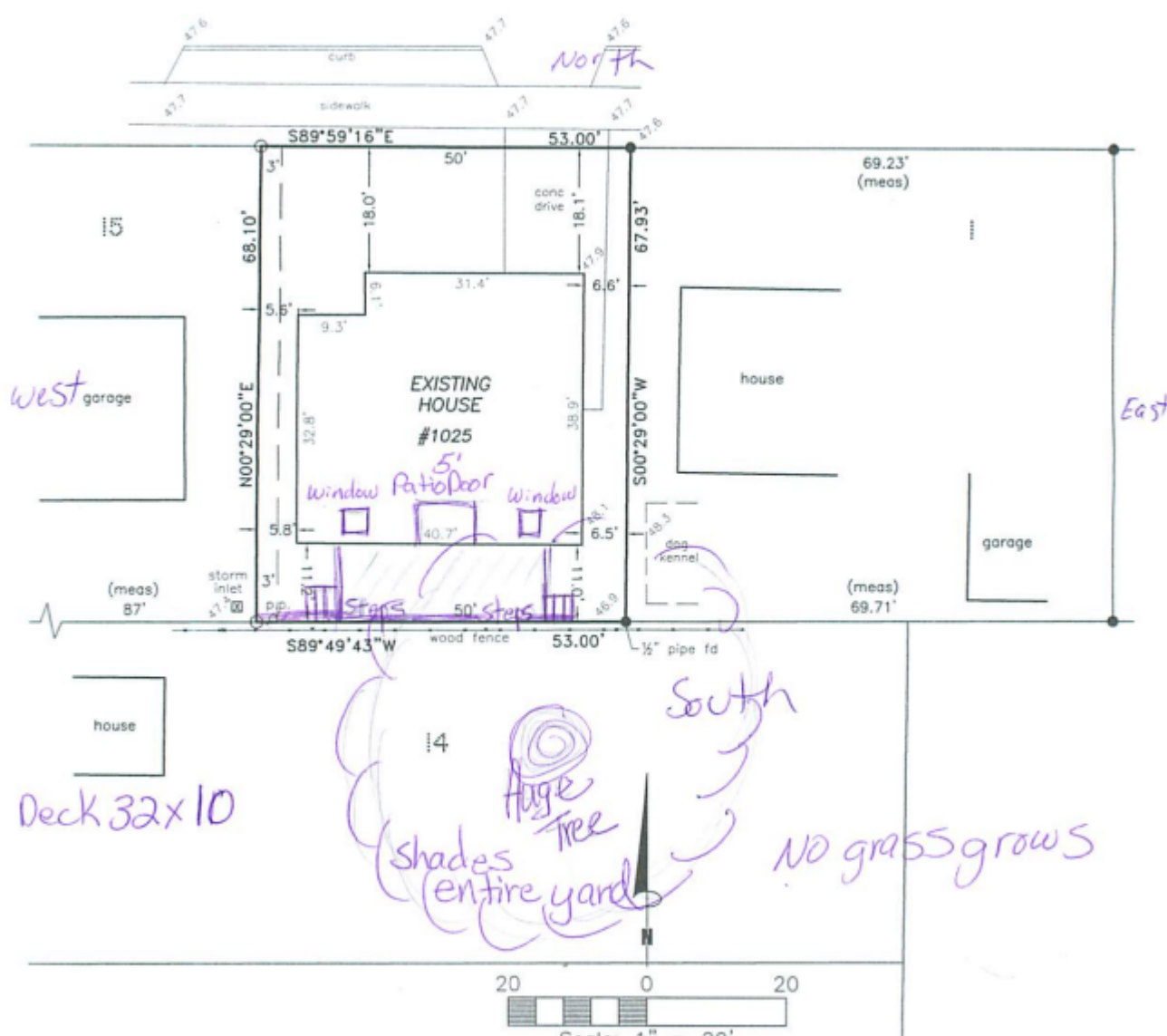


**\*\*\*ATTACHMENTS\*\*\***

---

Peter Behrensprung  
 1025 Main Ave.  
 Sheb. WI 53083  
 920-627-5757  
 Pim

MAIN AVE



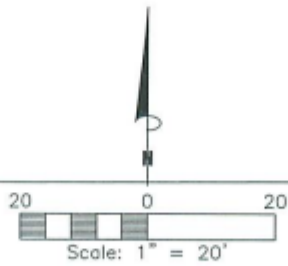
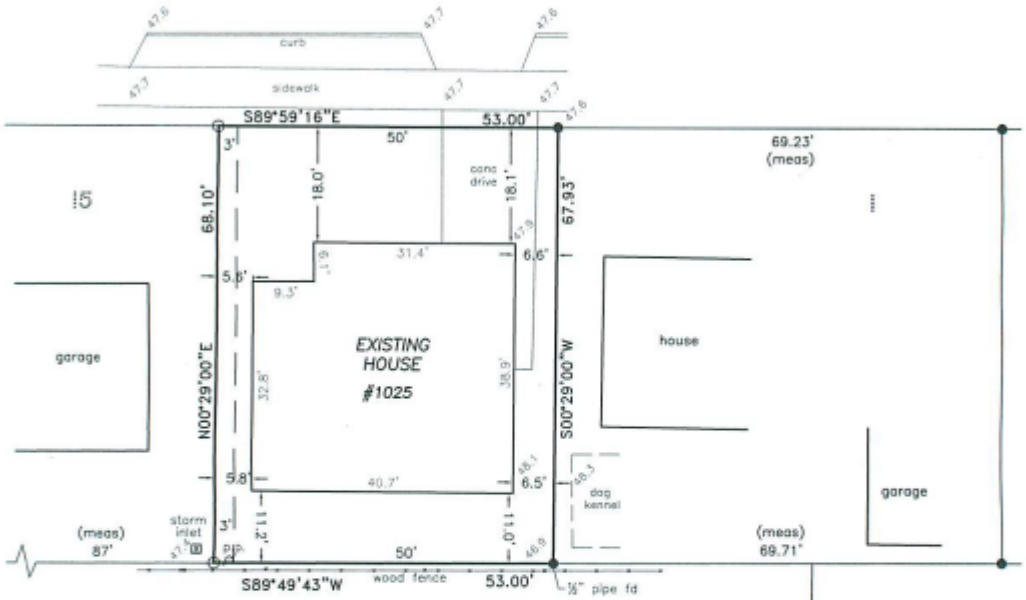
- = 1" iron pipe found
- = 1"x18" iron pipe set
- = Proposed drainage
- ⊙ = Existing grade elevation



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

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

MAIN AVE



- = 1" iron pipe found
- = 1"x18" iron pipe set
- ➔ = Proposed drainage
- ⊙ = Existing grade elevation

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* 6/23/2016  
John M. DuMez - Wisconsin P.L.S. S-3267 Date



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

TAX KEY No. 09281706970  
ADDRESS: 1023 Main Ave  
PATH: c:\projects\behrensprung\_min\dwg\  
DRAWN BY: jdm  
PROJECT: 3708

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:

6/28/16

Application deadline date (last working day of the month)

July 20, 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.

Signature

Date

Peter Behring

6/28/16

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

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

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

- 1). Appeal Location (address): 1025 Main Ave.
- 2). Applicant: Peter Pam Behrensprung Telephone #: (920) 627-5757  
Address: 1025 Main Ave
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) The West 50' of Lot 1 and the East 3' of Lot 15, Block 4, Assesment Subdivision No. 15, City of Sheboygan, 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: Personal residence
- 8). Describe the requested variance and grounds for refusal of a permit.  
To build a deck closer to the lot line than what is allowed by code.  
↓  
one foot
- 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 property size is very small and has very little usable outdoor space.  
The back yard is extremely limited. We can greatly improve the usability of the back yard by putting on a deck with direct access from the house.

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: June 28, 2016

Signature: Peter Behrensprung  
Mailing Address: 1025 Main Ave  
Sheboygan, WI 53083

