

*****ATTACHMENTS*****

CITY OF SHEBOYGAN

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 504 Penn Ave

Parcel #: 110940

Owner's Name: Dale Rauwerdink

Zoning: SO

REPORT PREPARED BY: Pat Eirich, Building Inspector

REPORT DATE: 6/1/2020

MEETING DATE: 6/19/2020

BACKGROUND / ANALYSIS

Construct an addition to existing house and exterior renovations

Ordinance #: 15.105 3(a)bC

Requesting: 51% building coverage

Allowed: 50%

Ordinance #: 15.105 3(a)3bE

Requesting: 1'5" front lot line to house

Allowed: 30'

Ordinance #: 15.105 3(a)3bG

Requesting: 4'8" west side lot line to house

Allowed: 10'

Ordinance #: 15.105 3(a)3bG

Requesting: 1'9" east side lot line to house

Allowed: 10'

Ordinance #: 15.105 3(a)3bl

Requesting: 24'4" rear lot line to house

Allowed: 25'

Ordinance #: 15.105 3(a)3bM

Requesting: 1'9" paved surface setback

Allowed: 3'

Ordinance #: 15.105 3(a)3bQ

Requesting: 5 off street parking spaces

Allowed: 6

Ordinance #: 15.105 3(a)3bT

Requesting: 10" eave width

Allowed: 18"

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

ATTACHMENTS:

Application/plans/pictures

110940

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

CASE NO. 201308
FILING DATE 5-20-20
RECEIPT NO.
ZONING DIST. 50

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

1). Appeal Location (address): 504 PENNSYLVANIA AVE.

2). Applicant: DALE RAUWERDNIK Telephone #: ()
Address: W2324 NORTH STAR LN.
SHEBOYGAN, WI 53083

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: RENTAL
Date last occupied as a nonconforming use: 1/1/2020
By Whom: TENANTS Previous use: RENTAL

7). Applicants interest in property: RENTAL / FUTURE RESIDENCE

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: 5/20/2020

Signature: [Handwritten Signature]
Printed Name: STEVEN PESKIE
Mailing Address: 215 PINE ST.
SHEBOYGAN FALLS, WI 53085

110940

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:

5/20/2020
Application Deadline Date

6/17/2020
Board of Appeals Meeting Date

All applications must include:

- 1) Application forms, signed and dated, which are available at the Building Inspection Department Office.
- 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 application review and/or as a condition of approval prior to issuance of a building permit if a variance is granted.

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

5/20/2020
Date

SITE NARRATIVE - VARIANCE APPLICATION

April 22, 2020

PROJECT NAME AND ADDRESS:

Two Family Residence
504 Pennsylvania Ave.
Sheboygan, Wisconsin 53081

PARCEL INFORMATION/SITE DATA/LEGAL DESCRIPTION:

- The parcel is defined as tax parcel 59281110940
- It is defined as the west 35 feet of lot 2, block 311 of the City of Sheboygan.
- The entire lot area is .08 acres.

ZONING CLASSIFICATION/ZONING REQUIREMENTS:

Suburban Office (SO) Residential Bulk Requirements: (per Table 15.402)

A: Minimum Lot Area: 1 acre
B: Minimum Lot Width: 60 feet or 70 feet for a corner lot

Minimum Setbacks:

- C: **Building Coverage Ratio: 0.50**
D: Reserved
E: **Front or Street Side Lot Line to House: 30 feet, add 10 more feet for a lot adjacent to a street with an Officially Mapped right-of-way equal to or exceeding 100 feet**
F: Front or Street Side Lot Line to Attached Garage: 30 feet, add 10 more feet for a lot adjacent to a street with an Officially Mapped right-of-way equal to or exceeding 100 feet
G: **Side Lot Line to House or Attached Garage: 10 feet**
H: Total of Both Sides, Lot Lines to House/Attached Garage: 20 feet or 40 ft for corner
I: **Rear Lot Line to House or Attached Garage: 25 feet**
J: Side Lot Line to Accessory Structure: 3 feet, 5 feet when abutting an alley
K: Rear Lot Line to Accessory Structure: 3 feet, 5 feet when abutting an alley
L: Peripheral Setback: See 15.610(4)(b) along zoning district boundary
M: **Minimum Paved Surface Setback: 3 feet from side or rear**
N: **Minimum Dwelling Unit Separation: 20 feet**
O: Maximum Height of Dwelling Unit: 35 feet (Can exceed 35 feet w/conditional use)
P: Maximum Height of Accessory structure: 15 feet
Q: **Minimum Number of Off-Street Parking Spaces Required on the Lot (Includes garage, drives, & all designated parking surfaces: 3 spaces per institutional residential)**
R: Minimum Dwelling Core Dimensions: 24 feet by 40 feet
S: Minimum Roof Pitch: 3 : 12
T: **Minimum Eave Width: 18 inches**

*Bold text defines variance to be requested, see Variance Description.

EXISTING SITE CONDITIONS/LAND USE:

Formerly used as a Three-family rental property. The dwelling is currently vacant and needing of a major update. Existing structure distances from property lines as follows;

- 1'-5" Front yard setback (Pennsylvania Ave.)
- 3'-11" Side yard setback (West Property line)
- 4'-1" Side yard setback (East Property Line)
- 30'-0" Rear yard setback (Public Alley)

Two Family Residence
Narrative - Variance Application
May 20, 2020

PROPOSED LAND USE/LOT COVERAGE SITE DATA

- The proposed development consists of razing the north 18' of the existing structure and adding a new 24' addition to house a garage for each tenant and expansion of the second floor.
- The addition will be two stories with a maximum ridge height of 35'-0" above grade.
- Also in this proposal is the addition of a two story 5'x12' porch on the front of the home
- This development is also proposing repaving of the existing driveway and walkway accessed from the public alley with three outdoor parking spaces.

LANDSCAPE REQUIREMENTS

- None

PERFORMANCE STANDARDS/POTENTIAL NUISANCES:

- All performance standards to comply with City of Sheboygan Zoning Ordinance, Section 15-7 to ensure this development will not become a nuisance to neighboring residential property owners.

ARCHITECTURE:

- This single-family development proposed exterior façade was created to mimic similar historic details and architecture of neighboring homes in this area.

VARIANCE REQUEST/VARIANCE DESCRIPTION:

(7) Total variances to be requested:

1. Building Coverage Ratio
2. Front yard setback, Pennsylvania Ave.
3. Side yard setback, North 17th Street
4. Rear yard setback, Public Alley
5. Paving setback, East & West property line
6. Minimum number of off street parking
7. Minimum eave width

1. BUILDING COVERAGE RATIO

The requested variance is to allow a **.51 building coverage ratio**. The building coverage ratio requested allows for the proposed addition while maintaining a similar building coverage and adjacent properties as these parcels are under the current zoning requirement of 1 acre.

2. FRONT YARD SETBACK

The requested variance is to allow a **One Foot, five Inch (1'-5") building setback** along the Pennsylvania Avenue (front yard side) of the site. The building set-back requested allows for the proposed addition of the two story porch, with the closest point maintaining a similar distance away from the lot line as the current building and adjacent properties.

3. SIDE YARD SETBACK

The requested variance is to allow a **Four Foot, eight Inch (4'-8") building setback** along the West property line and **One Foot, Nine Inch (1'-9") building setback** along the East property line of the site. The building set-back requested allows for the proposed addition of the garage/entrance, with the closest point maintaining a similar distance away from the lot line as the current building and adjacent properties.

5x PAVING SETBACK

The requested variance is to allow a **Four Foot, eight inch (4'-8") paving setback** along the West property line of the site and **One Foot, nine inch (1'-9") paving setback** along the East property line of the site. The Paving set-back requested allows for exterior parking and access to the second entrance.

4x REAR YARD SETBACK

The requested variance is to allow a **Twenty-Four Foot, four inch (24'-4") building setback** along the North (alley side) of the site. The building set-back requested allows for the proposed addition of the garage while remaining further away from property line than adjacent homes.

6. OFF STREET PARKING

The requested variance is to allow a **2.5 off street parking spaces per unit (5 total)**. This would follow more closely to city residential zoning.

7. MINIMUM EAVE WIDTH

The requested variance is to allow a **ten inch (0'-10") eave width**. This request allows for the proposed addition to match the current house conditions.

UNNECESSARY HARDSHIP:

The current zoning setbacks do not allow for a typical size home/garage to this neighborhood to be constructed.

UNIQUE PROPERTY LIMITATIONS:

The current parcel is a substandard lot size when comparing to the current zoning ordinance.

NO HARM TO PUBLIC INTEREST:

This project will not create any other harm or change to the neighborhood than the current structure. The renovation will be a rejuvenation to this area, and will hopefully help spur other updates to neighboring properties in the area.

DATE: 3/20/2020
 DRAWN BY: JCC
 CHECKED BY: SMP
 PROJECT #: 20-011

DISTINCTIVE DESIGN
 215 Pine Street
 Sheboygan Falls, WI 53085
 PH: (920) 356-0900
 WWW.DISTINCTIVEDSIGN.COM

