



ZONING BOARD OF APPEALS AGENDA

July 20, 2022 at 3:00 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 June 15, 2022.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- [5.](#) Variance application by James and Jill Prigge is requesting to construct an exterior deck in the required front yard of the property located at 504 Pennsylvania Avenue.

NEXT MEETING

6. August 17, 2022

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, June 15, 2022

Members Present: Kevin Sampson, Don Gerber, Ed Surek, Richard Linde, Kimberly Meller, Richard Linde, and Keeli Johnson

Members Excused: Sala Sander

Officials Present: Building Inspector Jeff Lutzke

OPENING OF MEETING

1. Call to Order

Kevin Sampson called the meeting to order.

2. Pledge of Allegiance

The Pledge of Allegiance 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 May 18, 2022.

Motion by Keeli Johnson, second by Ed Surek to approve. Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Variance application by Edward Procek is requesting to attach an existing 12-foot 4-inch x 18-foot 4-inch one car garage to the existing dwelling. The existing garage would also be raised 16 inches by adding 2 courses of 8-inch cement block between the bottom of the wood wall and existing foundation. The creation of an attached garage will not meet the required setback requirements located at 1230 S. 13th Street.

Motion by Dick Linde, second by Keeli Johnson to approve with the following conditions:

1. If the existing garage is not able to be repaired and moved then a new variance will need to be applied for.
2. New constructed area shall match the existing materials and colors of the house.

Motion carried.

6. Variance application by Adam & Julia Schmitz is requesting to construct detached 24-foot x 36-foot garage with an 8-foot x 36-foot roof overhang (1,152 sq ft). There is currently a two-car garage attached to the dwelling. NOTE – there is no height provided by owner. Maximum height allowed is 15 feet located at 4141 S 15th Street.

Motion by Keeli Johnson, second by Kimberly Meller to approve with the following conditions:

1. Submit a survey showing appropriate setbacks

2. Garage shall complement the existing materials and colors of the house

Motion carried.

NEXT MEETING

7. July 20, 2022

ADJOURN

8. Motion to Adjourn

Motion by Keeli Johnson, second by Kimberly Meller to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 3:34 p.m.

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 504 Pennsylvania Ave

Parcel #: 110940

Owner's Name: Jill Prigge & James Prigge

Zoning: SO

REPORT PREPARED BY: Jeff Lutzke, Building Inspector

REPORT DATE: 07/11/2022

MEETING DATE: 07/20/2022

BACKGROUND / ANALYSIS

Owner would like to construct an exterior deck in the required front yard of the property.

Ordinance #: 15.405(1)(a)(3) Decks are a permitted intrusion into the required front yard provided they do not locate closer than 15 feet from any street right-of-way.

Requesting: 1 foot from front property line.

Allowed: 15 Feet from street right-of-way (front property line)

Ordinance #:

Requesting:

Allowed:

Ordinance #:

Requesting:

Allowed:

ATTACHMENTS:

Application, pictures, and drawing

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:

Application Deadline Date

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.)*

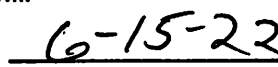
A notice of the date and time of the hearing will be mailed to all property owners within 100 feet and municipal property within 1,000 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important you discuss your proposal with the Building Inspection 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



Date

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

CASE NO: _____
FILING DATE: _____
RECEIPT NO: _____
ZONING DIST: _____

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

- 1). Appeal Location (address): 504 PENNSYLVANIA AVE
- 2). Applicant: PAUL KUNIS Telephone #: (708) 912-9511
Address: 9033 MARTIN LN.
- 3). Legal Property Description (Lot, Block, Subdivision, etc.) _____

- 4). Type of Building (Circle): Commercial - Residential - 3 family
- 5). Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other
(if other) please list: NEW DECK + STAIRCASE
- 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: GENERAL CONTRACTOR
- 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: 6-15-22

Signature: Paul Kunis
Printed Name: PAUL KUNIS
Mailing Address: 9033 MARTIN LN.
BRIDGEVIEW, IL 60455

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.

