

**CITY OF SHEBOYGAN**

**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.)*

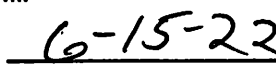
A notice of the date and time of the hearing will be mailed to all property owners within 100 feet and municipal property within 1,000 feet of your property. Notice of hearing will also be sent to the City of Sheboygan Planning Department. It is important you discuss your proposal with the Building Inspection 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](mailto:paul-n-deb@comcast.net)

**06/17/2022**

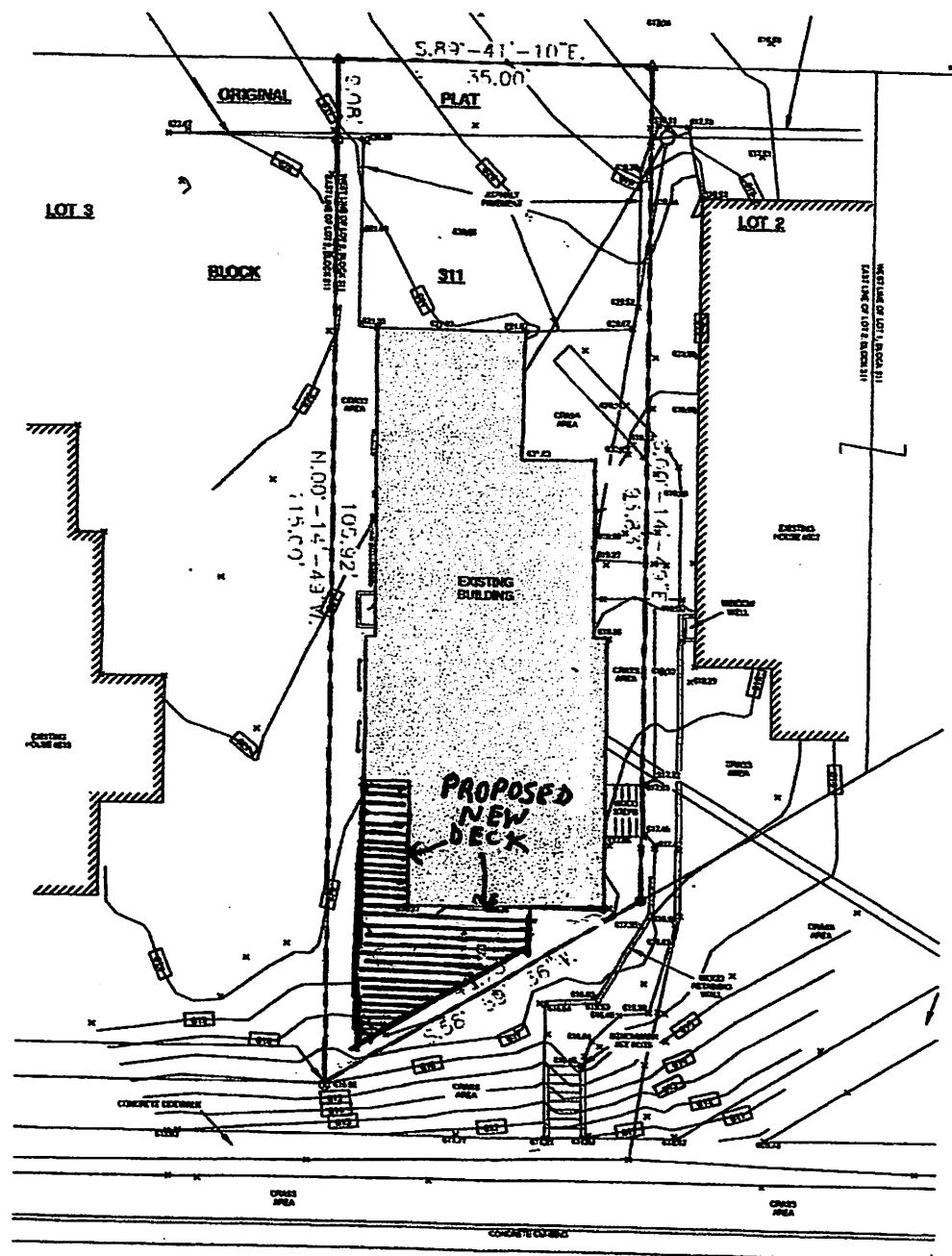
To Whom It May Concern,

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.

