

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

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

CASE NO. 122114 2.2  
FILING DATE 11-1-16  
RECEIPT NO. 32026  
ZONING DIST. SR-3 / 011340

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

- 1). Appeal Location (address): 3107 N. 6<sup>th</sup> St.  
Rauhmann Custom Homes, Inc.
- 2). Applicant: Jennifer Littmann Telephone #: (920) 377 0028  
Address: 1337 N. TAYLOR DR. SHEB, WI 53081
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Lots 10-13 Mallmanns Evergreen  
Park Subd.
- 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: New construction
- 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: Contractor
- 8). Describe the requested variance and grounds for refusal of a permit.  
Owners would like a turn around for driveway, to make it  
safer to get onto street.
- 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:  
for safety reasons, a turn around for driveway is  
requested to get onto street

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

Date: 10-26-16

Signature: Jennifer Littmann VP, RCH, Inc  
Mailing Address: Jennifer Littmann

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:

10-31-16  
Application deadline date (last working day of the month)

11/16/16  
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.)*

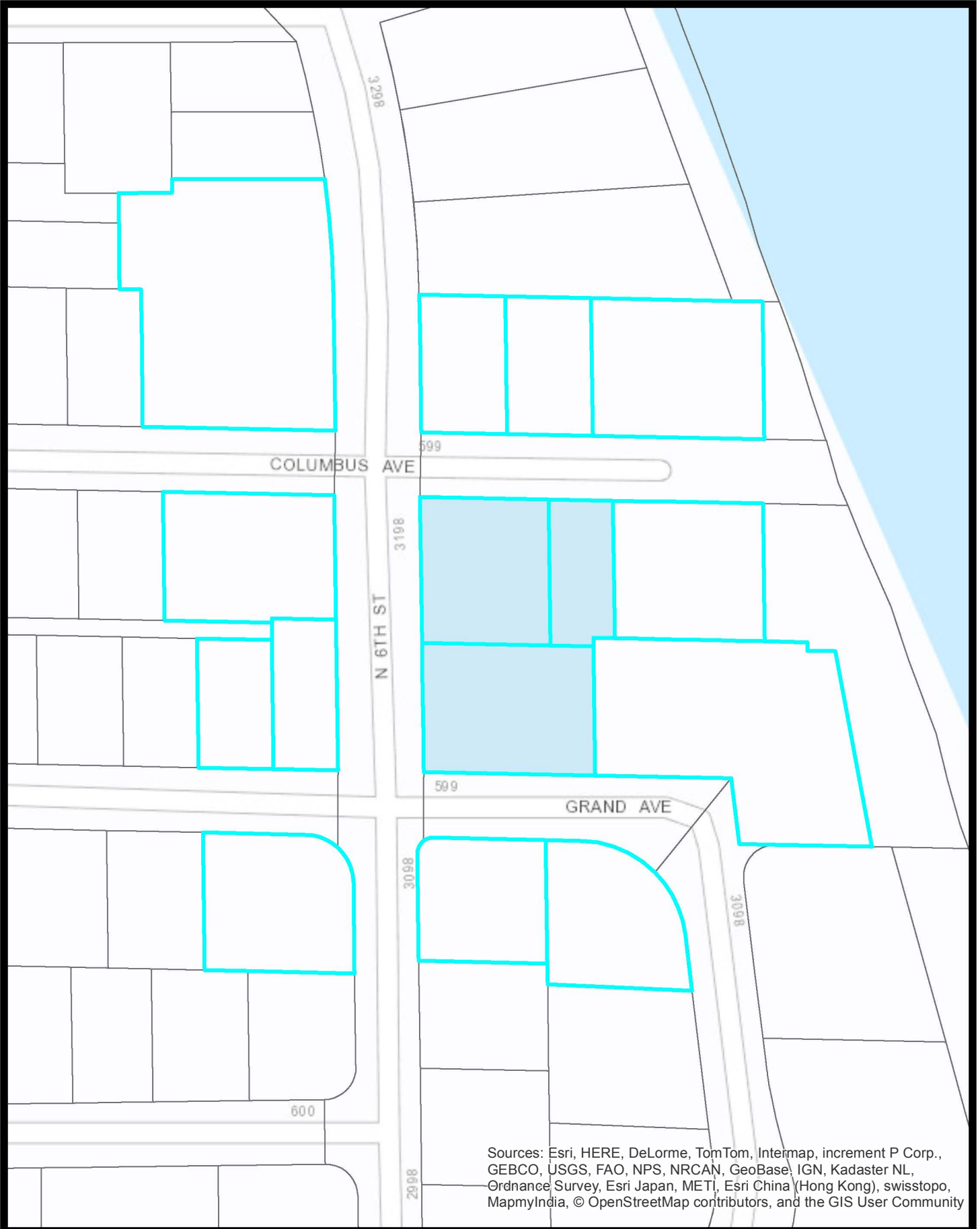
A notice of the date and time of the hearing will be mailed to all property owners within 100 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important that you discuss your proposal with the Building Inspection Department and Planning Department.

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]  
Signature RCI, Inc.