PENN. AVE. 2 FAMILY
 DALE RAUWERDINK
 504A PENNSYLVANIA AVE
 SHEBOYGAN WI, 53081

PRELIMINARY PLANS

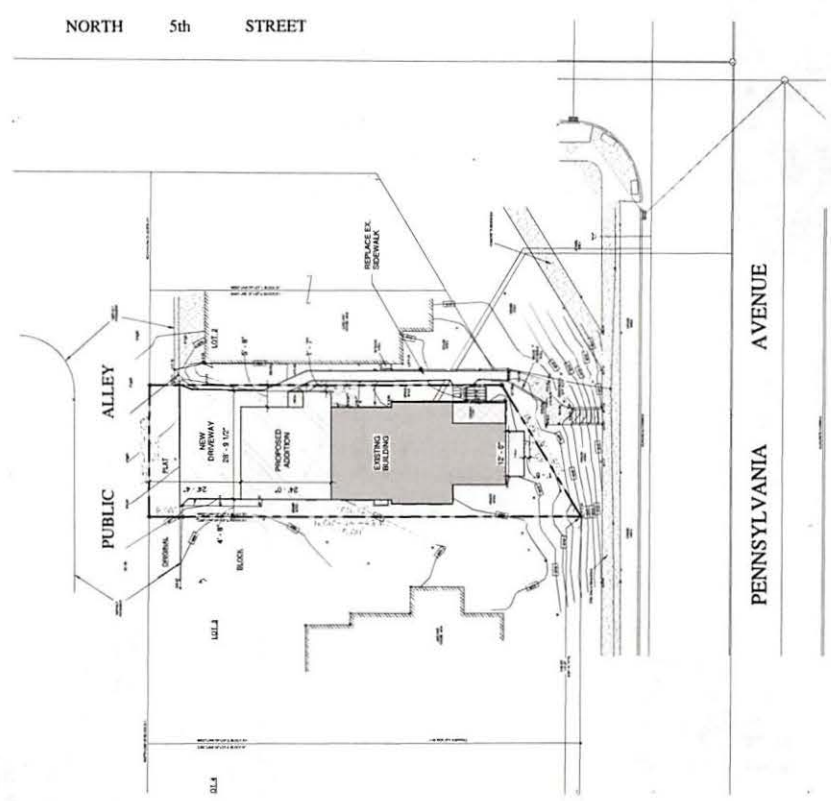
SITE PLAN

ISSUE DATE: 3/20/2020
 DRAWN BY: JCC
 CHECKED BY: SMP
 PROJECT #: 20-011

C100

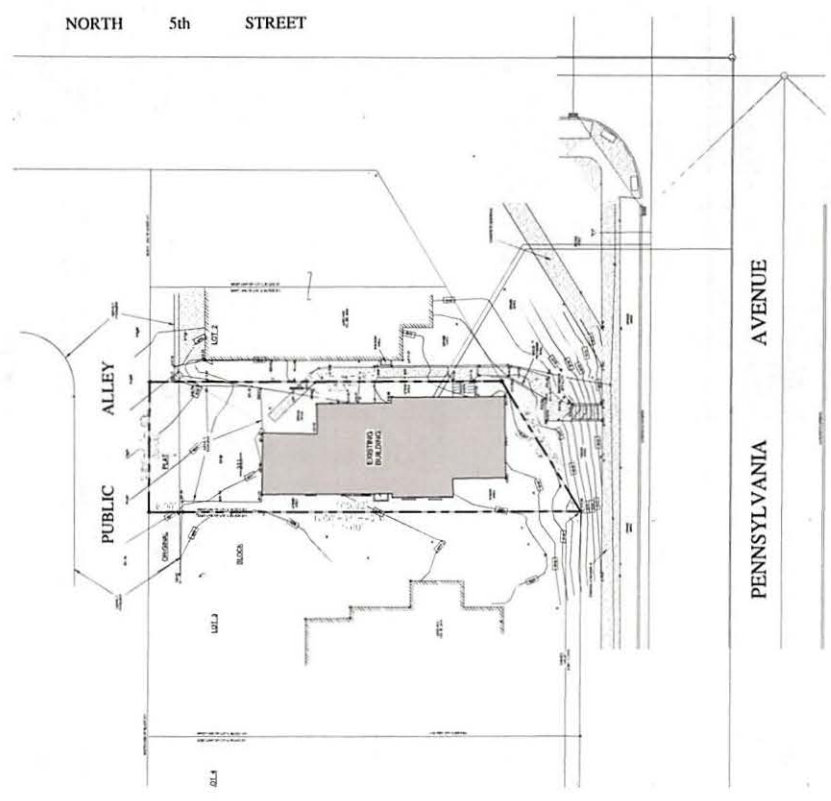
SCALE: 1" = 15'-0"
 THESE PLANS ARE PRELIMINARY
 AND NOT TO BE USED FOR CONSTRUCTION
 WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT

#	DATE	DESCRIPTION	REVISIONS



1. THE PROPOSED ADDITION TO THE EXISTING BUILDING IS SHOWN IN SHADING.
 2. THE EXISTING BUILDING IS SHOWN IN DASHED LINES.
 3. THE PROPOSED DRIVEWAY IS SHOWN IN SHADING.
 4. THE PROPOSED DRIVEWAY IS 28' X 13' 0\"/>

① SITE PLAN - SITE PLAN - PROPOSED
 1" = 15'-0"

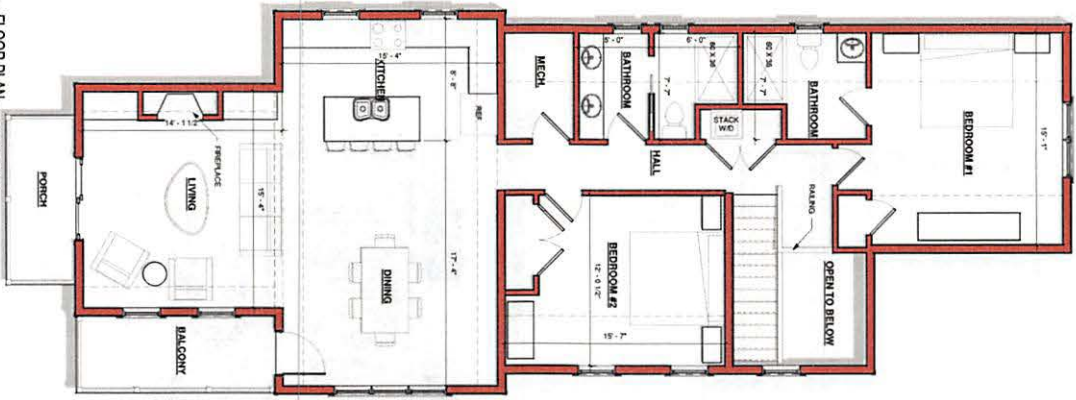


1. THE EXISTING BUILDING IS SHOWN IN DASHED LINES.
 2. THE EXISTING DRIVEWAY IS SHOWN IN DASHED LINES.
 3. THE REPAIRED DRIVEWAY IS SHOWN IN SHADING.
 4. THE PROPOSED DRIVEWAY IS SHOWN IN SHADING.

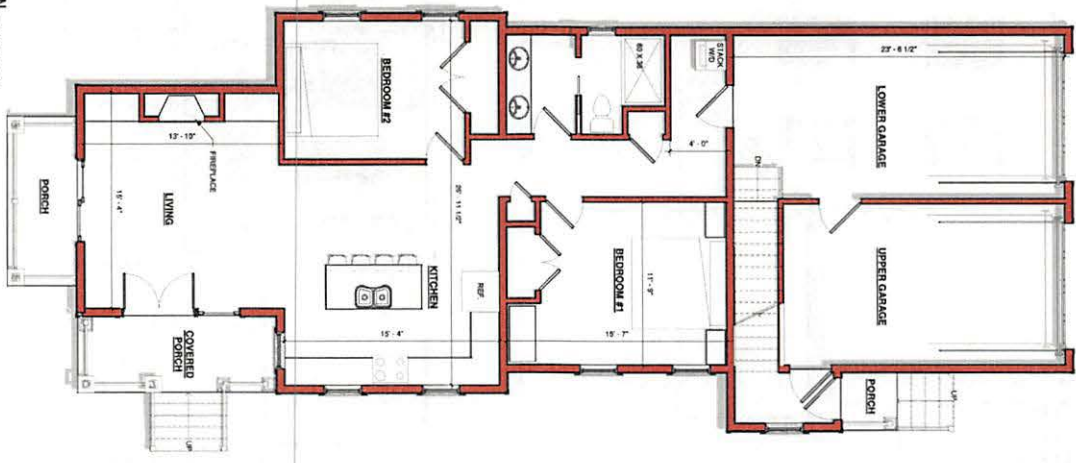
② SITE PLAN - SITE PLAN - EXISTING
 1" = 15'-0"

DATE: 3/20/2020
 DRAWN BY: JCC
 CHECKED BY: SMP
 PROJECT #: 20-011

2 FLOOR PLAN - SECOND FLOOR
1/4" = 1'-0"



1 FLOOR PLAN - FIRST FLOOR
1/4" = 1'-0"



PENN. AVE. 2 FAMILY

DALE RAUWERDINK
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SHEBOYGAN WI, 53081

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REVISIONS	
#	DESCRIPTION

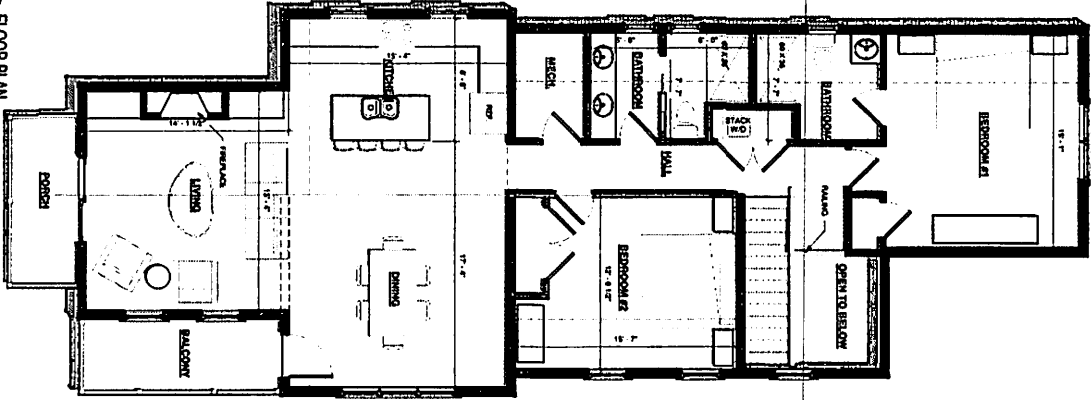
**1ST & 2ND FLOOR
PRELIMINARY
PLANS**

SCALE: 1/4" = 1'-0"
DATE: 3/20/2020
DRAWN BY: JOC
CHECKED BY: SJP
PROJECT #: 20-011

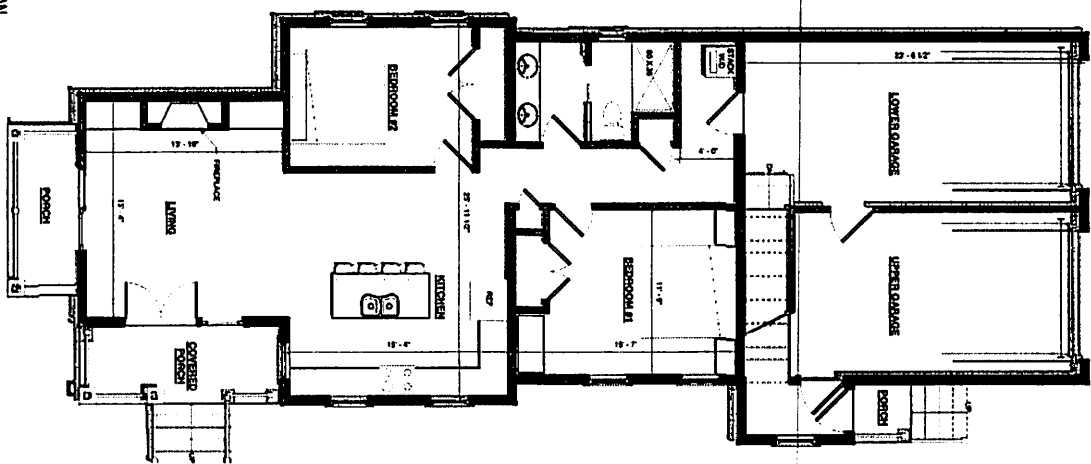
A101

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② FLOOR PLAN - SECOND FLOOR
1/4" = 1'-0"