Creative Construction & Renovation Inc.

PAUL KUNIS:
GENERAL & CARPENTRY CONTRACTOR
9033 MARTIN LANE BRIDGEVIEW, IL. 60455
OFF. & FAX NO. 708-430-4858 PAUL'S CELL -708-912-9511
E-Mail: paul-n-deb@comcast.net

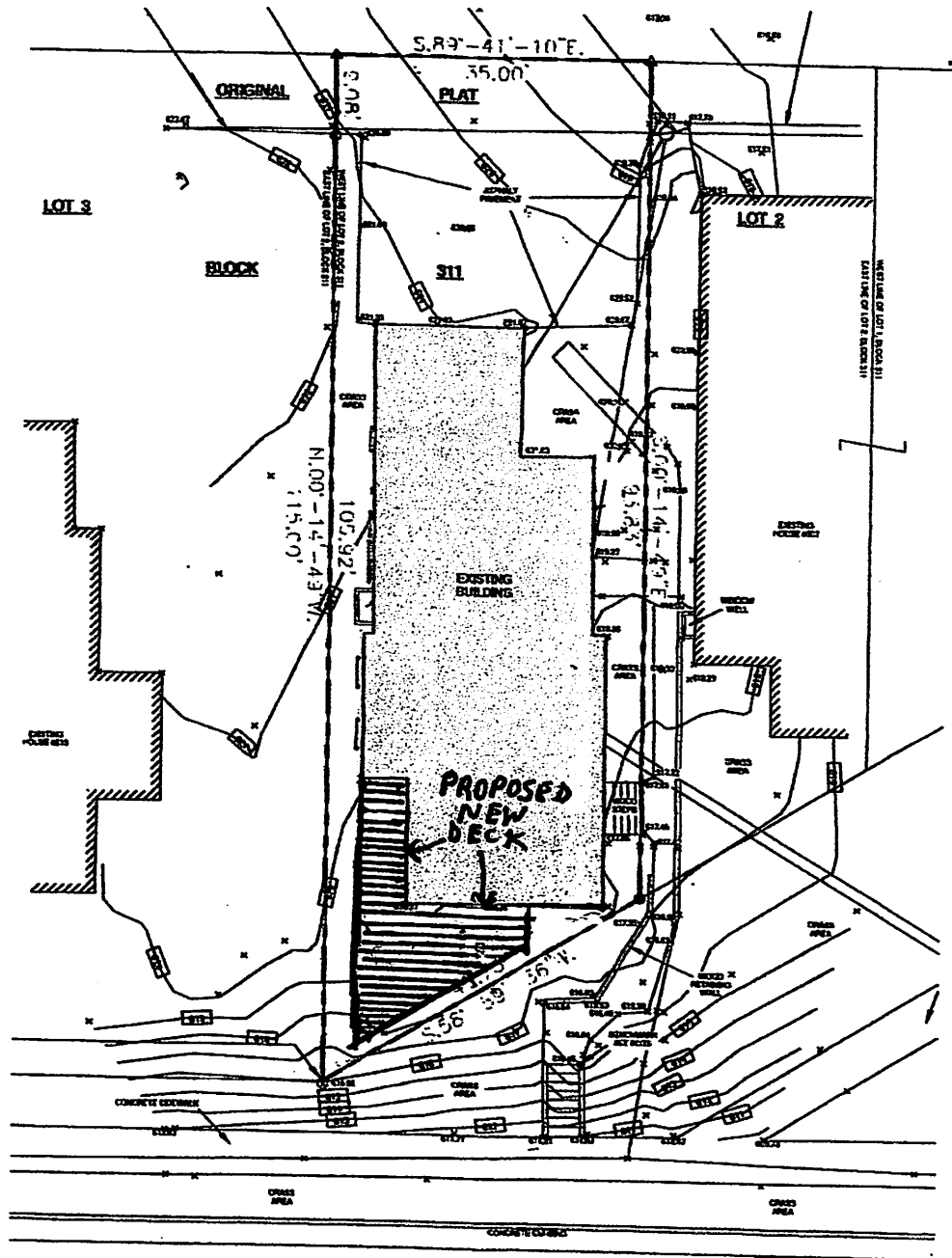
06/17/2022

To Whom It May Concern,

We Creative Construction & Renovation, Inc. are requesting a variance for a deck on the front elevation of 504 Pennsylvania Ave Sheboygan, WI 53081.