10/26/16  
Date



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



S89°09'00"E

180' (rec)  
179.92' (meas)

**Building Permit Survey  
for  
Garrett & Nancy TeSelle**

Lots 10, 11, 12, and 13, Block 6, J. Mallmann's Evergreen Park Subdivision, also that part of the South 1/2 of the vacated East/West alley adjacent to said Lots 10 and 13, City of Sheboygan, Sheboygan County, Wisconsin.  
Subject to easements of record.

N. SIXTH ST.

Current Zoning: SR-3 (Suburban Residential 3)

Setbacks (house or attached gar) -

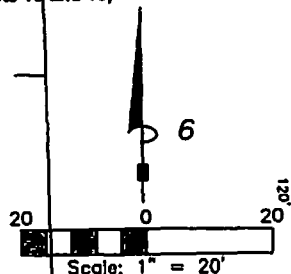
Front: 35 feet

Side: 10 feet

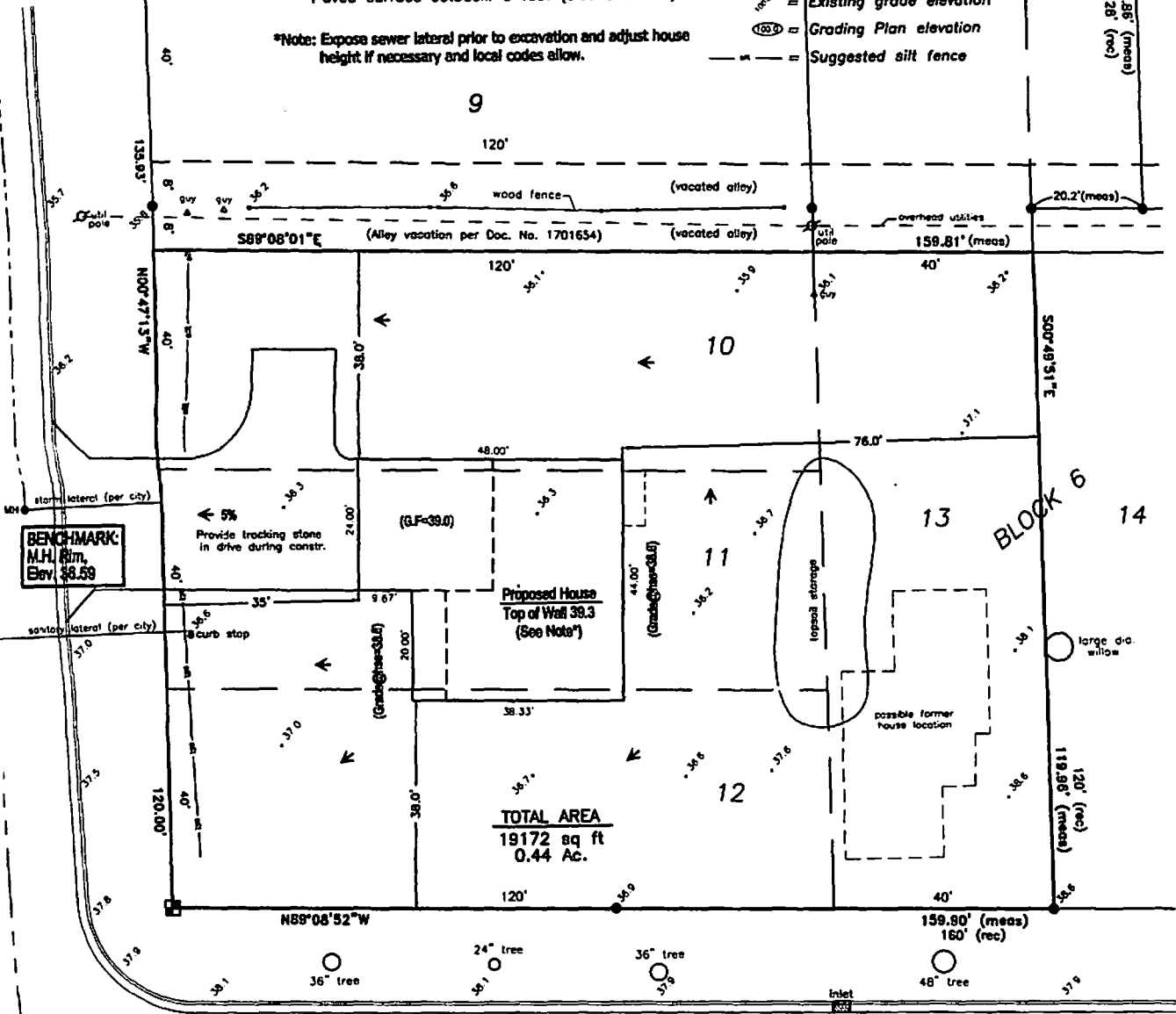
Rear: 20 feet

Paved surface setback: 3 feet (side and rear)

\*Note: Expose sewer lateral prior to excavation and adjust house height if necessary and local codes allow.



- = 1" iron pipe found
- = Conc monument w/imbedded rod
- ↘ = Proposed drainage
- = Existing grade elevation
- (38.3) = Grading Plan elevation
- = Suggested silt fence

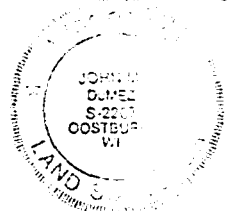


BENCHMARK  
M.H. Rim,  
Elev. 38.59

BENCHMARK  
M.H. Rim,  
Elev. 38.44

GRAND AVE.

