

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

**CITY OF SHEBOYGAN**

**REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION**

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**ITEM DESCRIPTION:**

Address: 724 Grand Ave

Parcel #: 011160

Owner's Name: Michael Wade

Zoning: SR-5

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**REPORT PREPARED BY:** Jeff Lutzke, Building Inspector

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**REPORT DATE:** 06/04/2021

**MEETING DATE:** 06/16/2021

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**BACKGROUND / ANALYSIS**

Property owner would like to concrete his gravel driveway. Currently has 11' from house to side lot line.

Ordinance #: 15.702(10)

Requesting: 9 foot wide driveway

Allowed: 10 foot wide driveway

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Ordinance #: 15.702(10)

Requesting: 3 inches from lot line to concrete

Allowed: 3 feet from lot line to concrete

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

**ATTACHMENTS:**

application, pictures, survey

211569

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): \_\_\_\_\_

2). Applicant: Michael Wade Telephone #: (712) 204 2566  
Address: 724 Grand Avenue, Sheboygan WI 53083

3). Legal Property Description (Lot, Block, Subdivision, etc.) Block

4). Type of Building (Circle): Commercial - Residential

5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other  
(if other) please list: Turning existing gravel driveway into a cement Driveway.

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: driveway

8). On a separate letter to the Board describe the requested variance and include 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.

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: 5-10-21

Signature: [Signature]  
Printed Name: MIKE WADE  
Mailing Address: 724 GRAND AVE  
SHEBOYGAN, WI 53083

mwade3514@gmail.com

011160

## Request for variances

Mike Wade  
724 Grand Ave  
Sheboygan, WI 53083  
712-304-2566

5/10/2021

### **Hardship:**

I believe that our house was built around 1890. We are currently in the process of building a new garage and would like to pave the existing gravel driveway. I have been told the driveway is about as old as the house. I believe the city has an aerial photograph on file. Our current conditions cannot meet the city ordinances of 3 feet from property line with a 10-foot-wide driveway. We are requesting two variances.

1. We would like to be within 3 inches of our property line
2. We would like to have a 9' wide driveway

### **Unique physical characteristic:**

Our property line slants inward. I have included a few pictures showing some measurements along with a survey.

### **Public interest:**

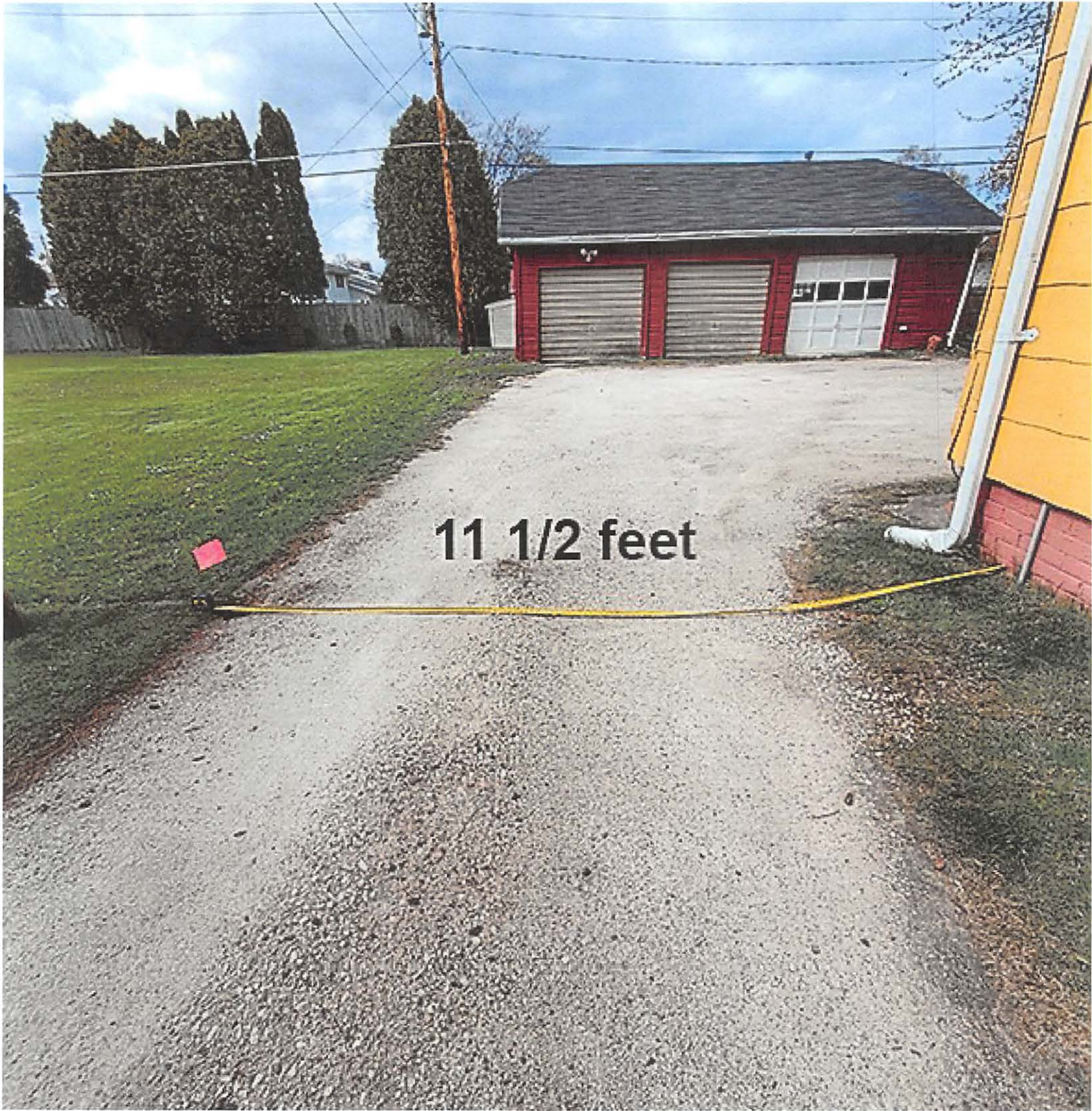
These variances would not cause any harm to the public. We understand that we need to have a good plan to deal with water. I was assured this would not be an issue.

### **Other:**

The other side of the property has a house structure and tree in the way. See picture.

### **Alleyway:**

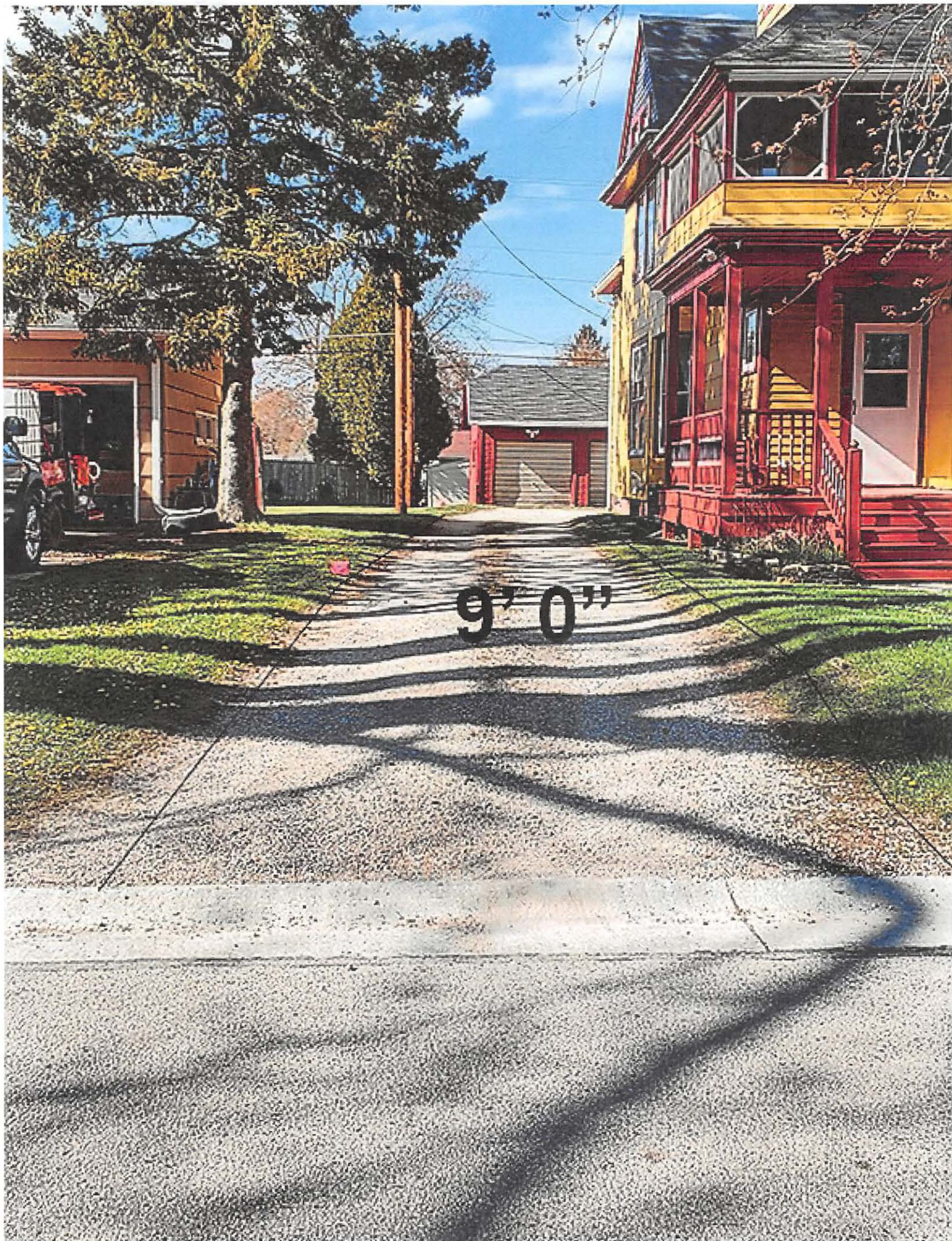
I have included some pictures of the alleyway. I believe it is abandoned. One entryway for the alleyway has tree branches in the way, marked with a red arrow on the picture. See pictures.