① FLOOR PLAN - FIRST FLOOR
1/4" = 1'-0"



1ST & 2ND FLOOR PLAN
PRELIMINARY PLANS
DATE: 3/20/2010
DRAWN BY: JCC
CHECKED BY: JCC
PROJECT #: 20-011
SCALE: 1/4" = 1'-0"
REVISIONS: NONE
BY: JCC
DATE: 3/20/2010

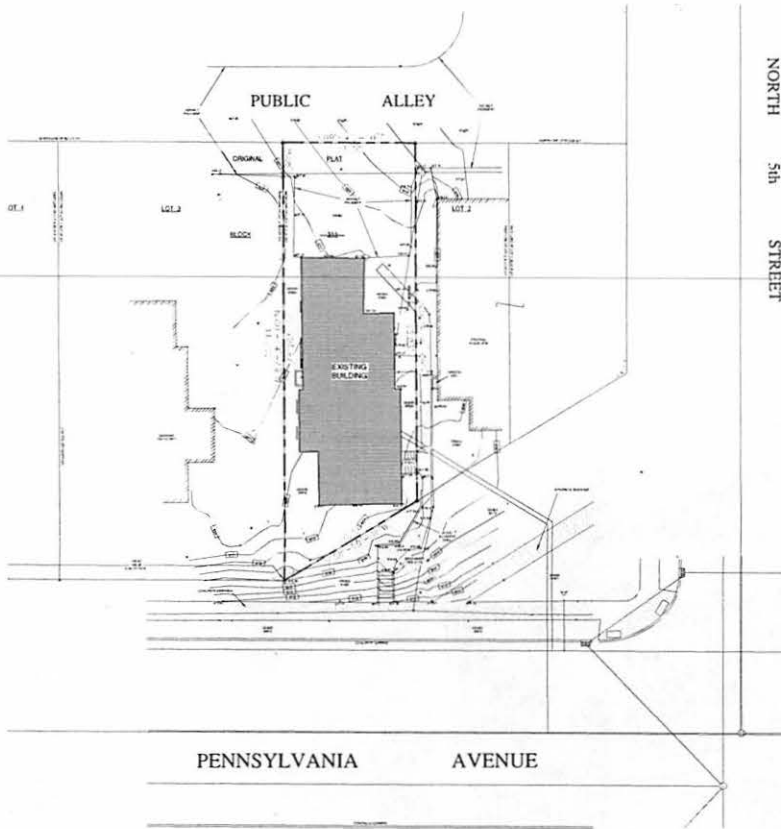
PENN. AVE. 2 FAMILY

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NO.	DATE	REVISIONS	DESCRIPTION

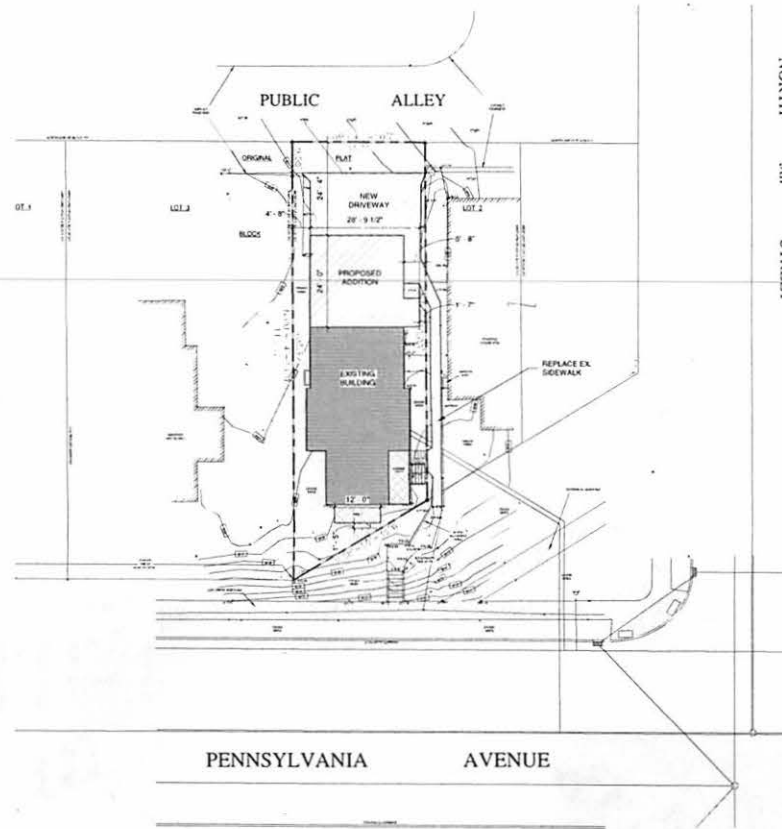
Small text at the bottom of the page, likely containing legal disclaimers or project notes.



NORTH
5th
STREET

PENNSYLVANIA AVENUE

② SITE PLAN - SITE PLAN - EXISTING
1" = 15'-0"



NORTH
5th
STREET

PENNSYLVANIA AVENUE

① SITE PLAN - SITE PLAN - PROPOSED
1" = 15'-0"

REVISION	DATE	DESCRIPTION

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PRELIMINARY
PLANS

SITE PLAN

ISSUE DATE: 3/20/2020
DRAWN BY: JOC
CHECKED BY: SMP
PROJECT #: 20-011

C100
SCALE: 1" = 15'-0"
NOTE:
THIS SETS ARE REDUCED BY
50% SCALE DRAWINGS
ACCORDINGLY

PENN. AVE. 2 FAMILY

ABBREVIATIONS

A.F.F.	ABOVE FINISHED FLOOR
A.B.	ANCHOR BOLT
AGGR.	AGGREGATE
ALT.	ALTERNATE
APPROX.	APPROXIMATELY
B.W.	BOTH WAYS
BD.	BOARD
BLDG.	BUILDING
BLK.	BLOCK
BM.	BEAM
BTM.	BOTTOM
C.J.	CONTROL JOINT
CLG.	CLEARING
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION
CONT.	CONTINUOUS
DEG.	DEGREE
DIAG.	DIAGONAL
DN.	DOWN
D.S.	DOWNSPOUT
E.J.	EXPANSION JOINT
E.W.	EACH WAY
EA.	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
EQ.	EQUAL
EXP.	EXPANSION
F.D.	FLOOR DRAIN
F.F.	FRESH FLOOR
F.F.C.	FACE OF FINISH
F.F.C.	FACE OF CONCRETE
FDN.	FOUNDATION
FIN.	FINISH
FLOOR.	FLOOR
F.F.G.	FOOTING
FURR.	FURRING
G.C.	GENERAL CONTRACTOR
GL.	GLAZE
GLV.	GALVANIZED
H.B.	HOSE BIB
HW.	HARDWOOD
HW.	HANDRAIL
HT.	HEIGHT
HVAC.	HEATING, VENTILATION AND AIR CONDITIONING
I.D.	INSIDE DIAMETER
INSTR.	INSTRUMENT
INT.	INTERIOR
JNT.	JOINT
JST.	JOIST
KIT.	KITCHEN
LAV.	LAVATORY
L.T.	LIGHT
M.O.	MASSORY OPENING
MAX.	MAXIMUM
MCH.	MACHINICAL
MEM.	MEMORANDUM
MFR.	MANUFACTURER
MFR.	MATERIAL
MISC.	MISCELLANEOUS
MTR.	METAL
MUL.	MULCH
N.T.S.	NOT TO SCALE
NOM.	NOMINAL
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OSB.	OSB
OPN.	OPENING
OPN.	OPENING
OPN.	OPENING
PLYWD.	PLYWOOD
PLY.	PLY
R.O.	ROUGH OPENING
REQD.	REQUIRED
RM.	ROOM
S.C.	SOLID CORE
S.F.	SQUARE FOOT
S.S.	STAINLESS STEEL
SCHED.	SCHEDULE
SECT.	SECTION
SH.	SHIELD
SIF.	SIFTER
SIF.	SIFTER
SPEC.	SPECIFICATION
SQ.	SQUARE
STD.	STANDARD
STL.	STEEL
SUSP.	SUSPENDED
T&B.	TOP AND BOTTOM
TRK.	TRACK
TYP.	TYPICAL
U.N.O.	UNLESS NOTED OTHERWISE
VER.	VERIFY
VERT.	VERTICAL
W.	WITH
W/O.	WITHOUT
WD.	WOOD



GENERAL NOTES

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE UNIFORM BUILDING CODE AND SPECIFICATIONS AS PUBLISHED AND ADAPTED BY THE COMPETENT AUTHORITY. APPROVED CONTRACT DOCUMENTS SHALL BE USED AND THE DRAWINGS SHALL BE USED AS SHOWN.
- ALL DIMENSIONS ARE TO THE FACE OF BRICK OR FACE OF CONCRETE UNLESS NOTED OTHERWISE.
- THE USE OF THESE REQUIREMENTS IS INTENDED TO BE GENERAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
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MISC. NOTES

- UNLESS NOTED OTHERWISE
- VERIFY
- VERTICAL
- WITH
- WITHOUT
- WOOD

STRUCTURAL NOTES

- DESIGN LOADS:**
- | | |
|-------------------|--------------------|
| DEAD LOAD (DL) | AS PER LOCAL CODES |
| LIVE LOAD (LL) | AS PER LOCAL CODES |
| WIND LOAD (WL) | AS PER LOCAL CODES |
| SEISMIC LOAD (SL) | AS PER LOCAL CODES |
- FOUNDATION NOTES:**
- ALL FOUNDATIONS SHALL BE SUPPORTED ON APPROVED COMPACTED SUBGRADE OR APPROVED COMPACTED STRUCTURAL FILL PLACED A MINIMUM ALLOWABLE BENEATH EXISTING SUBGRADE.
 - ALL FOUNDATIONS SHALL BE SUPPORTED ON APPROVED SUBGRADE AT A MINIMUM DEPTH OF 4" BELOW ADJACENT FINISH EXTERIOR GRADE.
 - FOUNDATIONS SHALL BE SUPPORTED ON APPROVED SUBGRADE AT A MINIMUM DEPTH OF 4" BELOW ADJACENT FINISH EXTERIOR GRADE.
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 - FOUNDATIONS SHALL BE SUPPORTED ON APPROVED SUBGRADE AT A MINIMUM DEPTH OF 4" BELOW ADJACENT FINISH EXTERIOR GRADE.