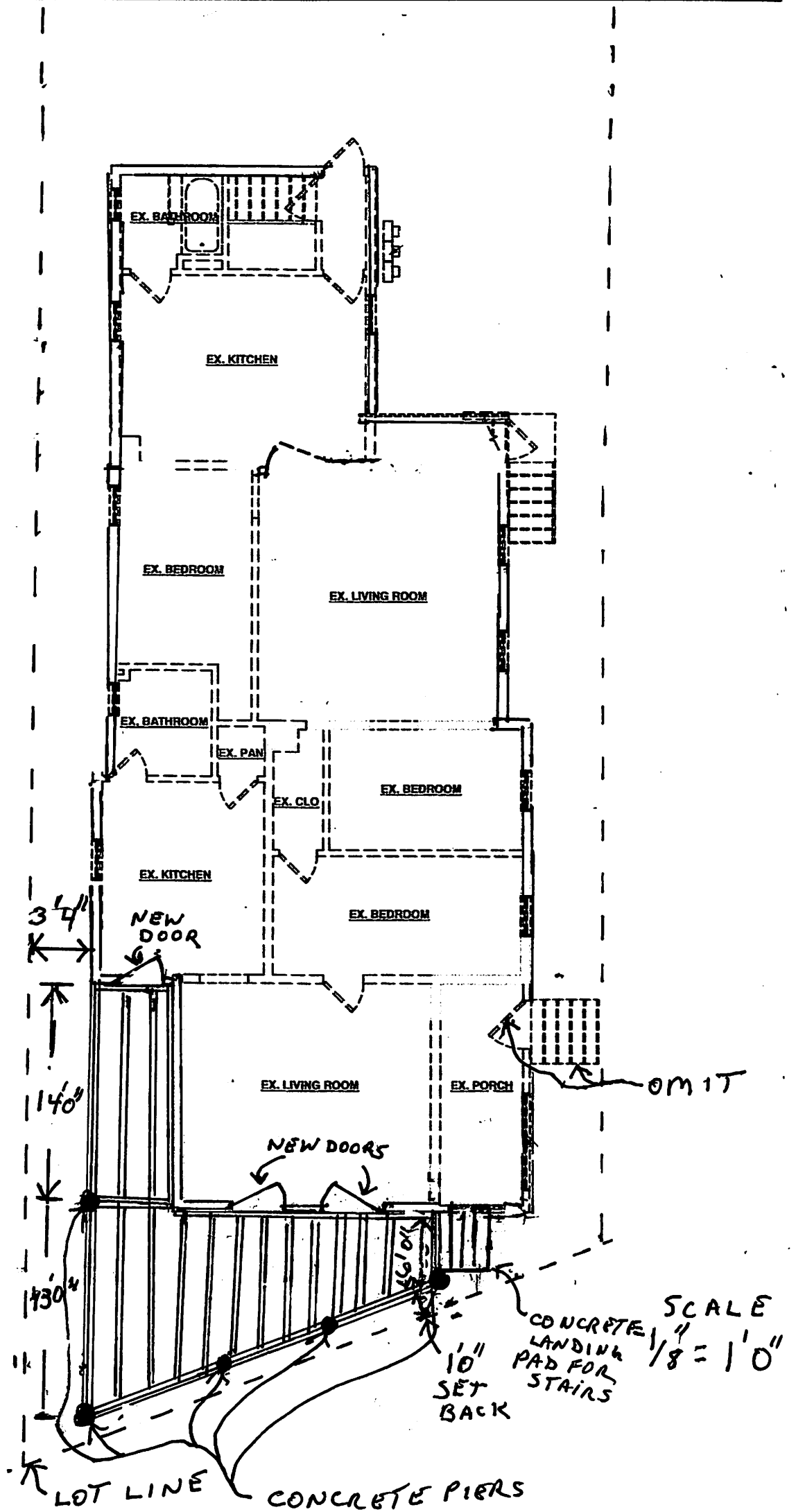
504 PENNSYLVANIA AVE.