11 1/2 feet















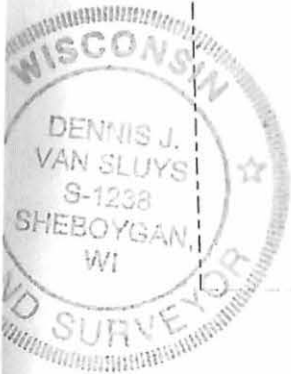
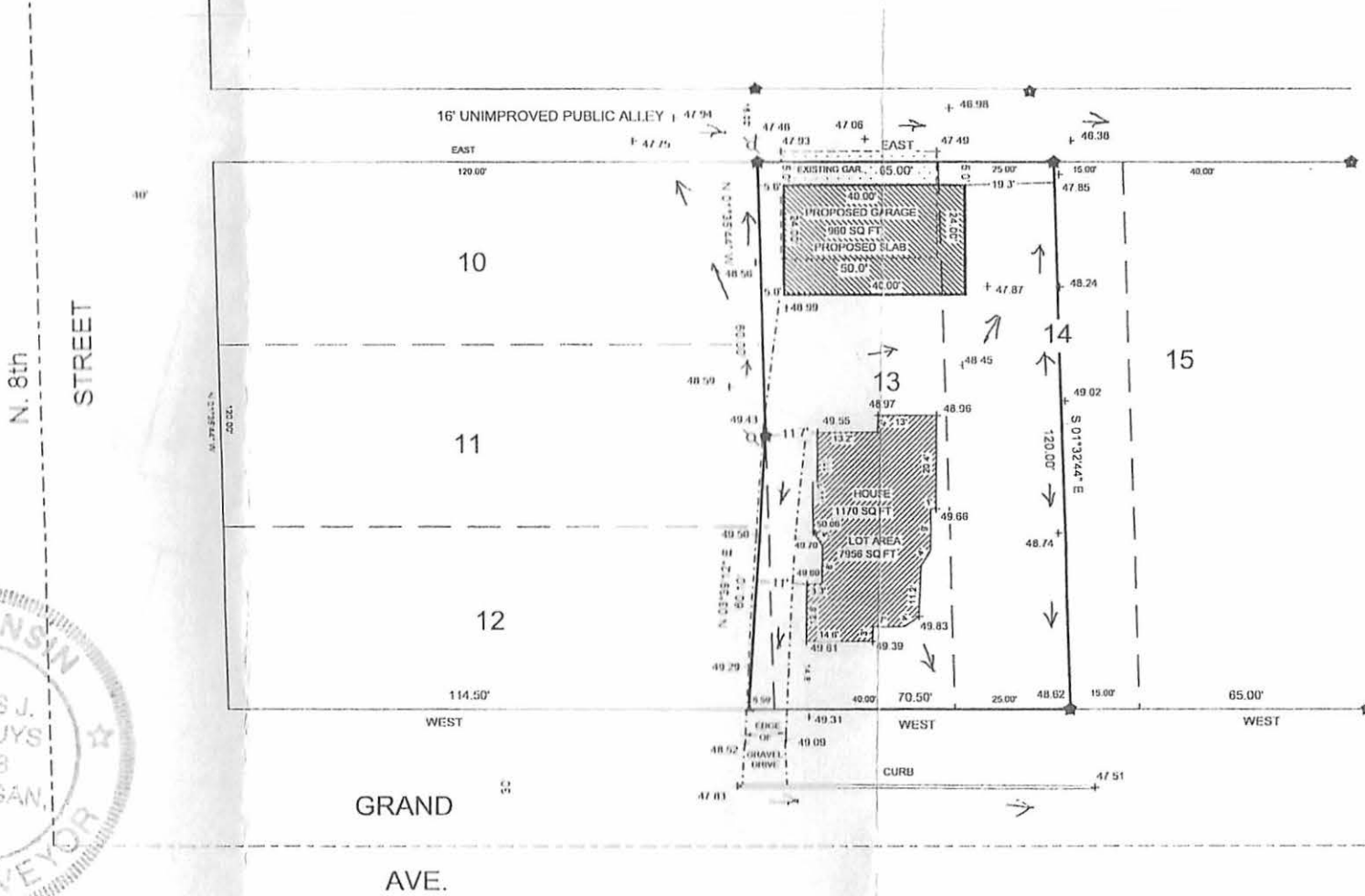
Alleyway



Alley way

LAND SURVEYS LLC  
 8 GEORGIA AVENUE  
 SHEBOYGAN, WISCONSIN

724 GRAND AVENUE  
 PARCEL NO. 592B1011160  
 BEING PART OF LOTS 11 AND 12 OF BLOCK 4  
 ALL OF LOT 13 AND THE WEST 25 FEET OF LOT 14 BLOCK 4  
 J. MALLMANN'S EVERGREEN PARK SUBDIVISION CITY OF SHEBOYGAN  
 SHEBOYGAN COUNTY, WISCONSIN



- ⊕ = POWER POLE
- † = EXISTING GRADE CITY DATUM
- ★ = 1" IRON PIPE FOUND
- ▲ = ROD SET

DATA\CSHIEB21\724GRAND D-34

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 29th day of April, 2021.

Item  
 Survey

the next

**CITY OF SHEBOYGAN**

**REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION**

---

**ITEM DESCRIPTION:**

Address: 2304 S 9th ST

Parcel #: 314930

Owner's Name: Alejandro Alvarez

Zoning: NR-6

---

**REPORT PREPARED BY:** Jeff Lutzke, Building Inspector

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**REPORT DATE:** 06/04/2021

**MEETING DATE:** 06/16/2021

---

**BACKGROUND / ANALYSIS**

Owner would like to build a 6' high fence within their required street yard.

Ordinance #: 15.720(3)(c)(a)

Requesting: 6 foot high fence

Allowed: 4 foot high fence

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

**ATTACHMENTS:**

application, drawing, pictures

## APPLYING FOR A VARIANCE

Variations to zoning ordinances are considered by the CITY OF SHEBOYGAN Zoning Board of Appeals monthly on the third Wednesday at 3p.m. at a public hearing. In order to be considered for the next meeting, applications must be received in the Building Inspection Department Office **no later than 4:30p.m.** on the third Wednesday of the month prior to the scheduled public hearing:

5/19/21  
Application Deadline Date

6/16/21  
Board of Appeals Meeting Date

**All applications must include:**

- 1) Application forms, signed and dated, which are available at the Building Inspection Department Office and online.
- 2) The non-refundable filing fee - \$250.00.
- 3) Photographs of the property.
- 4) A site sketch, drawn to scale 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.

**Note:**

- a) The applicant can present any additional information to inform the Board of the facts.
- b) In addition to the application information noted above, a survey is strongly recommended.
- c) Applicants should be aware staff may require a survey as part of the application information in order to clarify specific variance(s) requested.
- d) Applicants should be aware the Board of Appeals may require a survey as part of the application review and/or as a condition of approval prior to issuance of a building permit if a variance is granted.
- e) Building permits must be acquired within 6 months of the granted approval or the approval will be voided.

**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 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 and municipal property within 1,000 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important you discuss your proposal with the Building Inspection and Planning Departments.

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

5-18-21  
Date



BUILDING INSPECTION DEPARTMENT  
828 Center Avenue, Suite 208  
Sheboygan, WI 53081-4442  
Phone: (920) 459-3477  
Fax: (920) 459-0210  
[buildinginspection@sheboyganwi.gov](mailto:buildinginspection@sheboyganwi.gov)

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): 2304 South 9th Street  
2). Applicant: 2304 South 9th Street Telephone #: (920) 208-3680  
Address: \_\_\_\_\_

3). Legal Property Description (Lot, Block, Subdivision, etc.)  
Lot

4). Type of Building (Circle): Commercial  Residential   
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). On a separate letter to the Board describe the requested variance and include 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.

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: 5-18-21

Signature: *Alexander Alvarez*  
Printed Name: Alexander Alvarez  
Mailing Address: 2304 S 9th St  
Sheboygan WI 53081

### THE THREE "TESTS" FOR A VARIANCE

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

To obtain a variance, you must establish, 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 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 the 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 the proposed construction would not harm the public interest.

