



ZONING BOARD OF APPEALS AGENDA

February 19, 2025 at 4:00 PM

**City Hall, 3rd Floor - Council Chambers, 828 Center Avenue,
Sheboygan, WI**

Persons with disabilities who need accommodations to attend this meeting should contact the Building Inspection Department, (920) 459-4064. Persons other than commission, committee, and board members who wish to participate remotely shall provide notice to the Building Inspection Department at 920-459-4064 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

1. Call to Order
2. Pledge of Allegiance
3. Identify potential conflicts of interest

MINUTES

4. Approval of the Board of Appeals minutes from October 16, 2024.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Variance application by John Herzog and Michelle Rejman requesting to construct a new 15ft x 35ft garage located at 2503 Lakeshore Drive.

NEXT MEETING

6. Next scheduled meeting date: March 19, 2025

ADJOURN

7. Motion to Adjourn

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

*City Hall • Mead Public Library
Sheboygan County Administration Building • City's website*

CITY OF SHEBOYGAN

ZONING BOARD OF APPEALS MINUTES

Wednesday, October 16, 2024

Members Present: Kevin Sampson, Keeli Johnson, Tad Tjapkes, Ed Surek and Markus Savaglio

Members Unexcused: Richard Linde and Sala Sander

Staff/Officials Present: Associate Planner Ellise Rose and Building Inspection Specialist Linnae Wierus

OPENING OF MEETING

- 1. Call to Order

Kevin Sampson called the meeting to order.

- 2. Pledge of Allegiance

The Pledge is recited.

- 3. Identify potential conflicts of interest

No committee member had a conflict of interest.

MINUTES

- 4. Approval of the Board of Appeals minutes from July 17, 2024

MOTION TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON JULY 17, 2024.

Motion made by Keeli Johnson, seconded by Markus Savaglio

Voting yea: Kevin Sampson, Keeli Johnson, Tad Tjapkes, Ed Surek and Markus Savaglio

Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- 5. Variance application by Jonathan Craven Living Trust is requesting to construct an attached 26ft x 24ft garage and family room on the second level to the east side of the single-family dwelling. The addition would be set 7 ft back from the east property line located at 80 Lincoln Avenue.

MOTION TO APPROVE AS PRESENTED.

Motion made by Keeli Johnson, seconded by Markus Savaglio

Voting yea: Kevin Sampson, Keeli Johnson, Tad Tjapkes, Ed Surek and Markus Savaglio

Motion carried.

- 6. Variance application by David Konwinski is requesting to construct a detached 25ft x 30ft garage to the east of the single-family dwelling. The garage would be set 1.5 ft back from the east property line with a height of 18ft 9in located at 2025 N 8th Street.

MOTION TO APPROVE THE 1.5FT SETBACK OF THE GARAGE ONLY.

Motion made by Tad Tjapkes, no second.

Motion died for lack of second.

MOTION TO APPROVE AS PRESENTED.

Motion made by Keeli Johnson, seconded by Markus Savaglio

Voting yea: Kevin Sampson, Keeli Johnson, Tad Tjapkes, Ed Surek and Markus Savaglio

Motion carried.

NEXT MEETING

7. Next scheduled meeting date: November 20, 2024

The next meeting is scheduled on November 20, 2024.

ADJOURN

8. Motion to Adjourn

MOTION TO ADJOURN AT 3:20 PM

Motion made by Markus Savaglio, seconded by Tad Tjapkes

Voting yea: Kevin Sampson, Keeli Johnson, Tad Tjapkes, Ed Surek and Markus Savaglio

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 2503 LAKESHORE DR

Parcel #: 309690

Owner's Name: JOHN A HERZOG AND MICHELLE L REJMAN

Zoning: SUBURBAN RESIDENTIAL – 5 (SR-5)

REPORT PREPARED BY: Ellise Rose, Associate Planner

REPORT DATE: 01/16/2025

MEETING DATE: 02/19/2025

BACKGROUND / ANALYSIS

Owner would like to construct a new 15 ft x 35 ft garage.