## 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.

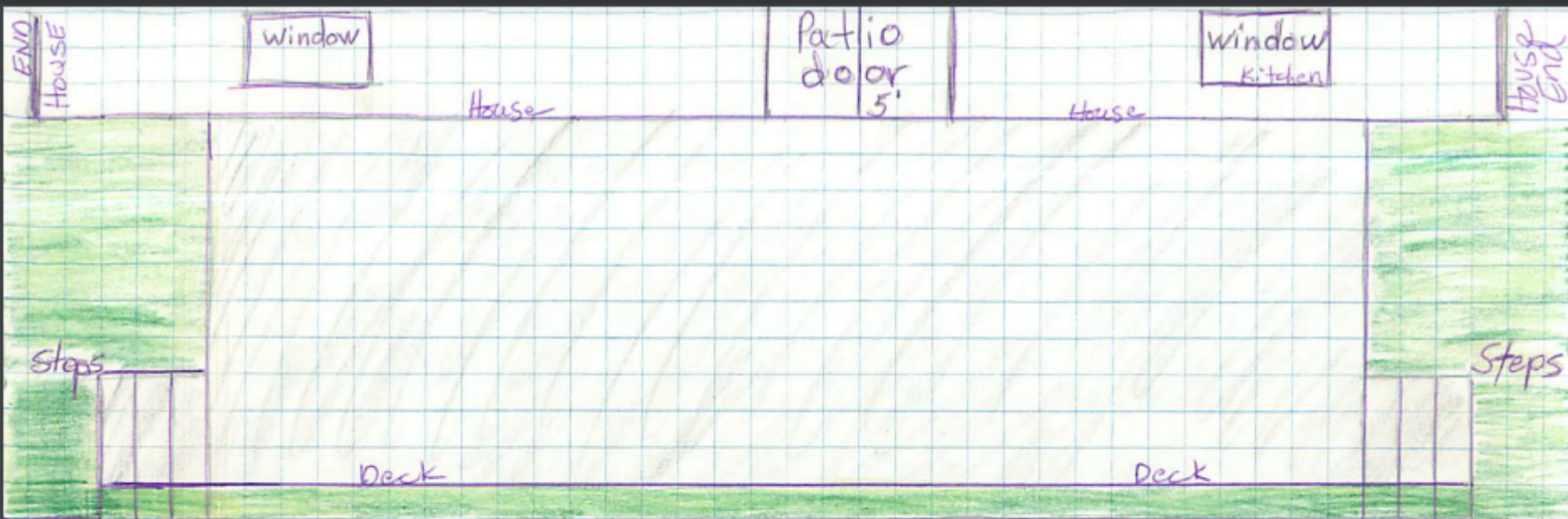
### **TEST #3: NO HARM TO PUBLIC INTEREST**

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.***



Lot Line ↑ SOUTH  
 West      East

Deck 32 x 10

~~Deck height~~  
~~Approximate 28" off ground~~  
~~to patio door~~

Deck height  
 Approximate 28" off ground  
 to patio door  
 To Code decorative railing  
 3 sides South, East, West  
 Steps on East + West sides

Peter Behrensprung  
 1025 Main Ave.  
 Sheb WI 53083  
 920-627-5757  
 Pm

From: Pamela Behrensprung peterpam4@yahoo.com  
Subject: Re: Surveyor contact info  
Date: July 22, 2016 at 8:27 AM  
To: John DuMez john@compsitesurveying.com



John

Attached is the only info that I could find on the title, hope this helps.  
Please let me know you got this, also we need the info asap because we are not able to proceed with the permit until we get it.

Thanks Pete

Form No. 1422-04  
177 County Forms (6-17-00)

Policy Page 7  
Policy Number: 043322



24. The terms and provisions contained in the document entitled FENCE ENCROACHMENT AGREEMENT, executed by and between JEFFREY D. GABRIELSE AND LAURIE GABRIELSE and HENRY M. FRIOKE, recorded JULY 25, 1995, as Instrument No. 1430833 of Official Records
15. Easement in favor of: CITY OF SHEBOYGAN Type of easement: FOR MUNICIPAL PURPOSES, TO CONSTRUCT AND MAINTAIN A MINI-STORM SEWER Recorded: DECEMBER 04, 2001 Instrument No.: 1618771. Subject to the terms and conditions thereof
16. Any lease, grant, exception or reservation of minerals or mineral rights appearing in the public records.
17. Rights of tenant(s) in the land, if any, and rights of all parties claiming by, through or under said tenant(s).
18. Rights of the public, the municipality and the State of Wisconsin in and to that part of the land taken and used for roads and highways, if any.
19. Taxes resulting from supplemental, revised or corrected assessments under Wisconsin statutes and regulations.
20. Drainage ditches, feeders and laterals, and other drainage easements, if any.
21. Any governmental zoning and subdivision ordinances or regulations in effect thereon.
22. No coverage is provided for municipal code compliance matters and fees, including, but not limited to, utilities, water, or sewer services, or fees for tree, weed, grass and snow or garbage removal, police boarding, vacant dwelling regulation and zoning.
23. Subject to any applicable right of redemption.
24. Special or annual assessment fees to the homeowners' association, if any, not yet due and payable.
25. Any and all rights of redemption on the part of those parties entitled to redeem under the laws of the State of WI and the United States of America by virtue of that certain foreclosure evidenced by Sheriff Deed dated October 21, 2010, recorded May 18, 2011 in Instrument no. 1924661 of Official Records. The Company does not attempt to set out the names of all parties entitled to redeem and by acceptance of the commitment/policy, the insured releases the Company and its agents of any such duty or obligation.