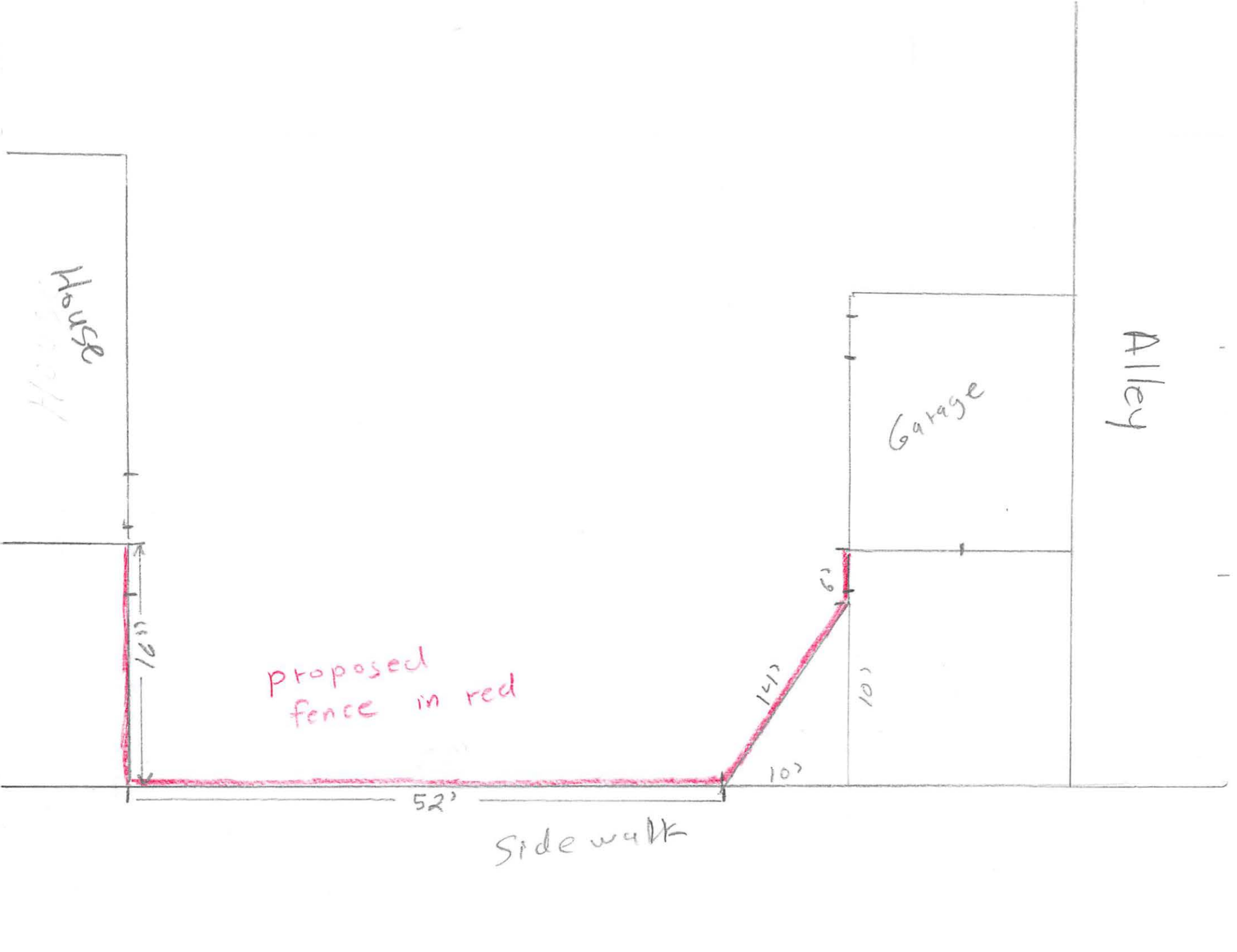
The Board, in granting a variance, may impose conditions on the proposed construction to assure the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

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.***

We are wanting to have a private fence.  
The reasons we want the private fence include:

1. Dogs won't be able to get in the yard.
2. It will be a lot harder to kick the Ball out of the yard and into the street.
3. Daughter won't get almost bit from putting her hand out of the fence
4. privacy for my children when we get out Swimming Pool.



House

Garage

Alley

proposed fence in red

Side walk

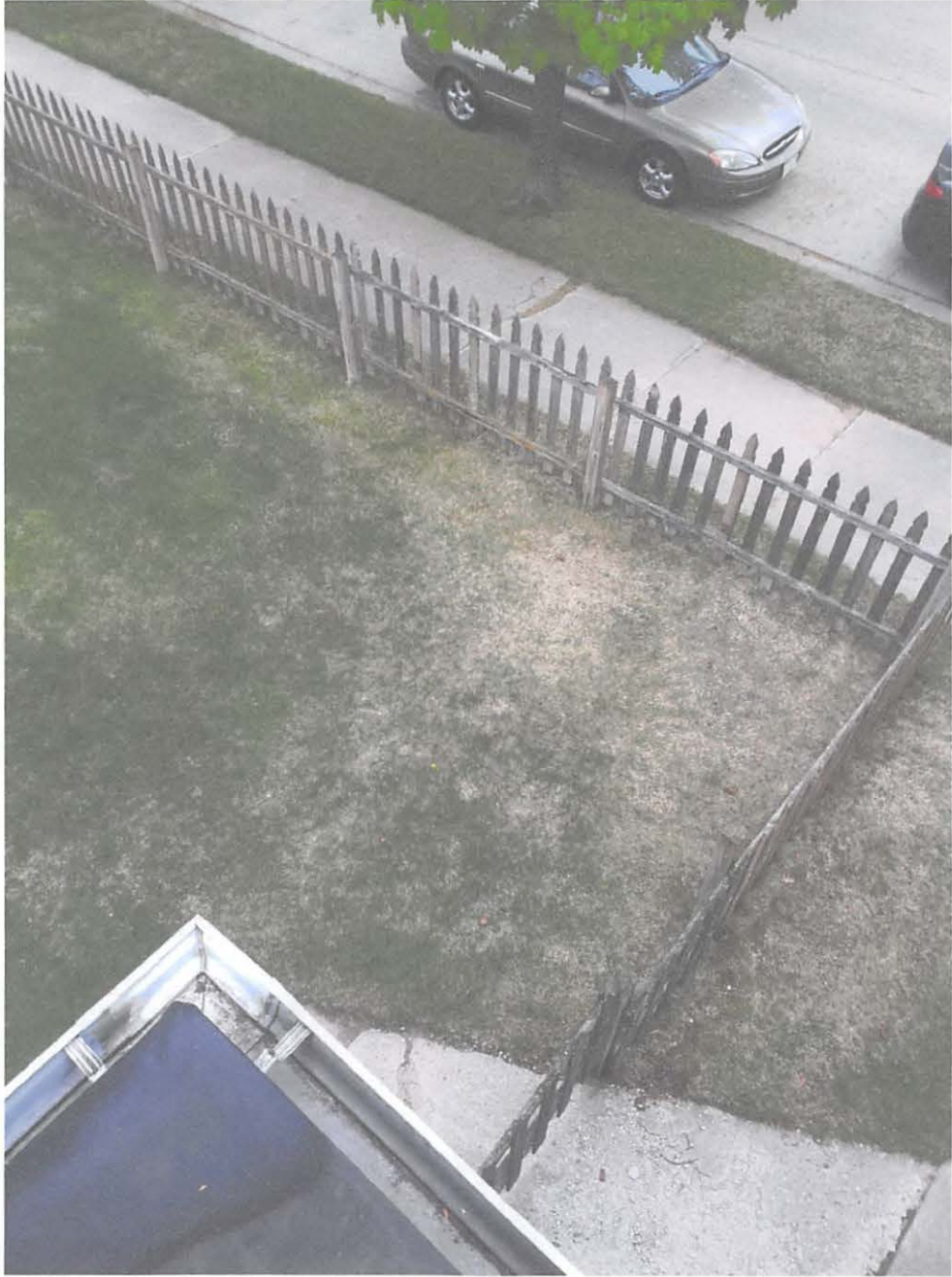
16'

52'

14'

6'

10'







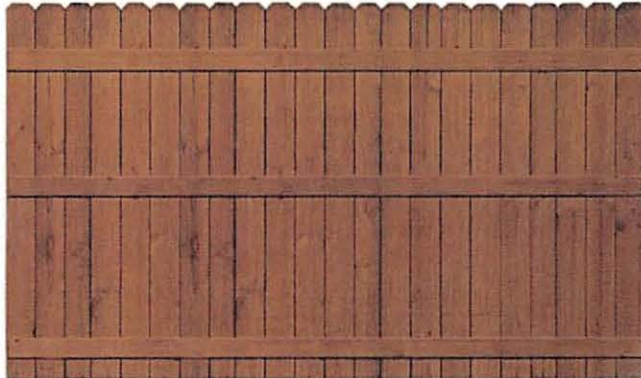








Internet #315721398 Model #FENDEPRIVACY4CP Store SKU #1006185255



Hover Image to Zoom

## 6 ft. x 8 ft. Color Pro Privacy 4-3/8 in. Dog-Ear Fence Panel Pressure-Treated SYP/Red Pine Wood

★★★★★ [Write the First Review](#) [Questions & Answers](#)

**\$69<sup>97</sup>**

 **Save up to \$100** on your qualifying purchase.  
Apply for a Home Depot Consumer Card

### How to Get It

Delivering to: **53044** | [Change](#)



#### Buy in Store

**48** in stock at Kohler

[Check Nearby Stores](#)



#### Ship to Home

Not available for this item




#### Scheduled Delivery

As soon as  
**Tomorrow**  
**\$79.00**

**48** available for delivery to **53044**. Schedule at checkout.  
[How It Works](#)

- 1 +

 **Add to Cart**

**CITY OF SHEBOYGAN**

**REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION**

---

**ITEM DESCRIPTION:**

Address: 2503 N 8th ST

Parcel #: 004140

Owner's Name: Michael Hameister

Zoning: NR-6

---

**REPORT PREPARED BY:** Jeff Lutzke, Building Inspector

---

**REPORT DATE:** 06/04/2021

**MEETING DATE:** 06/16/2021

---

**BACKGROUND / ANALYSIS**

Owner is replacing part of his existing driveway which is closer than 3 feet to property line ( which is allowed ) and extend the driveway an additional 9' which would also be closer than 3 feet to the property line.

