

ZONING BOARD OF APPEALS AGENDA

May 17, 2023 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.

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 March 15, 2023.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- 5. Variance application by Donald and Virginia Johnson requesting to build a 288 sq. ft (12 ft x 24 ft) addition to an existing attached garage located at 609 Humboldt Avenue.
- 6. Variance application by Ken Lickteig requesting to construct a 1008 sq. ft (24 ft x 42 ft) detached garage (steel building) located at 1026 Logan Avenue.
- 7. Variance application by Alan Sukowaty requesting to pave a legally nonconforming driveway located at 1410 N 28th Street.

NEXT MEETING

8. June 21, 2023

ADJOURN

9. 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, March 15, 2023

Members Present: Kevin Sampson, Keeli Johnson, Don Gerber and Ed Surek Members Excused: Sala Sander and Kimberly Meller Staff/Officials Present: Manager of Planning & Zoning Steve Sokolowski and 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 December 21, 2022.

Motion by Ed Surek, second by Don Gerber to approve. Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Variance application by Lauren Michelle Blue to construct either phase 1 or phase 2 located at 1 North Point Drive. Phase 1 - Owner currently has a 388 sq ft attached garage and would like to construct a second 670 sq ft detached garage. Total garage sq ft is 1058. Phase 2 - Owner will remodel existing attached garage and reduce the size by 58 sq ft which reduces the total garage space to 1000 sq ft. And property owner would like to construct a new second driveway access on North Point Drive.

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

6. Variance application by Dennis and Jill Prigge to enlarge an existing sidewalk on the east side of the property. The sidewalk crosses over the property line to the adjacent property (502 Pennsylvania Ave). There is an easement for the sidewalk and there is a 2nd variance request for 502 Pennsylvania Ave to increase the sidewalk width located on the west side of the property. Also, would like to raise the walls and roof height at the north end of the dwelling to create a larger 2nd floor storage room located at 504 Pennsylvania Avenue.

Motion by Keeli Johnson, second by Ed Surek to approve with the following condition:

1. The roof pitch must match the existing roof pitch of the front of the house.

Motion carried.

7. Variance application by Dennis Pentek to increase the sidewalk width located on the west side of the property with a zero paving setback location at 502 Pennsylvania Avenue.

Motion by Keeli Johnson, second by Don Gerber to approved as presented. Motion carried.

8. Variance application by Fidel Najera who poured concrete sidewalks and patios around the perimeter of the dwelling. The concrete at the west side is closer than 3 feet to the side property line, and the concrete on the east side crosses over the side property line located at 1612 Indiana Avenue.

Motion by Keeli Johnson, second by Ed Surek to with the following condition:

1. Applicant must obtain a building permit for the work that was completed.

Motion carried.

NEXT MEETING

9. April 19, 2023

ADJOURN

10. Motion to Adjourn

Motion by Dick Linde, second by Keeli Johnson to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 3:41 p.m.

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 609 HUMBOLDT AVE

Parcel #: 310250

Owner's Name: DONALD AND VIGINIA JOHNSON

Zoning: SR-5

REPORT PREPARED BY: Jeff Lutzke, Building Inspector

REPORT DATE: 05/04/2023 **MEETING DATE:** 05/17/2023

BACKGROUND / ANALYSIS

Property owner would like to build a 288 sq ft (12 ft x 24 ft) addition to an existing attached garage.

Ordinance #: 15.105(2)(c)(3)(b)F Front Lot Line to attached garage: 25 feet

Requesting: 13.6 feet

Allowed: 25 feet

Ordinance #: 15.408(1)(a)1 A nonconforming principal residential building may be enlarged, or structurally altered; provided, however, that no such enlargement, or structural alteration shall either create any additional non-conformity or increase the degree of the existing nonconformity of all or any part of such building;

Requesting: To increase a nonconforming structure

Allowed: Not allowed

ATTACHMENTS:

