANNING DEPARTMENT SUBmits IT TO THE BOARD OF PLANNING AND ZONING ORDINANCE (BPOZ). YOU MUST FIRST REVIEW THE STANDARDS FOR A VARIANCE (BELOW) PRIOR TO YOUR APPLICATION AND PAYING THE NON-REFUNDABLE FILING FEE.

**TEST #1: UNDESIRABLE PROPERTY CHARACTERISTICS**

The Board of Planning and Zoning Ordinance will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets. The Board will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets.

**TEST #2: UNIQUE PROPERTY LIMITATIONS**

Unique property characteristics of your property that prevent you from complying with the zoning ordinance in compliance with the ordinance. The property must not be self-created or self-inflicted. The Board will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets.

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

The Board of Planning and Zoning Ordinance will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets. The Board will issue a Variance if the Board of Planning and Zoning Ordinance to meet certain criteria that your proposed construction meets.

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May 24<sup>th</sup> 2017

**2304 Calumet Dr.**

### **Proposed Use**

We plan to do a light remodel on the front 2/3rds. of the building leaving the rear three offices/rooms as is for now. In the front we will remove a couple non-load bearing walls, remove paneling, fix drywall, install new front counters, painting, and new hardwood flooring. We also plan on a few minor exterior upgrades and repairs. Such as: repairing rotten trims and fascia, painting, new gutters, and landscaping. We would furnish the inside to be used as a hair salon or barber.

After remodeling we plan to open a hair salon and hire a top notch employee to run it. A secondary plan would be to rent the chairs to 2 different beauticians so they could free lance.

### **Operating Hours**

While this is not written in stone yet. We would plan on allowing it to be open 6 days a week. So that we had a day to do maintenance while they were not open. As for hours, we would suggest 8am or 9 am - 7 or 8 pm.

### **Employees**

We are planning to have between 2 and 6 employees. Never more than 2 working at a time. It would be similar to this scenario: 1 employee from 9 am to 11, then 2 employees till 5pm, then the one remaining employee till 8pm or close.

### **Customers**

We will strive to be mostly an appointment only salon, splitting the day up into ½ hour slots. Most times there will be 1-2 customers per ½ hours slot, or 1 customer per employee per ½ hour. So in a 10 hour day taking into consideration time for opening and closing, that would be approximately 35 customers. That would be about maximum, so our average range would be between 20 and 35 per day.