.....  
Covenants, conditions or restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin are hereby deleted to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

First American Title Insurance Company

On Jul 21, 2016, at 4:13 PM, John DuMez <john@compsitesurveying.com> wrote:

John M. DuMez

Composite Surveying & Mapping  
N2472 Menlink Road  
Oostburg, WI 53070  
(920) 564-6812

WI PROFESSIONAL LAND SURVEYOR 3-2207

EASEMENT

SHEBOYGAN COUNTY, WI  
RECORDED ON

12-04-2001 11:35 AM

DARLENE J. NAVIS  
REGISTER OF DEEDS

RECORDING FEE: 13.00  
TRANSFER FEE:  
870420 2

# OF PAGES: 2

THIS INDENTURE, made this 30 day of October, 2001,  
by and between Elizabeth A. Wilson and Daniel Wilson, husband and  
wife, residing at 1025 Main Avenue, Sheboygan, Wisconsin,  
"GRANTOR," and the City of Sheboygan, a Municipal Corporation of  
the State of Wisconsin, "GRANTEE";

Return To:  
City Attorney  
807 Center Avenue  
Sheboygan WI 53081

706970  
Tax Parcel No.

**WITNESSETH:**

**KNOW ALL MEN BY THESE PRESENTS**, that the said **GRANTOR**, in consideration of the  
sum of one (\$1.00) dollar and other valuable consideration in hand paid by said **GRANTEE**, receipt whereof  
is hereby confessed and acknowledged, and the covenants hereinafter contained, hereby grants a permanent  
easement to **GRANTEE** for municipal purposes, to construct and maintain a mini-storm sewer in, under, and  
along the west five (5') feet of the following described property:

The west fifty (50') feet of Lot One (1) and the east three (3') feet of Lot Fifteen (15), Block  
Four (4), Assessment Subdivision No. 15 in the City of Sheboygan, Wisconsin, according  
to the recorded plat thereof.

The **GRANTOR** further grants unto the **GRANTEE**, its successors and assigns, the right, privilege  
and easement to enter on said premises for the purposes of laying, patrolling, maintaining, cleaning, repairing  
and renewing said mini-storm sewer.

**GRANTEE** shall not specially assess **GRANTOR** for the mini-storm sewer construction. However,  
**GRANTOR** acknowledges and agrees that no site restoration is to be provided by **GRANTEE** in connection  
with construction of the mini-storm sewer.

The covenants herein contained shall be binding upon the parties hereto and their successors and  
assigns.

IN WITNESS WHEREOF, the **GRANTOR**, has caused the execution of this document on this 30 day  
of October, 2001.

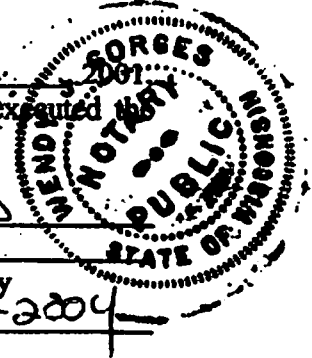
Dan Wilson  
Daniel Wilson  
(Sign in the presence of a Notary Public)

Elizabeth A. Wilson  
Elizabeth A. Wilson  
(Sign in the presence of a Notary Public)

STATE OF WISCONSIN )  
 ) §  
SHEBOYGAN COUNTY )

Personally came before me, this 30 day of October  
Daniel Wilson and Elizabeth A. Wilson, to me known to be the person(s) who executed the  
foregoing instrument and acknowledged the same.

Wendy J. Gorges  
Wendy J Gorges  
Notary Public-Sheboygan County  
My commission expires 2-1-2004



ACCEPTED BY: CITY OF SHEBOYGAN

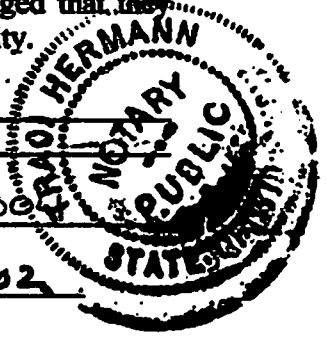
BY: James Schramm  
James Schramm  
Mayor

ATTEST: Patricia Lohse  
Patricia Lohse  
City Clerk

STATE OF WISCONSIN )  
 ) §  
SHEBOYGAN COUNTY )

Personally came before me, this 21<sup>st</sup> day of November, 2001, James  
Schramm, Mayor, and Patricia Lohse, City Clerk, of the above-named municipal corporation, to  
me known to be such Mayor and City Clerk of said corporation, and acknowledged that they  
executed the foregoing instrument as such officers of said corporation, by its authority.