Application, pictures, and drawing

		May 17th		Ite
6	CITY OF SH	IEBOYGAN	Fee:	
Sheboygan spirit on the lake		ANCE CATION	Review Date:	
ead all instructions before completing.	If additional space is	needed, attach ad	ditional pages.	
ECTION 1: Applicant/Permittee Information Jame (Ind., Org. or Entity) Donald and Virg Mailing Address 609 Humboldt Ave mail Address Vrjohnson Cho Applicants interest in property: Mome OW ECTION 2: Property Information Property Address 609 Humboldt Ave Sequest for: Ommercial Request for: New Construction Cour intended use:	inic Joh City Sheboy tmail.com hers City City Sheboy Residential Repairs Alter		State WI Zip 53	5081 308 (] Other
Date last occupied as a nonconforming by Whom: ECTION 4: Requested Variance	use:	Previous Use:		
On a separate letter to the Board, descr lifficulty is caused by following the regu hree Tests for a Variance" and be prep	ulations or requirem pared to argue how y	ents of the ordinar	nce. See the attached "The	
SECTION 5: Certification and Permissio Certification: I hereby certify that I am t	the owner or author			
the subject of this Variance Application and accurate. I certify that the project v with any or all of the provisions of the p provisions of applicable laws. Permission: I hereby give the City perm notice and application, and to determin Name of Owner/Authorized Representa Wagma Jamma Signature of Applicant	vill be in compliance permit may result in ission to enter and i ne compliance with a ative (please print)	with all conditions permit revocation nspect the propert	and a fine and/or forfeiture und y at reasonable times, to evaluat t coverage. Phone Number	mply er the te this

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.

Item 5.

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;* los s 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.

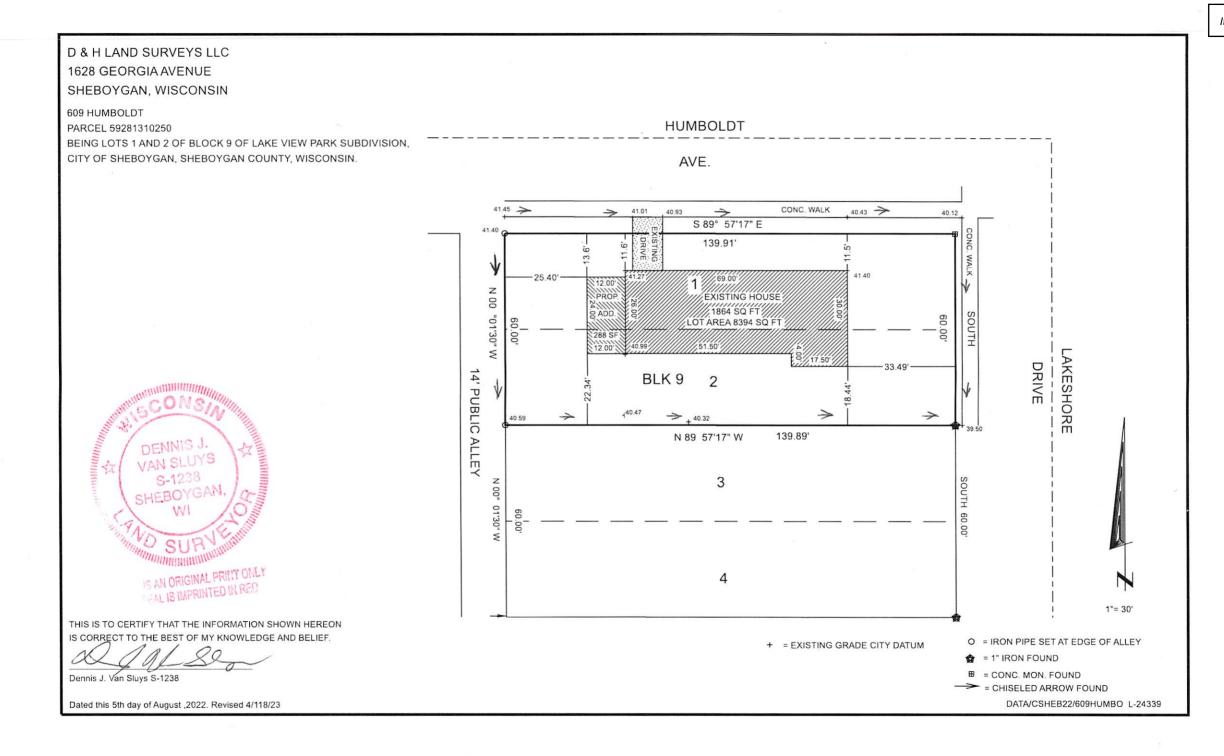
Please contact the staff at the City's Planning Department and/or Building Inspection Department if you have any further questions.