### **Parking**

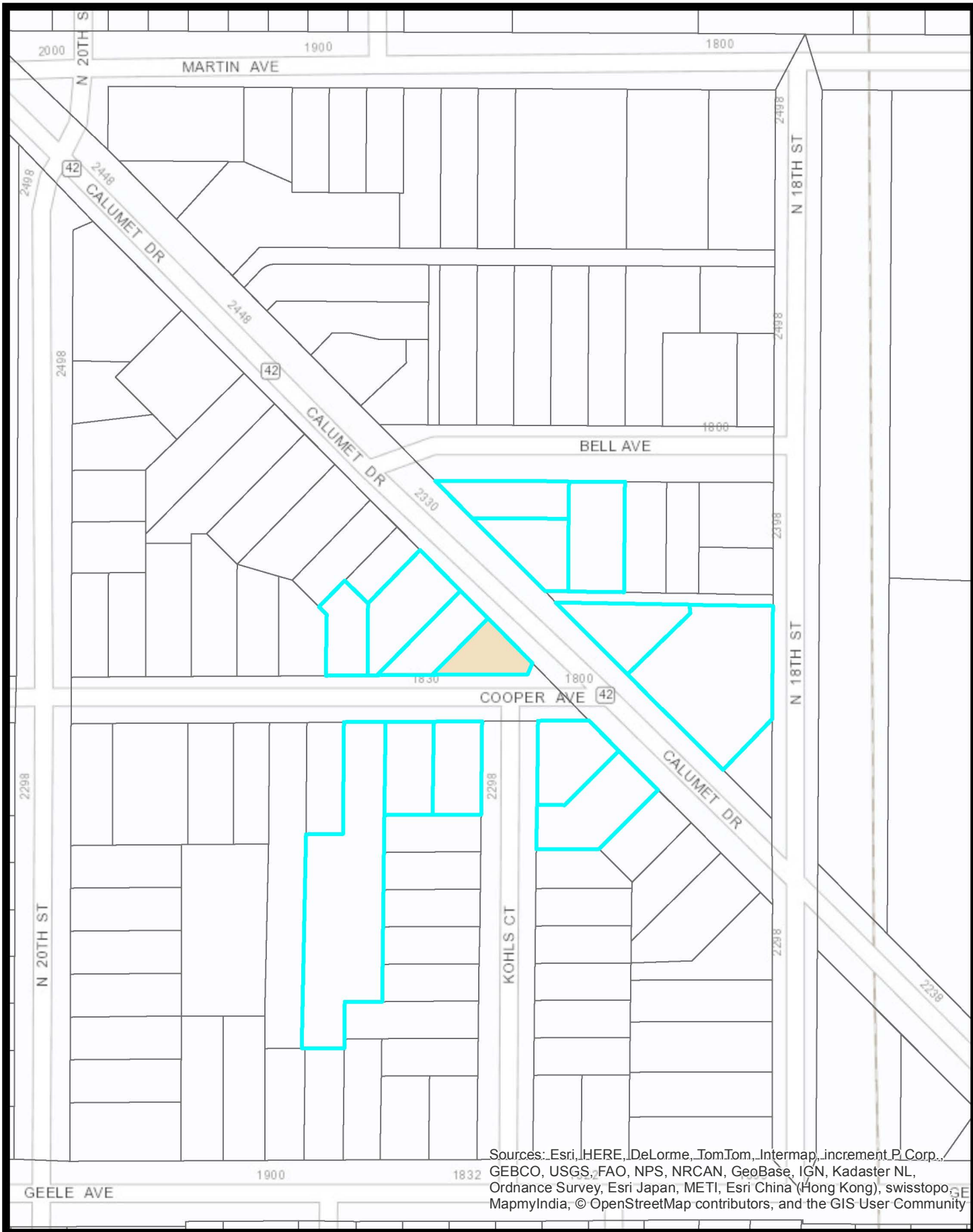
Unfortunately there is no off street parking, this was our biggest hurdle in convincing ourselves to purchase this property. In the end we reflected on the previous owners successful dentist office, which is very similar to our proposed business when it comes to the number of employees and hourly customers. From conversations we found out the he had between 2 and 4 people on staff per day and 1-4 customers per hour.

## **Community**

For one we plan and will take the utmost care of our property which will only increase the appeal of the block. Secondly as an owner my personal number will be available to all neighbors, and we will take all of their opinions seriously. And finally we plan to give a block-wide discounts to neighbors, and also extend discounts to Cooper School students, employees and families.

We ensure the business will not be a nuisance, it will not have loud noises or odors, and no bright lights. The landscaping will be appealing, and there will be no debris, or garbage on the property. We will also take care of the 2 sidewalks during summer and winter. As for parking we will have no more vehicles than the previous business, and we will be curious to all neighbors.

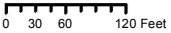
Thank you,  
Dan Jones  
Lisc. # 1086367



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P. Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Date: 6/6/2017

# City of Sheboygan















STAPLES

label size 1" x 2 5/8" compatible with Avery®5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

RANTA, EDITH  
4218 S 13TH ST  
SHEBOYGAN WI 530817816

GRUNERT, WILLIAM G  
ZENK, CINDY L  
4226 S 13TH ST  
SHEBOYGAN WI 530817816

HAINZINGER, ANDY D  
HAINZINGER, EMMA  
1301 WOODVIEW AVE  
SHEBOYGAN WI 530817837

STAUBER, NATHAN J  
MORALES, DANA C  
1315 WOODVIEW AVE  
SHEBOYGAN WI 530817837

BERGEN, THOMAS J IV  
BERGEN, PAULA  
4231 S 14TH ST  
SHEBOYGAN WI 530817821

RICHTER, DAVID A.  
& ROBIN L.  
4225 S 14TH ST  
SHEBOYGAN WI 530817821

KOLSTE, JOEL D  
KOLSTE, KELLY M  
4226 S 14TH ST  
SHEBOYGAN WI 530817822

LACKEY, JAMES E.  
& KELLY E.  
4232 S 14TH ST  
SHEBOYGAN WI 530817822

WORTH, LUKE J  
WORTH, AMY R  
4302 S 14TH ST  
SHEBOYGAN WI 530817824

STAPLES

label size 1" x 2 5/8" compatible with Avery®5160/8160  
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June 15, 2011