Tracy Hermann  
Notary Public-Sheboygan County  
My commission expires 4/11/2004



Acceptance is authorized by and in accordance with Res. No. 160-01-02

This instrument drafted by:  
  
Stephen G. McLean  
Wisconsin State Bar No. 01011662





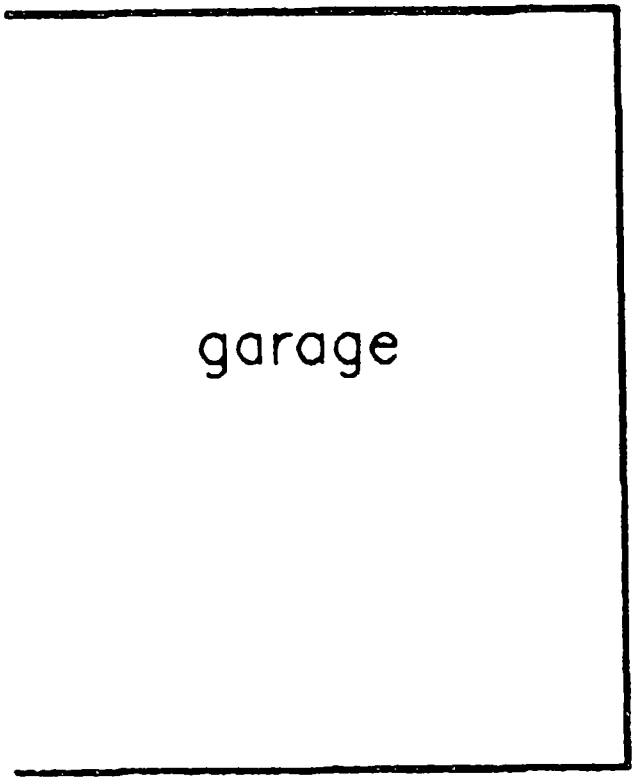
Front

Main Ave. Street

S89°59'16"E

5' storm sewer  
per Doc. 161877

15



N00°29'00"E

68.10'

3'

5.6'

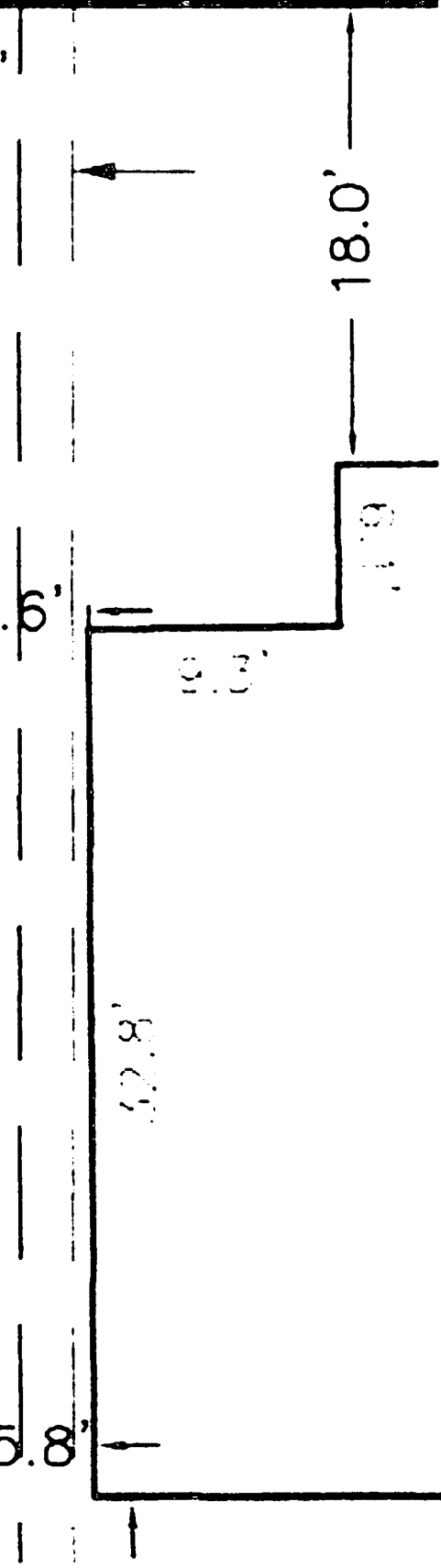
5.08'

52.8'

19.3'

18.0'

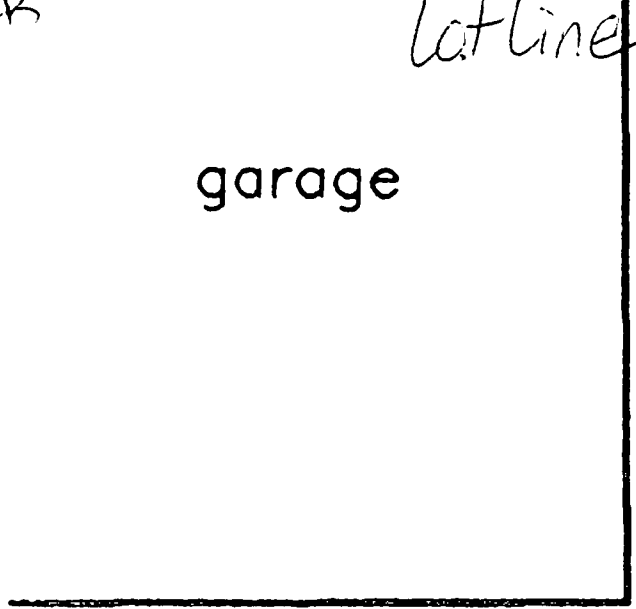
1.0'