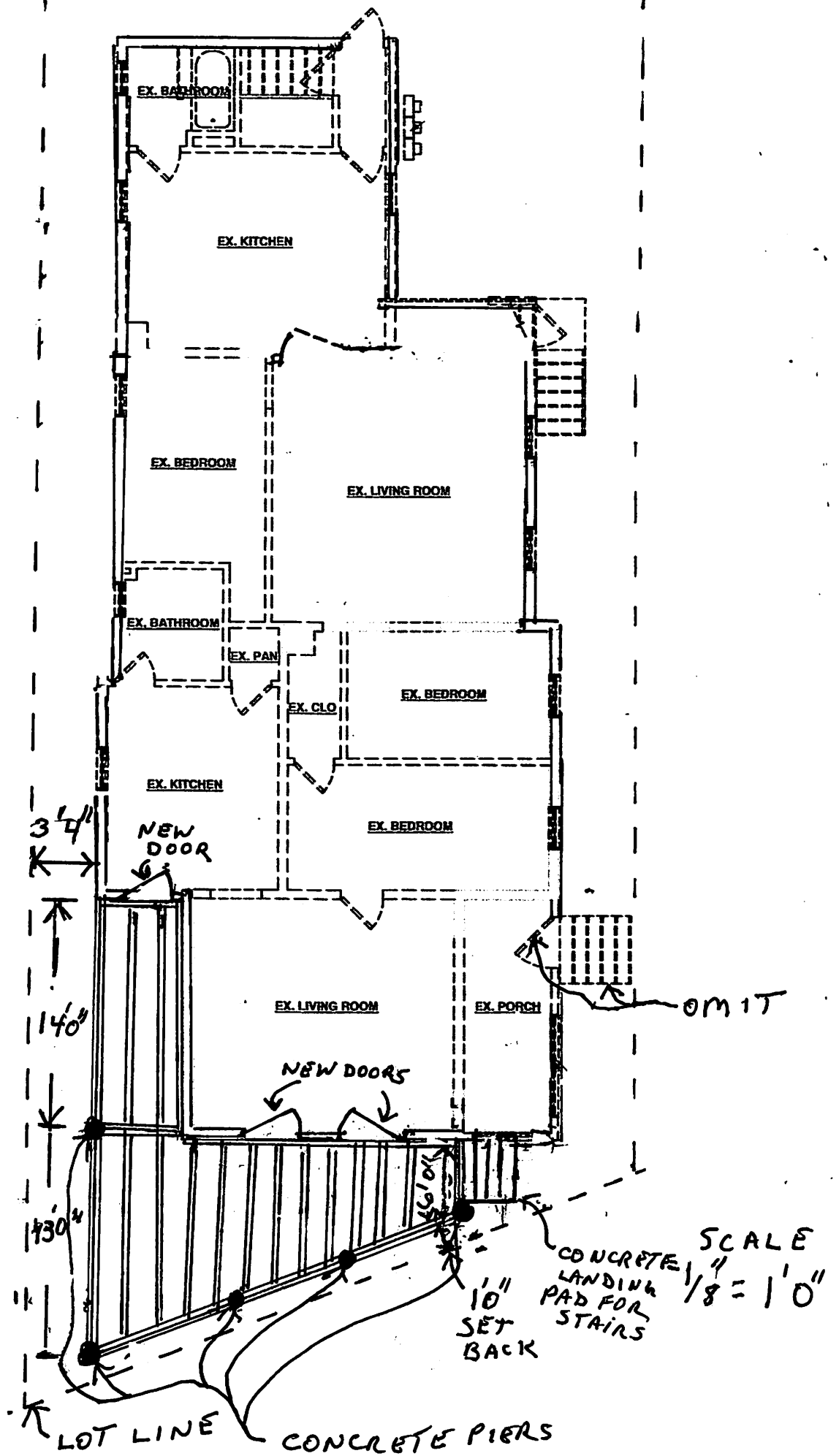
Because of the hardship of the size of property, shape of the lot and the fact that the back of the lot is fully paved for parking there is no other place for outdoor seating.