Ordinance #: 15.702(10)

Requesting: 0 inches from lot line

Allowed: 3 feet from lot line

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

**ATTACHMENTS:**

application, drawing, pictures, previous BOA approval



BUILDING INSPECTION DEPARTMENT  
828 Center Avenue, Suite 208  
Sheboygan, WI 53081-4442  
Phone: (920) 459-3477  
Fax: (920) 459-0210

[buildinginspection@sheboyganwi.gov](mailto:buildinginspection@sheboyganwi.gov)

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): 2503 N 8<sup>th</sup> STREET
- 2. Applicant: MICHAEL HAMEISTER Telephone #: (920) 452-6356  
Address: 2503 N 8<sup>th</sup> STREET
- 3. Legal Property Description (Lot, Block, Subdivision, etc.) ASSESSMENT SUBD N014  
LOT 20 BLK 2

- 4. Type of Building (Circle): Commercial  Residential
- 5. Request for (Circle): New Construction  Repairs  Alterations  Addition  - Nonconforming Use - Other  
(if other) please list: REPLACE PART OF EXISTING DRIVEWAY and extend it 9ft  
REPLACE PATIO CONCRETE
- 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). On a separate letter to the Board describe the requested variance and include 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.

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: 5-18-21  
Signature: Michael Hameister  
Printed Name: MICHAEL HAMEISTER  
Mailing Address: \_\_\_\_\_

3rd Wednesday @ 3pm  
3rd Floor City Hall

211089



**BUILDING INSPECTION DEPARTMENT**  
828 Center Avenue, Suite 208  
Sheboygan, WI 53081-4442  
Phone: (920) 459-3477  
Fax: (920) 459-0210  
[buildinginspection@sheboyganwi.gov](mailto:buildinginspection@sheboyganwi.gov)

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6/16/21  
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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.

Michael Hammeister  
Signature

5/18/21  
Date

### THE THREE "TESTS" FOR A VARIANCE

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#### TEST #1: UNNECESSARY HARDSHIP

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

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#### 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.

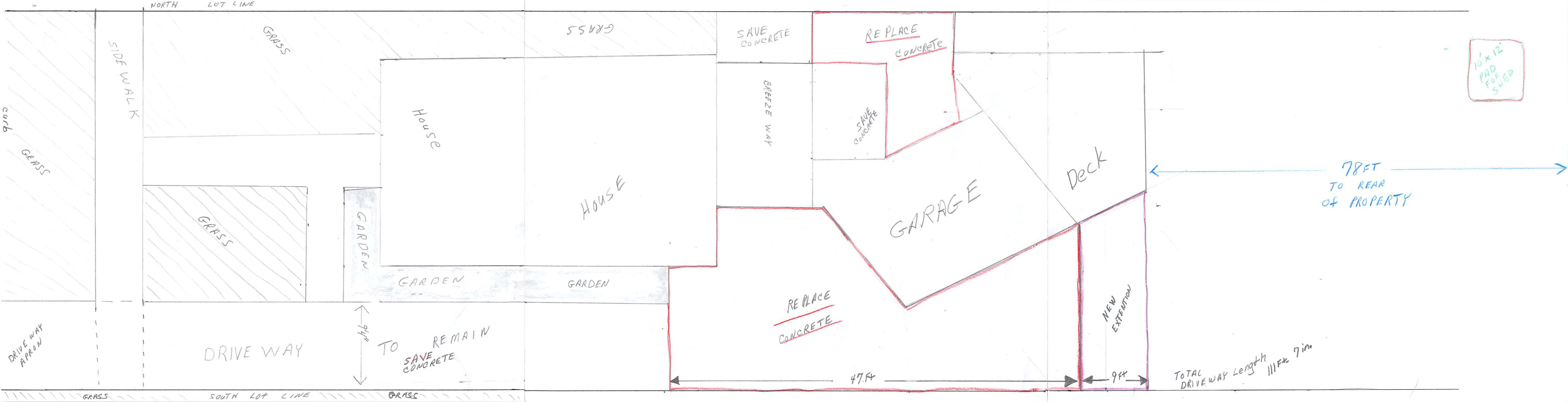
#### TEST #3: NO HARM TO PUBLIC INTEREST

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 the proposed construction would not harm the public interest.

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

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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.***



10x12  
PAD  
FOR  
SHED

78FT  
TO REAR  
OF PROPERTY

TOTAL  
DRIVEWAY Length  
111ft ± 7in

47.4

9ft

9ft

TO REMAIN  
SAVE CONCRETE

REPLACE  
CONCRETE

REPLACE  
CONCRETE

SAVE  
CONCRETE

SAVE  
CONCRETE

GRASS

GRASS

DRIVE WAY

GARDEN

GARDEN

GARDEN

HOUSE

HOUSE

GARAGE

Deck

BREEZE WAY

SIDE WALK

DRIVE WAY  
APRON

GRASS

curb

GRASS

NORTH LOT LINE

SOUTH LOT LINE

GRASS

GRASS

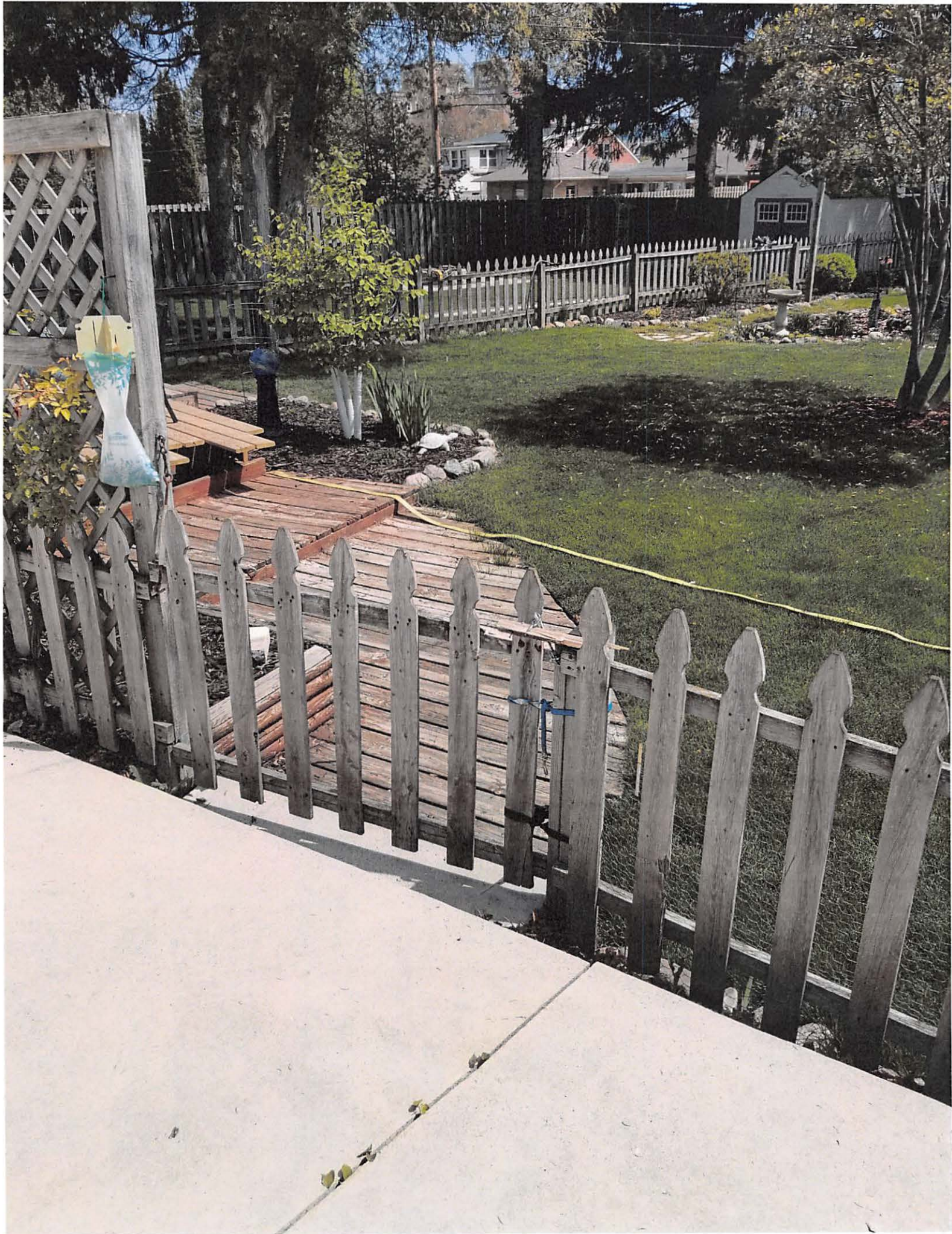
Existing driveway pitch is allowing water to accumulate at house foundation so concrete needs to be replaced of which borders along the south lot line. Due to the narrow lot we are unable to stay 3 feet off lot line. The Patio concrete in need of replacement on the north side of property has drifted and settled over the last 30 years creating a safety hazard. Again the concrete borders the lot line and we are unable to stay 3 feet off the lot line





















CITY OF SHEBOYGAN  
PUBLIC WORKS

[www.sheboyganDPW.com](http://www.sheboyganDPW.com)



**BOARD OF APPEALS  
CITY HALL  
SHEBOYGAN, WISCONSIN**

**DOCKET SHEET**

APPEAL NO. 24-03

NAME OF APPELLANT: Michael Hameister  
 APPEAL LOCATION: 2503 N 8th Street  
 DATE OF FILING APPEAL: June 28, 2003  
 NATURE OF APPEAL: Requesting a variance to Section 15.105(2)(d(3)(b)(M): to have a driveway 0' from the side property line where required is 3'.