Ordinance #: Sec 105-203(b)(3)(c) Minimum setback front or street side lot line to attached garage: 25 feet

Requesting: 20.5 feet

Allowed: 25 feet


Ordinance #: Sec 105-203(b)(3)(e) Total of both sides, lot lines to house or attached garage: 15 feet

Requesting: 14.9 feet

Allowed: 15 feet

ATTACHMENTS:

Application, pictures, and drawing

	CITY OF SHEBOYGAN VARIANCE APPLICATION	Fee: _____ Review Date: _____
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Read all instructions before completing. If additional space is needed, attach additional pages.

SECTION 1: Applicant/ Permittee Information

Name (Ind., Org. or Entity)
JOHN HERZOG MICHELLE REJMAN

Mailing Address <i>2503 LAKESHORE DR</i>	City <i>SHEBOYGAN</i>	State <i>WI</i>	ZIP Code <i>53081</i>
Email Address <i>JOHN.HERZOG.57@GMAIL.COM</i>		Phone Number (incl. area code) <i>920 946 4520</i>	

Applicants interest in property:
OWNER

SECTION 2: Property Information

Property Address <i>2503 LAKESHORE DR</i>	City <i>SHEBOYGAN</i>	State <i>WI</i>	Zip <i>53081</i>
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Type of Building: Commercial Residential

Request for: New Construction Repairs Alterations Addition Nonconforming Use Other

SECTION 3: If the Request is for a Nonconforming Use

Your intended use: *A VARIANCE IS NEEDED TO CARRY THE LINE OF THE EXISTING HOUSE AND CARPOUT WITH THE GARAGE ADDITION. THE GARAGE AND EXISTING HOUSE WILL THEN BE SIDED WITH L.P. SMART SIDING AND HAVE A SIMILAR LOOK WITH THE NEIGHBORHOOD*

Date last occupied as a nonconforming use: _____

By Whom: _____ Previous Use: _____

SECTION 4: Requested Variance

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.

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Variance Application. I certify that the information contained in this form and attachments are true and accurate. I certify that the project will be in compliance with all conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print) <i>JOHN HERZOG</i>	Title <i>OWNER</i>	Phone Number <i>920 946 4520</i>
Signature of Applicant <i>[Signature]</i>		Date Signed <i>01-14-2025</i>

Complete application is to be filed with the Building Inspection Department, 828 Center Avenue, Suite 208. Variances to zoning ordinances are considered by the City of Sheboygan Zoning Board of Appeals monthly on the third Wednesday at 3 p.m. at a public hearing. To be placed on the agenda of Zoning Board of Appeals, application must be received no later than 4:30 p.m. on the third Wednesday of the month prior to the scheduled public hearing. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) are not submitted along with a complete and legible application. Application filing fee is non-refundable.

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) Samples of materials being used – roofing, siding, decking, etc.
- 5) A site sketch (see example), drawn to scale indicating location of all existing structures and 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.*

Notes:

- a) The applicant can present any additional information to inform the Board of the facts.
- b) Applicants should be aware staff may require a survey as part of the application information in order to clarify specific variance(s) requested.
- c) 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.
- d) Building permits must be acquired within 6 months of the granted approval or the approval will be voided.
- e) Any information submitted on the application will become public record and is not subject to confidentiality.

**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.

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.