Tom & Paula Bergen  
4231 S 14th Street  
Sheboygan, WI 53081

RE: 4231 S 14th Street

RE: APPEAL NO. 11-11

At the June 15, 2011 meeting of the Board of Appeals your appeal from the Building Inspector's decision regarding the matter contained therein was considered.

On the basis of the evidence presented at the hearing, disposition was made as shown in the paragraph below indicated with an "(X)".

- ( ) The appeal was not granted.
- ( X ) The appeal was granted. A building permit must be obtained within 6 months of the Board's decision.
- ( ) The appeal was modified. A building permit must be obtained within 6 months  
SUBJECT TO THE FOLLOWING MODIFICATIONS:  
Following stipulations met and maintained:

Board Member Lee Montemayor placed importance on the fact of knowing where  
your property lines are when erecting this fence.

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This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing a petition for writ of certiorari with the Circuit Court for Sheboygan County within 30 days after the date shown above. The City assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30-day period.

Yours truly,  
BOARD OF APPEALS

Secretary

BUILDING INSPECTION  
CITY HALL  
28 CENTER AVE., STE. #105  
SHEBOYGAN, WI  
3081-4442  
  
20/459-4064  
AX 920/459-0210

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

CASE NO. 2-10  
FILING DATE 5-31-17  
RECEIPT NO. 50669  
ZONING DIST. SR-3

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

- 1). Appeal Location (address): 4231 S-14th St, Sheboygan
- 2). Applicant: Tom & Paula Bergen Telephone #: (920) 452-7426  
Address: 4231 S. 14th St
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Sunnyside Subd; Lots 13 & 14 Blk 2  
EXC The S; 34' of LOT 13 BLOCK 2
- 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: EXTENSION OF FENCE & ~~SIDE~~ CEMENT SLAB OFF  
OF DRIVEWAY
- 6). If the request is for a nonconforming use: EXISTING  
Your intended use: \_\_\_\_\_  
Date last occupied as a nonconforming use: \_\_\_\_\_  
By Whom: \_\_\_\_\_ Previous use: \_\_\_\_\_
- 7). Applicants interest in property: OWNERS
- 8). Describe the requested variance and grounds for refusal of a permit.  
6' HIGH SOLID FENCE IN A REQUIRED SIDYARD  
LESS THAN 1' FROM PROPERTY LINE
- 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.:  
PLEASE SEE ATTACHED

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: 5/30/17

Signature: Paula Bergen  
Mailing Address: 4231 S. 14th St  
Sheboygan WI 53081

### **Extension of existing fence**

**Unnecessary Hardship:** Due to the age of the trees, we lost 3 more trees to both age and disease. The trees that we lost prevented us from originally continuing our fence to be flush with the garage as originally suggested to us at our appeals meeting (6/15/11; appeal number 11-11). With those trees now gone, it has not only eliminated any privacy we had in the backyard, but also opened our side yard to Woodview Ave. Due to the draining of the block onto Woodview Ave for the French drain, there is significant flooding during both rain storms and in the winter (which freezes over), posing a safety risk to pets and any guest's children playing in the backyard. The flooding is so significant, the city pumps the road multiple times a year.

**Unique Property Limitations:** Having a corner lot does not allow for us to complete the project of fencing our property. In addition, the property was landscaped for the privacy of the trees now lost.

**No Harm to Public Interest:** There are no driveways that the fence would obstruct the view of Woodview Ave, nor would it interfere with the intersection of 13<sup>th</sup> or 14<sup>th</sup> street.

### **Cement slab with approach off of existing driveway**

**Unnecessary Hardship:** Under the current ordinance, nothing can be "built" in our side yard. Under the current ordinance, an alternative would be to have a separate driveway off of Woodview Ave, however, due to the flooding, it is not appropriate solution or safe.

