



CITY OF SHEBOYGAN

VARIANCE APPLICATION

Fee: \$250, pd, cash 5/20/20

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) Patrick McCoy

Mailing Address 2720 S 11th pl City Sheboygan State WI ZIP Code 53085

Email Address patmccoy566@gmail.com Phone Number (incl. area code)

Applicants' interest in property: Garage Builder

SECTION 2: Property Information

Property Address 1515 S 22nd City Sheboygan State WI Zip 53081

Type of Building: [] Commercial [X] Residential

Request for: [X] New Construction [] Repairs [] Alterations [] Addition [] Nonconforming Use [] Other:

SECTION 3: If the Request is for a Nonconforming Use

Your intended use:

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.

Owner Name/Authorized Representative (please print) Rick Keil Title owner Phone Number 920-889-7010

Signature of Applicant [Signature] Date Signed 05-12-20

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.

REQUEST FOR ZONING VARIANCE

The applicant respectfully requests approval of a variance to allow continued use and improvement of the existing detached garage structure located approximately 3 feet from the property line. The existing garage placement has historically existed in this location and is consistent with the established development pattern within the surrounding neighborhood.

TEST #1 – UNNECESSARY HARDSHIP

Strict application of the zoning setback requirements creates an unnecessary hardship due to the existing conditions and layout of the property. The location of the existing residence, driveway access, and detached garage substantially limit reasonable alternatives for relocation or reconstruction in full compliance with current setback standards.

The requested variance is necessary to allow reasonable use and improvement of the property while maintaining safe access, functional driveway maneuverability, and practical use of the detached garage structure. Relocating the garage into full compliance would significantly reduce usable yard area, negatively impact driveway functionality, and create impractical limitations for normal residential use of the property.

The hardship is not self-created. The garage has historically existed within the current setback area prior to the requested improvements, and the applicant is attempting to reasonably improve and maintain the property while working within the limitations of the existing lot configuration and established site conditions.

TEST #2 – UNIQUE PROPERTY LIMITATIONS

The property contains unique physical limitations that distinguish it from a typical conforming parcel. The narrow lot configuration, existing residence placement, driveway

alignment, and established garage location substantially restrict reasonable placement alternatives.

Due to these physical characteristics, strict compliance with the zoning setback requirements would create practical difficulties not commonly experienced on larger or less constrained properties. The requested variance is based on the physical limitations of the property itself rather than personal preference or convenience.

Additionally, the surrounding neighborhood contains similarly situated residential properties with detached garages and reduced side setbacks, demonstrating that the requested placement remains compatible with the established character and development pattern of the area.

TEST #3 – NO HARM TO PUBLIC INTEREST

Granting the requested variance will not harm the public interest or negatively affect neighboring properties. The proposed project will maintain the existing residential character of the neighborhood and will not create safety concerns, visibility issues, drainage problems, traffic impacts, or interference with neighboring property enjoyment.

The garage already exists in approximately the same location, and the requested variance does not create a substantially different encroachment or intensify the existing use beyond what has historically existed on the property.

The proposed improvements will enhance the appearance, structural condition, and long-term maintenance of the property while remaining compatible with surrounding residential development. The project will continue to comply with applicable building, safety, and construction standards.

For these reasons, the applicant respectfully requests approval of the requested variance.







S 22nd St

1447

59281 A 04820

1501

59281 A 04810

1507

59281 A 04800

1511

59281 A 04790

1515

59281 A 04780

1521

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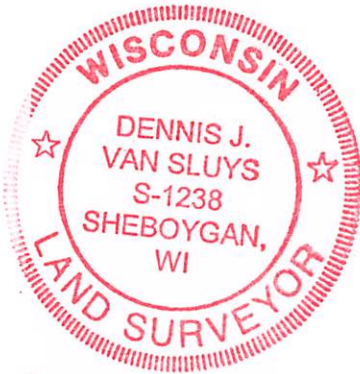
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1520

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

1515 S. 22nd STREET
 PARCEL 59281404780
 BEING LOT 20 OF BLOCK 4 OF AIRPORT SUBDIVISION,
 CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN.