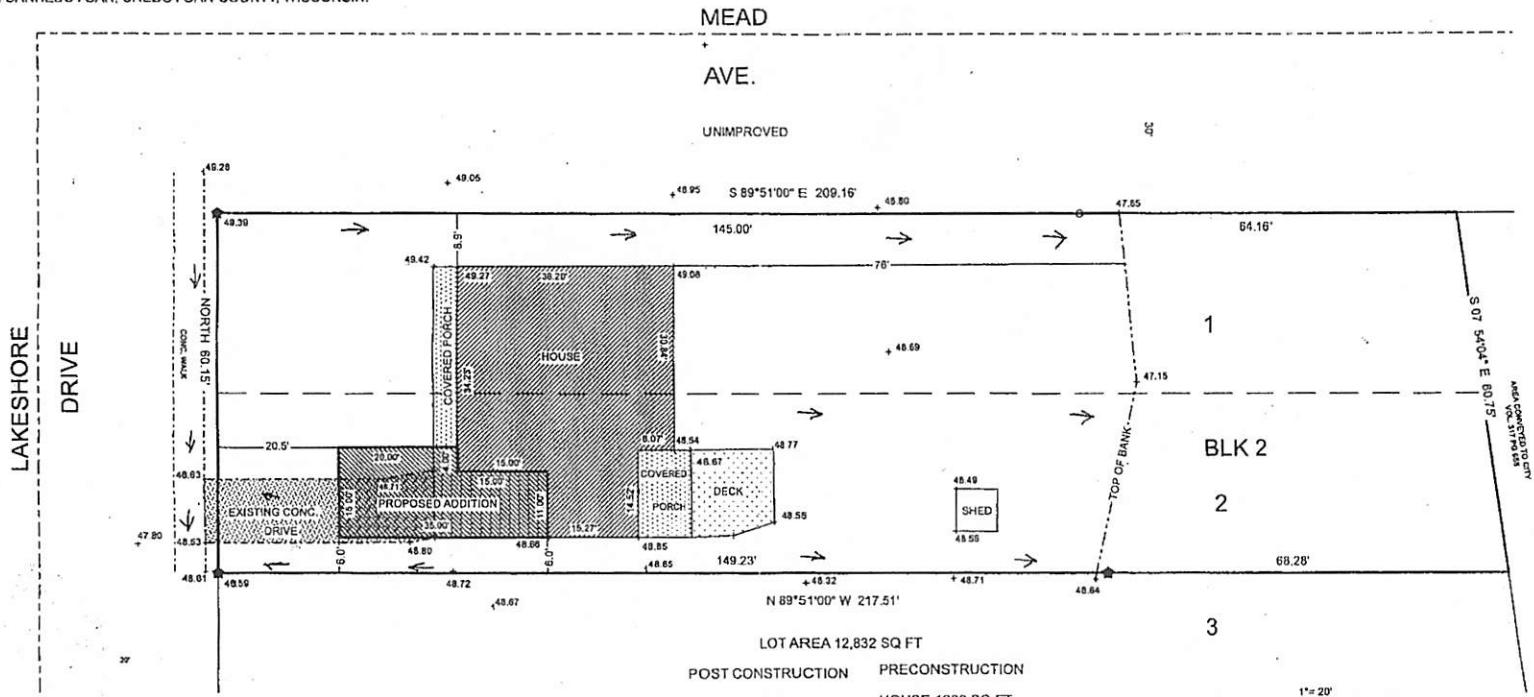
Your proposed construction must meet all three "tests" to qualify for a variance. Variances are meant to be an **infrequent remedy** where an ordinance imposes a unique and substantial burden. **They are not intended as an accommodation for a property owner's convenience.** A variance decision may be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

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

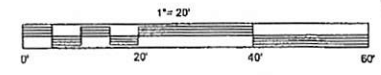
2503 LAKESHORE DRIVE
 PARCEL 59281309890
 BEING LOTS 1 AND 2 OF BLOCK 2 OF LAKE VIEW PARK SUBDIVISION,
 SHEBOYGANHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN.

Smith Jones
 DPW - Sheboygan
 1-9-2025



LOT AREA 12,832 SQ FT

POST CONSTRUCTION	PRECONSTRUCTION
HOUSE 1390 SQ FT	HOUSE 1390 SQ FT
SHED 50 SQ FT	SHED 50 SQ FT
PORCHS 252 SQ FT	WEST PORCH 346 SQ FT
ADDITION 465 SQ FT	EAST PORCH 132 SQ FT
TOTAL 2157 SQ FT	TOTAL 1918 SQ FT