MECHANICAL NOTES

- ALL MECHANICAL SYSTEMS SHALL BE PROVIDED BY THE DESIGN MECHANICAL CONTRACTOR. THE MECHANICAL CONTRACTOR SHALL PROVIDE ALL MECHANICAL SYSTEMS AND EQUIPMENT INCLUDING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
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PLUMBING NOTES

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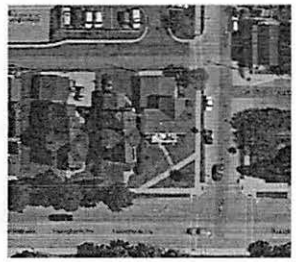
PROJECT INFORMATION

PROJECT ADDRESS

504A PENNSYLVANIA AVE
SHEBOYGAN WI 53081

ARCHITECTURE FIRM

DISTINCTIVE DESIGN STUDIO
215 PINE STREET
SHEBOYGAN WISCONSIN 53081
CONTACT: STEVEN M. PERSKI (PRINCIPAL)
PHONE: (920) 395-1090
EMAIL: STEVE@DISTINCTIVEDESIGNSTUDIO.COM



STRUCTURAL ENGINEER

TBD
CONTACT: TBD
PHONE: TBD
EMAIL: TBD

CONTRACTOR

TBD
CONTACT: TBD
PHONE: TBD
EMAIL: TBD

CIVIL ENGINEER

TBD
CONTACT: TBD
PHONE: TBD
EMAIL: TBD

SHEET LIST

SHEET #	SHEET NAME	REVISION #	DATE
AD101	DEMOS PLANS		
A101	1ST & 2ND FLOOR PLAN		
A201	EXTERIOR ELEVATIONS		

SYMBOLS LEGEND

- DEMO WALLS
- EXISTING WALLS
- NEW WALLS
- ROOM NAME: ROOM NAME
- 150 SF: (TRANSFORM IF APPLICABLE)
- WINDOW TAG: WINDOW TAG
- DOOR TAG: DOOR TAG
- LEVEL HEIGHT: LEVEL HEIGHT

AREA CALCULATIONS

SECOND FLOOR LINT	1564 SF
FIRST FLOOR LINT	1627 SF
GRAND TOTAL	3191 SF

PENN. AVE. 2 FAMILY

DALE RAUWERDINK
504A PENNSYLVANIA AVE.
SHEBOYGAN WI, 53081

PRELIMINARY PLANS

COVER

ISSUE DATE: 3/20/2020
DRAWN BY: JOC
CHECKED BY: SMP
PROJECT #: 20-011

G000

SCALE: NOTE: THIS SET IS REDUCED BY 50% SCALE DRAWINGS ACCORDINGLY

1" = 12'-0"

1" = 12'-0"

1" = 12'-0"

1" = 12'-0"

1" = 12'-0"

1" = 12'-0"

1" = 12'-0"









54

54

54



54

54

54



CITY OF SHEBOYGAN

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 1034 Bluff Ave

Parcel #: 704320

Owner's Name: Jack Westfall

Zoning: NR-6

REPORT PREPARED BY: Pat Eirich, Building Inspector

REPORT DATE: 5/29/2020

MEETING DATE: 6/19/2020

BACKGROUND / ANALYSIS

Construct a deck in the front and street yard

Ordinance #: 15.405(4)(a)3 Intrusions into required yard

Requesting: Deck - 12'5" from front street property line

Allowed: 15'

Ordinance #: 15.405(4)(a)3 Intrusions into required yard

Requesting: Deck - 8'9" from side street property line

Allowed: 15'

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

ATTACHMENTS:

Applications/drawings/pictures

704320

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

CASE NO. A201279
FILING DATE 5-20-20
RECEIPT NO. _____
ZONING DIST. NR-6

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

1). Appeal Location (address): 1034 Bluff

2). Applicant: Jack Westfall Telephone #: 262 267.8000
Address: 1317 N. 3rd St

3). Legal Property Description (Lot, Block, Subdivision, etc.) Parcel 704320
lot dimensions 45 x 90
assess subd N12 lot 19 blk 7

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: 8 x 10 deck

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.
the deck is less than 15' 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.:
The property has limited "private" outdoor space. The deck will provide more space for the tenants. The 90 x 45 lot restricts "private" outside space.
No harm to public safety, etc.

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: 05.20.20

Signature: [Signature]
Mailing Address: 1317 N 3rd St
Sheboygan 53081

APPLYING FOR A VARIANCE

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

Application deadline date (last working day of the month) _____ Date: 09.21.20 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.

Sent via email to Building Inspector

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 05.20.20

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.

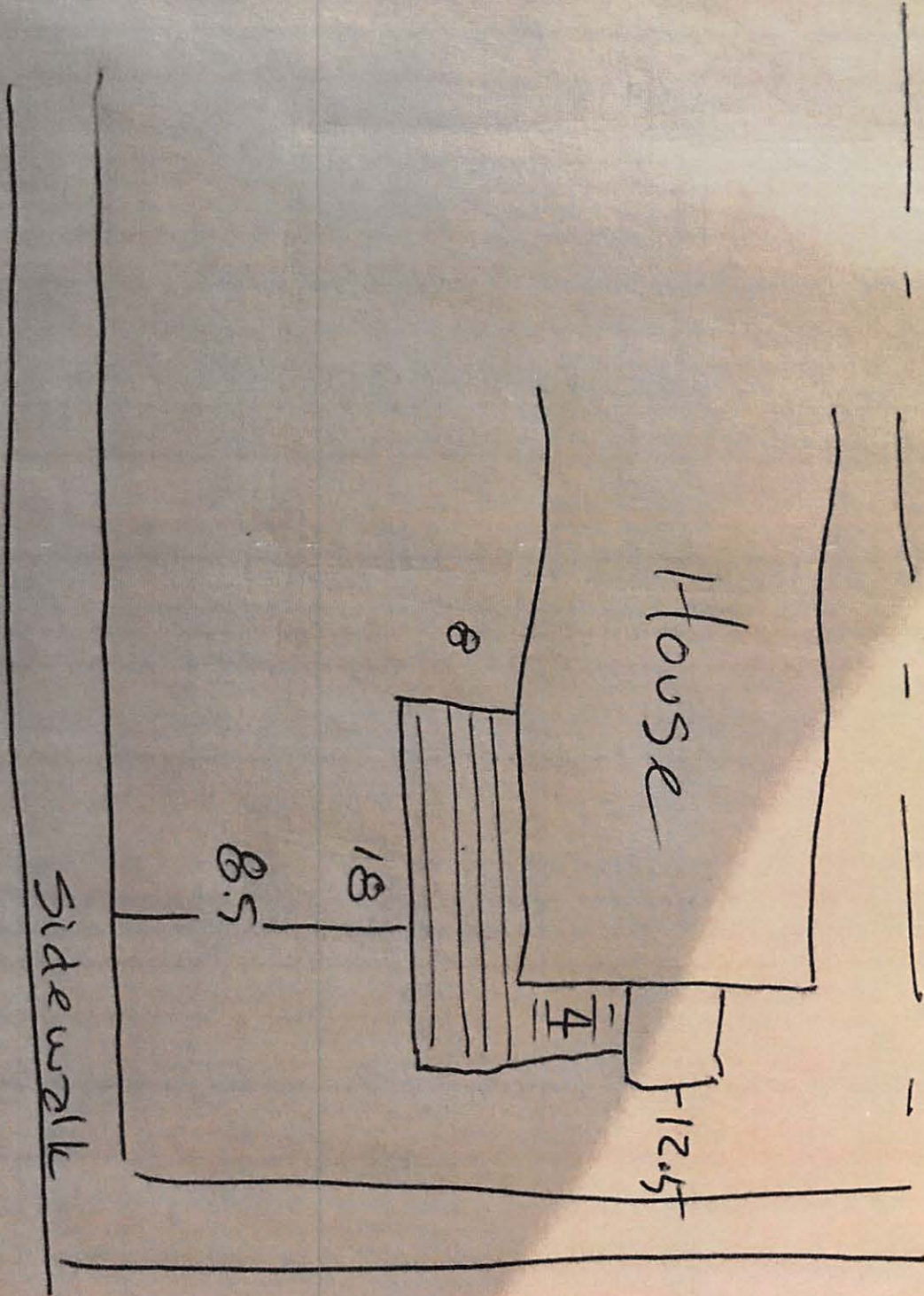
The Board, in granting a variance, may impose conditions on the proposed construction to assure that the public's interests are protected. Board members may only grant the ***minimum relief*** necessary for the reasonable use of the property.