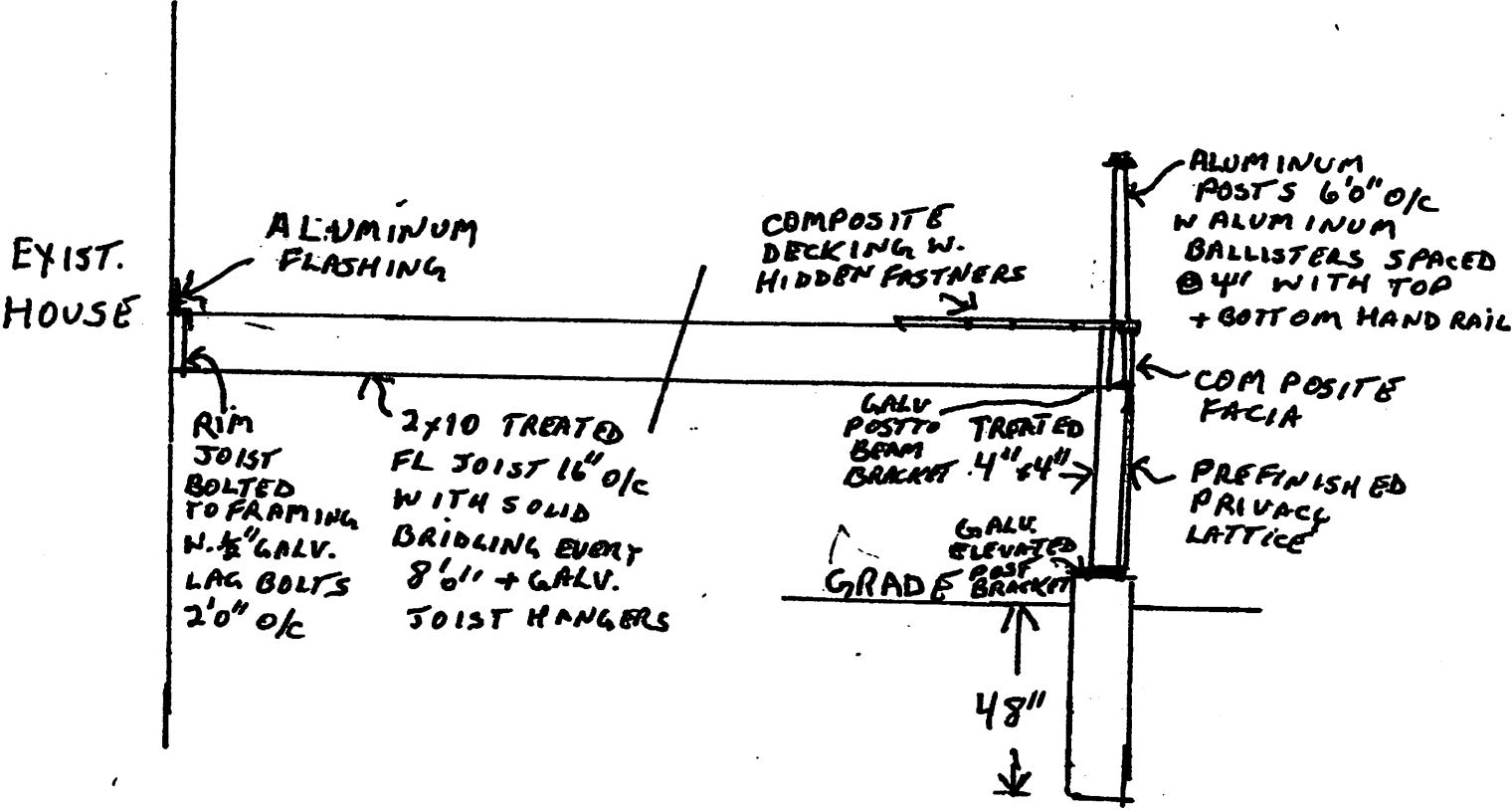
PENNSYLVANIA

AVENUE

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



DECK SPECIFICATIONS



SCALE  
1/4" = 1'0"



