NOTICE SENT TO APPELLANT ON: July 3, 2003  
 DATE OF PUBLICATION OF NOTICE: July 9, 2003  
 DATE OF HEARING: July 16, 2003  
 APPEARANCES: Mary & Michael Hameister

**DETERMINATION AND ORDER OF BOARD ON THE APPEAL: -**  
 The Board of Appeals finds and determines that this variance be GRANTED. See "Letter of Decision" for requirements/stipulations.

NOW THEREFORE, BE IT RESOLVED by the Board of Appeals, on motion made by M. Winkel, Seconded by B. Versey, 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:

At a regular special meeting of the Board held on \_\_\_\_\_ Day of \_\_\_\_\_, 2003, the above Resolution was duly adopted on Roll Call as follows:

SECOND MOTION	FIRST MOTION	NAME	AYE	NAYE	EXCUSED
		Paula Felchner			X
		Don Mirsberger			X
		Daniel Daun	X		
		Don Cvetan	X		
		TJ Marini			X
	X	Mark Winkel (Alt. 1)	X		
X		Brian Versey (Alt. 2)	X		

ATTEST: J. J. Herman  
 Secretary



July 25, 2003

Michael Hameister  
2503 N 8th Street  
Sheboygan, WI 53083

RE: 2503 N 8th Street

RE: APPEAL NO. 24-03

At the July 16, 2003 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.
- 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:

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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  
828 CENTER AVE.  
SHEBOYGAN, WI  
53081

920/459-3477  
FAX 920/459-0210

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

Case No. 24-03  
Filing Date 6/26/03  
Receipt No. 034214  
Zoning Dist. \_\_\_\_\_

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

1. Appeal Location (address): 2503 North 8<sup>th</sup> street
2. Applicant: MICHAEL HAMEISTER Telephone #: (920) 452-6356  
Address: 2503 North 8<sup>th</sup> street
3. Legal Property Description (Lot, Block, Subdivision, etc.) \_\_\_\_\_  
Assessment Subd NO 14  
LOT 20 B1K2
4. Type of Building (circle): Commercial - Industrial - Institutional - Residential - Apartment -  
Other \_\_\_\_\_
5. Request for (circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use -  
Other REPLACE AND WIDEN DRIVEWAY
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.  
ORDINANCE CALLS FOR 3 feet FROM PROPERTY LINE  
REQUEST FOR VARIANCE OF 0 feet 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:  
UNDER THE CURRENT ORDINANCE WE CANNOT REPLACE DRIVEWAY,  
BECAUSE OF THE LOT SIZE AND LOCATION OF DRIVEWAY. PROPERTY  
IS ALSO ON A SNOW EMERGENCY ROUTE WHICH LIMITS WINTER  
PARKING.

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: Michael Hamerster  
Date 6-25-03 Mailing Address: 2503 N 8<sup>th</sup> St.  
SHEBOYGAN, WI 53083

## 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)

June 30, 2003  
Application deadline date (last working day of the month)

July 16, 2003  
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 - \$150.00
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 THE ABOVE INFORMATION 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.)*

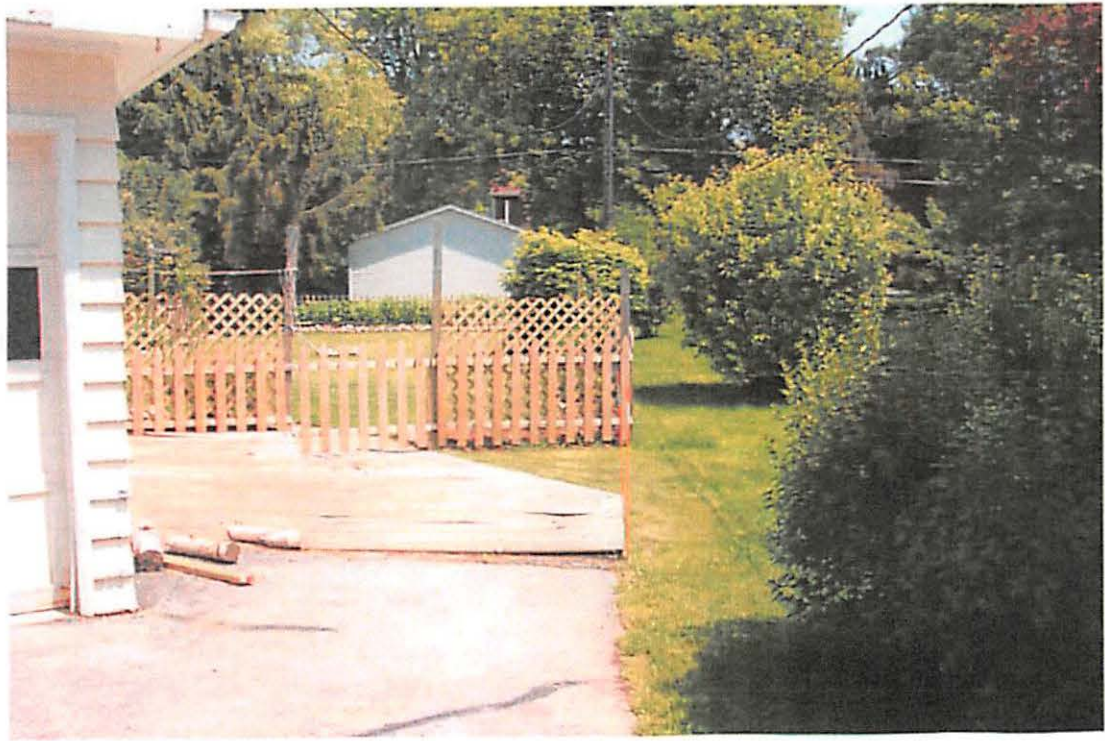
A notice of the date and time of the hearing will be mailed to all property owners within 100 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important that you discuss your proposal with the Building Inspection Department and Planning Department.

The property owner or a representative shall be present at the public hearing to present his 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.

Michael Hamerster  
Signature

6-25-03  
Date













JULY 03, 2003

TO WHOM IT MAY CONCERN:

THE ZONING BOARD OF APPEALS OF THE CITY OF SHEBOYGAN WILL MEET WEDNESDAY, JULY 16, 2003 BEGINNING AT 5:15 P.M. IN THE 3<sup>RD</sup> FLOOR CONFERENCE ROOM OF CITY HALL, SHEBOYGAN, WISCONSIN.

**AGENDA**

**ROLL CALL**

**APPROVAL OF MINUTES**

**UNFINISHED BUSINESS**

1. **TIME - 5:15 P.M.**  
**CHRISTOPHER LADWIG – 3005/3009 N 25<sup>TH</sup> STREET**  
Requesting a variance to Section 15.206(8)(d) to construct a new 2-car detached garage where each unit already have an attached garage. Allowed is one garage per dwelling unit. Also requesting a variance to Section 15.702(3)(a) and (e) to have two driveways where allowed is one driveway.

**HEARINGS AND THEIR APPROXIMATE TIMES**

2. **TIME - 5:20 P.M.**  
**BLIA YANG – 2001 N 27<sup>TH</sup> STREET**  
Requesting a variance to Section 15.206(8)(d): to have an attached garage (existing) and construct a new 22' x 22' detached garage (proposed) where allowed is one garage.
3. **TIME - 5:25 P.M.**  
**KEN & TAMMY MILLER – 4004 S 12<sup>TH</sup> PLACE**  
Requesting a variance to Section 15.105(2)(c)(3)(b)(M): to have a parking slab 0' from the side property line where required is 3'
4. **TIME - 5:30 P.M.**  
**MICHAEL HAMEISTER – 2503 N 8<sup>TH</sup> STREET**  
Requesting a variance to Section 15.105(2)(d)(3)(b)(M): to have a driveway 0' from the side property line where required is 3'.
5. **TIME - 5:35 P.M.**  
**DAVID B TOMICH – 329 ST CLAIR AVENUE**  
Requesting a variance to Section 15.105(2)(d)(3)(b)(O): to have a roof gazebo 45' high where allowed is a maximum roof height of 35'.

BUILDING INSPECTION

CITY HALL  
828 CENTER AVE.  
SHEBOYGAN, WI  
53081

920/459-3477  
FAX 920/459-0210

**NEW BUSINESS**

**ADJOURN**

The applicant or a representative shall appear, and anyone interested in the above described properties may appear, at said meeting and be heard for or against said appeal.

Persons with disabilities who need accommodations to attend meeting should contact the Building Inspection Department, 828 Center Avenue at 459-4064 as soon as possible.