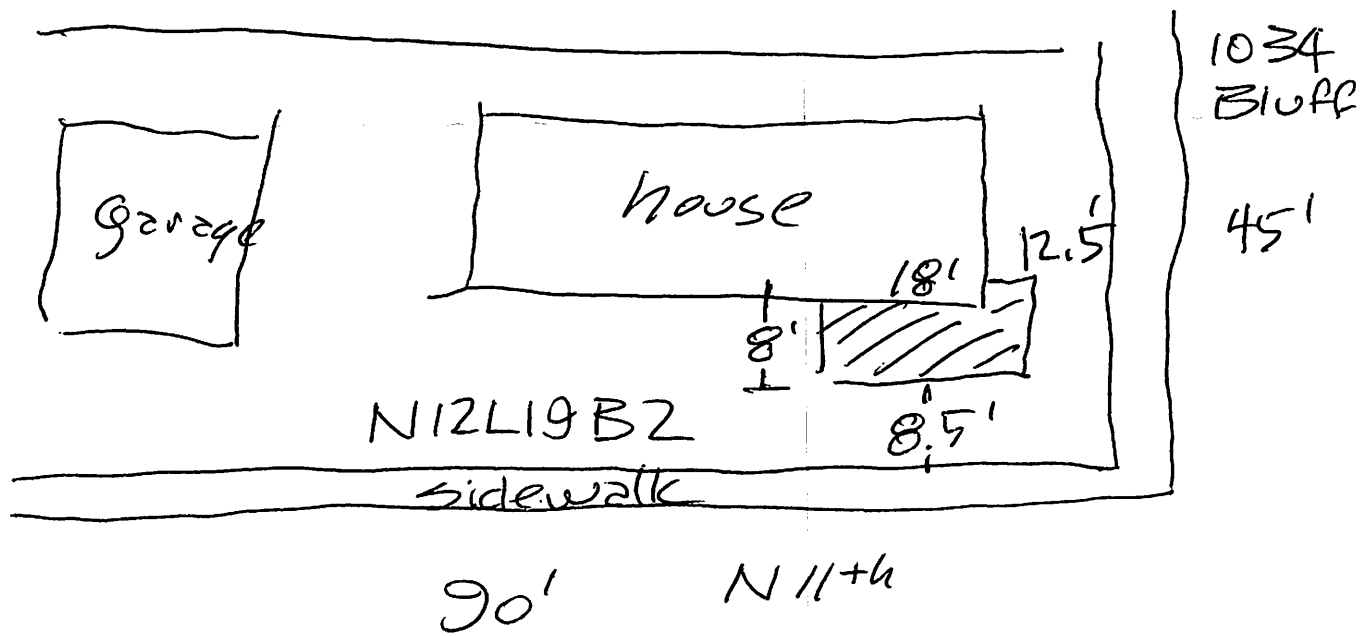
Your proposed construction must meet all three "tests" to qualify for a variance. Variances are meant to be an ***infrequent*** remedy where an ordinance imposes a unique and substantial burden. ***They are not intended as an accommodation for a property owner's convenience.*** A variance decision may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

1034 Bluff

N 11th St



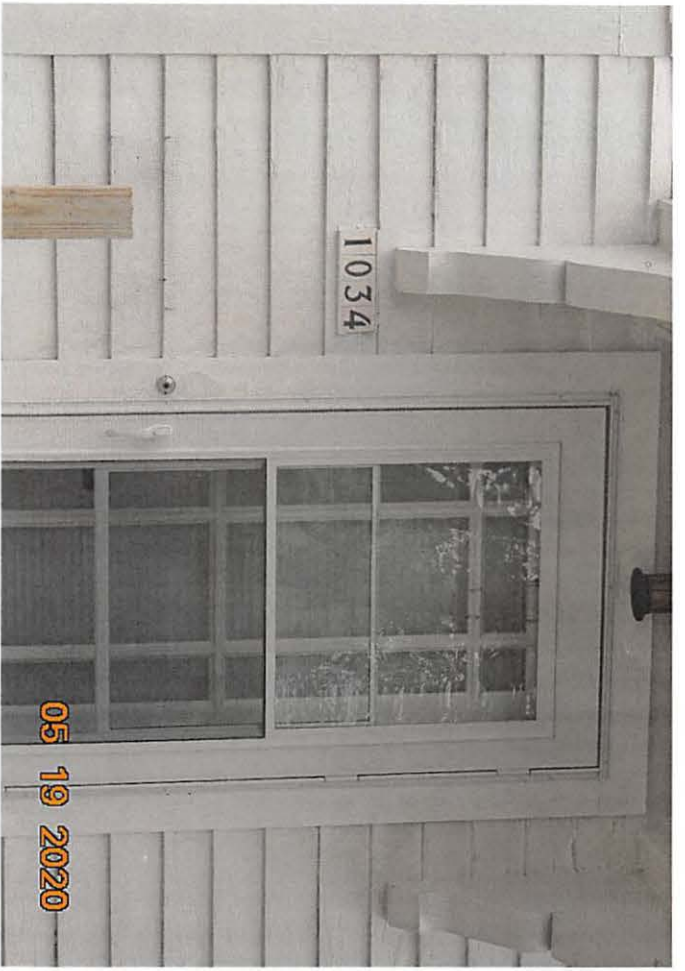


Wierus Linnae

From: Dr. Jack Westfall <dr.jack.westfall@gmail.com>
Sent: Wednesday, May 20, 2020 1:12 PM
To: Building Inspection
Subject: 1034 Bluff Ave photo



15 ft - properly line from front + side



05 19 2020



05 19 2020



05 19 2020



05 19 2020

CITY OF SHEBOYGAN

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 2507 N 38th St

Parcel #: 631441

Owner's Name: Chad Moore

Zoning: SR-5

REPORT PREPARED BY: Pat Eirich, Building Inspector

REPORT DATE: 5/29/2020

MEETING DATE: 6/17/2020

BACKGROUND / ANALYSIS

Adding to the width of driveway

Ordinance #: 15.702(10) Width of driveway

Requesting: 34'7" at front property line

Allowed: 25'

Ordinance #: 15.702(10) Width of driveway

Requesting: 34'7" at street

Allowed: 30'

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

ATTACHMENTS:

application/drawing/survey

P. # 631441

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

CASE NO. A201282
FILING DATE 5-20-20
RECEIPT NO. _____
ZONING DIST. SR-5

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

1). Appeal Location (address): 2507 N 38th Street Sheboygan 53083

2). Applicant: Chad Moore Telephone #: (920) 226-0201
Address: 2507 N 38th Street

3). Legal Property Description (Lot, Block, Subdivision, etc.) Lot #4 Volume 13 @ Page 99
\$ See Attached Papers \$

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

5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other
(if other) please list: New Construction concrete 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). 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: 5-13-2020

Signature: [Handwritten Signature]
Printed Name: Chad A Moore
Mailing Address: 2507 N 38 Street
Sheboygan WI 53083

moorece@yahoo.com
(920) 226-0201

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:

May 20th 2020
Application Deadline Date

June 17th 2020
Board of Appeals Meeting Date

All applications must include:

- 1) Application forms, signed and dated, which are available at the Building Inspection Department Office.
- 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 application review and/or as a condition of approval prior to issuance of a building permit if a variance is granted.

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.

Chad A. [Signature]
Signature

5-13-2020
Date

Dear members of the board,

This is a letter requesting a variance for the driveway at 2507 N 38th Street, Sheboygan WI., 53083. As of now, the driveway is not the same width as the garage doors and that is what we need variance to remedy. We request to extend the driveway width to match the garage doors to allow for parking and to avoid damage to the lawn.

In order to use the 3rd door garage, for driving and parking, one has to drive through the lawn. This creates ruts in the lawn and an eye sore for the neighborhood.

Additionally, we have multiple drivers in our household and since there is no off street parking allowed, this creates an unnecessary hardship. Again, it is illegal to park on the street and in the lawn at this residence.

The unique property limitations that this residence is subject to, is that it is in close proximity to the town of Sheboygan which allows for wider driveways, but does not allow off street parking.

Extending the concrete would not harm the public interest in any way. This is a continuation of the parking area of the residence and would not impede on any other residence in the area. It would actually add to the beautification of the neighborhood.

Thank you for your consideration,

Chad and Rachel Moore

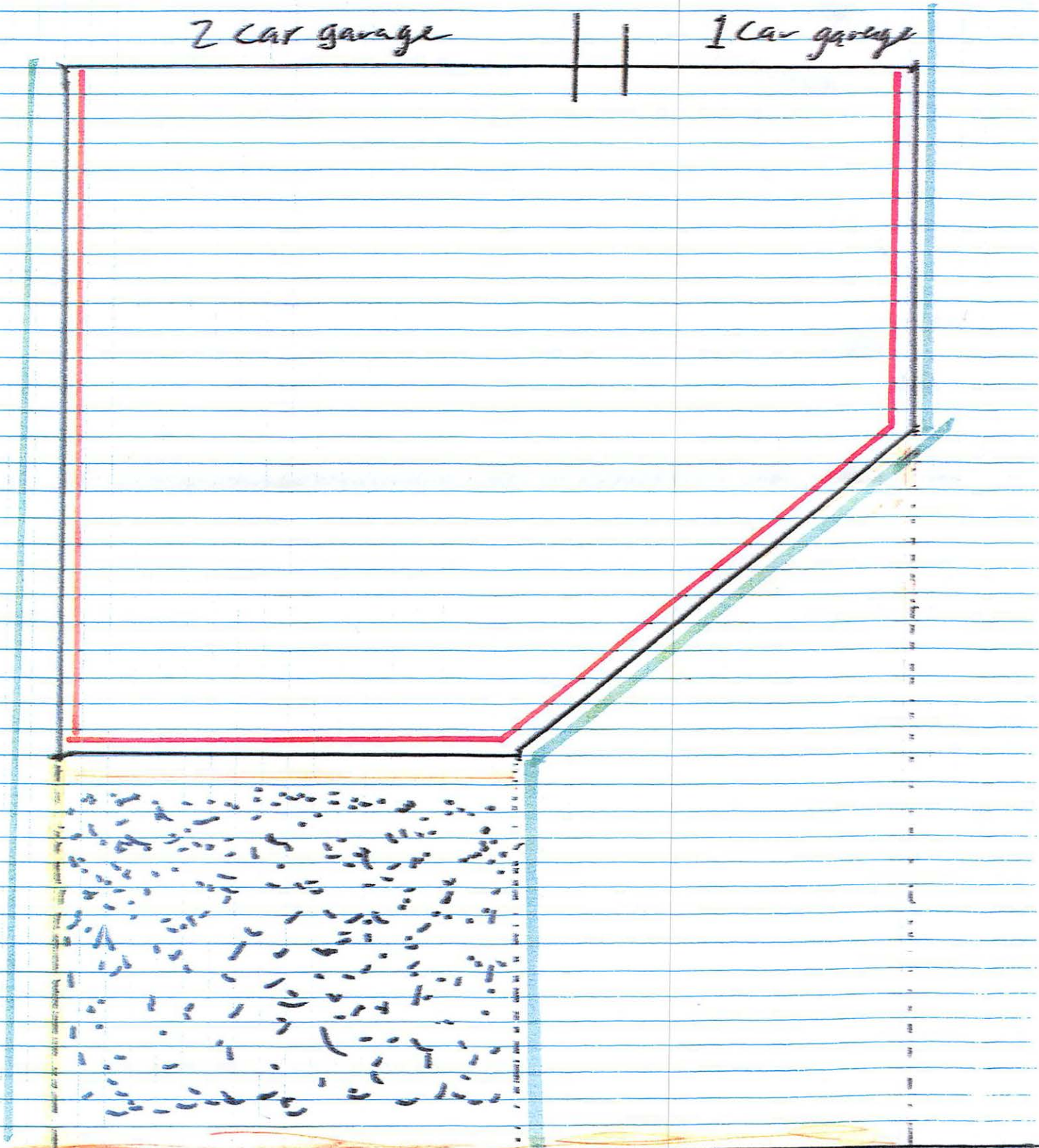
Chad Moore
2507 N 38th Street
Shelbygan WI 53083
(920) 226-0201