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



I, John M. DuMéz, 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. DuMéz* 8/22/2016  
John M. DuMéz - Wisconsin P.L.S. S-2203 Date

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

TAX KEY No 59281011320, 59281011330, 59281011340, 59281011350  
ADDRESS: ---  
PATH: c:\projects\rautmann\teselle\_grand\dwg\teselle\_grand.dwg  
DRAWN BY: jdm  
PROJECT: 3690

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:

November 30, 2016  
Application deadline date (last working day of the month)

December 21, 2016  
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.

Jerome D. Dyer  
Signature

Nov. 29, 2016  
Date

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

CASE NO. 122116 2.3  
FILING DATE 11-30-16  
RECEIPT NO. 33492  
ZONING DIST. MR-8 650090

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

- 1). Appeal Location (address): 3212 No 21st Street
- 2). Applicant: Jerome Jetzer Telephone #: (920) 452-3635  
Address: 3212 No 21st Street
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) SEE ATTACHED
- 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: separating property from primary residence <sup>property</sup>  
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.  
SEE 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.:  
Unable to sell home unless property is  
separated.

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: November 29, 2016

Signature: Jerome Jetzer  
Mailing Address: 3212 No 21st Street  
Sheboygan, WI 53083

**Attachment to**  
**VARIANCE APPEAL**  
**3212 North 20<sup>th</sup> Street, Sheboygan**

**Item 3:**

N 15' Lot 7 and S 52' Lot 8, Block 1, Koning Estates Tax Parcel #59281650080

and

N 13' Lot 8 and all Lots 9 &10, Block 1, Koning Estates Tax Parcel#59281650090

**Item 8**

My original deeds of acquisition were:

Warranty Deed Document Number 1402953 (Exhibit A attached)

Warranty Deed Document Number 1481650 (Exhibit B attached)

Warranty Deed Document Number 1043508 (Exhibit C attached)

The respective original parcels are highlighted on Exhibit D attached.

In 1994 the original parcels were realigned and combined in to the 2 tax parcels referenced in Item 3 above and highlighted on Exhibit E attached hereto.

In 1994 I obtained a variance to have a garage placed upon Lot 10 Block 1, Koning Estates (Exhibit F attached). The garage is now placed upon Lot 10, Block 1, Koning Estate and is presently depicted per Exhibits G, H and I attached.

My current principal residence is a single family home with a 2 car attached garage located to the south of the lot upon which the garage is located.

My request is to realign the existing 2 parcels to have Lot 9, except the S 57', and Lot 10, Block 1, Koning Estates be one 1 parcel and the S 57' of Lot 9, Lot 8, and the N 15' of Lot 7, Block 1, Koning Estates be the other parcel thus resulting in parcels as set forth on Exhibit J attached hereto. One parcel would consist of the single family home with attached 2 car garage and surrounding land (which I wish to sell) and the other parcel would contain the garage (which I wish to retain ownership).

**Attachment to**

**VARIANCE APPEAL**

**3212 North 20<sup>th</sup> Street, Sheboygan**

**(continuation)**

The garage parcel will be retained by me for my personal, non-business use. Consistent with the 1994 variance, the garage would be removed if I sell the new parcel upon which the garage is located. The garage has been there 20+ years. I have maintained it in a neat and clean fashion so as to not be materially detrimental to the public welfare or to the neighborhood. I am unable to sell my residence unless the 2 parcels are realigned.

1402953

VOL 1342 OF PAGE 167

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1 - 1982  
WARRANTY DEED

~~1357953~~  
re-record

THIS SPACE RESERVED FOR RECORDING DATA

VOL 1247 PAGE 740  
REGISTER'S OFFICE

SHEBOYGAN COUNTY, WI  
Received for Record the 20th  
day of Nov A.D. 1992  
at 3:30 o'clock P.M. and  
Recorded in Vol. 1247  
of Records on page 740

*Dalene J. Davis*  
Registrar

This Deed, made between Julie A. Hendrickson,  
a single person

Grantor,  
and Jerome N. Jetzer and Louise H. Jetzer,  
husband and wife, as survivorship marital  
property  
Grantee,

Witnesseth, That the said Grantor, for a valuable consideration.....  
One Dollar and other valuable consideration.....  
conveys to Grantee the following described real estate in Sheboygan.....  
County, State of Wisconsin:

TRANSFER  
\$ 45.60  
FEE

RETURN TO  
JEROME & LOUISE  
3212 N 21 ST STRAUB  
SHEBOYGAN WI 53083

Tax Parcel No: 650100

Lot Number Nine (9) except the South fifty-seven (57)  
feet and all of Lot Ten (10), Block One (1), in Koning  
Estates Subdivision in the City of Sheboygan, according  
to the recorded plat thereof.