By Order of BOARD OF APPEALS  
TRACI HERMANN  
Secretary

**Copies:**  
Members of the Board 7  
Building Inspectors 2  
Planning Department 1  
City Clerk 1  
City Attorney 1  
Mayor's Office 1  
Appellants Files 5  
Chamber of Commerce, 712 Riverfront Drive 1

**ITEM #1**

LADWIG, CHRISTOPHER ETUX, 3005 N. 25TH ST  
SCHNELLE, EUGUEN R, 2417 W KONING DR  
KLOVER, GEORGE D, 2409 W KONING DR  
SUSCHA, STANLEY J, 2420 MAYFLOWER AVE  
TERNES, ROBERT N & LINDA A, 2433 MAYFLOWER AVE  
OLDENBURG, CONSTANCE M, 2425 MAYFLOWER AVE  
SPLITTGERBER, THOMAS J & VICKI, 2413 MAYFLOWER AVE  
RONK, RAMSEY L & DEBORAH, 3026 N 25<sup>TH</sup> ST  
DAEHN, JEFFREY A & MICHELLE Y, 1109 CARVER AVE, HOWARDS GROVE, WI 53083  
VARO, CORAL A, 1207 N 12<sup>TH</sup> ST  
EMOND, DENNIS M & ANN M, 2932 N 25<sup>TH</sup> ST  
TEUNISSEN, DEBRA L, 2928 N 25<sup>TH</sup> ST

**ITEM #2**

YANG, CHANG PAO & BLIA, 2001 N. 27TH ST.  
DICKFOSS, MARY ANN M., 2007 N. 27TH ST.  
KEHM, JAMES C & CATHY L, 2011 N. 27TH ST.  
SCHAEFER, ERIC J. & JENNIFER L., 1917 N. 27TH ST.  
UPHOFF, RAYMOND L., 1909 N. 27TH ST.  
ADAMSON, NATHANIAL C & MERTES, KIMBERLY A, 1935 OHIO AVE  
BARTLETT, FLOYD W & SHARON J, 2008 N 26<sup>TH</sup> ST  
WAGNER, MICHAEL E & TESMER, JANA L, 1922 N 26<sup>TH</sup> ST  
BECKER, ESTHER, 1916 N 26<sup>TH</sup> ST

AGENDA – BOARD OF APPEALS  
MEETING OF JULY 16, 2003  
PAGE 3

**ITEM #3**

MILLER, KEN R. & TAMMY, 4004 S 12<sup>TH</sup> PL  
SELK, JOSEPH I & JANET M, 1255 CASTLE AVE  
HASANCEVIC, MEVLUDIN & JASMINA, 1247 CASTLE AVE  
YANG, CHANG, 1239 CASTLE AVE  
SMOKOVITZ, SHARON A, 1328 KINGS CT  
HARMELINK, DAVID, 1322 KINGS CT  
GEYDOSHEK, JOSEPH, 4012 S 12<sup>TH</sup> PL  
WIEMAN, NICHOLAS D & DOREEN K, 4018 S 12<sup>TH</sup> PL  
BARBER, ANDREW, 1225 CASTLE AVE  
BURKARD, JOHN G & MARY E, 4001 S 12<sup>TH</sup> PL  
SCHMITZ, MARK S & JULIE A, 4007 S 12<sup>TH</sup> PL  
WOLLIN, RNADAL C & KLEIN, JILL M, 4013 S 12<sup>TH</sup> PL  
FRANK, ROBERT C & DAWN M, 4019 S 12<sup>TH</sup> PL

**ITEM #4**

HAMEISTER, MICHAEL A, 2603 N 8<sup>TH</sup> ST  
SENKBEIL, PETER J. & SARA J, 2515 N 8<sup>TH</sup> ST  
WITT, SHAWN T. & CHARLENE A, 2511 N 8<sup>TH</sup> ST  
KING, CAROLYN L, 2507 N 8<sup>TH</sup> ST  
BERMKE, JAMES A, 2433 N 8<sup>TH</sup> ST  
STOHL, RICHARD J & BARBARA, 2429 N 8<sup>TH</sup> ST  
PITTNER, RENEE J, 2425 N 8<sup>TH</sup> ST  
FENN, JANET H, 2518 N 7<sup>TH</sup> ST  
BROWN, PHILLIP W & LORRENE, 2512 N 7<sup>TH</sup> ST  
GABRIEL H JAMES & GERALDINE CADY, 2506 N 7<sup>TH</sup> ST  
NELESEN, JOHN L, 2434 N 7<sup>TH</sup> ST  
TISDALE, ZACHARY T, & STEPHANIE R, 2428 N 7<sup>TH</sup> ST

**ITEM #5**

TOMICH, DAVID B & BRENDA A, 329 ST CLAIR AVE  
KATCHKEY, SIMON, 1121 N 4<sup>TH</sup> ST  
FELCHNER EDWARD & PAULA, 321 ST CLAIR AVE  
SUSCHA, RENEE p KOELLER, 303 ST CLAIR AVE  
CITY OF SHEBOYGAN, DELAND PARK, 828 CENTER AVE  
SCHROEDER, DORIS L, 410 ST CLAIR AVE  
WIGG, RITA A, 1214 N 4<sup>TH</sup> ST  
IGNATOWSKI, THOMAS C, 1204 N 4<sup>TH</sup> ST  
PETKUS, EDWARD, 1213 N 4<sup>TH</sup> ST  
HUEPPCHEN, JEFFREY M, & DONNA P, 1575 N 5<sup>TH</sup> AV, GRAFTON, WI 53024  
POLLARD, JOSEPH P, 328 ST CLAIR AVE  
EGGEBEEN, MARK a & ANNETTE H, 324 ST CLAIR AVE  
AMBELANG, THOMAS M, 318 ST CLAIR AVE  
PAWLUS, CARTER S, 414 ERIE AVE  
MASONIC HALL, 411 ST CLAIR AVE  
FOX, ROGER, 65225 N ROCKWELL, CHICAGO IL 60645  
DAEHN, JEFFREY A & MICHELLE Y, 1109 CARVER AVE, HOWARDS GROVE, WI  
53083

VARIANCE REQUEST

REF. PROPERTY: \_\_\_\_\_

ZONING: NR

NAME Michael Hamerster

ADDRESS 2503 N 8th St

CITY/STATE/ZIP Slobyan, WI 53081

THE APPLICANT IS REQUESTING A VARIANCE TO \_\_\_\_\_

15.105(2)(2)(3)(b)(M)

TO HAVE A driveway 0 feet from a property line

(ALLOWED IS) when 3 feet is required

FORM: BI190CBL1

C I I Y O F S H E B O Y G A N  
BUILDING INSPECTION DEPARTMENT

Receipt No.: 034214

Date Issued: 06/26/03  
Name: MICHAEL HAMEISTER  
Mailing Address: 2503 N. 8TH ST.  
City/State/Zip: SHEBOYGAN, WI 53081  
Property Address: \_\_\_\_\_

PAYMENT FOR:

<u>Description</u>	<u>Fee</u>	<u>Sales Tax</u>
Board of Appeals	\$ 150.00	\$

*Pd.  
Jvw*

Sub-total Payments \$ 150.00 \$

TOTAL PAYMENT ----- \$ 150.00  
=====

REMARKS: B.O.A. FOR ABOVE ADDRESS FOR JULY MEETING  
\_\_\_\_\_

/JVD

BUILDING PERMIT

PERMIT EXPIRES UNLESS WORK COMMENCES WITHIN 30 DAYS,  
AND IS COMPLETED WITHIN 6 MONTHS.

Sheboygan, Wisconsin

Date: 08/05/03

Parcel: 004140

Map #: 1413101B

Lot: 40X181

TO THE BUILDING INSPECTOR:

The undersigned hereby applies for a permit to construct, remodel, repair, or install according to the following statement:

1. Location of Structure 2503 N. 8TH ST. Zone \_\_\_\_\_

2. Owner HAMEISTER, MICHAEL A. Phone (000) 000-0000

Address 2503 N. 8TH ST. SHEBOYGAN, WI 53083

3. Contractor JAMES KLUNCK Phone (414) 452-3899

Address 2704 S. 18TH ST SHEBOYGAN, WI 53081

4. Architect \_\_\_\_\_ Phone (000) 000-0000

Address \_\_\_\_\_, 00000

5. Permit for DRIVEWAY Square Footage \_\_\_\_\_

6. Permit Class FENCES, POOLS, DECKS Residential Units \_\_\_\_\_

7. Estimated Cost \$ 3,500.00 Permit Fees \$ 25.00

8. Tentative Start 8/5/03 Double Fee \_\_\_\_\_

9. Description/Remark REPLACE EXISTING DRIVEWAY & ADDING ON - OK PER

B.O.A. DOCKET #24-03. DRIVEWAY WILL 20" FROM HOME

& 0' PROPERTY LINE. ALSO REMOVING DECK & REPLAC--

ING WITH CONCRETE.

The undersigned hereby applies for a permit to do the work above described and hereby agrees to comply with City of Sheboygan Municipal Ordinances and with the descriptions herein set forth in this statement; and to obey any and all lawful orders of the City of Sheboygan Building Inspector or his designee; understands that the issuance of the permit creates no legal liability, express or implied, on the Building Inspection Department and any agent or employee thereof; and certifies that all the above information is accurate.

PLEASE NOTE: APPLICANT MUST CALL (459-4064) FOR ALL REQUIRED INSPECTIONS.

Print Name MICHAEL HAMEISTER

Sign Name Michael Hameister

Address \_\_\_\_\_

/TLH

**CITY OF SHEBOYGAN**

**REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION**

---

**ITEM DESCRIPTION:**

Address: 3723 S 16th ST

Parcel #: 422570

Owner's Name: Timothy & Debra Davis

Zoning: SR-5

---

**REPORT PREPARED BY:** Jeff Lutzke, Building Inspector

---

**REPORT DATE:** 06/04/2021

**MEETING DATE:** 06/16/2021

---

**BACKGROUND / ANALYSIS**

Owner would like to build a roof over their porch on the front of their house. A covered porch is not allowed within required front yards.

Ordinance #: 15.105(2)(c)(3)(b)(F) and 15.405 (1)(a)(3)

Requesting: 19 feet from front property line to covered front porch

Allowed: 25 feet from front porerty line to covered front porch

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

Ordinance #:

Requesting:

Allowed:

---

**ATTACHMENTS:**

application, drawings, pictures

211274



**BUILDING INSPECTION DEPARTMENT**  
828 Center Avenue, Suite 208  
Sheboygan, WI 53081-4442  
Phone: (920) 459-3477  
Fax: (920) 459-0210  
[buildinginspection@sheboyganwi.gov](mailto:buildinginspection@sheboyganwi.gov)

## APPLYING FOR A VARIANCE

Variances to zoning ordinances are considered by the CITY OF SHEBOYGAN Zoning Board of Appeals monthly on the third Wednesday at 3p.m. at a public hearing. In order to be considered for the next meeting, applications must be received in the Building Inspection Department Office **no later than** 4:30p.m. on the third Wednesday of the month prior to the scheduled public hearing:

5-19-2021

Application Deadline Date

6-16-2021

Board of Appeals Meeting Date

### All applications must include:

- 1) Application forms, signed and dated, which are available at the Building Inspection Department Office and online.
- 2) The non-refundable filing fee - \$250.00.
- 3) Photographs of the property.
- 4) A site sketch, drawn to scale 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.