- ◆ = 1" IRON PIPE FOUND
- + = EXISTING GRADE CITY DATUM
- = 3/4" IRON PIPE SET

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

Dennis J. Vap
 Dennis J. Vap, S-1238

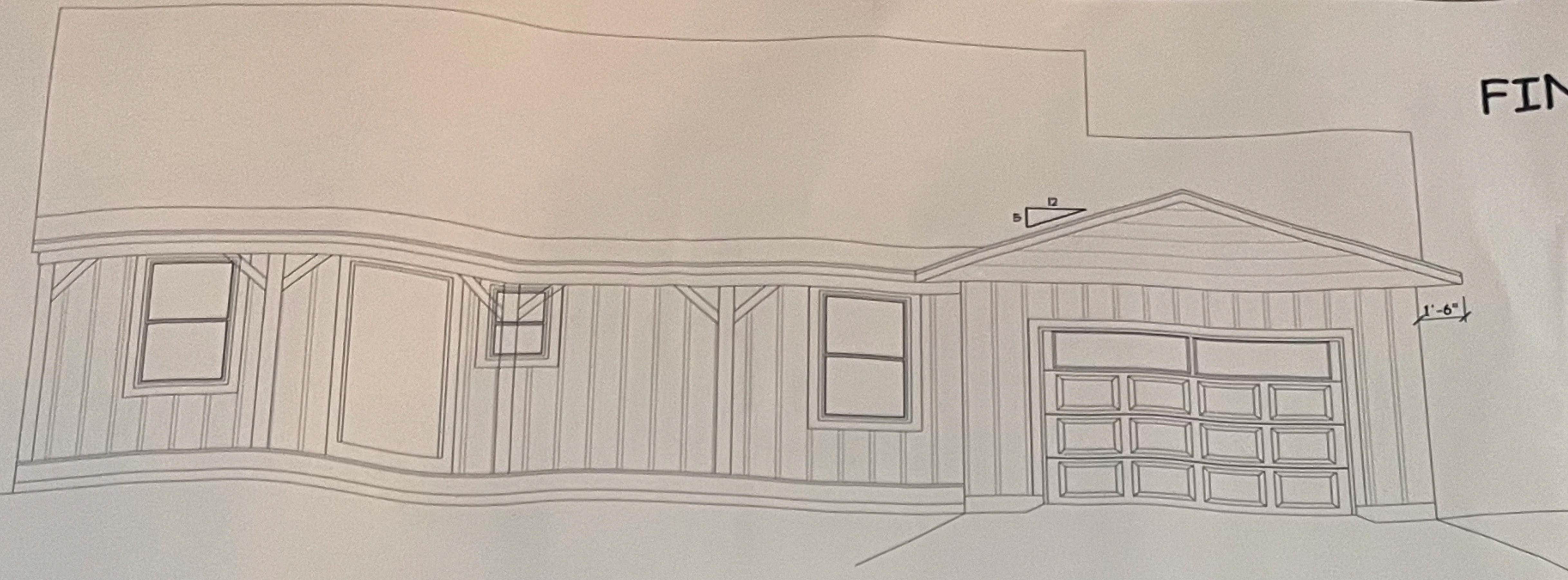
Dated this 8th day of December, 2024.

DATA/CSHEB24/2503 LAKE D-3637

FINAL PLAN

FRONT ELEVATION

SCALE: 1/4" = 1'-0"



ROOF SYSTEM:

- RIDGE VENT
- SHINGLES ~ MATCH EXISTING
- ROOF FELT
- 1/2" OSB SHEATHING
- PROPER VENTS WITH HURRICANE TIES/TRUSS SCREWS AS REQUIRED
- ROOF TRUSSES @ 24" O.C.
- 5/12 PITCH ~ VERIFY HEELS
- TYPE X GYP BOARD

NOTE
 BUILDER TO VERIFY ALL DIMENSIONS, HEELS, PITCHES AND HEIGHTS OFF EXISTING BUILDING BEFORE ACTUAL CONSTRUCTION IS TO BEGIN

- 1'-6" 2X6 SUBFASCIA
- 6" FASCIA
- SOFFIT SYSTEM

WALL SYSTEM:

- SIDING ~ MATCH EXISTING
- HOUSEWRAP
- 7/16" OSB SHEATHING
- 2X4 STUDS @ 16" O.C.

FOUNDATION SYSTEM:

- 2X4 TRT'D PLATE
- CONC SLAB
- CONC FOOTINGS ~ SIZED BY MASON~ AT A MIN OF 48" BELOW GRADE ON UNDISTURBED SOIL WITH A 6" POURED CONC WALL WITH A 2" SLAB LEDGE 8" DOWN

9'-5" ±
 VERIFY OFF EXISTING



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



PREPARED BY	J. WASHATKO
DATE	2-21-23
SCALE	As Noted
SHEET NO.	A1
DRAWING NO.	A23-134-K

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PROPOSED NEW PROJECT FOR:
HERZOG JOHN
 2503 LAKESHORE DRIVE
 SHEBOYGAN, WI 53081

SEIDER CARPENTRY

Drexel
 BUILDING SUPPLY
 DrexelTeam.com

DRAWN BY: J. WASHATKO
 SCALE: As Noted
 SHEET NO. A1
 DRAWING NO. A23-134-K



2E

Merry Christmas

28100213

28100141