Back

lat line

garage



N00°29'00"E

32.8'

5.8'

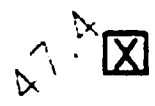
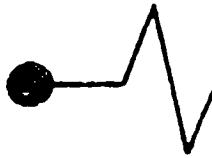
11.2'

storm inlet

3'

p.p.

(meas)  
87'



S89°49'43"V

house





**Wednesday, August 17, 2016**  
**BOARD OF ZONING APPEALS - 5:15 PM**

**CONFERENCE ROOM  
 3RD FLOOR OF CITY HALL  
 828 CENTER AVE**

---

**Persons with disabilities who need accommodations to attend the meeting should contact Building Inspection office at 920/459-4064 as soon as possible.**

---

**1. OPENING OF MEETING**

- 1.1 Roll Call
- 1.2 Pledge of Allegiance

---

**2. ITEMS FOR ACTION**

- 2.1 Approval of minutes from the July 20, 2016 meeting.
- 2.2 Peter and Pam Behrensprung of 1025 Main Avenue requesting a variance to Zoning Ordinance 15.405(4)(c)1 to have a deck addition 1 foot to rear property line.
- 2.3 Amy Ruskiewicz of 2006 S 9th Street is requesting a variance to Zoning Ordinance Sec 17.720(c)2: to allow a 6 foot high solid fence in a required front/street yard.
- 2.4 Richard Osterhaus of 3310 N 7th Street requesting a variance to Zoning Ordinance Sections 15.105(2)(b)3.b.B, 15.105(2)(b)3.b.H and 15.934(8)(b) to build a new home on a proposed lot that does not meet required zoning setbacks and lot width.

---

**3. ADJOURN**

3.1 Motion to Adjourn

In compliance with Wisconsin's Open Meetings Laws, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:  
 City Hall 1st floor  
 Mead Public Library  
 City's website

Elizabeth Stroot  
 2010 S. 9 St

I have no concerns  
 regarding my neighbor's  
 existing fence.

*Elizabeth Stroot*  
 8-12-16

APPLYING FOR A VARIANCE

16-14 to  
Send notice to  
645  
6 Summer  
127-

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:

July 29th 2016  
Application deadline date (last working day of the month)

August 17, 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.

Amy Ruzhievsky  
Signature

7-9-16  
Date

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

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

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

- 1). Appeal Location (address): 2006 S. 9th St.
- 2). Applicant: Amy Ruszkiewicz Telephone #: (920) 889-1533  
Address: 2006 S. 9th St.
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) Lot 2 Block 4  
Subdivision No. 16
- 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: Accept New Fence as is.
- 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.  
To accept fence as is. height of 6ft is not a hindrance to street view any other property or intersection.
- 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.:  
Losing minimal privacy in backyard. All houses surrounding are higher than 6ft fence provides only minimal privacy.

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: 7-9-16

Signature: Amy Ruszkiewicz  
Mailing Address: 2006 S 9th St  
Sheboygan, WI 53081

2006

08/11/2016



2006

08/11/2016



08/11/2016



08/11/2016



08/11/2016



08/11/2016



9 18 ST

YIELD

HARTING  
PLUMBING  
LOOKING

08/11/2016



08/11/2016



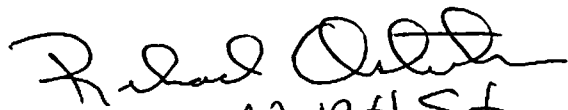
08/11/2016

August 12, 2016.