3/16 scale Email moore@e@yahoo.com

- Existing Concrete
- Existing Grass
- Existing gravel
- NEW Concrete

2 Car garage

1 Car garage



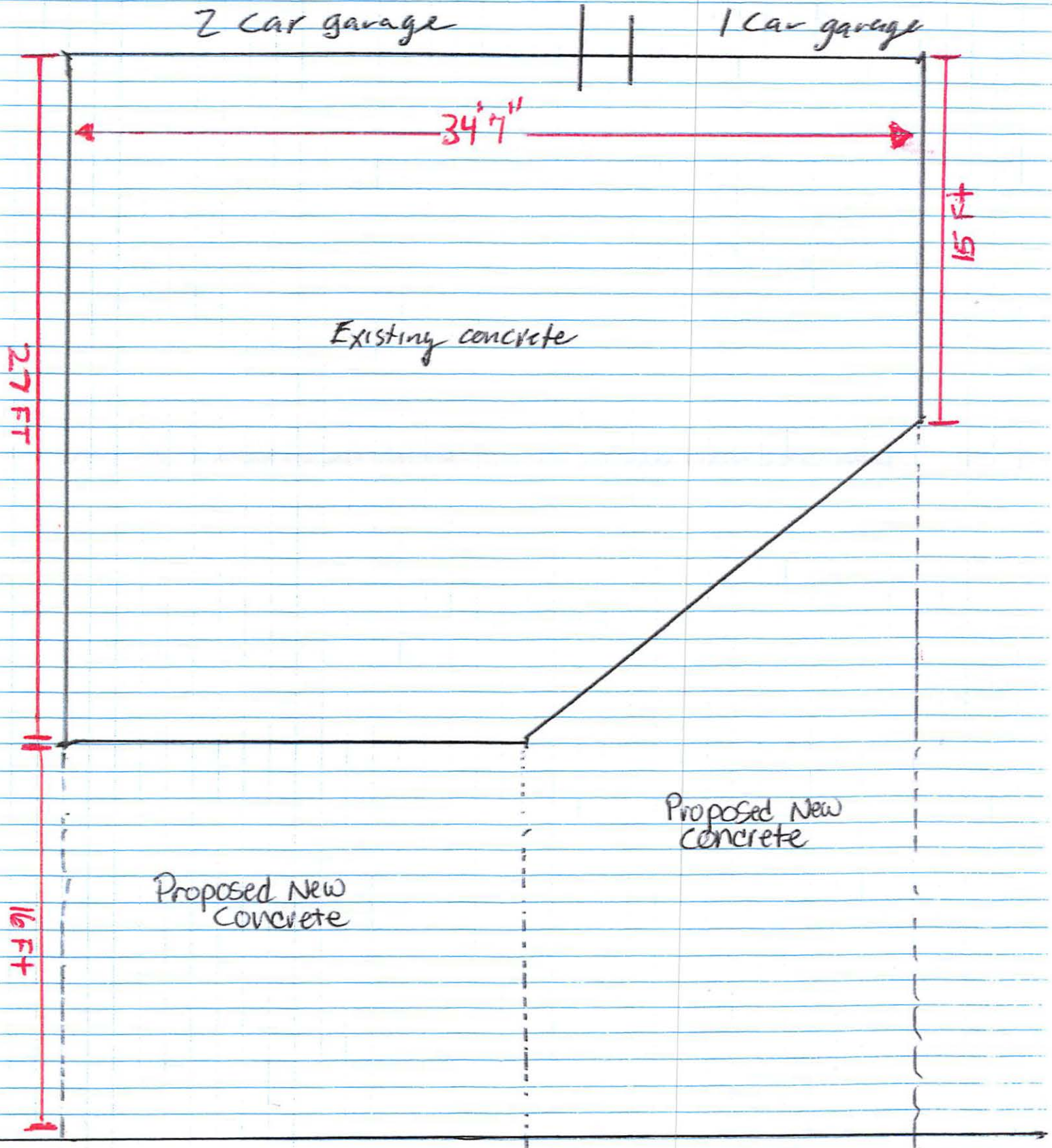
N 38th Street

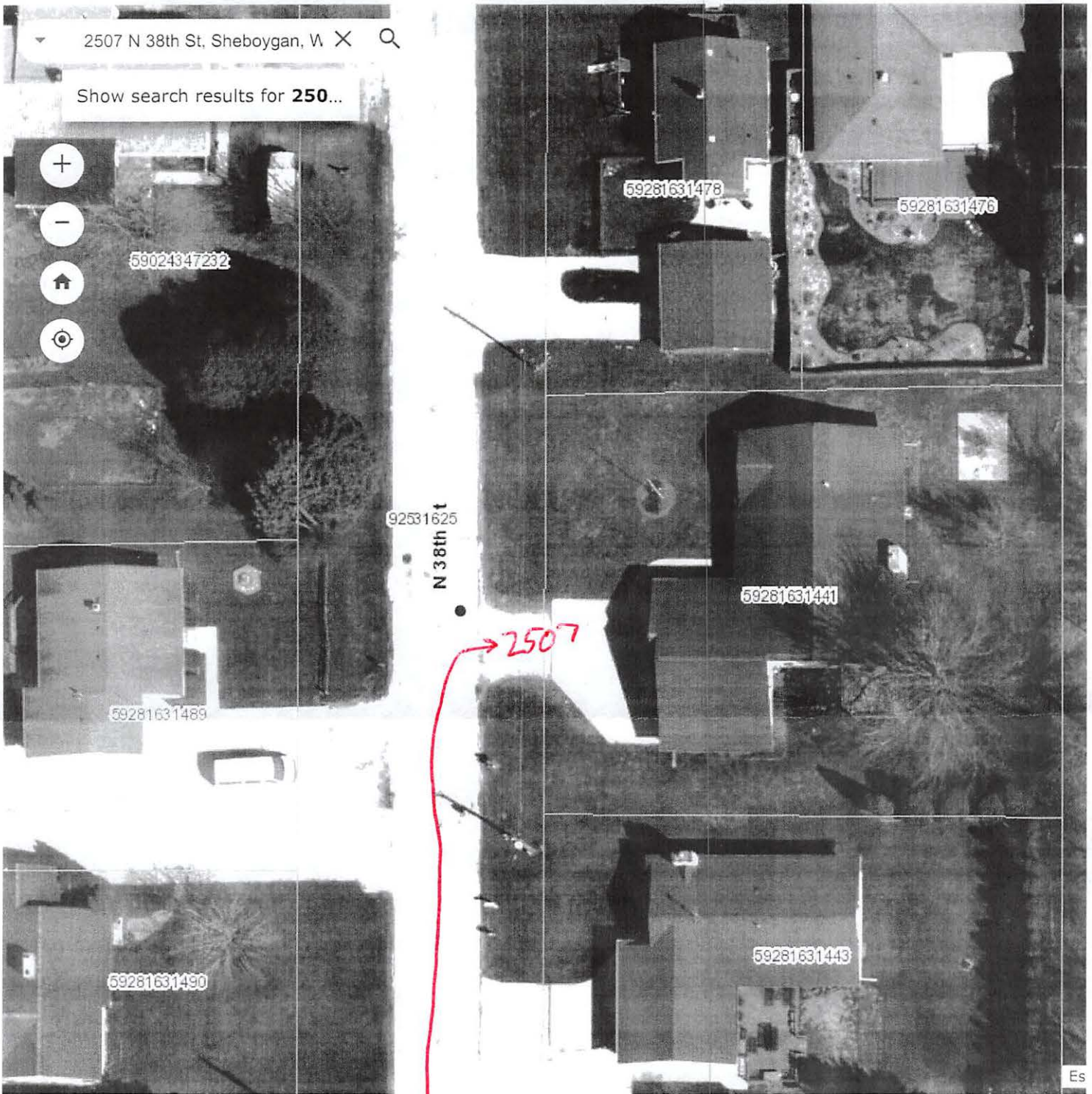
Chad Moore
2507 N 38th Street
Sheboygan WI 53083

Phone: (920) 226-0201

3/16 scale

Email Moore@e@yahoo.com

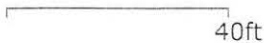




Chad Moore
 920 226-0201
 moore@yaho.com

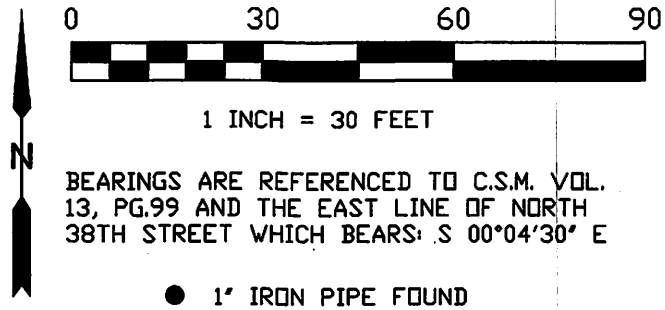
★ Photograph of property ★
 2507 N 38th Street
 Sheboygan WI 53083

