

## CITY OF SHEBOYGAN

### REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

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**ITEM DESCRIPTION:** Conditional Use application by Nick Brock to convert the commercial building into a single-family residence at 2516 Calumet Drive. UC Zone

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**REPORT PREPARED BY:** Steve Sokolowski, Manager of Planning and Zoning

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**REPORT DATE:** February 10, 2023

**MEETING DATE:** February 14, 2023

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#### FISCAL SUMMARY:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

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#### STATUTORY REFERENCE:

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

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#### BACKGROUND / ANALYSIS:

Nick Brock is proposing to convert the commercial building into a single-family dwelling at 2516 Calumet Drive. The applicant states:

- Owner intends to lease the single-family dwelling.
- The lot has a driveway and paving area for off-street parking.
- This conversion will give the owner the opportunity to earn income.
- The home was previously used as a commercial 1<sup>st</sup> floor use and an apartment 2<sup>nd</sup> floor use. Most recently the property was being used as a 2-family dwelling.

#### STAFF COMMENTS:

In 2019, the previous owner obtained a conditional use permit to operate a real estate business on the 1<sup>st</sup> floor and an apartment on the 2<sup>nd</sup> floor. The owner stated:

- The commercial space in the building is presently vacant and Avenue Real Estate will fill this vacant space. The previous use of the property was the Wedding Shoppe.
- They purchased this property with the intent to operate out of the main level and rent out the upper level for a business or for a residential suite.

It appears that Avenue Real Estate never opened their real estate office from the property.

The applicant indicated that the building was being used as a two-family when they purchased it and Mr. Brock purchased the property in order to rent it as a two-family dwelling. However, the Urban Commercial (UC) zone does not permit a 2-family dwelling. The UC zone conditionally permits a 1<sup>st</sup> floor commercial use with an apartment or a single-family dwelling.

Staff spoke to Mr. Brock about potentially rezoning the property to a designation that permits a 2-family dwelling or applying for a conditional use in the UC zone which permits the building to be used as a single-family dwelling. After considering these options, the owner decided to submit a conditional use permit to convert the commercial building into a single-family dwelling.

The applicant needs to be aware that they will need to meet all current single-family dwelling codes prior to receiving permission to use/occupy this property as single-family dwelling.

The applicant needs to be aware that once the building is converted to a single-family dwelling, any proposal to convert the building back to a commercial building will require land use approvals from the Plan Commission and will now need to meet all current commercial building and mechanical codes which may require significant upgrades to the building.

There are several signs located on the property and building (pylon, directional and wall). Since this property is being converted into a single-family dwelling, all previous business signage shall be removed (free standing pylon and directional signs adjacent to Calumet Drive and the wall sign located on the north building elevation shall be removed.

If damaged or needing improvement, the area under the wall sign to be removed shall be constructed using a design to match the existing building (northeast corner of the building visible to Calumet Dr). Applicant shall install siding to match the existing siding in terms of design, color, materials, width, etc.

#### **ACTION REQUESTED:**

Staff recommends approval of the conditional use permit subject to the following conditions:

1. Prior to occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements. The conversion, inspections and occupancy for the single-family dwelling shall be completed by March 31, 2023.
2. Outdoor storage of materials, products or equipment shall be prohibited.
3. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
4. Applicant shall completely remove the old pylon and parking lot directional signs at the northeast corner of the property adjacent to the driveway by March 31, 2023.
5. Applicant shall remove the wall sign at the northeast corner of the building (north elevation). Applicant shall install siding to match the existing siding in terms of design, color, materials, width, etc. by March 31, 2023.
6. If applicant leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy (future uses may require conditional use permits, building/mechanical permits, occupancy permits, etc.).
7. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments

#### **ATTACHMENTS:**

Conditional Use and required attachments