FEE  
# 77.25(3)  
EXEMPT

RECORDED  
SHEBOYGAN COUNTY, WI

*Dalene J. Davis* Registrar  
In Vol. 1342 of  
Records on page 167

001E#3852	0005	JF	\$4.00
001E#3852	0005	LR IB	\$2.00
001E#3852	0005	CO LRM	\$4.00
001E#3852	0005	TF	\$45.00

"Grantee by recording this deed agrees that the above described  
premises shall merge with the property he owns adjacent to the  
above described property and hereafter shall be considered as one.  
All future descriptions will describe the premises as one unit in  
order to comply with Section 71.08(1) (c) of the Sheboygan County  
Subdivision Ordinance."

001E#8547	0006	JF	\$4.00
001E#8547	0006	LR IB	\$2.00

This is not homestead property.  
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging;  
And Julie A. Hendrickson, a single person  
warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except taxes and  
special assessments, if any, levied and assessed after the first day of  
January, 1992, easements, restrictions and zoning ordinances

and will warrant and defend the same.

Dated this 20th day of November, 1992.

..... (SEAL)

*Julie A. Hendrickson* (SEAL)  
Julie A. Hendrickson

..... (SEAL)

..... (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) .....

STATE OF WISCONSIN

ss.

A

94 APR 28 A 9:36

92 NOV 20 P 3:30

1481650

STATE BAR OF WISCONSIN FORM 1 - 1982  
WARRANTY DEED

VOL 1516 Page 247

RECORDED  
SHEBOYGAN COUNTY, WI

Darius J. David Registrar  
In Vol. 1516 of  
Record on page 247

97 JUL 24 AM 8:16

DOCUMENT NO.

This Deed, made between Agnes G. Taubenheim, an  
unremarried widow  
\_\_\_\_\_  
\_\_\_\_\_, Grantor,  
and Jerome N. Jetzer and Louise H. Jetzer, husband and wife,  
as survivorship marital property  
\_\_\_\_\_

\_\_\_\_\_, Grantee,  
Witnesseth, That the said Grantor, for a valuable consideration,  
conveys to Grantee the following described real estate in Sheboygan  
County, State of Wisconsin:

001E#7147 0004 JFR \$4.00  
001E#7147 0004 LRIB \$2.00  
001E#7147 0004 COLLRM \$4.00  
001E#7147 0004 TF \$41.70

THIS SPACE RESERVED FOR RECORDING DATA  
NAME AND RETURN ADDRESS

STS

650080  
PARCEL IDENTIFICATION NUMBER

The North Fifteen (15) feet of Lot Number Seven (7), and the South Fifty-five (55) feet of Lot Number Eight (8), Block Number One (1), Koning Estates Subdivision, in the City of Sheboygan, according to the recorded plat thereof. EXCEPTING THEREFROM: The North Three (3) feet of the South Fifty-five (55) feet of Lot Eight (8), Block One (1), Koning Estates of the City of Sheboygan, according to the recorded plat thereof.

TRANSFER  
\$ 41.70  
FEE

This is not homestead property.  
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging;  
And Agnes G. Taubenheim

warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except easements and  
restrictions of record,

and will warrant and defend the same.

Dated this 21 day of July, 1997.

Agnes G. Taubenheim (SEAL) \_\_\_\_\_ (SEAL)  
• Agnes G. Taubenheim \_\_\_\_\_ (SEAL)  
• \_\_\_\_\_ (SEAL)  
• \_\_\_\_\_ (SEAL)

AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
Agnes G. Taubenheim

(Signatures may be authenticated or acknowledged. Both are not necessary.)

\* Names of persons signing in any capacity should be typed or printed below their signatures.

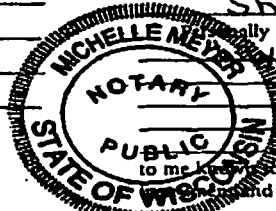
WARRANTY DEED

ACKNOWLEDGMENT

State of Wisconsin,

Sheboygan County, ss.

I, \_\_\_\_\_, Notary Public, do hereby certify that \_\_\_\_\_  
Agnes G. Taubenheim personally came before me this 21st day of July, 1997, the above named



to me known to be the person \_\_\_\_\_ who executed the foregoing and acknowledged the same.

Notary Public, Michelle Meyer \_\_\_\_\_ County, Wis.  
My commission is permanent. (If not, state expiration date: 11-12-2000 19\_\_\_\_.)

B

DOCUMENT NO.

1043508

VOL 859 PAGE 681

VAHLANTY DEED STATE OF WISCONSIN - FORM 2 THIS SPACE RESERVED FOR RECORDING DATA

REGISTER'S OFFICE SHEBOYGAN COUNTY, WISCONSIN

Received for Record the 7th day of June A. D. 1979 at 11:34 o'clock P. M. and Recorded in Vol. 859 of Records on page 681

Francis E. Zummach ATTORNEY AT LAW 822 Security National Building SHEBOYGAN, WISCONSIN 53081

This indenture, Made this 25th day of May A. D. 1979, between Lee Realty, Inc., of Sheboygan, a Wisconsin Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Sheboygan Wisconsin, party of the first part, and Jerome N. Jetzer and Louise H. Jetzer, his wife

part. 185 of the second part. Witnesseth, That the said party of the first part, for and in consideration of the sum of One dollar and other valuable consideration to it paid by the said part. 185 of the second part, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents does give, grant, bargain, sell, remise, alien, convey, and confirm unto the said part. 185 of the second part, their heirs and assigns forever, the following described real estate, situated in the County of Sheboygan State of Wisconsin, to-wit:

The North Thirteen (13) feet of Lot Eight (8) and the South Fifty-seven (57) feet of Lot Nine (9), Block One (1) Koning Estates in the City of Sheboygan, according to the recorded plat thereof.