-87.757 43.771 Degrees



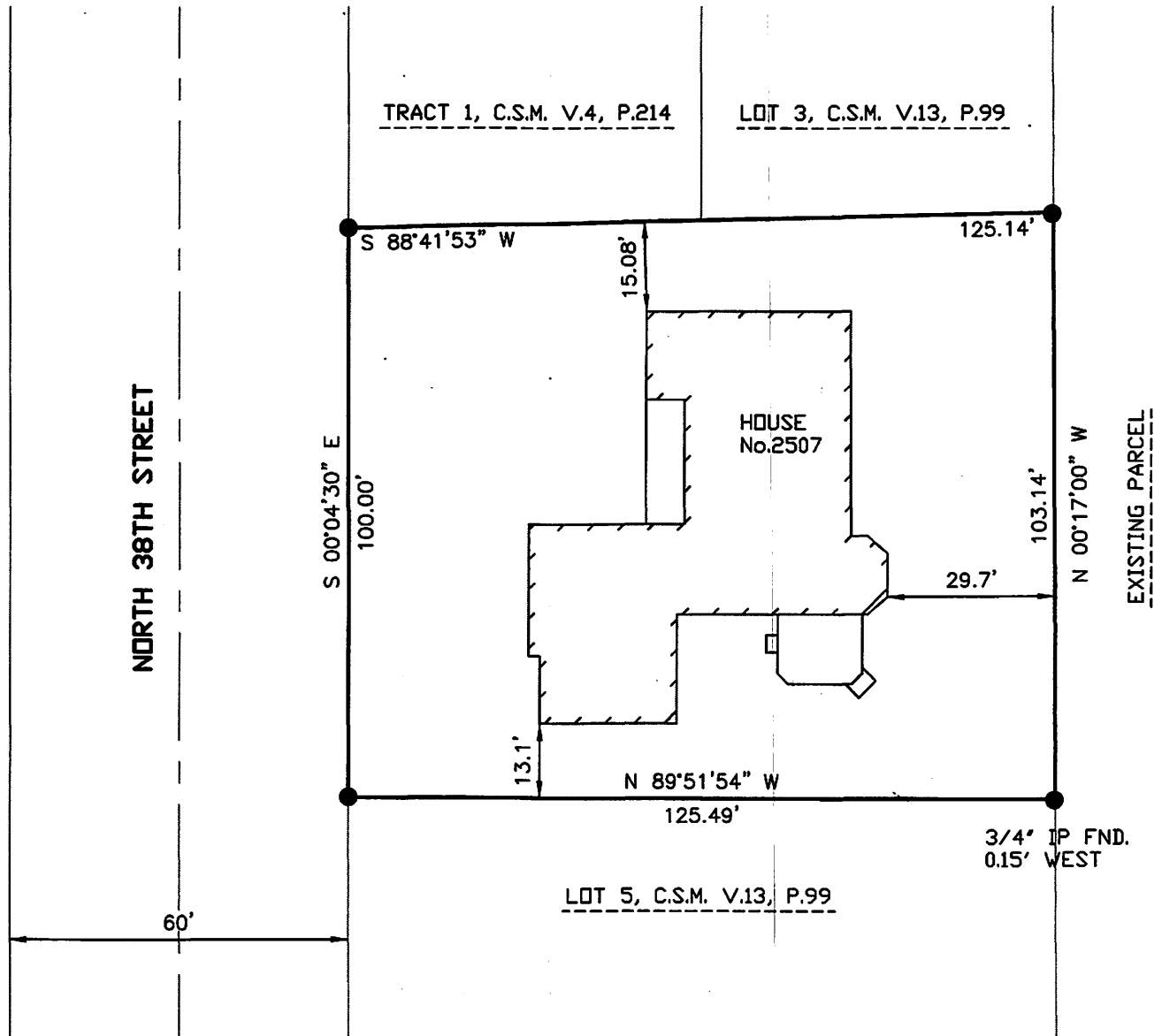
PLAT OF SURVEY FOR CHAD MOORE

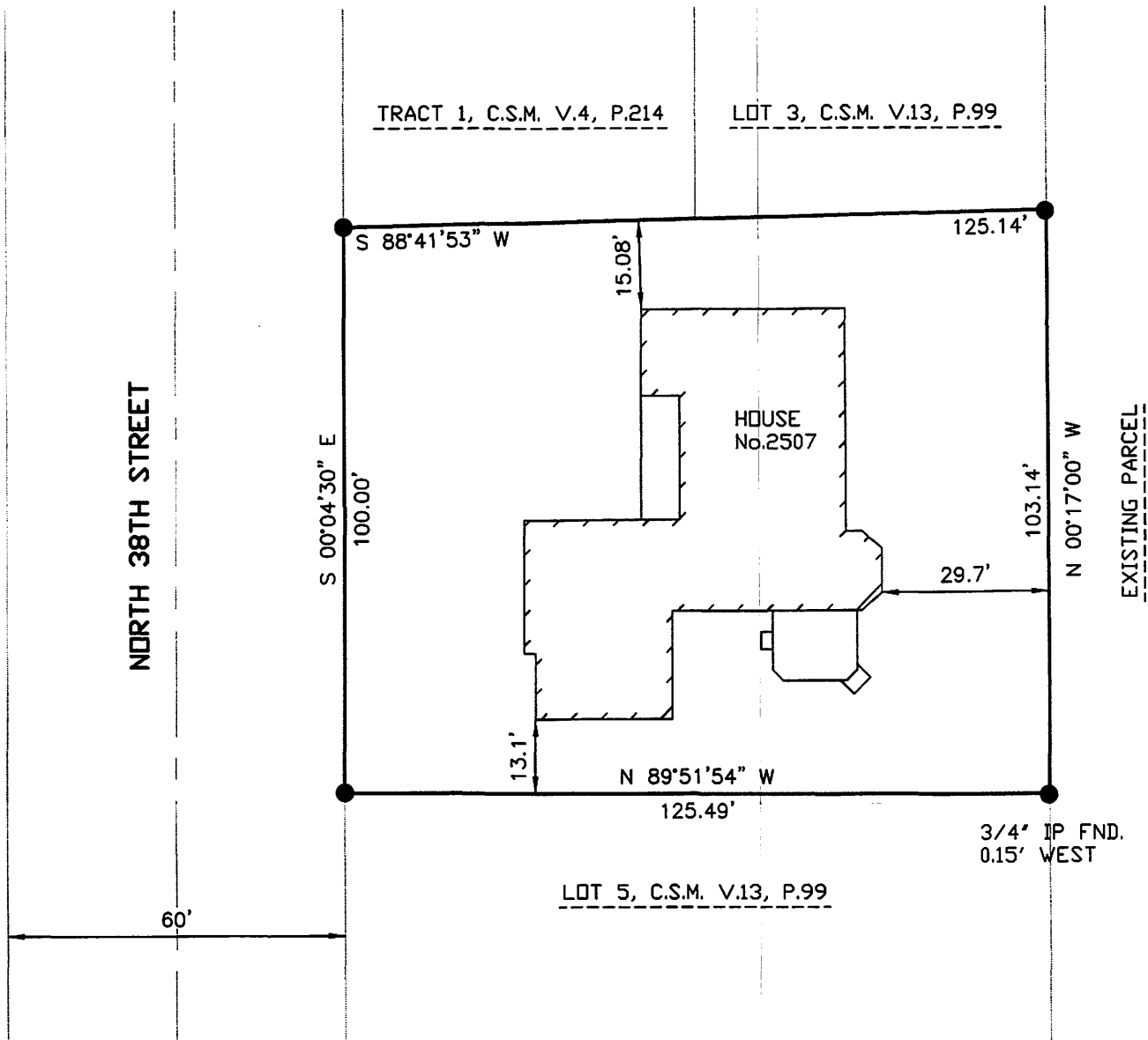
LOT 4 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 13 AT PAGE 99,
CITY OF SHEBOYGAN SHEBOYGAN COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO C.S.M. VOL.
13, PG.99 AND THE EAST LINE OF NORTH
38TH STREET WHICH BEARS: S 00°04'30" E

● 1' IRON PIPE FOUND

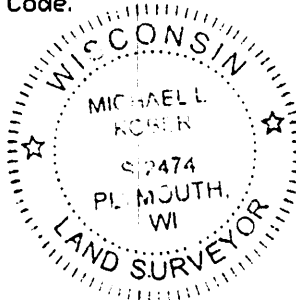




I hereby certify that I have made such survey and map, and that the Plat shown hereon is a true and correct representation of the survey made under my responsible direction, and performed on May 6, 2019, that such survey is in accordance with the minimum standards for property surveys as identified in Chapter AE7 of the Wisconsin Administrative Code.

Michael L. Kober
 Michael L. Kober
 W6200 Hilltop Road
 Plymouth, WI 53073
 (920) 892-4441

5/30/19
 Date



CITY OF SHEBOYGAN

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 2719 Wedemeyer St

Parcel #: 406020

Owner's Name: Thomas Peloquin

Zoning: SR-5

REPORT PREPARED BY: Pat Eirich, Building Inspector

REPORT DATE: 6/1/2020

MEETING DATE: 6/19/2020

BACKGROUND / ANALYSIS

Adding to the width of driveway

Ordinance #: 15.705(10)

Requesting: Addition to driveway past the width of garage

Allowed: Driveway can be widened to the width of garage

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

ATTACHMENTS:

Application/drawing/pictures

406020

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

CASE NO. A201276
FILING DATE 5-20-20
RECEIPT NO. _____
ZONING DIST. SB-5

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

1). Appeal Location (address): 2719 Wedemeyer Street, Sheboygan

2). Applicant: Thomas Peloguin Telephone #: (920) 464-0258
Address: 2719 Wedemeyer Street

3). Legal Property Description (Lot, Block, Subdivision, etc.) Brown + Dorst Sub D N 6'
of Lot 9 + S 53' of Lot 10 BLK 2

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

5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other
(if other) please list: _____

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.
Received a call with a "no" - then a refusal to come out a walk the property with me - he google my place.