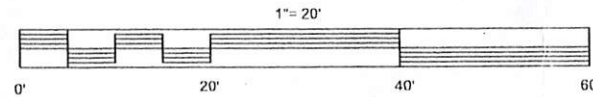
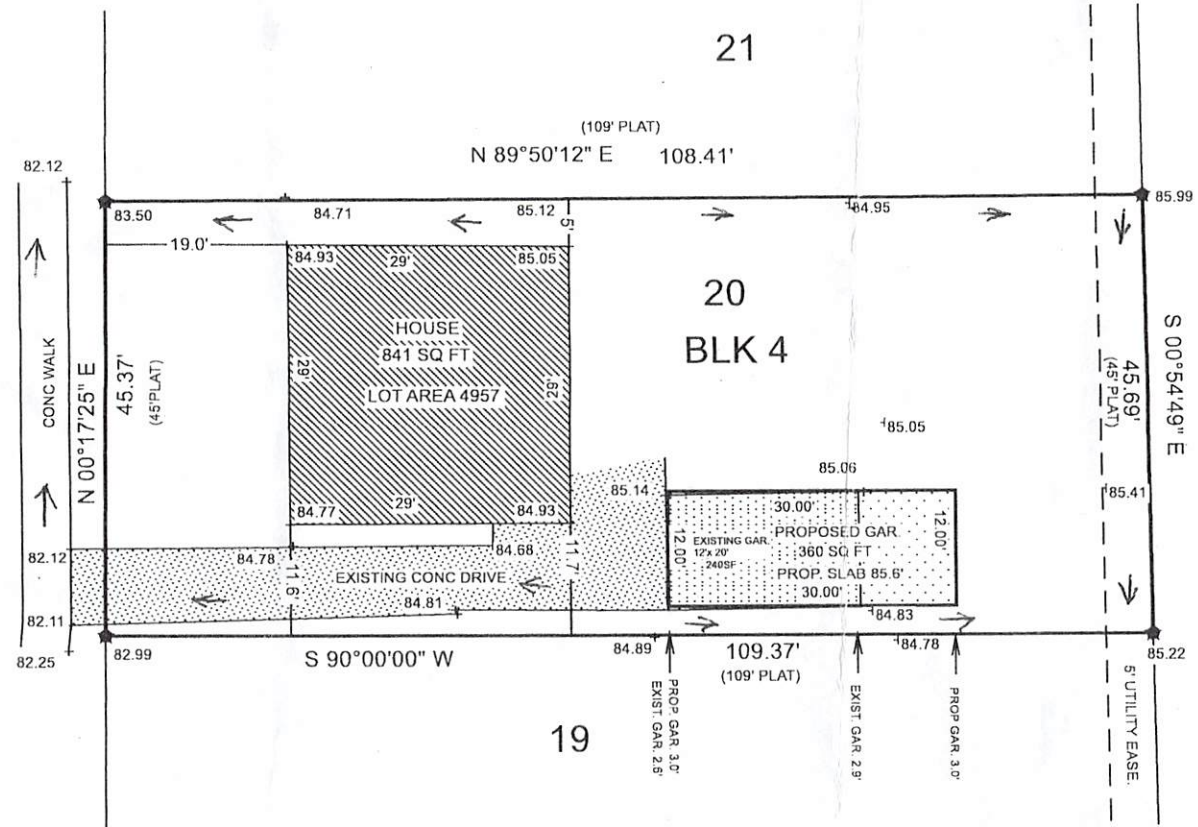
THIS IS AN ORIGINAL PRINT ONLY
 THE SEAL IS IMPRINTED IN RED

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

Dennis J. Van Sluys
 Dennis J. Van Sluys S-1238

Dated this 14th day of May, 2026.

S. 22nd STREET



+ = EXISTING GRADE CITY DATUM

★ = 1" IRON PIPE FOUND

DATA/CSHEB26/1515S22 L-25053