**Unique Property Limitations:** Having a corner lot does not allow for us to have a side cement slab for parking our camper or additional vehicles as our children reach driving age.

**No Harm to Public Interest:** There are no driveways that the cement slab or vehicles parked on the slab would obstruct the view of Woodview Ave, nor would it interfere with the intersection of 13<sup>th</sup> or 14<sup>th</sup> street. In addition, an extension of the driveway would be more cosmetically pleasing than parking on the grass.

Extension of existing fence

**Necessary Hardship:** Due to the age of the trees, we just 3 more trees in both age and disease. The trees that we had previously cut down to be used in the garage as originally suggested to us at our special meeting (5/12/11) special number 11-11. With these trees now gone, it has not only eliminated any privacy we had in the backyard, but also opened our side view to Woodview Ave. Due to the draining of the flood into Woodview Ave for the back this, there is significant flooding during both rain storms and in the winter (which freezes over), posing a safety risk to both our yard and our children playing in the backyard. The flooding is so significant, the city has had to send out multiple times a year.

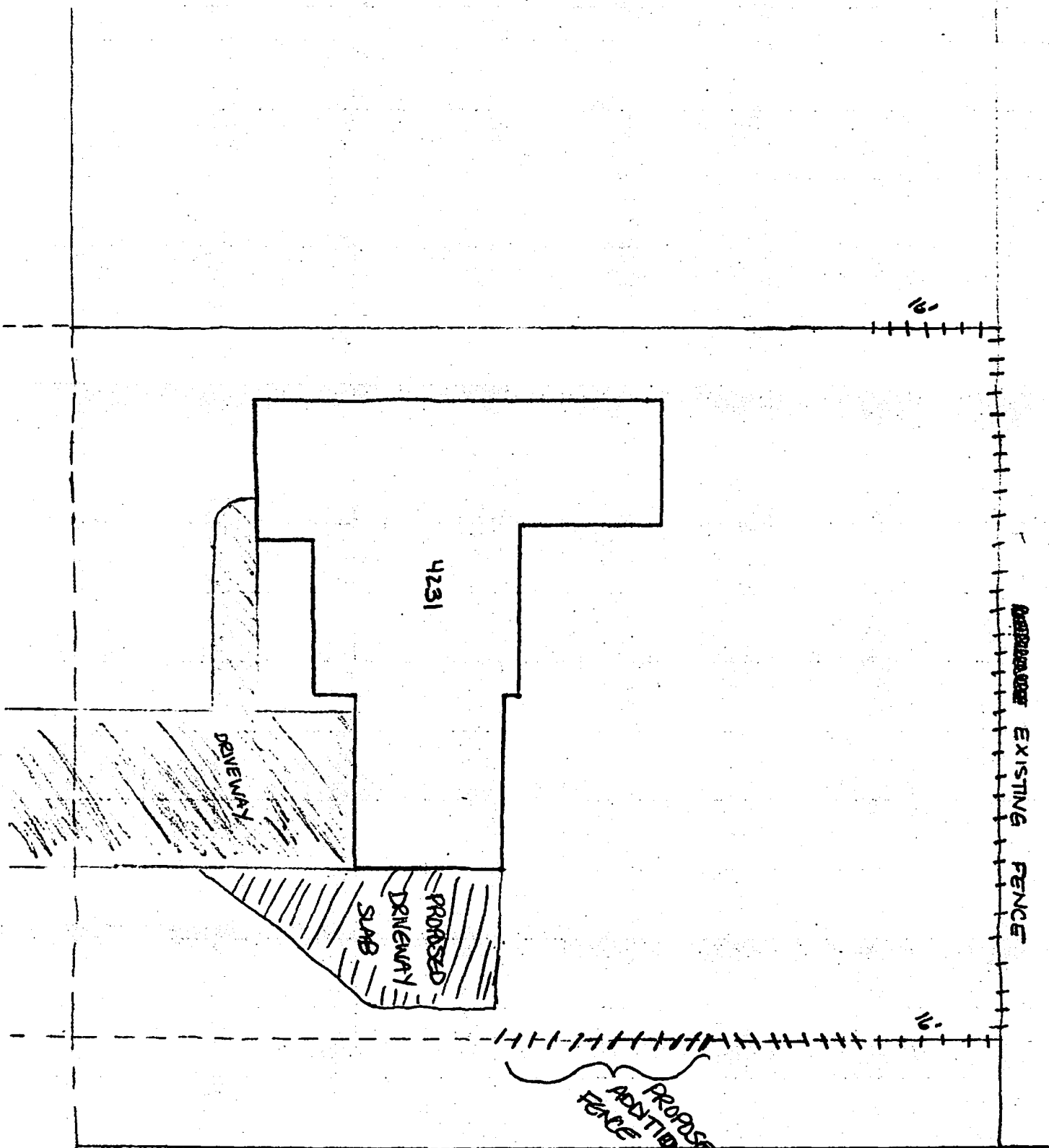
**Unique Property Limitations:** Having a corner lot does not allow for us to complete the project of fencing our property. In addition, the property was landscaped for the privacy of the trees now lost. The front to back driveway, which is not a driveway, but the fence would interfere with the view to Woodview Ave, nor would it interfere with the intersection of 13<sup>th</sup> or 14<sup>th</sup> street.