4-19-23

Board members, City of Sheboygan

To whom it may concern:

we are requesting a variance to our existing one car attached garage at 609 Humboldt are in Sheboygan. We want to expand to a two car garage by a 12 × 24 expansion on the west side of the existing garage. Siding and roof materiale would match the existing. The hardship we face is age related. My husband Won is over 76, and Im over 70. We are trying to age in our own home, and the single parking space makes it more difficult. Currently we have to deal with parking on the street, and in the Winter alternating sides of the street, coping with the snow and scraping the car. It would be much safer for us for a number of reasons: 1) reduce greatly the risk of slipping and falling 2) Feeling safer from anyone attacking us as we leave the vehicle 3) Less exposure to vandalism of our vehicle 4) not giving attention to being away from home with a vehicle parked on the street or in the driveway. With our current location we cannot meet the 25' setback requirement and are requesting a variance for safety reasons. Sincerely, Virginia Johnson 609 Humboldt ave. 8



9

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 1026 LOGAN AVE

Parcel #: 709900

Owner's Name: KEN LICKTEIG

Zoning: NR-6

REPORT PREPARED BY: Jeff Lutzke, Building Inspector

REPORT DATE: 05/04/2023 **MEETING DATE:** 05/17/2023

BACKGROUND / ANALYSIS

Property owner would like to construct a 1008 sq ft (24 feet x 42 feet) detached garage (steel building).

Ordinance #: 15.206(8)(d)(1)b The maximum square footage of a garage and/or carport is 1,000 square feet. However, a garage structure shall not exceed the footprint square footage of the primary residential structure.

Requesting: 1008 sq ft

Allowed: 864 sq ft (780 sq ft dwelling + 84 sq ft enclosed porch)

Ordinance #: 15.206(8)(d)(1)d The maximum height of a detached accessory structure shall not exceed 15 feet.

Requesting: 16 feet (per phone call with owner on 05/04/2023)

Allowed: 15 feet

ATTACHMENTS:

Application, pictures, and drawing

	I		Item 6.
6	CITY OF SHEBOYGAN	Fee:	-
Sheboygan spirit on the tike	VARIANCE APPLICATION	Review Date:	-

Read all instructions before completing. If additional space is needed, attach additional pages.

SECTION 1: Applicant/ Permittee Information					
Name (Ind., Org. or Entity) Ken Lickteig					
Name (Ind., Org. or Entity) Mailing Address /026 Logan Ave. Email Address /ickteig Kenneth @ gmail.com	220	State W.	I	ZIP Code 53083	
1026 Logan Ave. She boy g Email Address	Phone Number (inc 920 - 889 -	cl. area code	e)		
Applicants interest in property:	100 001	<u>, , , , ,</u>			
SECTION 2: Property Information					
Property Address City		State W.	Z	Zip 53083	
Image:			I		
	rations Additior	Non	conformi	ng Use Oth	ner
SECTION 3. If the Request is for a Nonconforming Use					
Your intended use: Garage					
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 of difficulty is caused by following the regulations or requirent Three Tests for a Variance" and be prepared to argue how	nents of the ordinanc	e. See the a	attached "	'The	
SECTION 5: Certification and Permission					
Certification: I hereby certify that I am the owner or author the subject of this Variance Application. I certify that the ir and accurate. I certify that the project will be in complianc with any or all of the provisions of the permit may result ir provisions of applicable laws. Permission: I hereby give the City permission to enter and notice and application, and to determine compliance with	formation contained e with all conditions. permit revocation a inspect the property	in this form I understan nd a fine an at reasonal	n and atta nd that fai nd/or forfe	ichments are tru lure to comply eiture under the	e.
Name of Owner/Authorized Representative (please print)	Title Owner		Phone No 920 - 8	umber 89-5747	
Signature of Applicant		Date Sign 4/15/	ed		
Complete application is to be filed with the Building Inspect	ion Department, 828	Center Ave	enue, Suite	e 208. Variances	s to

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roof overhang

- 3 Photographs of the property.
- A Samples of materials being used roofing, siding, decking, etc., manufactures examples.

is included in the size

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*.

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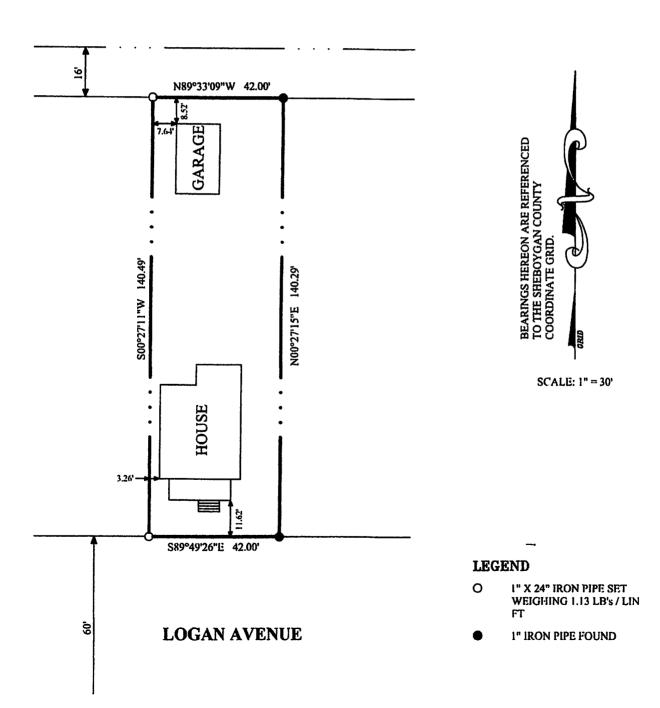
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Please contact the staff at the City's Planning Department and/or Building Inspection Department if you have any further questions.