We believe this low deck will not impeded on the neighbors from both sides view. We also believe this deck will give an aesthetic view from all sides to the riverfront.

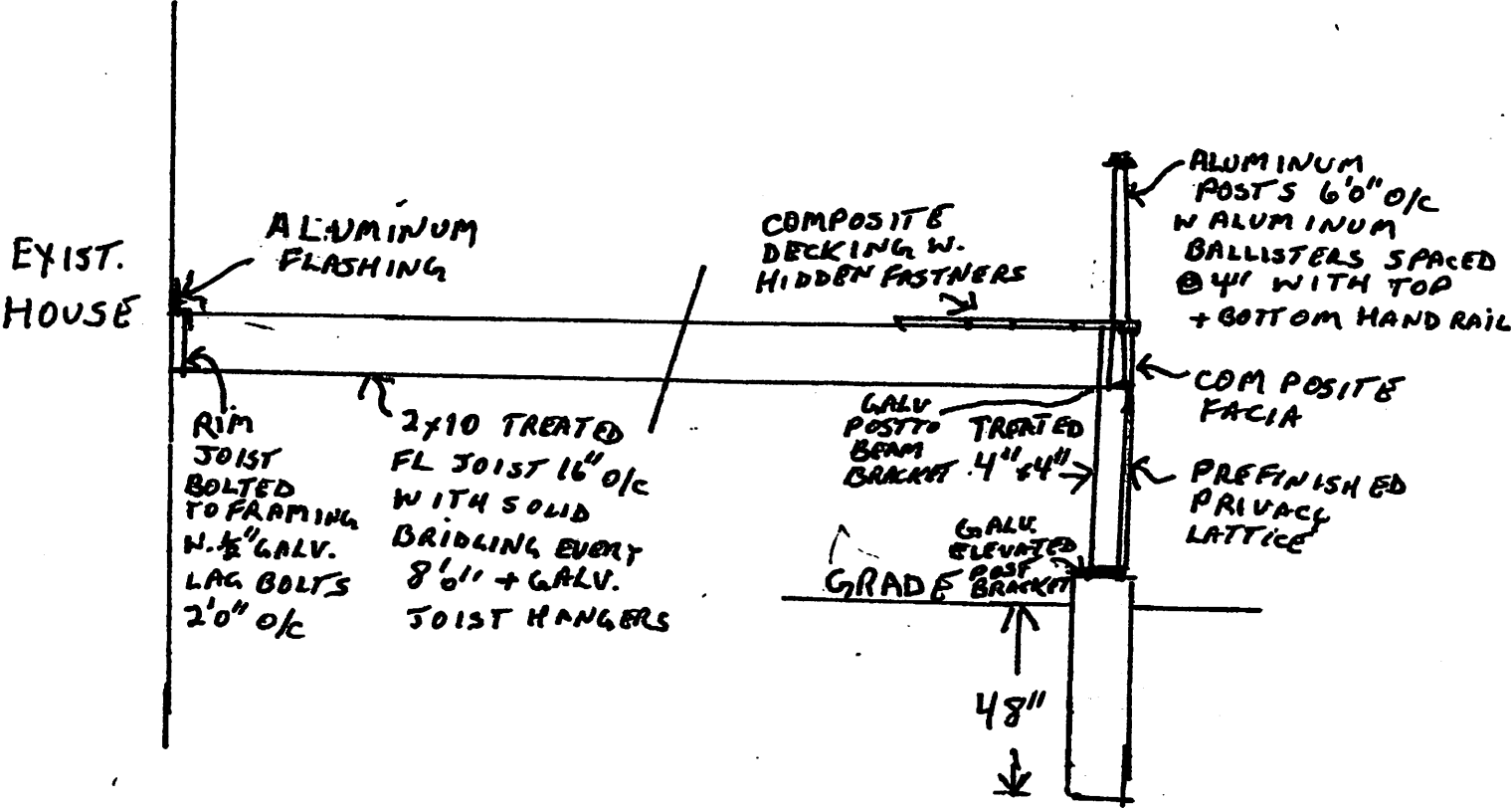


PENNSYLVANIA AVENUE

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



DECK SPECIFICATIONS



SCALE
1/4" = 1'0"









Fiber cement panels topcoated with *Duracolor* coating and a leading competitor's coating were tested in 5,000-hour accelerated weathering scenario. The tests confirmed:

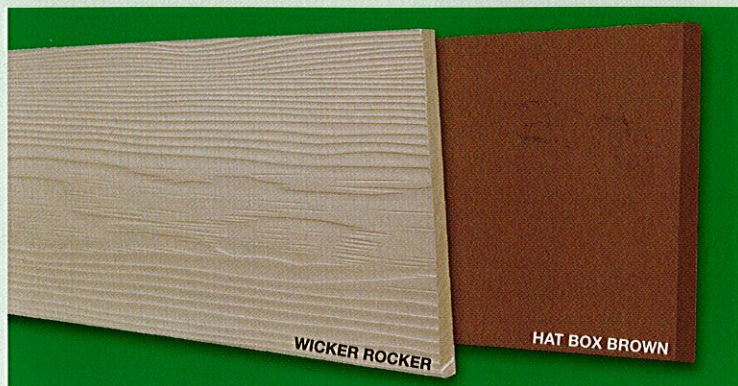
Item 5.

Duracolor eggshell exterior finish outperforms the competition with better durability and color retention.

FIBER CEMENT SIDING



50 YEAR LIMITED PRODUCT WARRANTY