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.:
See the attached 16 pages

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: May 16, 2020

Signature: Thomas Peloguin
Mailing Address: 2719 Wedemeyer Street
Sheboygan WI 53081

APPLYING FOR A VARIANCE

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

Application deadline date (last working day of the month)

Date: Board of Appeals Meeting

All applications must include:

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

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

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

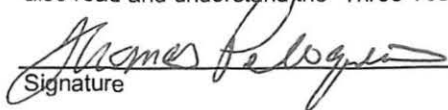
Applicants should be prepared to answer the following questions:

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

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

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

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


Signature

May 16, 2020
Date

Test #1 Unnecessary Hardship

My request is to extend the driveway so I can use my driveway without impeding onto my neighbor's lawn. To get in and out of either side of my vehicle without walking on both lawns, of the neighbors or mine. The end of the driveway near the roadway, is the only place where I can park and am still walking on grass on both sides. The section next to the house is useless as parking, you still are using his lawn as a walkway. The section at the end near the garage, leaves still no room because of the fence. This same fence, in which I have hit in winter with previous vehicles. In winter, I am also snow blowing onto their yard, so I can get out without jumping into a snowbank (as in an actual path so we can walk around the vehicle). In the winter to be able to not have to rotate vehicles onto and off street for parking to clear for city snow removal.

Neighbors around me have torn down their garage, rebuilt it back moved over from lot lines and making bigger parking area in back. They all lose $\frac{3}{4}$ of their back yard and as a three-bedroom home, backyard is an important part of family homes for children plus the cost puts it out of reach for use.

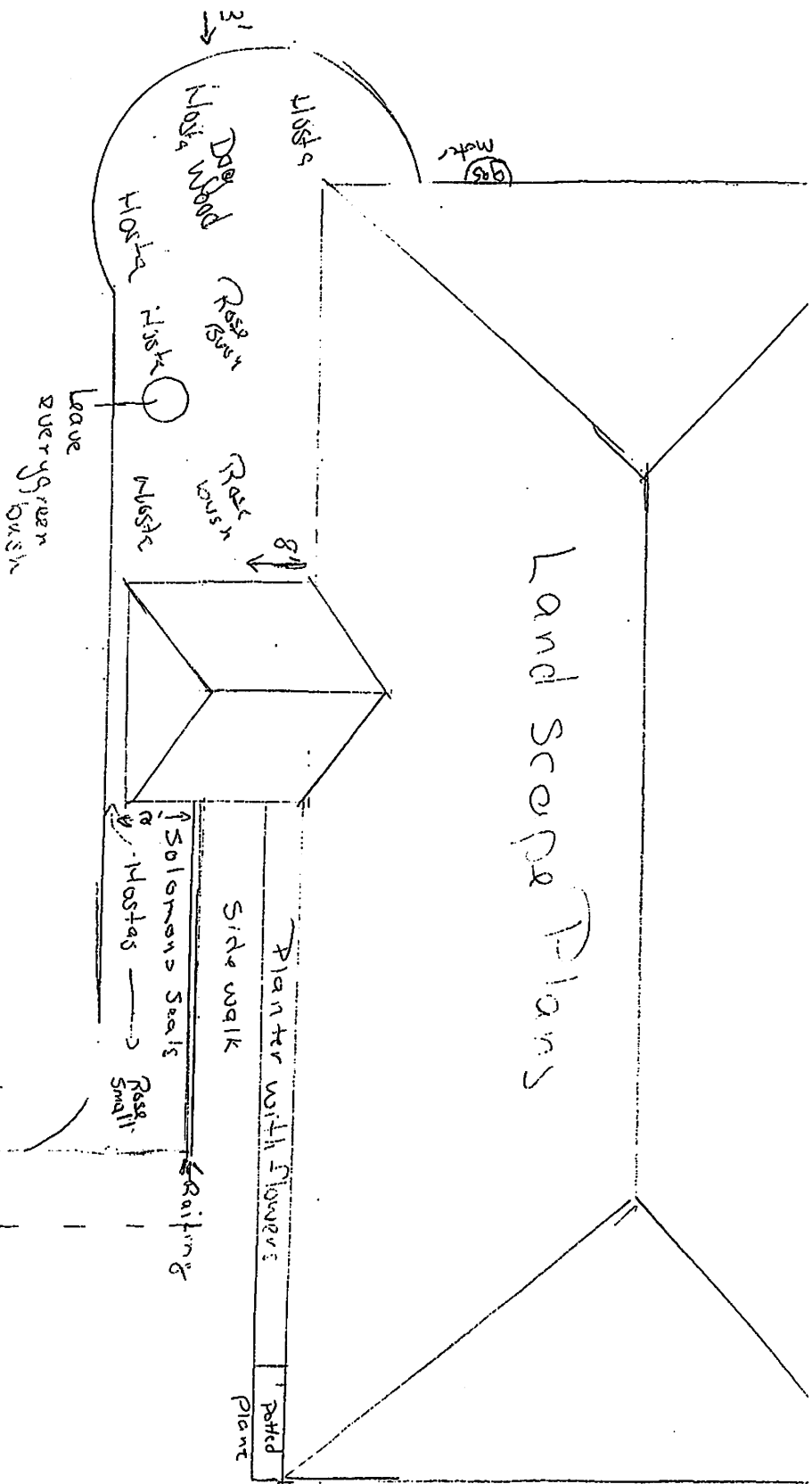
Test#2 Unique property limitations

The drive approach is 10 feet the driveway is 9 feet running right up to property line, thus no room on the other side to make a larger driveway. To increase in back, the current garage would have to move back 10 feet and over 5 feet to make code (beyond our financial means). The not enough room to make a turn for a vehicle and parking pad between house and garage, especially with the fence and lot line.

Test #3 No harm to public interest

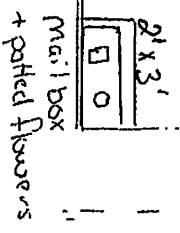
It is in best interest to have a large looking yard with a useful drive that looks like it was designed to always be that way. The landscape design included. Meeting the needs of the home and neighborhood. This house is designed for a wheelchair and yet no handicap vehicle could easily use it currently. I love this family home and as second owners of this 1950 home, some changes are needed to meet modern day living and keep value as a desirable family home.

Landscaping Plans



← 36' of grass → 17' →
 612 sq feet

Side walk



Side walk

Drive way

4' x 4' Tree + Hostas

Lot Line

To

2719 WEDDEMAYER STREET

FRONT

REMOVE & DISPOSE OF EXISTING SERVICE WALK
DO NOT REPLACE

REMOVE & REPLACE MAIN SIDEWALK

~19 1/2'

NEW SERVICE WALK

NEW DRIVEWAY
ADD ON

EXISTING SERVICE WALK

EXISTING DRIVEWAY
STAYS IN

21'

3'

11'

9'

9'

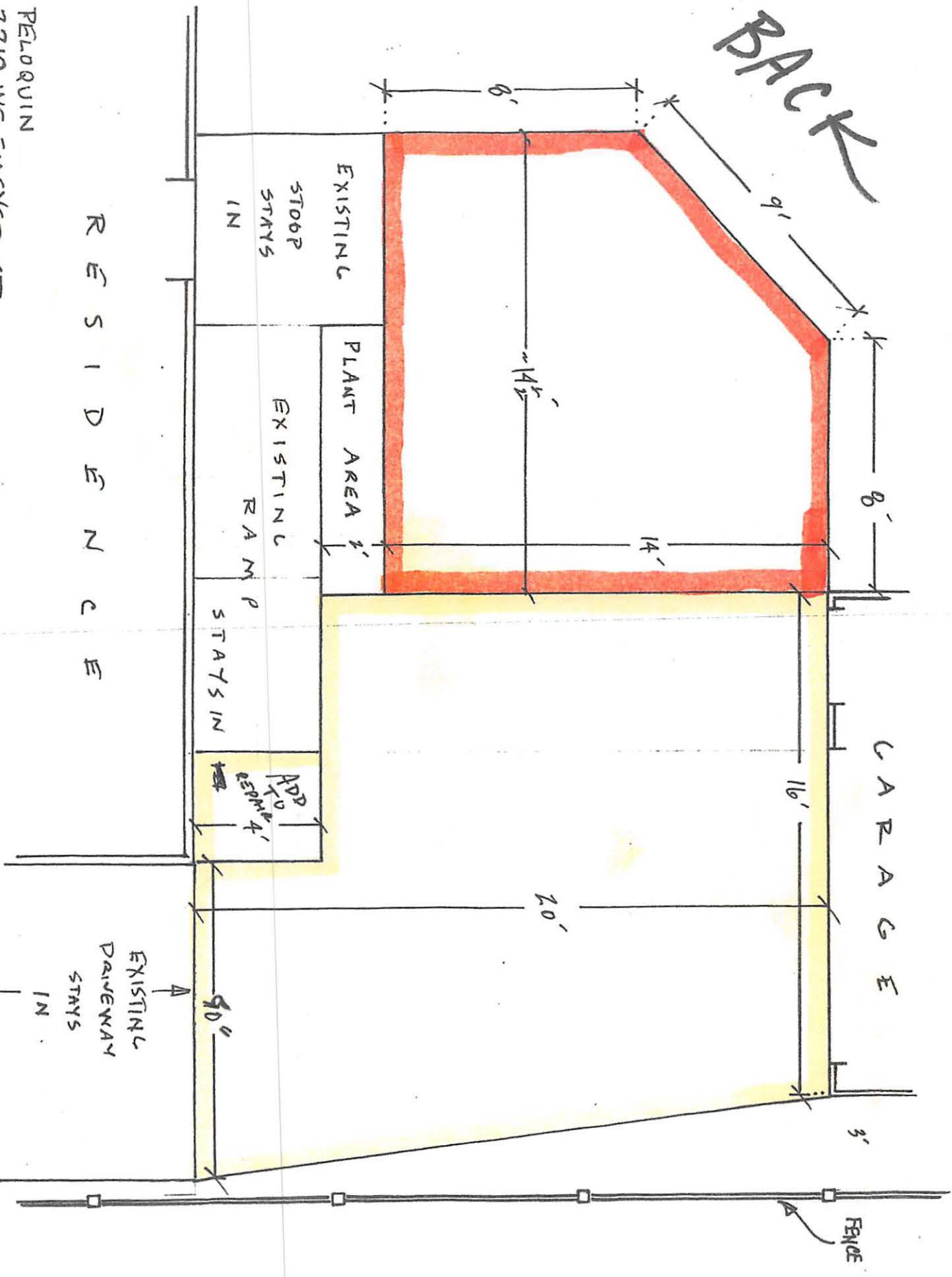
NEW WIDENED APPROACH

EXISTING APPROACH STAYS IN

SAW OUT ~ 25' OF CURB



BACK



PELOQUIN
2719 WEDEMAYER ST
SHE BOYLAN, WI

RESIDENCE

SCALE 1/4" = 1'

EXISTING DRIVEWAY STAYS IN

FRIDGE