PLAT OF SURVEY

LOT 13, BLOCK 1, KREZ AND DETLING'S SUBDIVISION, CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN



April 17, 2023

To Whom This May Concern:

My name is Ken Lickteig and I am a welder with the 601 Milwaukee Steamfitters Union. I have worked in construction for most of my career. I am looking at retiring soon and want to renovate the very first truck I ever owned, a 1977 Chevy Truck long bed.

Before looking to purchase property in the country, I wanted to give the City of Sheboygan the opportunity to help me with a variance in building my dream garage. I have read the Variance Application and understand what you are asking for.

My variance is two-fold, making the garage bigger than the allowed size and asking for additional height. I've spent a lot of time day dreaming about restoring my old Chevy and what it will take to complete this. The maximum size the city has considered is 32 ½ x24 feet. I am asking for 42x24 feet. The additional 10 feet I am asking for is to be able to move around the truck while working on it and for storage of parts. I would prefer to store the parts inside the garage as opposed to making an "eye sore" of storage in my back yard. This also would create a safety hazard and an open opportunity for theft.

In the past we have had vandalism in the alley and I asked Alliant Energy to put up a light pole to bring additional light into the neighborhood alley, which I pay for myself. The garage will be a safe way for all of my tools and project works.

I am requesting the height of 17 feet to put a two-post lift in. I am looking to do a full restoration of my truck and will need to remove the body and engine off the truck for a full restoration.

I am not looking to open a mechanic's garage to work on anyone else's automotives. This garage is strictly to work on my projects in my retirement and for my enjoyment.

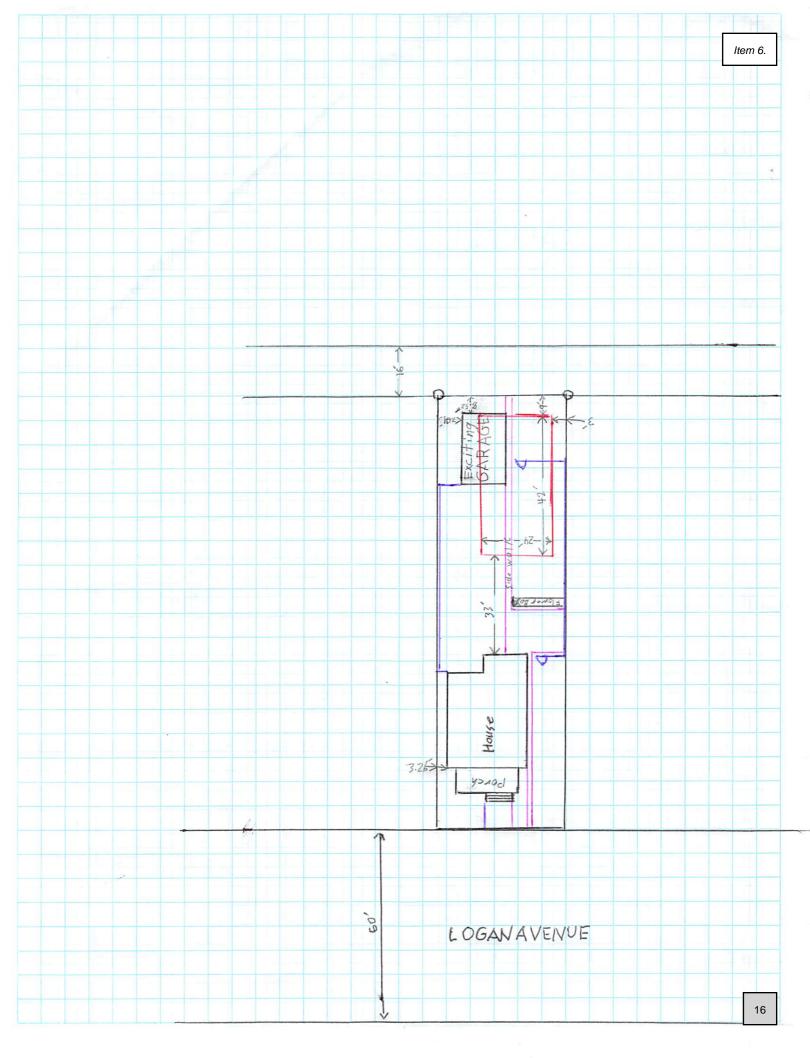
Thank you for your consideration.