### Note:

- a) The applicant can present any additional information to inform the Board of the facts.
- b) In addition to the application information noted above, a survey is strongly recommended.
- c) Applicants should be aware staff may require a survey as part of the application information in order to clarify specific variance(s) requested.
- d) Applicants should be aware the Board of Appeals may require a survey as part of the application review and/or as a condition of approval prior to issuance of a building permit if a variance is granted.
- e) Building permits must be acquired within 6 months of the granted approval or the approval will be voided.

**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:

- \* *Why* 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?
- \* *insurance* Is there a **unique physical characteristic** of the property which prevents development of the property in compliance with the Zoning Ordinance?
- \* *No* 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 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 and municipal property within 1,000 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important you discuss your proposal with the Building Inspection and Planning Departments.

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

*Deborah J. Davis*  
Signature

5/17/21  
Date

*Deborah Davis*

5/17/21

*Debbies - survivor 9457@gmail.com*

*422570*



BUILDING INSPECTION DEPARTMENT  
828 Center Avenue, Suite 208  
Sheboygan, WI 53081-4442  
Phone: (920) 459-3477  
Fax: (920) 459-0210

[buildinginspection@sheboyganwi.gov](mailto:buildinginspection@sheboyganwi.gov)

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): 3723 South 16 Street
- 2). Applicant: Timothy & Deborah Davis Telephone #: (920) 917-9889 (D)  
Address: 3723 South 16<sup>th</sup> Street 918-4162(T)  
Sheboygan, WI 53081
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) \_\_\_\_\_  
South 45' of lot 18 and North 25' of lot 17, Block 11,  
Parkwood Estates
- 4). Type of Building (Circle): Commercial - Residential
- 5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other  
(if other) please list: build gable over front porch
- 6). If the request is for a nonconforming use:  
Your intended use: cover front porch  
Date last occupied as a nonconforming use: \_\_\_\_\_  
By Whom: \_\_\_\_\_ Previous use: \_\_\_\_\_
- 7). Applicants interest in property: home owner
- 8). On a separate letter to the Board describe the requested variance and include 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.

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: 5-17-21

Signature: Timothy & Deborah Davis  
Printed Name: Timothy J. Davis Deborah A Davis  
Mailing Address: 3723 So 16 Street  
Sheboygan, WI 53081

### THE THREE "TESTS" FOR A VARIANCE

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

To obtain a variance, you must establish, 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 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 the 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 the proposed construction would not harm the public interest.

The Board, in granting a variance, may impose conditions on the proposed construction to assure 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.***

5/17/21

To: The city of Sheboygan  
Board of Appeals

From: Timothy and Deborah Davis

Requesting a variance for the  
property located at 3723 South  
16<sup>th</sup> Street, Sheboygan WI

(See pictures  
of house as  
it is today)

We are looking to add a gable to the  
front of our house. This will cover  
the cement slab. The gable will  
not block anyone's view or cause  
any harm. The gable construction  
will start in the existing roof over  
the cement slab. The extension  
of the gable will be moving into  
the front yard. This is why  
we are filling for a variance.

Please see  
(hand attached  
blue prints)

The gable will add to the value of  
our property and protect the  
front window from the elements.

It will also add to the family  
atmosphere of our neighborhood and  
promote great curb appeal.

15/1/21  
The construction will be done  
by ourselves. Under the  
instruction of David George.  
David is a seasoned - licensed  
Carpenter.

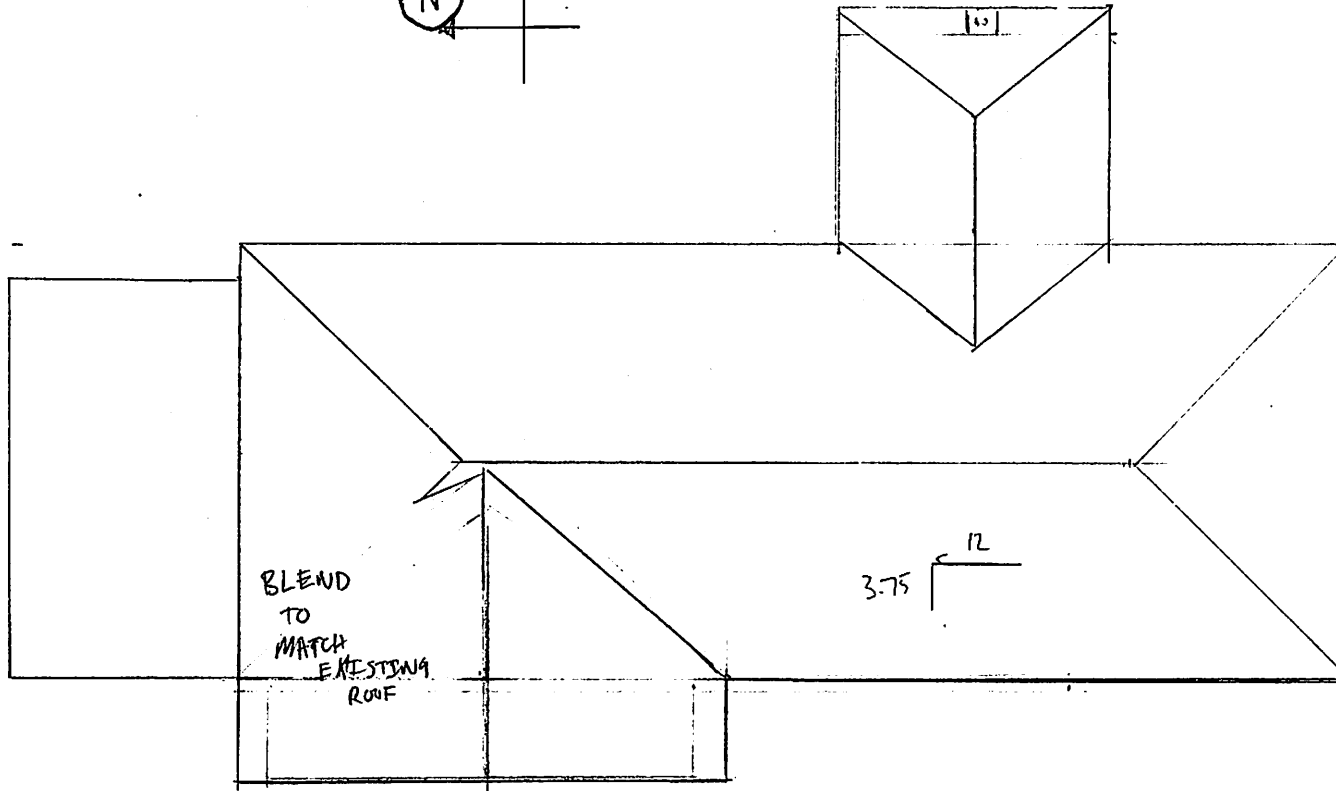
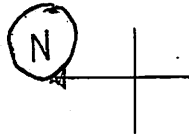
With this all being said, please  
consider to grant us this variance  
for the construction of this gable.

Thank you for your time and  
consideration.

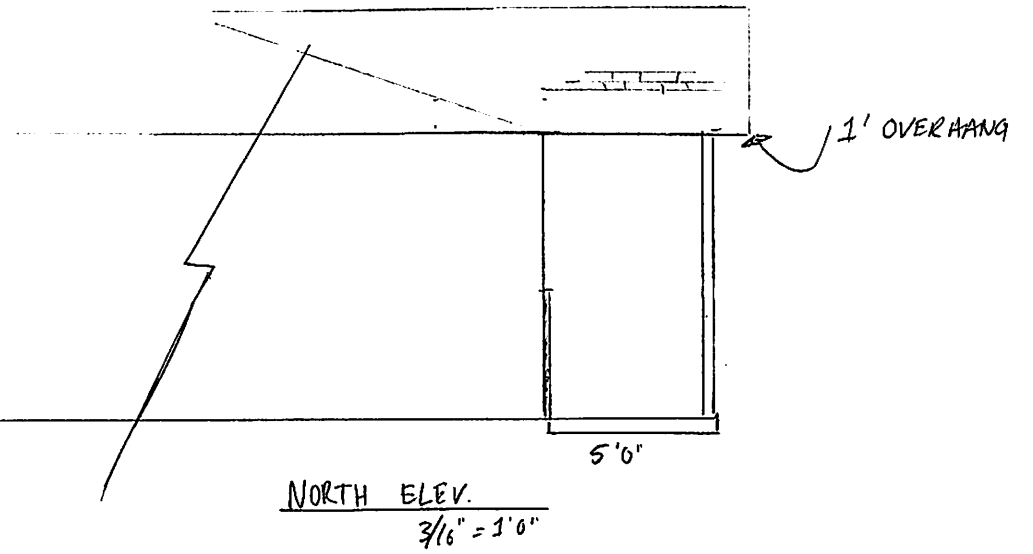
Trudy Davis  
Neboorah Davis

Note: I've included pictures of  
gables on existing properties.