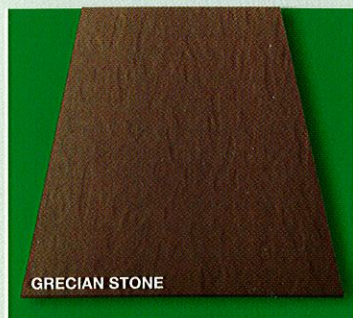
12' TEXTURED LAP SIDING

- 5/16" x 5-1/4" T 15YR: (140-3357-8426) T 30YR: (140-7199-7218)
- 5/16" x 6-1/4" T 15YR: (140-3343-8419) T 30YR: (140-7799-8499)
- 5/16" x 7-1/4" T 15YR: (140-3359-8428) T 30YR: (140-7245-7264)
- 5/16" x 8-1/4" T 15YR: (140-3360-8429) T 30YR: (140-7268-7287)
- 5/16" x 9-1/4" T 15YR: (140-3361-8430) T 30YR: (140-7291-7310)
- 5/16" x 12" T 15YR: (140-3362-8431) T 30YR: (140-7314-7333)

12' SMOOTH LAP SIDING

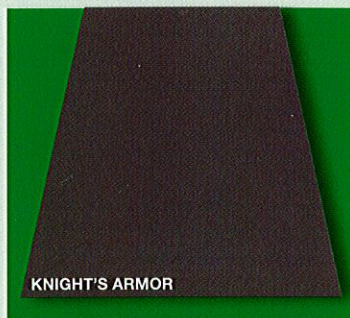
- 5/16" x 6-1/4" S 15YR: (140-3350-8432) S 30YR: (140-7351-7370)
- 5/16" x 8-1/4" S 15YR: (140-3352-8433) S 30YR: (140-7388-7407)
- 5/16" x 12" S 15YR: (140-3354-8434) S 30YR: (140-7425-7444)