Board of Zoning Appeals

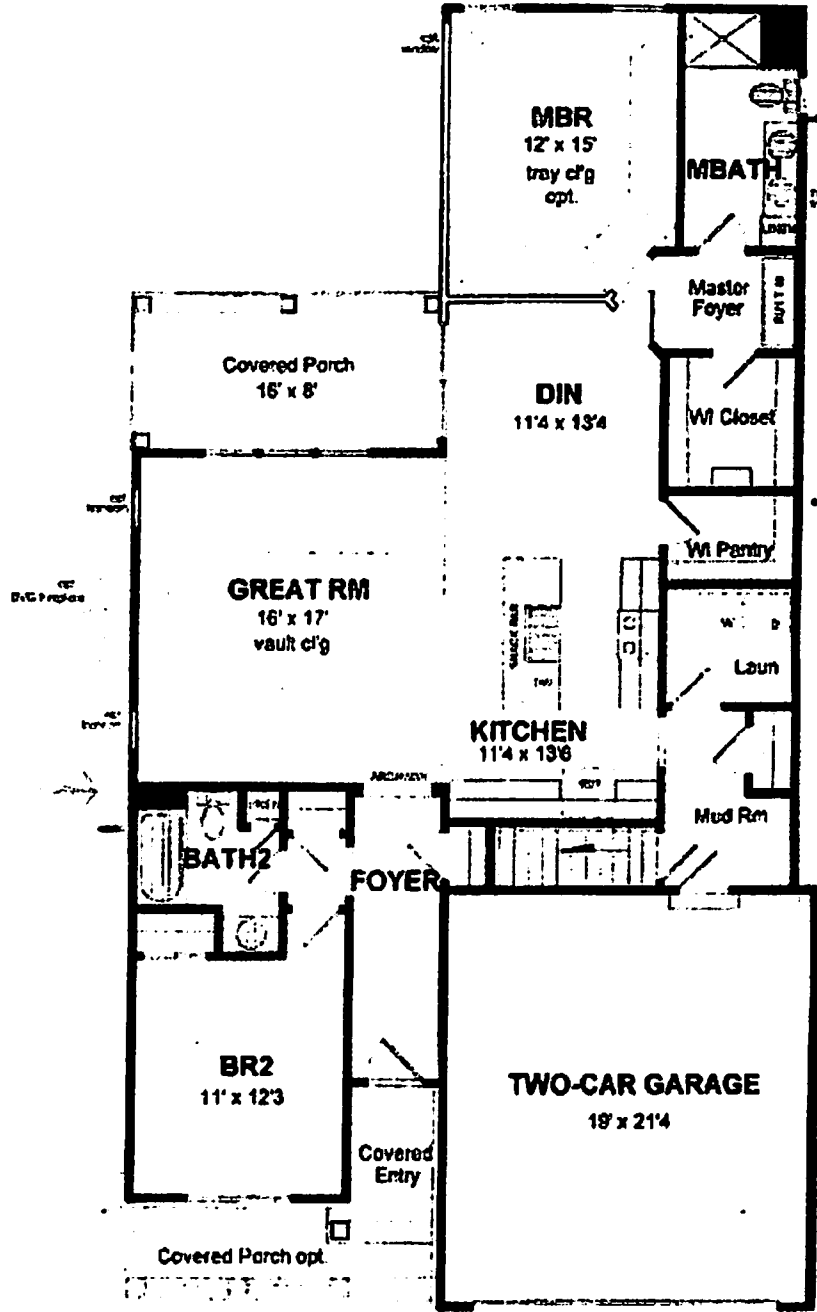
Regarding the August 17, 2016 Board of Appeals,  
under the 2.4 action item for the 3310 North 7th  
Street property - please be advised that  
Jack Van Der Weele will be our spokes person  
requesting the varience for lot 8.

Thank you

  
3310 N. 7th St.  
920-204-9957

# PLAN DHSW73550

Level 1





Primary Style: Ranch

First Floor: 1485 sq.ft.

Living Area: 1485 sq.ft.

Bonus space: 0 sq.ft.

Foundation: Block,  
Unfinished  
Basement

Bedrooms: 2

Baths: 2

Half Baths 0

Width: 38'

Depth: 68'