TRANSFER \$ 8.40 FEB

REF # 7F5835 L00002.00

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and all the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To have and to hold the said premises as above described with the hereditaments and appurtenances, unto the said part. 185 of the second part, and to their heirs and assigns FOREVER.

And the said Lee Realty, Inc. of Sheboygan party of the first part, for itself and its successors, does covenant, grant, bargain and agree to and with the said part. 185 of the second part, their heirs and assigns, that at the time of the sealing and delivery of these presents it is well seised of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatsoever,

and that the above bargained premises in the quiet and peaceable possession of the said part. 185 of the second part, their heirs, and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, it will forever WARRANT and DEFEND.

In Witness Whereof, the said Lee Realty, Inc. of Sheboygan party of the first part, has caused these presents to be signed by Robert R. Werner its President, and countersigned by Leona M. Werner its Secretary, at Sheboygan Wisconsin, and its corporate seal to be hereunto affixed, this 25th day of May A. D. 1979.

SIGNED AND SEALED IN PRESENCE OF

Lee Realty, Inc. of Sheboygan Corporate Name

Robert R. Werner President

COUNTERSIGNED: Robert R. Werner

Leona M. Werner Secretary

STATE OF WISCONSIN

Sheboygan County, ss.

Personally came before me, this 25th day of May A. D. 1979

Robert R. Werner, President, and Leona M. Werner, Secretary

of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.

THIS INSTRUMENT WAS DRAFTED BY

Robert R. Werner



Richard J. Witkowski Notary Public, Sheboygan County, Wis.

My Commission (expires) (to) 1-9-83

(Section 59.31 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses, and notary public, and that the name of the person who, or governmental agency which, drafted such instrument, shall be printed, written, stamped or written thereon in a legible manner.)

WARRANTY DEED - By Corporation

STATE OF WISCONSIN FORM No. 2

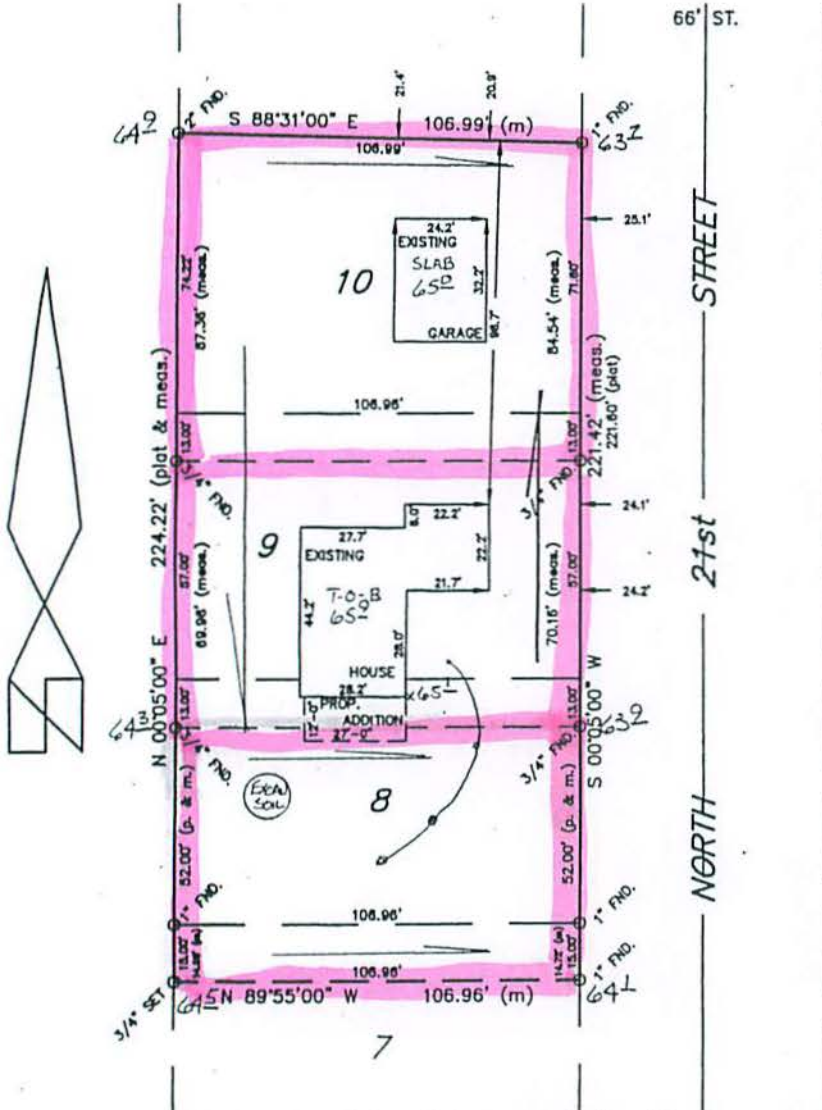
Wisconsin Legal Blank Company Milwaukee, Wis. (Job 32720)

1979 JUN 7 AM 11 34

Tax No. 650090 & 650080

Description: All of Lots 8, 9 & 10 and the North 15' of Lot 7, Block 1, City of Sheboygan, Sheboygan County, Wisconsin. Koning Estates

APRIL, 2000 1" = 40'



NOTES: There is an 8' tree planting easement adjacent to all street frontages.