Sincerely,

Ken Lickteig

1026 Logan Avenue Sheboygan, WI 53083 920-889-5747

PER PHONE CALL WITH Owner on 5-4-23 -HE BUILDING HEIGHT 15 16 FEET TO PEAK And 13 FOOT SIDE WALL JEFF LUTHE



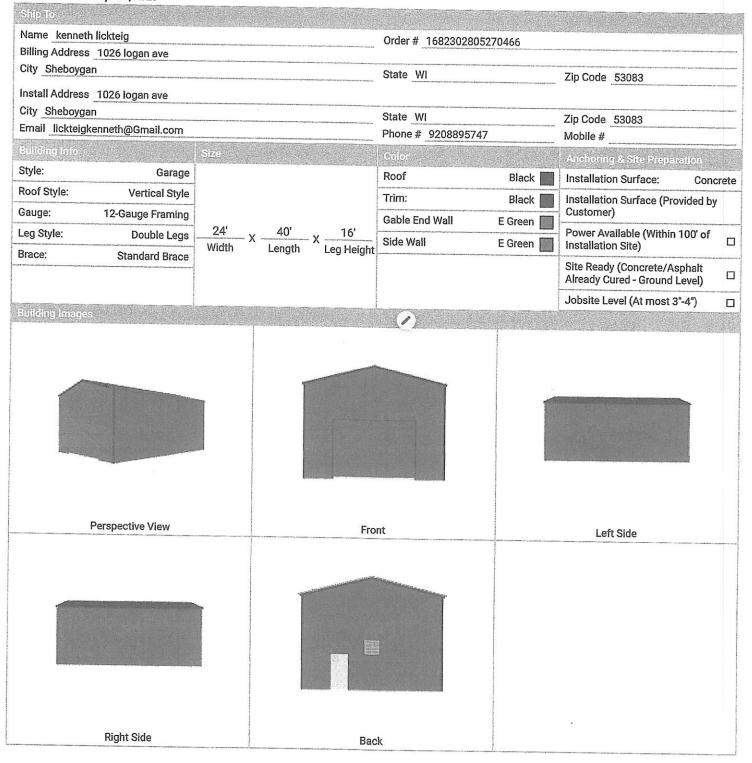


Viking Steel Structures 37830 (877)261-3287

Item 6.

sales@vikingsteelstructures.cor

Customer Order - Apr 23, 2023



#1682302805270466

	Description Structure Details	Quan
	Style: Garage	
	Base Price: 24'x40'	1
	Installation Surface: Concrete	1
	Roof: Black	1
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	Gable End Wall: E Green	1
********	Side Wall: E Green	1
*****	Garage Door: E Green	1
	Roof Style: Vertical Style	1
	Roof Pitch: 3 / 12	1
	Trusses: Standard	1
	Leg Style: Double Legs	1
	Gauge: 12-Gauge Framing	1
	Brace: Standard Brace	1
		1
	Leg Height: 16'	1
	Left Side: Fully Enclosed	1
	Left Side Siding: Vertical	1
	Right Side: Fully Enclosed	1
	Right Side Siding: Vertical	1
	Front End: Fully Enclosed	1
	Front End Siding: Vertical	1
	Back End: Fully Enclosed	1
and an	Back End Siding: Vertical	
	Roll Doors & Ramps	
	14'x10' Garage Door	1
	14'x10' Garage Door Color Charge	1
	Doors & Ramps	
	Walk-In Door (36x80)	1
		1
	Windows & Accessories	
	30W x 30H Windows	-
		1
	Additional Options	
	Woven R-17 Insulation: Roof	
	Woven R-17 Insulation: Left Sidewall	1
	Woven R-17 Insulation: Right Sidewall	1
	Woven R-17 Insulation: Back Wall	1
	Woven R-17 Insulation: Front Wall	1
	26 Gauge (Upgrade)	1
and the contract of the second statement of the second second second second second second second second second	Colored Screws	
		1
and the second	Additional Fees	
	Double Anchoring Included with Certified Buildings	
	Processor Allocating included with certified buildings	1
natures		
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very Date (ma	y vary depending on weather):	
ivery Notes:	5270466	

Dealer or Manufacturer Signature:	
Date:	

All frame work is constructed with galvanized steel metal

All frame work is constructed with galvanized steel metal

This purchase agreement (the "Agreement" is made by and between Carolina Carports, Inc. ("CCI"), a North Carolina corporation, And the Buyer. Buyer agrees to buy, and CCI agrees to sell, CCI's various products including the fourteen(14) gauge, twelve (12) gauge, and certified units, to buy, and CCI agrees to sell, pursuant to the terms listed in this agreement, the item described above. Buyer has read and understands the terms of this Agreement, including the terms and conditions, which terms are expressly incorporated herein by reference, as well as any and all relevant warranty information, and agrees to be bound by same.