Stories: 1

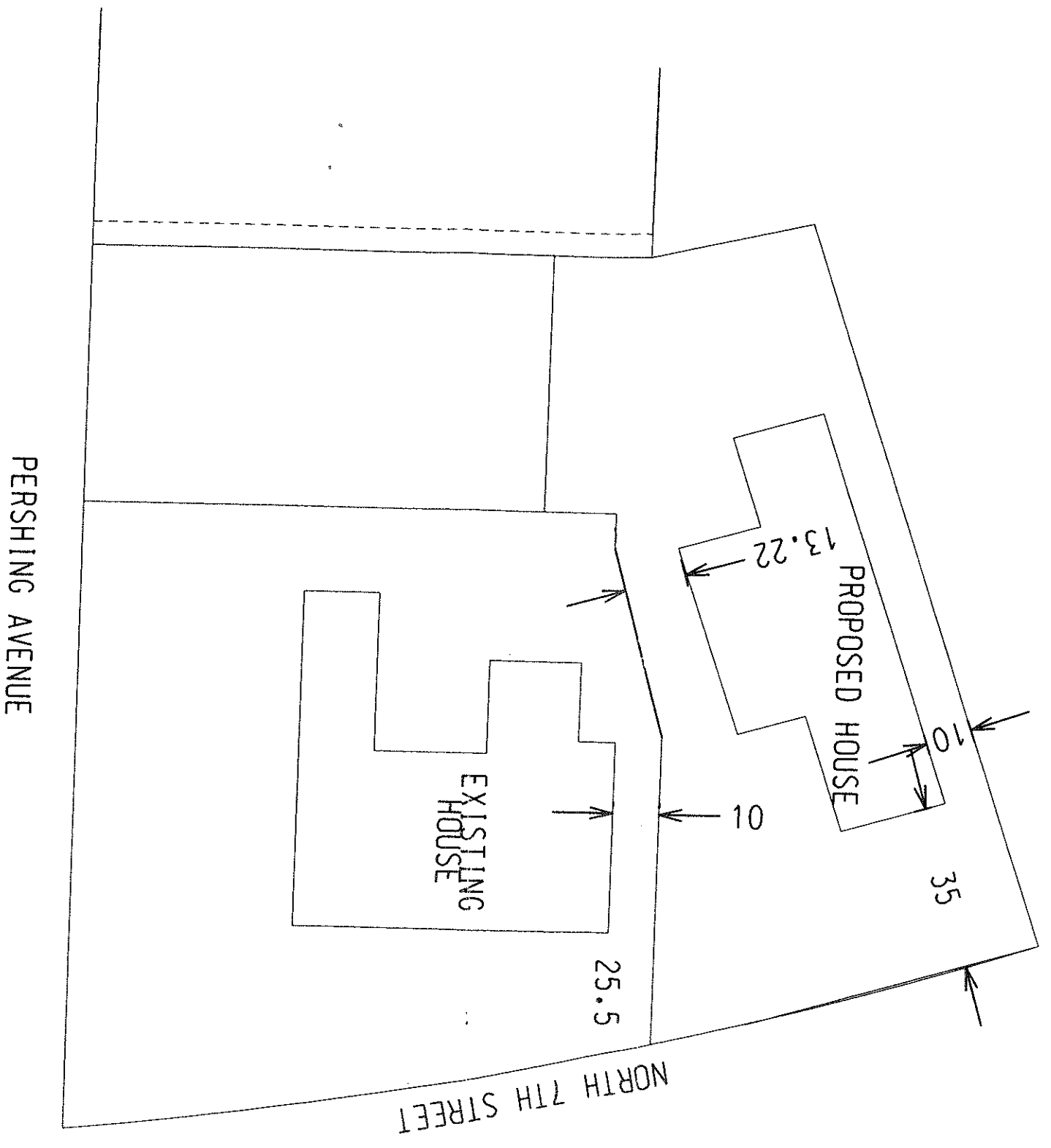
Garage Bays: 2

<http://www.dreamhomesource.com/house>

[Save to profile](#)   [More details](#)

[PRINT FLOORPLANS \(1\)](#)

MAP OF LOTS 8 THRU 10 BLOCK 11 NORTH SHORE SUBDIVISION NUMBER 1



PERSHING AVENUE

NORTH 7TH STREET

16-15

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:

July 29 2016  
Application deadline date (last working day of the month)

7-29-16 8-17-16  
Date: Board of Appeals Meeting

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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.

Jack Van Der Weide  
Signature

7-29-16  
Date

Phillip O'Neil 8-12-16

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

CASE NO. \_\_\_\_\_  
FILING DATE \_\_\_\_\_  
RECEIPT NO. \_\_\_\_\_  
ZONING DIST. SR-3

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

- 1). Appeal Location (address): 3310 N. 7th Lot 8
- 2). Applicant: Richard Osterhaus Telephone #: (920) 207-9957  
Address: 3310 N. 7th
- 3). Legal Property Description (Lot, Block, Subdivision, etc.)  
Tax Parcel 59281012230 Lot 8, 9 + 10  
592810012240 Lot 11
- 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: 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.  
15.105 (2)(b) 3.b. B: To have average lot width 65' where req is 70'  
15.105 (2)(b) 3.b. H: To have aggregate side yards of 23.22'  
where 25' is required  
15.934 (8)(b) To have 9 months instead of 6 to pull permit
- 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.:  
Home is already only 38' Feed wide and if variance  
NOT granted Front Door entrance would need to be  
eliminated  
Need extra 3 months so ground is not frozen

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: 7-29-16  
Signature: [Signature]  
Mailing Address: 3310 N 7th St.  
Sheboygan