

CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use permit with exceptions by James Klunck to construct a building addition at Klunck Masonry located at 1422 S. 15th Street. NR Zone.

REPORT PREPARED BY: Ellise Rose, Associate Planner

REPORT DATE: June 2, 2025

MEETING DATE: June 10, 2025

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

In April of 2018, the Plan Commission approved a conditional use and variance permit by James Klunck to operate Klunck Masonry from the building located at 1422 S. 15th Street. Today, the applicant is proposing a new building addition and states the following about the project:

- I have bought land from the neighbor in order to expand my current location.
- It will be attached to the existing building with the current addition torn down. We will then add on a larger addition.
- The building will be approximately 40 x 80 with 2 overhead doors.
- The main reason for this addition is for needed storage for tools and machinery. I have outgrown the original shop.
- There will be no additional signage on the back of the building.
- The arbor vitae that are planted in the rear of the building will be moved to the west end of the property behind the new addition.
- The original building is block with a metal roof and the addition will have steel siding to match the block and a metal roof that will be tied into the existing metal roof.
- There will be no additional traffic to my company than the employees I have now. It is mainly storage.
- The timeline I would like to achieve is by the end of 2025 (weather prevailing) and the estimated value is \$200,000.00
- In putting the addition on to our building we are enhancing the area and have always taken care of this property to make it pleasing to the eye. The land we have bought has been vacant for years and had no value to the area. It will now be a building that will house a lot of our machinery that is otherwise parked outside the building making it safer from vandalism and destruction.

- There will not be any adverse impact to the neighborhood. There will be no additional people, and the hours of operation will not be extended.

STAFF COMMENTS:

1422 S. 15th Street is zoned Neighborhood Residential (NR). The NR zone permits single-family and two-family residences. An indoor contracting/storage facility is not a permitted or conditionally permitted use in the NR zone. Therefore, the previous business use of this property was a legal nonconforming use (legal because the property/building has been there for many years, nonconforming because a business is not permitted in the NR zone today). Thus, the previous use may continue to operate, however, a legal nonconforming use is not permitted to be extended or enlarged, per the zoning ordinance.

Sections 105-747(b)(2) and 105-747(b)(3) of the City of Sheboygan Zoning Ordinance state:

- ***Extension:*** *A nonconforming use shall not be extended, expanded, enlarged or increased in intensity.*
- ***Enlargement:*** *No building or other structure that is devoted wholly or in part to a nonconforming use shall be enlarged or added to in any manner unless such building or other structure and the use thereof shall thereafter conform to the regulations of the district in which it is located.*

Therefore, the applicant is requesting an exception for this proposed expansion.

The applicant is requesting the following variances:

- Requesting to expand a legal nonconforming use – No building or other structure that is devoted wholly or in part to a nonconforming use shall be enlarged or added to in any manner unless such building or other structure and the use thereof shall thereafter conform to the regulations of the district in which it is located.
- Requesting building setbacks of 5'9" along the north property line and 5' along the south property line – Minimum building setback is 50 feet for a commercial structure to a residentially zoned property.
- Requesting a variance from the locational landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements.

ACTION REQUESTED:

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

1. Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, water, sewer, storm drainage, hazardous materials, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Applicant shall obtain all necessary permits for the construction, the storage and the handling of hazardous chemicals and/or fuels (applicant shall be in contact with building inspection, fire/police departments, etc.).
3. Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
4. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
5. Submittal and approval of a landscape plan prior to building permit issuance (applicant shall meet the landscape point requirements). Landscape plan shall include a legend that shows how the four (4) landscape criteria are being met. Landscaping shall be installed prior to issuance of an occupancy permit.
6. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
7. Outdoor storage of materials, products or equipment shall be prohibited.
8. Applicant shall maintain all of his vehicles, materials, equipment, etc. on his property or inside his building and not on S. 15th Street.
9. All new lighting shall be installed per Section 105-932 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent streets and/or properties.
10. All areas used for parking or maneuvering of vehicles shall be paved.
11. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
12. Any new or modified ingress/egress driveway openings and any existing driveways to be closed shall be improved to standard City specifications.
13. Applicant will provide adequate public access along the street will take all appropriate actions to minimize the time period that these streets will be closed/affected.
14. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
15. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new street improvements, new and/or closed ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.).
16. It will be the applicant's responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary.
17. Absolutely no portion of the building and/or site improvements shall cross the property lines including but not limited to buildings, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.).
18. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and required attachments.