Pricing Table (For Internal Use): Call for Pricing States

This estimate is provided by Viking Steel Structures. Use of this estimate with any other company violates the terms and conditions of Viking Steel Structures and will be subject to legal action.

STEEL STRUCTURES

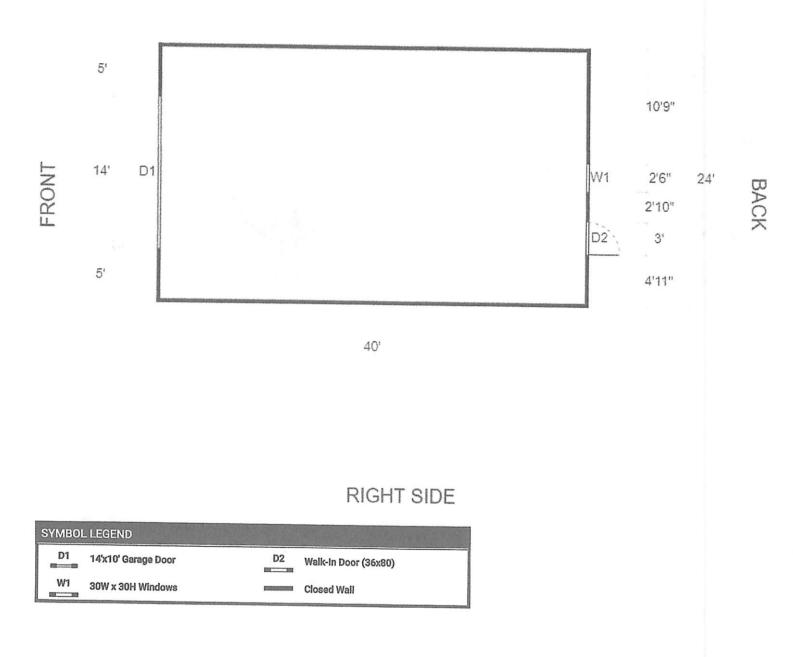
Viking Steel Structures 37830 (877)261-3287 sales@vikingsteelstructures.com

#1682302805270466

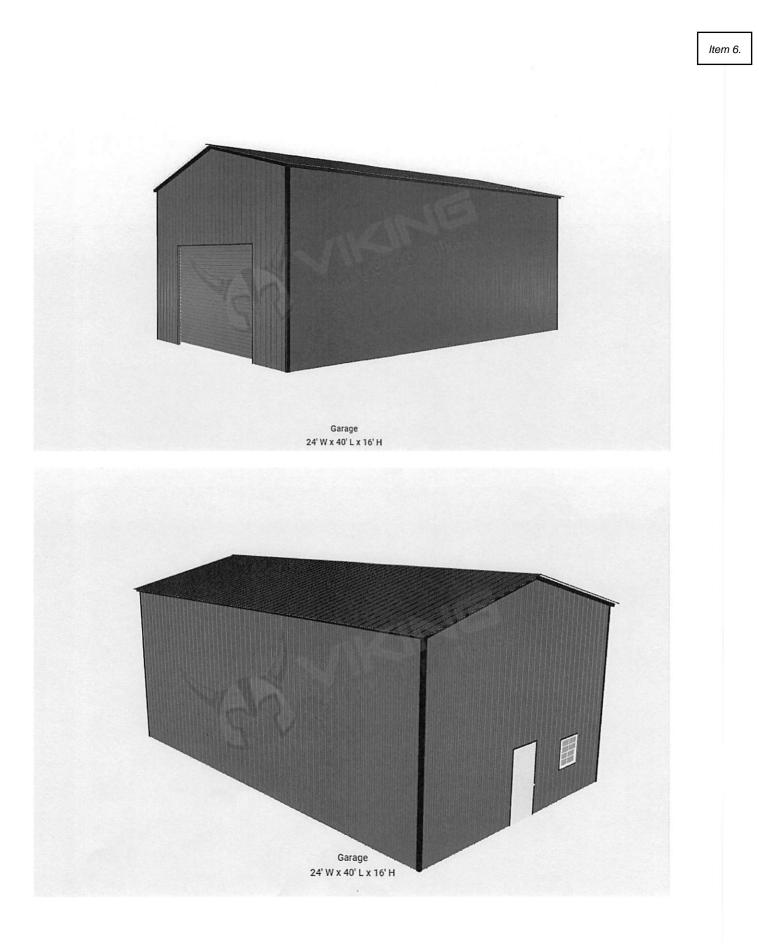
Item 6.