Current side approach off of existing driveway

**Necessary Hardship:** Under the current ordinance, nothing can be "built" in our side yard. Under the current ordinance, an alternative would be to have a separate driveway off of Woodview Ave, however, due to the flooding, it is not appropriate solution or safe.

**Unique Property Limitations:** Having a corner lot does not allow for us to have a side cement slab for parking our number of additional vehicles as our children learn driving age.

**No Harm to Public Interest:** There are no driveways that the cement slab or vehicles parked on the side would obstruct the view of Woodview Ave, nor would it interfere with the intersection of 13<sup>th</sup> or 14<sup>th</sup> street. In addition, an extension of the driveway would be more cosmetically pleasing than parking on the grass.



4231

DRIVEWAY

PROPOSED  
DRIVEWAY  
SLAB

EXISTING FENCE

PROPOSED  
ADDITIONAL  
FENCE PANELS

WOODVIEW AVE

132.4'

16'

16'

102'

DRIVE

DRIVE



# City of Sheboygan

0 35 70 140 Feet



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp.,  
 GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL,  
 Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo,  
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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.

Dean E. Vlachos  
Signature

4/20/17  
Date

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

CASE NO. 2-11  
FILING DATE 5-31-17  
RECEIPT NO. \_\_\_\_\_  
ZONING DIST. NR

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

- 1). Appeal Location (address): 1213 N. 4<sup>th</sup> St
- 2). Applicant: Diane E. Vlachos Telephone #: (920) 889-7294  
Address: 1213 N. 4<sup>th</sup> St
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Lot
- 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.  
4ft fence in front of property  
(shadow box)
- 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.:  
privacy - safety

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: 4/20/17

Signature: Diane E. Vlachos  
Mailing Address: 1213 N 4<sup>th</sup> 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.***

STAPLES

Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160  
label size 1" x 2 5/8" compatible with Avery®5160/8160