T=Textured S=Smooth



STUCCO-LOOK TEXTURED PANEL SIDING

- 5/16" x 4' x 8' T 15YR: (140-3363-8481) T 30YR: (140-7660-7679)
- 5/16" x 4' x 9' T 15YR: (140-3364-8442) T 30YR: (140-7683-7702)
- 5/16" x 4' x 10' T 15YR: (140-3365-8443) T 30YR: (140-7705-7724)



SMOOTH PANEL SIDING

- 5/16" x 4' x 8' S 15YR: (140-3380-8445) S 30YR: (140-4048-8459)
- 5/16" x 4' x 9' S 15YR: (140-3380-8445) S 30YR: (140-4049-8460)
- 5/16" x 4' x 10' S 15YR: (140-3381-8446) S 30YR: (140-4050-8461)



STAGGERED EDGE SHAKE SIDING

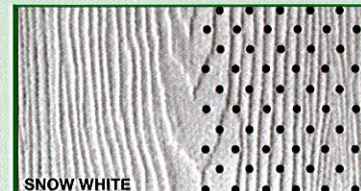
- 1/4" x 16" x 48" T 15YR: (140-3335-8425) T 30YR: (140-7485-7504)



STRAIGHT EDGE SHAKE SIDING

- 1/4" x 16" x 48" T 15YR: (140-3334-8424) T 30YR: (140-7462-7481)

SIDING + CORNERS



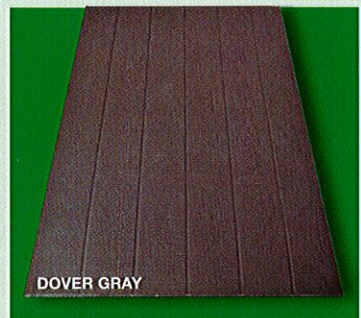
TEXTURED SOFFIT

- 1/4" x 12" x 12' Solid T 15YR: (140-3340-8416) T 30YR: (140-7730-7729)
- 1/4" x 16" x 12' Solid T 15YR: (140-3346-8421) T 30YR: (140-7776-8498)
- 1/4" x 4' x 8' Solid T 15YR: (140-3421-8421) T 30YR: (140-7845-7864)
- 1/4" x 12" x 12' Vented T 15YR: (140-3341-8417) T 30YR: (140-7748-8497)
- 1/4" x 16" x 12' Vented T 15YR: (140-3343-8419) T 30YR: (140-7799-8499)
- 1/4" x 24" x 12' Vented T 15YR: (140-3345-8420) T 30YR: (140-7822-8500)



NO GROOVE TEXTURED PANEL SIDING

- 5/16" x 4' x 8' T 15YR: (140-3371-8438) T 30YR: (140-7591-7610)
- 5/16" x 4' x 9' T 15YR: (140-3372-8439) T 30YR: (140-7614-7633)
- 5/16" x 4' x 10' T 15YR: (140-3373-8440) T 30YR: (140-7637-7656)



TEXTURED 8" GROOVED ON CENTER PANEL SIDING

- 5/16" x 4' x 8' T 15YR: (140-3366-8435) T 30YR: (140-7522-7541)
- 5/16" x 4' x 9' T 15YR: (140-3367-8436) T 30YR: (140-7545-7564)
- 5/16" x 4' x 10' T 15YR: (140-3368-8437) T 30YR: (140-7568-7587)

TRIM BOARDS

Nominal Size



50 YEAR LIMITED PRODUCT WARRANTY

WICKER ROCKER



HAT BOX BROWN

50 YEAR SUBSTRATE WARRANTY

Item 5.