Lot Coverage	Ex. Bldgs. 2,510 sq. ft.	Ex. Bldgs. 2,510 sq. ft.
Lot Size 23,842 sq. ft.	Prop. Add'l. 324 sq. ft.	
50% Lot 11,921 sq. ft.	Total 2,834 sq. ft.	

Subject to easements of record.  
P.O. BOX 144 • SHEBOYGAN, WISCONSIN 53081 • (408) 458-5921

SURVEY CERTIFICATE

I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.

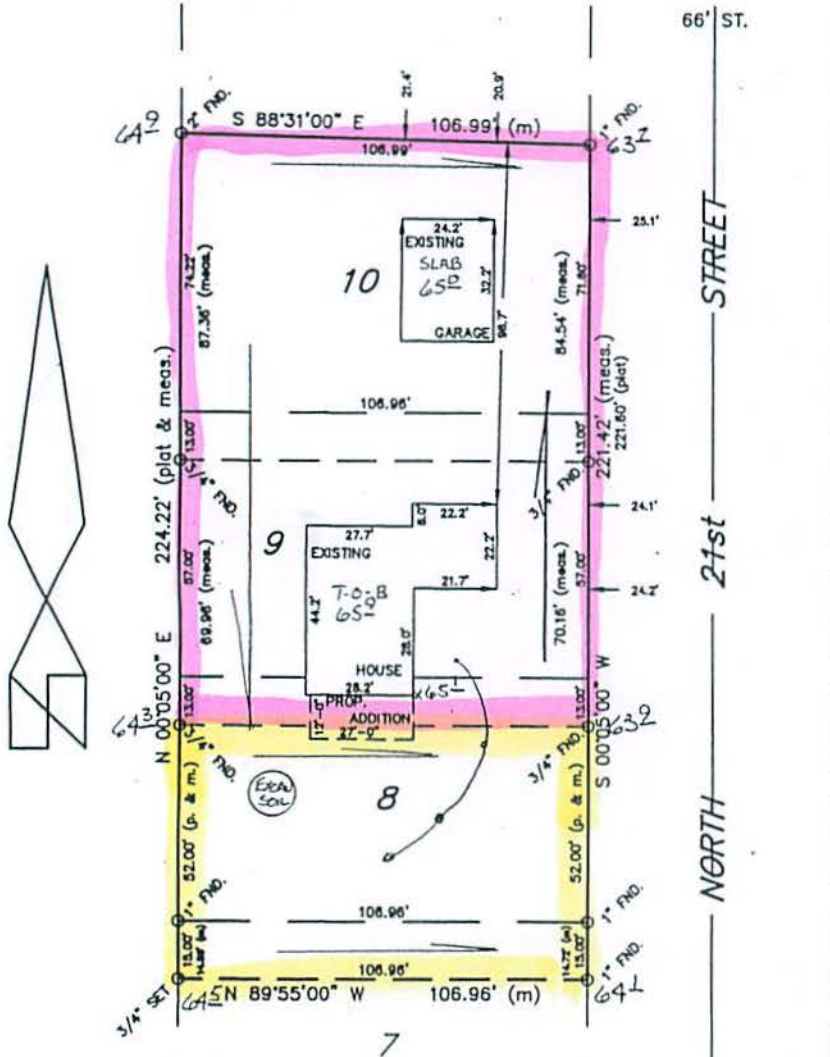
Alan J. Dunningham  
SURVEYOR  
Job No. E 102



Tax No. 650090 & 650080

Description: All of Lots 8, 9 & 10 and the North 15' of Lot 7, Block 1, <sup>Koning Estates</sup> City of Sheboygan, Sheboygan County, Wisconsin.

APRIL, 2000 1" = 40'



NOTES: There is an 8' tree planting easement adjacent to all street frontages.

Lot Coverage	Ex. Bldgs. 2,510 sq. ft.	Ex. Bldgs. 2,510 sq. ft.
Lot Size 23,842 sq. ft.	Prop. Add't. 324 sq. ft.	
50% Lot 11,921 sq. ft.	Total 2,834 sq. ft.	

Subject to easements of record.

P.O. BOX 144 • SHEBOYGAN, WISCONSIN 53081 • (920) 458-5921

### SURVEY CERTIFICATE

I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.