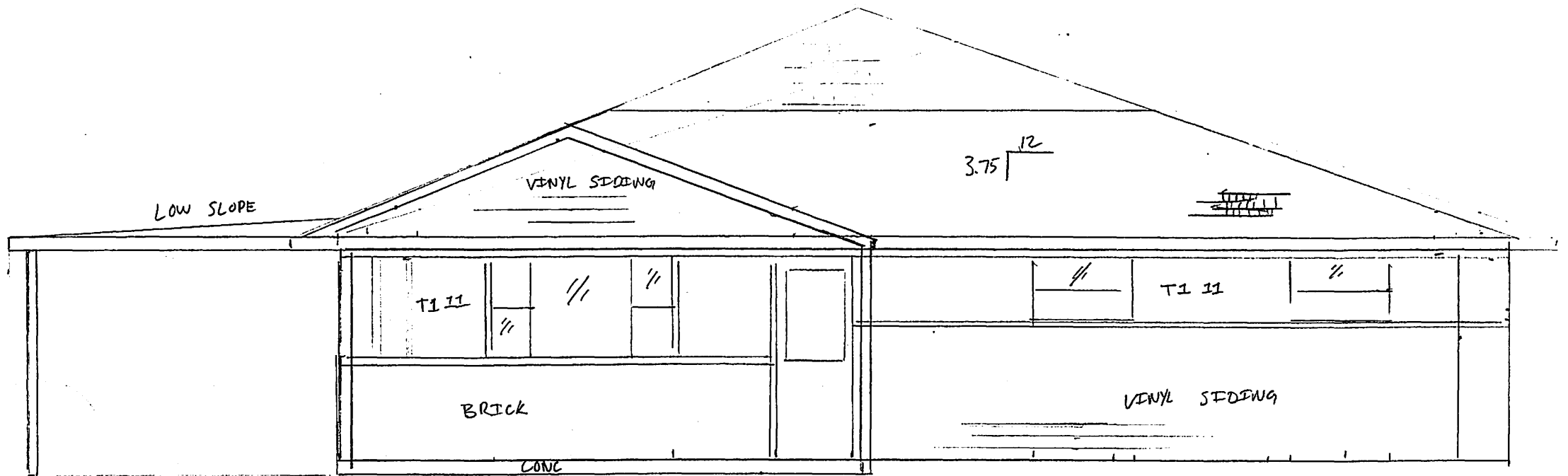
(See pictures  
of 3 properties)



BIRDS EYE VIEW  
 $\frac{3}{32}'' = 1'0''$



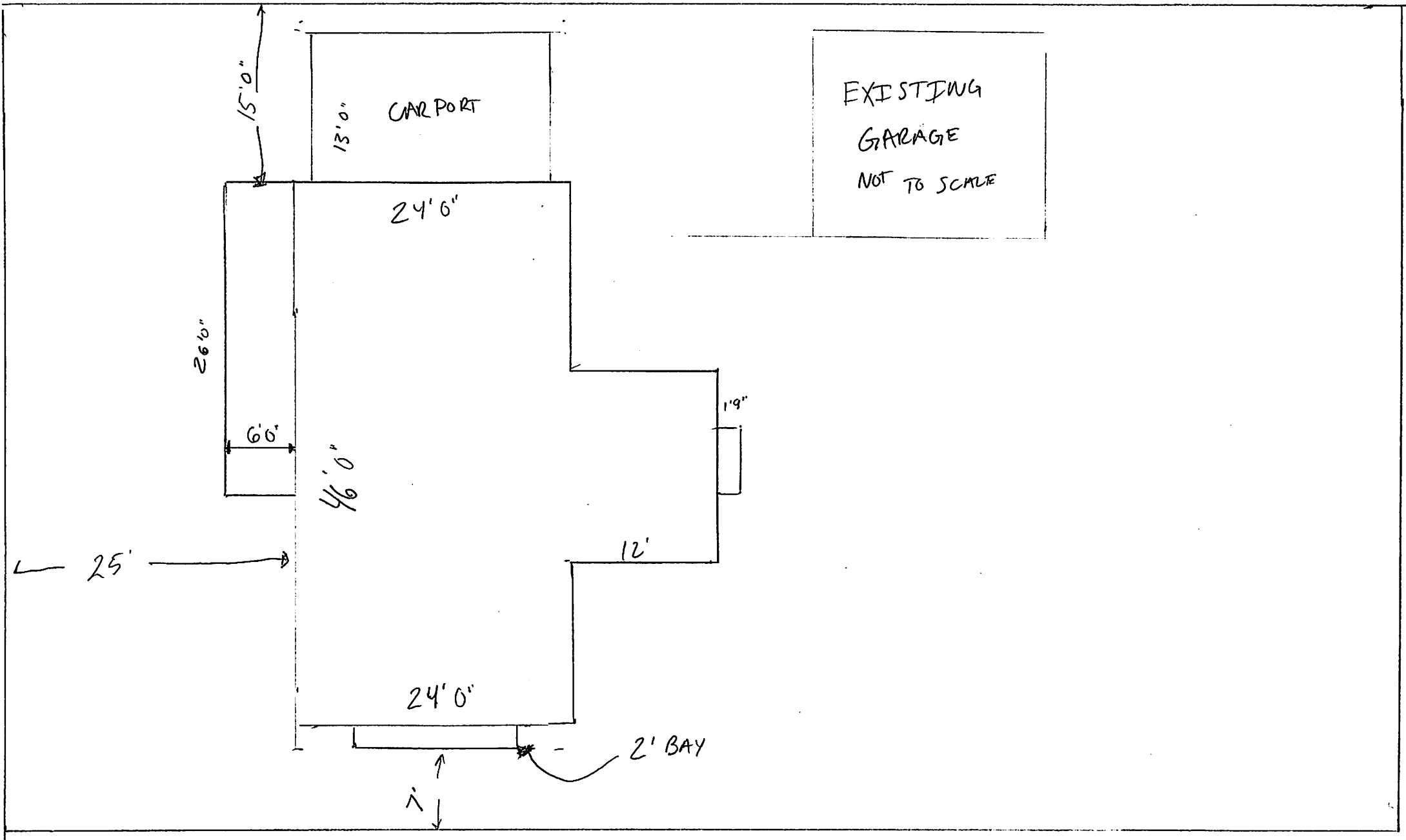
NORTH ELEV.  
 $\frac{3}{16}'' = 1'0''$



FRONT ELEVATION DAVIS RESIDENCE  
(WEST)

3/16" = 1'

SOUTH 16<sup>TH</sup> STREET



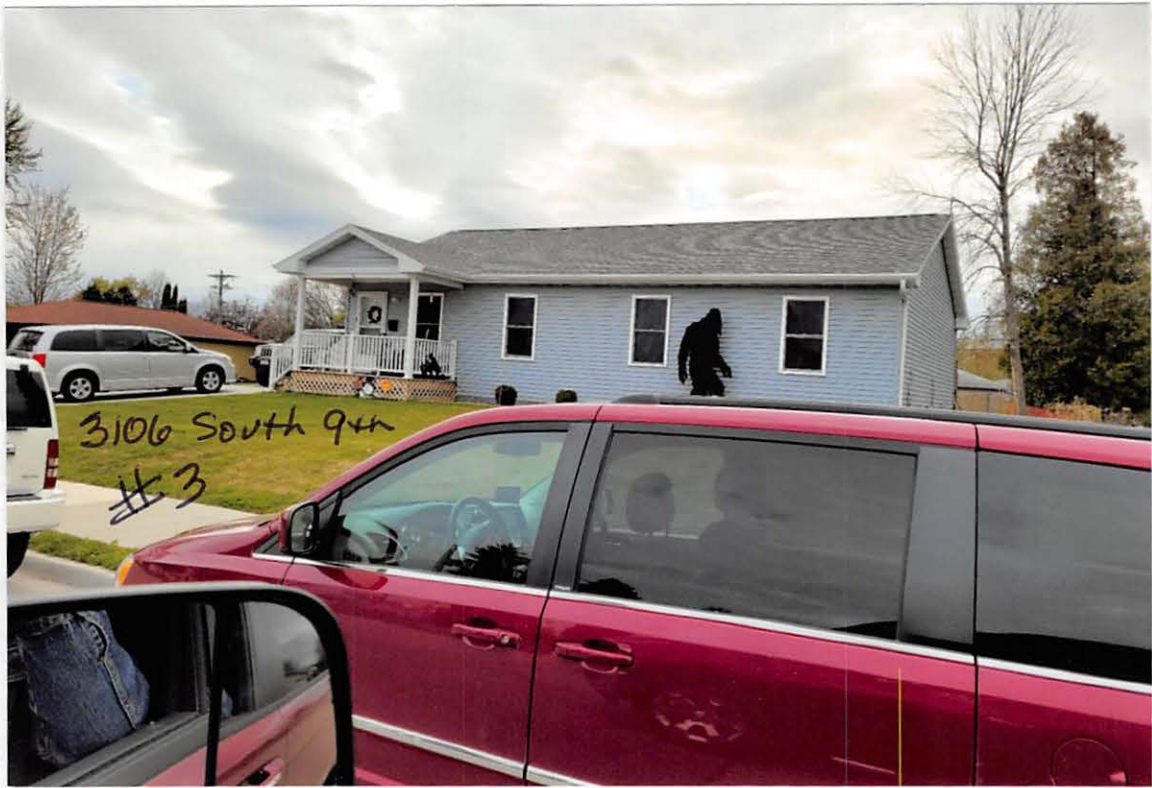
PLOT ELEV.

3723 S. 16<sup>TH</sup> ST SHEBOYGAN WI, 53081

3 samples of properties  
with a gable



3 samples of debris  
with a paper



View of property as of 2/17/21  
3032 S. 16 St.



View of property as of 5/17/21  
3723 S. 16 Str.