12' TEXTURED OR SMOOTH FIBER CEMENT

T=Textured S=Smooth

- 1" x 4" Net Size: 3/4" x 3-1/2"
T 15YR: (140-3385-8448) S 15YR: (140-7893-8468)
T 30YR: (140-6968-7017) S 30YR: (140-8040-8511)

- 1" x 6" Net Size: 3/4" x 5-1/2"
T 15YR: (140-3387-8449) S 15YR: (140-7915-8470)
T 30YR: (140-7022-7041) S 30YR: (140-8053-8513)

- 1-1/4" x 2" Net Size: 1" x 1-3/4"
T 15YR: (140-3394-8450) S 15YR: (140-7944-7963)
T 30YR: (140-7085-7013) S 30YR: (140-7084-7103)

- 1-1/4" x 4" Net Size: 1" x 3-1/2"
T 15YR: (140-3396-8451) S 15YR: (140-7964-8503)
T 30YR: (140-7108-7126) S 30YR: (140-8104-8519)

- 1-1/4" x 6" Net Size: 1" x 5-1/2"
T 15YR: (140-3398-8452) S 15YR: (140-7982-8505)
T 30YR: (140-7130-7149) S 30YR: (140-8125-8521)

- 1-1/4" x 8" Net Size: 1" x 7-1/4"
T 15YR: (140-3399-8453) S 15YR: (140-8000-8506)
T 30YR: (140-7153-8414) S 30YR: (140-8138-8522)

- 1-1/4" x 12" Net Size: 1" x 11-1/4"
T 15YR: (140-3401-8454) S 15YR: (140-8019-8508)
T 30YR: (140-7176-7195) S 30YR: (140-8036-8524)

16' TEXTURED OR SMOOTH SOLID ENGINEERED WOOD

T=Textured S=Smooth



- 1" x 2" Net Size: 3/4" x 2"
T 15YR: (143-2745-4568) S 15YR: (143-4187-4608)
T 30YR: (143-4082-4588) S 30YR: (143-4357-4628)

- 1" x 4" Net Size: 3/4" x 3-1/2"
T 15YR: (143-2768-4570) S 15YR: (142-4204-4610)
T 30YR: (143-4105-4590) S 30YR: (143-4374-4630)

- 1" x 6" Net Size: 3/4" x 5-1/2"
T 15YR: (143-2791-4572) S 15YR: (143-4221-4612)
T 30YR: (143-4128-4592) S 30YR: (143-4391-4632)

- 1" x 8" Net Size: 3/4" x 7-1/4"
T 15YR: (143-2814-4574) S 15YR: (143-4238-4614)
T 30YR: (143-4151-4594) S 30YR: (143-4408-4634)

- 1" x 12" Net Size: 3/4" x 11-1/4"
T 15YR: (143-2837-4576) S 15YR: (143-4255-4616)
T 30YR: (143-4170-4596) S 30YR: (143-4425-4636)

- 1-1/4" x 2" Net Size: 1" x 2"
T 15YR: (143-2600-4577) S 15YR: (143-4272-4618)
T 30YR: (143-3967-3984) S 30YR: (143-4442-4561)

- 1-1/4" x 4" Net Size: 1" x 3-1/2"
T 15YR: (143-2624-4580) S 15YR: (143-4289-4552)
T 30YR: (143-4289-4620) S 30YR: (143-4459-4640)

- 1-1/4" x 6" Net Size: 1" x 5-1/2"
T 15YR: (143-2660-4582) S 15YR: (143-4306-4621)
T 30YR: (143-4442-4602) S 30YR: (143-4476-4642)

- 1-1/4" x 8" Net Size: 1" x 7-1/4"
T 15YR: (143-2696-4584) S 15YR: (143-4306-4622)
T 30YR: (143-4013-4604) S 30YR: (143-4493-4644)

- 1-1/4" x 12" Net Size: 1" x 11-1/4"
T 15YR: (143-2720-4586) S 15YR: (143-4340-4626)
T 30YR: (143-4059-4606) S 30YR: (143-4510-4646)



50 YEAR LIMITED PRODUCT WARRANTY

SMOKY SABLE

SANDY CLAY

16' TEXTURED ENGINEERED WOOD STRAND



- 1" x 2" Net Size: 5/8" x 1-1/2"
T 15YR: (142-3551-3944) T 30YR: (142-4550-4569)

- 1" x 4" Net Size: 5/8" x 3-1/2"
T 15YR: (142-3553-3946) T 30YR: (142-4573-4592)