Alan J. Dunningham  
SURVEYOR  
Job No. E102

BOARD OF APPEALS  
CITY HALL  
SHEBOYGAN, WISCONSIN

DOCKET SHEET  
Appeal  
Number 19-94

NAME OF APPELLANT: Jerome Jetzer  
 APPEAL LOCATION: 3212 N. 21st St.  
 DATE OF FILING APPEAL: April 28, 1994  
 NATURE OF APPEAL: Variance to Art. 15.11.2(1) & (4) to have a garage on a lot without a principle building. (Garages allowed as accessory to principle building & must be on same premises.)  
 NOTICE SENT TO APPELLANT ON May 6, 1994  
 DATE OF PUBLICATION OF NOTICE May 11, 1994  
 DATE OF HEARING May 18, 1994  
 APPEARANCES: *Jerome Jetzer or Ald. Jean Libranco*

DETERMINATION AND ORDER OF BOARD ON THE APPEAL:-

The Board of Appeals finds and determines that *the appeal* be granted PROVIDED the garage is removed if he sells the lot and that the garage is not to be used for any type of business.  
 NOW THEREFORE, BE IT RESOLVED by the Board of Appeals, on motion made by *Brown*, Seconded by *Wagner*, that the ruling and decision of the Building Inspector, referred to in the appeal petition on file herein, be, and the same is, hereby affirmed - reversed - modified, as follows: Variance to have a garage on a lot without a principle building and otherwise as shown on the sketch and application presented to the Board for consideration be granted Provided the garage is removed if he sells the lot, and that the garage is not be used for any type of business, and granting as modified will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood, and the Building Inspection Dept. is herewith ordered to issue a building permit for same.

At a regular special meeting of the Board held on the 18 day of May, 1994, the above Resolution was duly adopted on Roll Call as follows:

SECOND MOTION	FIRST MOTION	NAME	AYE	NAYE	EXCUSED
		RALPH BENIGER	✓		
		KEN WAGNER	✓		
		MARJORIE BROWN	✓		
		PAT EIRICH	✓		
		GAIL BRACK	✓		
		MARK CRAMER (Alt 1)	<i>Not voting</i>		
		MARY BALZAR (Alt 2)	<i>Not voting</i>		

Attest: RUTH MOLITOR  
Secretary

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September 14, 1994

Mr. and Mrs. Jerome Jetzer  
3212 North 21st Street  
Sheboygan, WI 53081

Dear Mr. and Mrs. Jetzer:

This letter is in response to your telephone call of September 14 indicating that the Register of Deeds, Ms. Darlene Navis, has requested additional information concerning your ability to legally separate the recently combined parcels which you own at 3212 North 12th Street. Neither City code nor the Board of Appeals action prohibit the separation of these two parcels.

However, I would like to remind you again that when the Board of Appeals approved your variance for the construction of the garage on your property, as an accessory use prior to the construction of a primary use, they placed conditions on that grant. One condition is that if the property is sold separate from the property upon which your house is located, the garage must be razed. The second condition imposed is that the garage may not be used for any type of business purposes.

Sincerely,

Arnold H. Grotbeck, AICP  
City Planner

DEPARTMENT OF  
CITY DEVELOPMENT  
807 CENTER AVE.  
SHEBOYGAN, WI  
53081-4414  
414/459-3377  
FAX 414/459-3919

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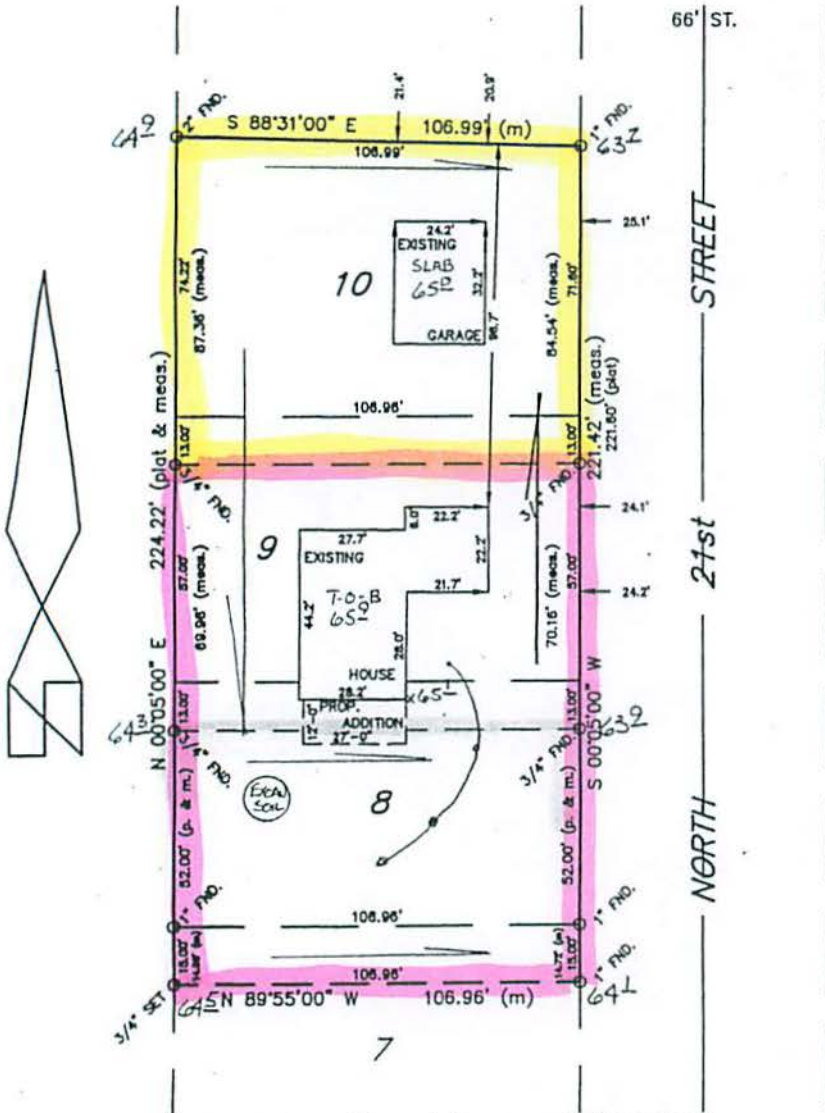


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Tax No. 650090 & 650080

Description: All of Lots 8, 9 & 10 and the North 15' of Lot 7, Block 1, City of Sheboygan, Sheboygan County, Wisconsin.