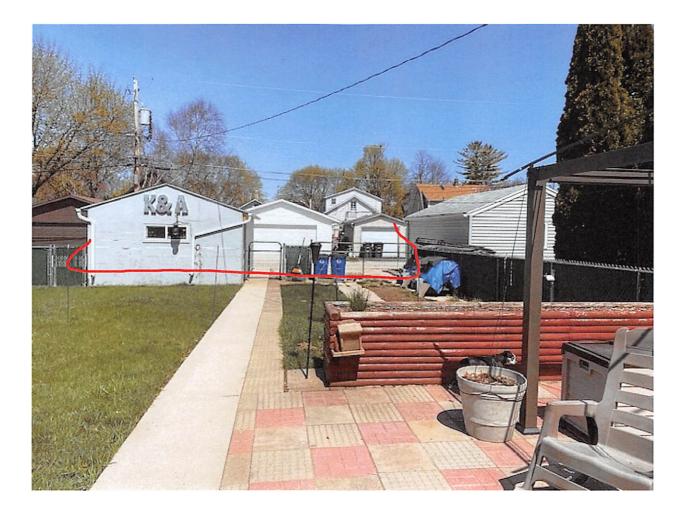
LEFT SIDE

ltem 6.



#1682302805270466











Wierus, Linnae

From:Alvira Lickteig <alviralickteig@gmail.com>Sent:Wednesday, April 26, 2023 2:47 PMTo:Wierus, Linnae; Alvira LickteigSubject:1026 Logan Avenue-proposed garageAttachments:Viking Garage.pdf; Doc3.docx; Doc1.docx; Doc4.docx; Doc2.docx

Hi Linnae-

Attached are some pictures of where the proposed garage will be located on our property.

Also, please see the Viking attachment for the garage we want to build.

The garage will have a black metal roof with hunter green metal sides (to match our house).

Please let me know if you have any questions.

Thank you for your time,

Alvira & Ken Lickteig

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: 1410 N 28TH ST

Parcel #: 211130

Owner's Name: ALAN SUKOWATY

Zoning: MR-8

REPORT PREPARED BY: Jeff Lutzke, Building Inspector

REPORT DATE: 05/04/2023 **MEETING DATE:** 05/17/2023

BACKGROUND / ANALYSIS

Property owner would like to pave a legally nonconforming driveway.

Ordinance #: 15.105(2)(e)(3)(b)M Minimum Paved Surface Setback: 3 feet from side or rear property line

Requesting: 1 foot

Allowed: 3 feet

Ordinance #: 15.702(10) Driveways may be widened in front of the garage the width of the garage and then up to another nine feet outside the garage. The driveway must access the garage or legal parking space to be considered a legal driveway under this Section

Requesting: Pave a driveway in front of house

Allowed: Pave driveway in front of garage

ATTACHMENTS:

Application, pictures, and drawing

Item 7.



BUILDING INSPECTION DEPARTMENT 828 Center Avenue, Suite 208 Sheboygan, WI 53081-4442 Phone: (920) 459-3477 Fax: (920) 459-0210 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 3:00 pm 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* 4:30 pm on the third Wednesday of the month prior to the scheduled public hearing:

Application Deadline Date

5)17 23 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.

Date



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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): 1410 NJ&th Street
2).	Applicant: Alan Sukowaty Telephone #: (920) 918-7284 Address: 1410 NJ8th Street
3).	Legal Property Description (Lot, Block, Subdivision, etc.) O (Neumeisters RE Subd No 25 15' OF Lot 4 & All of 10t 5 Blk 3 Sec 21 TISN R232 Lot number 4-5
4).	Type of Building (Circle): Commercial - Residential
5).	Request for (Circle): New Construction - Repairs - Alterations - Addition - Nonconforming Use - Other
	(if other) please list: Replace Grand Driveway of 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 Resident

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: 4/18/2023

Signature: MM
Printed Name: Alan Sukowaty
Mailing Address: 1410 NJ8th Strut
Sheboygan, WI 53081
ACSukowaty@ Gimail.com



www.sheboyganwi.gov

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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.