- 1" x 6" Net Size: 5/8" x 5-1/2"
T 15YR: (142-3554-3947) T 30YR: (142-4569-4615)

- 1" x 8" Net Size: 5/8" x 7-1/4"
T 15YR: (142-3555-3948) T 30YR: (142-4619-4638)

- 1" x 12" Net Size: 5/8" x 11-1/4"
T 15YR: (142-3556-3949) T 30YR: (142-4654-4673)

- 1-1/4" x 2" Net Size: 25/32" x 1-1/2"
T 15YR: (142-3550-3952) T 30YR: (142-4677-4696)

- 1-1/4" x 4" Net Size: 25/32" x 3-1/2"
T 15YR: (142-3364-3954) T 30YR: (142-4700-4719)

- 1-1/4" x 6" Net Size: 25/32" x 5-1/2"
T 15YR: (142-3566-3955) T 30YR: (142-4723-4742)

- 1-1/4" x 4" x 10' Preformed Outside Corner
T 15YR: (142-3549-3950) T 30YR: (148-4815-4834) Net Size: 25/32" x 3-1/2"

- 1-1/4" x 8" Net Size: 25/32" x 7-1/4"
T 15YR: (142-3568-3956) T 30YR: (142-4746-4765)

- 1-1/4" x 10" Net Size: 25/32" x 9-1/4"
T 15YR: (142-3569-3957) T 30YR: (142-4769-4787)

- 1-1/4" x 12" Net Size: 25/32" x 11-1/4"
T 15YR: (142-3570-3958) T 30YR: (142-4769-4788)

WINDOWS TO MATCH

13 TIMELESS COLORS

WINDOW TRIM
SOFFIT
FACIA

Snow White

Hat Box Brown

Arbor Mist

Wicker Rocker

Sandy Clay

Dover Gray

Bronze

Grecian Stone

Smoky Sable

Knight's Armor

Nickel

Biscayne Blue

Hunt Club Red



WARRANTY PROTECTED

Menards confidently offers a 15-year limited paint finish warranty* and a 30-year limited paint finish warranty†, backed by PPG. For warranty information, go to MENARDS.com – keyword: Prefinished Siding

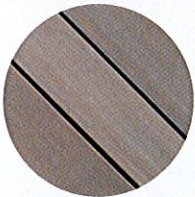
17

SPANISH CEDAR

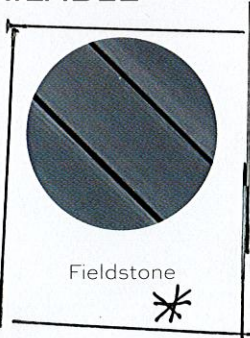


COLORS AVAILABLE

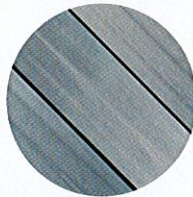
*Colors may vary from colors shown



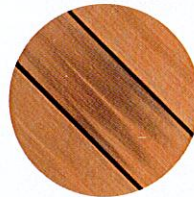
Canyon



Fieldstone *



Sandstone



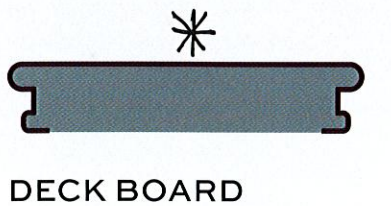
Spanish Cedar

PROFILES



RADIUS EDGE

Use for stair treads & deck border applications
1" H x 5 3/16" W



DECK BOARD

Use for deck surfaces
1" H x 5 3/16" W

AVAILABLE IN

8', 12', 16', 20' Deck Board
12' Radius Edge
Cladding: Yes

SKUs:

Canyon 112-0385
Fieldstone 112-0373
Sandstone 112-0379
Spanish Cedar 112-0368

SKUs:

Canyon 112-0381-0384
Fieldstone 112-0369-0372
Sandstone 112-0375-0378
Spanish Cedar 112-0360-0366