MEYER, CASEY P.  
1220 N 4TH ST  
SHEBOYGAN WI 530813538

HOLGATE, JANITA  
1226 N 4TH ST  
SHEBOYGAN WI 530813538

SCHAEFER, LUCAS J  
SCHAEFER, FAWN J  
1204 N 4TH ST  
SHEBOYGAN WI 530813538

WIGG, RITA A. LIVING  
TRUST OF 2001  
1214 N 4TH ST  
SHEBOYGAN WI 530813538

CLARKE, JOSEPH E. J.  
& DENISE L.  
319 MICHIGAN AVE  
SHEBOYGAN WI 530813556

CARRENO, TODD A.  
& ELIZABETH H.  
1229 N 4TH ST  
SHEBOYGAN WI 530813537

DREWS, BRETT A  
DREWS, ROCHELLE L  
1221 N 4TH ST  
SHEBOYGAN WI 530813537

VLACHOS, DIANE E  
1213 N 4TH ST  
SHEBOYGAN WI 530813537

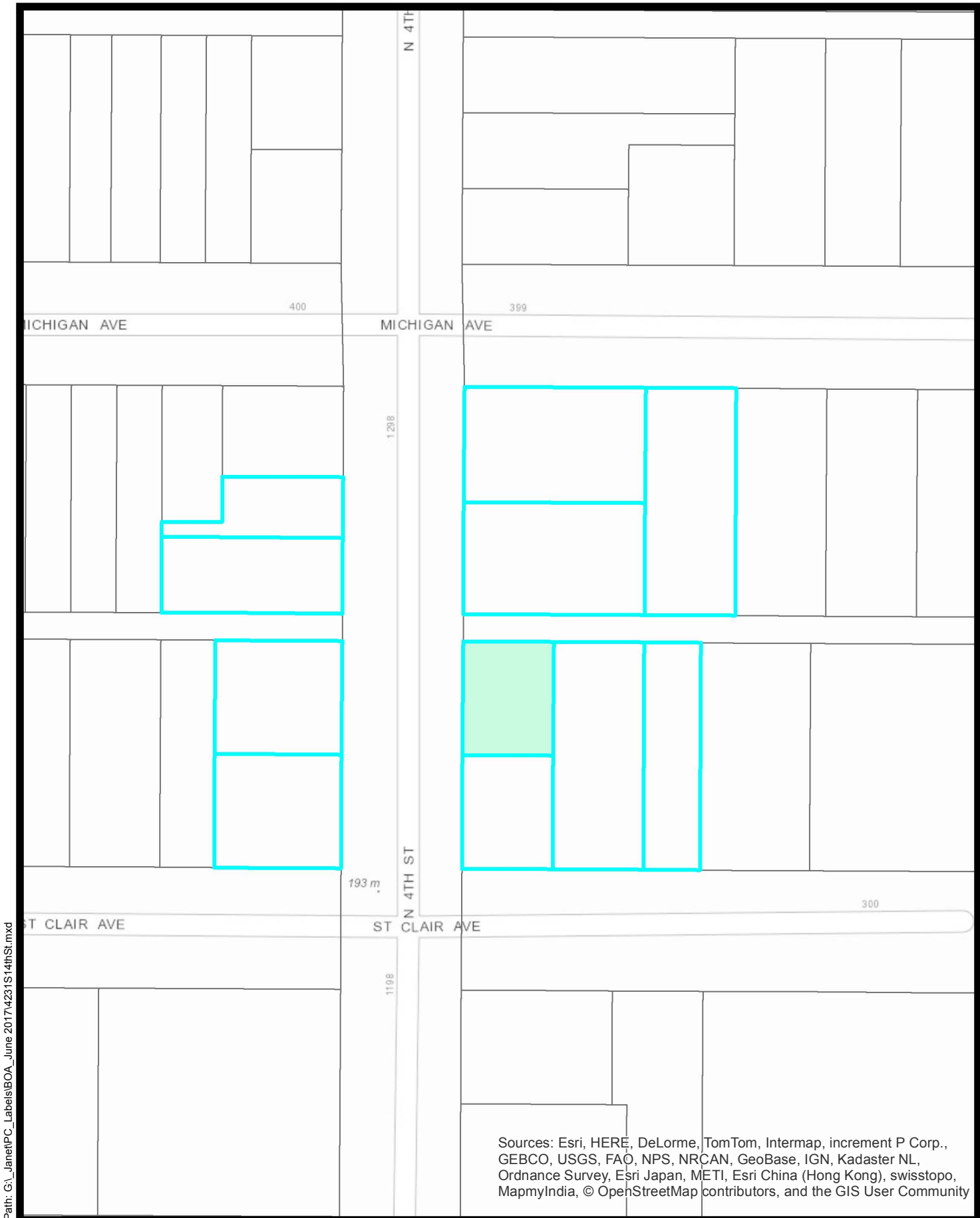
SCHNEIDER, JOEL D  
NELSON, KRISTIN J  
231 KETTLE RIDGE CIR  
GLENBEULAH WI 530231155

ZOHRAB, NICHOLA  
330 SAINT CLAIR AVE  
SHEBOYGAN WI 530813561

SMITH, GARY M.  
& DUVALL, PAMELA S.  
324 SAINT CLAIR AVE  
SHEBOYGAN WI 530813561

STAPLES

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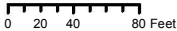
Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