APRIL, 2000 1" = 40'



NOTES: There is an 8' tree planting easement adjacent to all street frontages.

Lot Coverage	Ex. Bldgs. 2,510 sq. ft.	Ex. Bldgs. 2,510 sq. ft.
Lot Size 23,842 sq. ft.	Prop. Add'l. 324 sq. ft.	
50% Lot 11,921 sq. ft.	Total 2,834 sq. ft.	

Subject to easements of record.

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Alan J. Donninghaus  
SURVEYOR  
LAND SURVEYOR  
Job No. E 102

## 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.

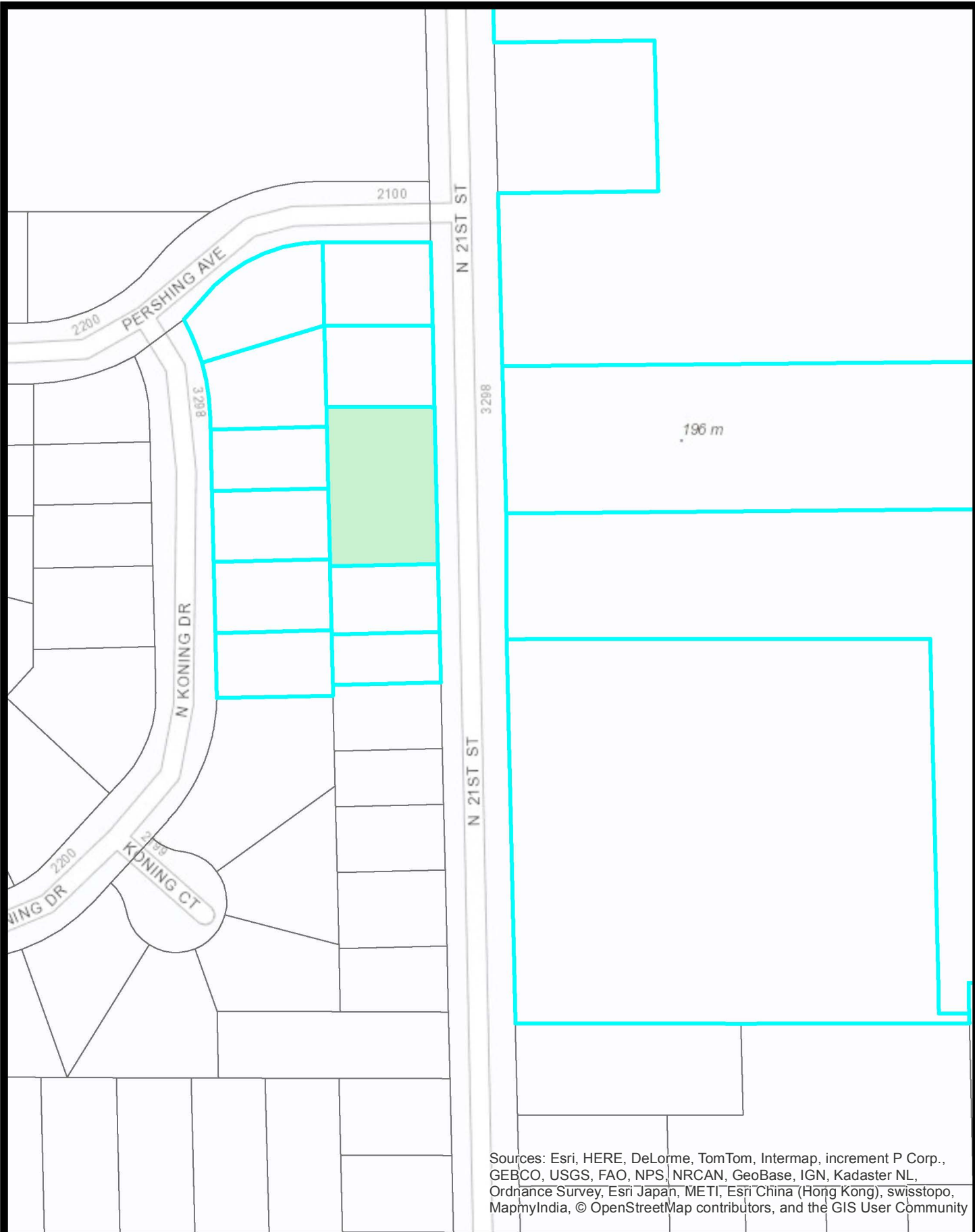
### **TEST #3: NO HARM TO PUBLIC INTEREST**

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