Hello,

I am writing you today to request a variance approval so that I can concrete my existing gravel driveway. The issue I have is that the edge of the driveway is approximately 1ft away from the lot line, so it would technically be outside of code as I understand it. I have spoken with my neighbor of my intents, and told him that my plan is to put a curb on that edge to ensure that there is no excess water draining onto his property. He verbally agreed with me that as long as I ensure that then he is okay with it. By allowing me to install concrete, this would help increase the visual look of my home, as well as help protect the structural integrity as it appears to be putting extra stress on my basement wall from water draining in that direction as well as the weight of my vehicle not being properly dispersed when I drive up and down my driveway. Please take deep consideration of this proposal, and I look forward to hearing your decision.

Sincerely,

Alan Sukowaty 1410 N28th Street Sheboygan, WI 53081

Google Maps 1410 N 28th St

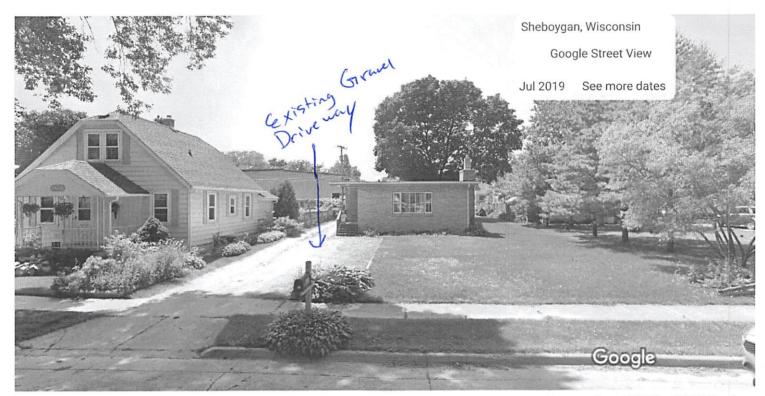


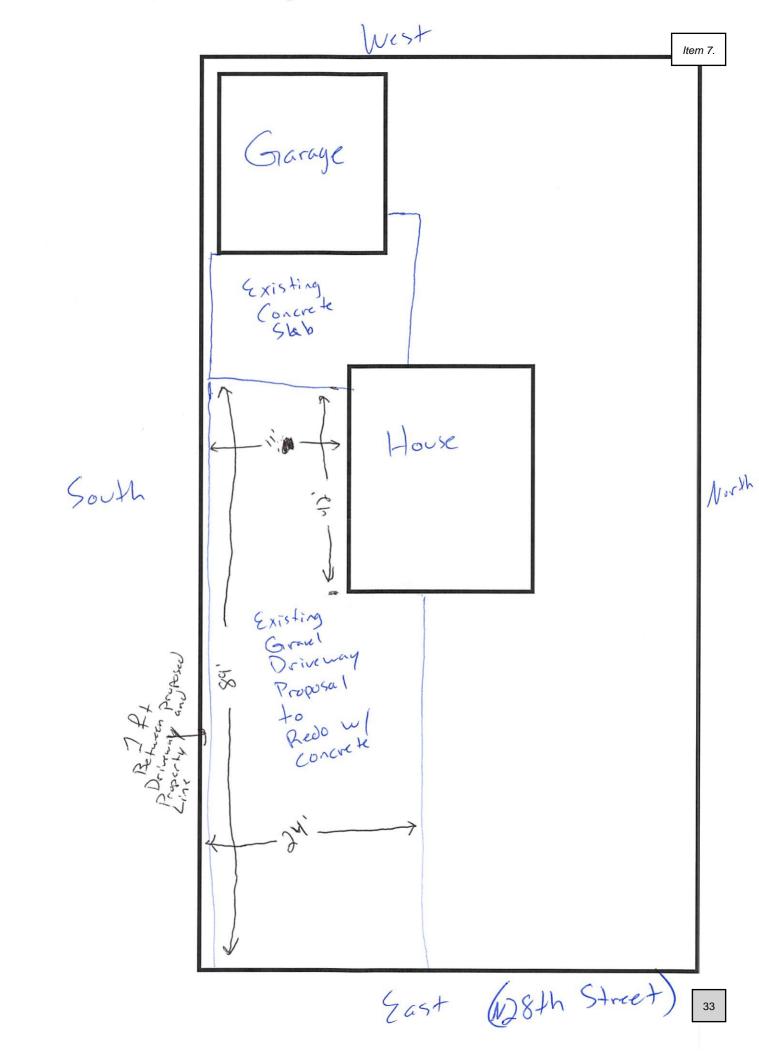
Image capture: Jul 2019 © 2023 Google

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Street View & 360°





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