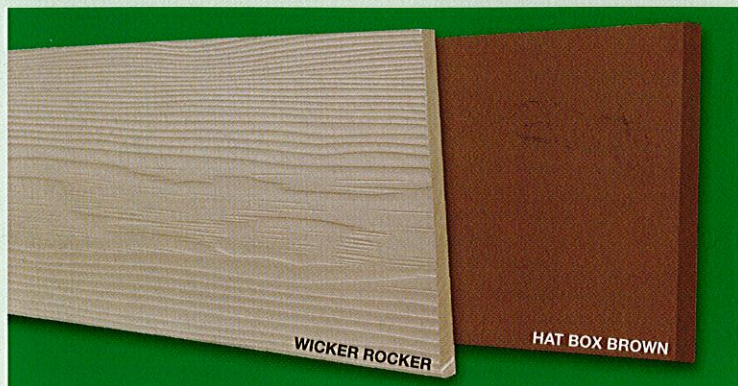
Fiber cement panels topcoated with *Duracolor* coating and a leading competitor's coating were tested in a 5,000-hour accelerated weathering scenario. The tests confirmed:

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

**FIBER CEMENT SIDING**



50 YEAR LIMITED PRODUCT WARRANTY



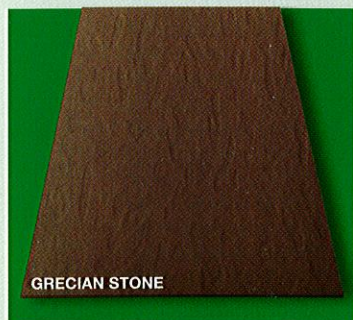
## **12' TEXTURED LAP SIDING**

- 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**

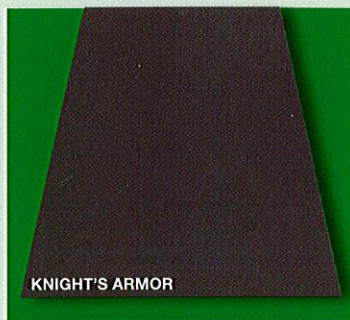
- 5/16" x 6-1/4" S 15YR: (140-3350-8432) S 30YR: (140-7351-7370)
- 5/16" x 8-1/4" S 15YR: (140-3352-8433) S 30YR: (140-7388-7407)
- 5/16" x 12" S 15YR: (140-3354-8434) S 30YR: (140-7425-7444)

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**

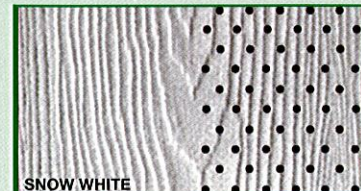
- 1/4" x 16" x 48" T 15YR: (140-3335-8425) T 30YR: (140-7485-7504)



## **STRAIGHT EDGE SHAKE SIDING**

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

**SIDING + CORNERS**



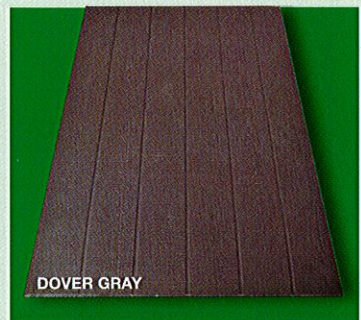
## **TEXTURED SOFFIT**

- 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)



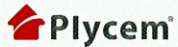
## **TEXTURED 8" GROOVED ON CENTER PANEL SIDING**

- 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

## 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](http://MENARDS.com) – keyword: Prefinished Siding

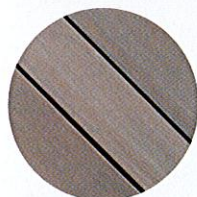


SPANISH CEDAR

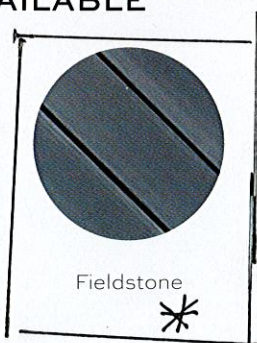


## COLORS AVAILABLE

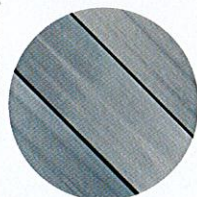
\*Colors may vary from colors shown



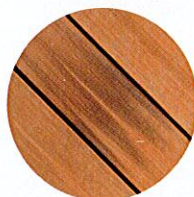
Canyon



Fieldstone



Sandstone



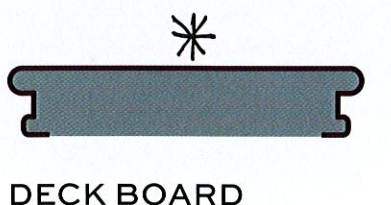
Spanish Cedar

## 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