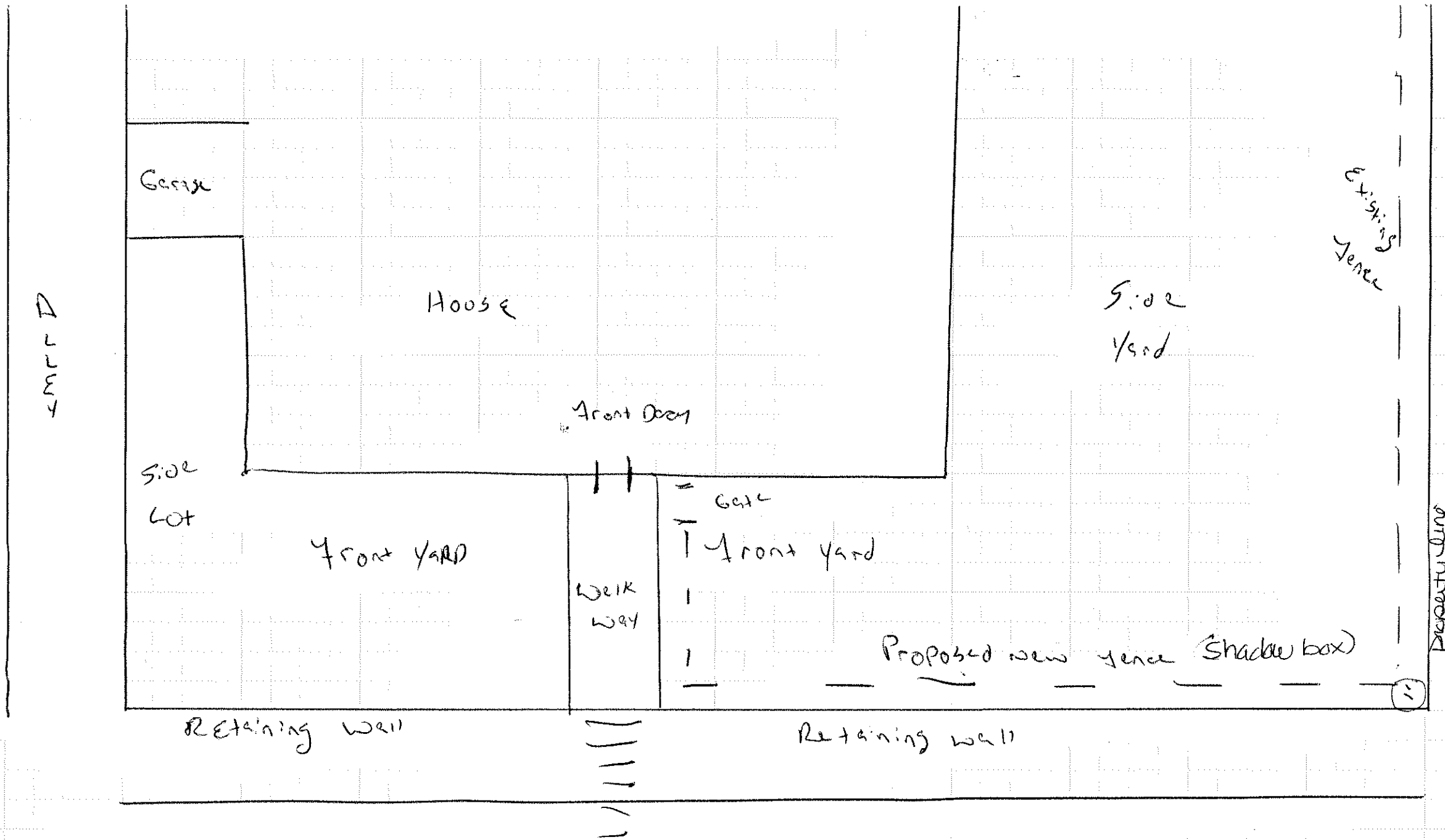
Path: G:\Janet\PC\_Labels\BOA\_June\_2017\4231S14thSt.mxd

Date: 6/6/2017



# City of Sheboygan





Proposed Fence Drawing

Diana Viechos

1213 N 4th

Stebolgan