

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use Permit with exceptions by Kara Ottum to construct two (2) new single-family dwellings at the southwest intersection of N. 8th Street and Huron Avenue. NO Zone

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

REPORT DATE: April 6, 2023

MEETING DATE: April 11, 2023

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

Kara Ottum is proposing to construct two (2) new single-family dwellings at the northwest intersection of N. 8th Street and Huron Avenue. The applicant states:

- As someone relatively new to the community, who has struggled to find an apartment or purchase a property in the years I have been here, I am requesting permission from you to build on the lots located at the southwest corner of 8th & Huron. I have fallen in love with the area, but long to create a home of my own and possibly for others while improving a vacant lot, in the heart of the city. The idea of being able to walk to all my favorite restaurants, the farmers market and shops is the life I hope to build at this corner in Sheboygan.
- This infill project will be an attractive enhancement to the neighborhood, provide housing not only for myself, but others as well. Additionally, it will improve a brownfield by permanently capping the area of contamination with a driveway and properly venting the proposed structures as recommended via the DNR Closure Report.
- Parking for each building is not limited to the garages. Additional parking for the south parcel is located in the most southwest section of the lot, measuring 48' x 10', with access at the alley. The north parcel has additional parking east of the garage, in the capped contamination zone. Meaning that the additional people and their vehicles at the residences will not be an increased burden to the limited street parking.
- Each building will be less than 50% of the available square footage, but neither lot will meet the required 6000sf lot size. 9,520sf total – north lot is 4,480sf and the south lot is 5,040sf.

STAFF COMMENTS:

Kara's Home (southern lot):

- Is proposed to be a single-story 1,818sf single-family dwelling with attached single-car garage accessing N. 8th Street on 5,040sf lot (approximately 46 x 80 with additional land to the west and south totaling another 1,360sf). Applicant can explain proposed interior floor plans, exterior architecture and site improvements.
- Appears there will be an accessory shed building to be located in the rear/west yard. What will it be used for? Will it match the design, materials and colors of the new home? Maximum shed size permitted is 200sf.
- There appears to be several patio areas to be constructed on north and west sides of the rear of the home. What is the design, materials and colors for these patios?
- Appears to be fencing that is to be installed as well. What is the design, materials and colors for the fence?
- Appears to be landscaping to be installed in the front yard along 8th Street and the front side yard to the residential neighbor to the south.

Coach House (northern lot):

- Is proposed to be a two-story 1,053sf single-family dwelling with 2nd floor residence and 1st floor garage accessing N. 8th Street on a 4,480sf (56 x 80) with additional land to the west and south totaling another 1,360sf). Applicant can explain proposed interior floor plans, exterior architecture and site improvements.
- Appears there will a large driveway and parking area on the east side of the home facing both Huron Avenue and 8th Street at the northeast corner of the lot. This is the main contamination location on this former service station lot. It appears that the DNR is acceptable with the development as proposed and specifically with this large pavement area that caps the area of contamination. Plan Commission should have the applicant further discuss this matter. Will this area just be concrete or will there be design to it?
- There appears to be several patio areas to be constructed on north and west sides of the rear of the home. What is the design, materials and colors for these patios?
- Appears to be fencing that is to be installed as well. What is the design, materials and colors for the fence?
- Appears to be landscaping to be installed along the Huron Avenue frontage and along the residential neighbor to the west.

The proposed lot lines in site plan before you today do not exactly match the existing lots lines currently in the field today. The applicant is proposing to relocate the existing east/west common property line 12 feet to the north in order to develop the properties as proposed before you today. The two lots are parcels 59281102150 and 59281102140.

Therefore, a Certified Survey Map (CSM) will be required to be submitted to staff for review to reconfigure the lots as proposed. The lots in the CSM will have to exactly match what is being reviewed by the Plan Commission today for staff to sign the CSM. If the lots do not match with the site plan being considering today, then staff will not sign the CSM and the applicant would need to resubmit the lot configuration back to the Plan Commission for consideration. Applicant has submitted the current site plan before you today in order to see if the Plan Commission will approve the proposal before spending the money necessary to have the CSM completed. If approved, the applicant will proceed with the CSM as presented.

In addition, when building permits are applied for, the survey of the house plan and lot shall match all dimensions as submitted by the applicant and approved by the Plan Commission in order for permits to be issued. If the house plans and dimensions do not match with the site plan being considering today, then permits will not be issued and the applicant will need to resubmit plans back to the Plan Commission for consideration (new conditional use and exceptions as necessary).

The driveway along Huron Avenue that would no longer be used will be constructed back to City standard specifications with curb, gutter, sidewalk, etc.

In order to construct the homes on the reconfigured lots as proposed, the applicant is requesting the following exceptions:

Coach House (northern lot):

- Requesting to have a 4,480sf foot lot – Minimum lots size for a single-family home in the Neighborhood Office Zone is 6,000sf.
- Requesting to have a 56 foot lot width - Minimum corner lot width size for a single-family home in the Neighborhood Office Zone is 70 feet.
- Requesting to have a front street yard setback of 10 feet from Huron Avenue - Minimum front/street yard setback for a single-family home in the Neighborhood Office Zone is 25 feet.
- Requesting to have a rear yard setback of seven (7) feet - Minimum rear yard setback for a single-family home in the Neighborhood Office Zone is 20 feet.
- Requesting to have an interior sidewalk that has a zero (0) foot setback to the property line – Minimum paved surface setback for a single-family home in the Neighborhood Office Zone is three (3) feet.
- Requesting to have a minimum single-family house footprint as presented on site plan which is less than 24 x 40 (approximately 27 x 39) - Minimum house foot print for a single-family home in the Neighborhood Office Zone is 24 x 40.

Kara's House (southern lot):

- Requesting to have a 5,040sf foot lot – Minimum lots size for a single-family home in the Neighborhood Office Zone is 6,000sf.

- Requesting to have a 46 foot lot width - Minimum interior lot width size for a single-family home in the Neighborhood Office Zone is 60 feet.
- Requesting to have a front yard setback of 10 feet from N. 8th Street - Minimum front yard setback for a single-family home in the Neighborhood Office Zone is 25 feet.
- Requesting to have a rear yard setback of eight (8) feet (west yard) - Minimum rear yard setback for a single-family home in the Neighborhood Office Zone is 20 feet.
- Requesting to have an interior sidewalk that has a zero (0) foot setback to the property line – Minimum paved surface setback for a single-family home in the Neighborhood Office Zone is three (3) feet.
- Requesting to have a minimum single-family house footprint as presented on site plan which is less than 24 x 40 (approximately 21 x 60 without including garage) - Minimum house foot print for a single-family home in the Neighborhood Office Zone is 24 x 40.

The applicant believes that the proposed lot configuration, site plan and exceptions are justified because:

- The proposed homes fit well with the existing neighborhood in terms of design, improvements setbacks, etc.
- This will allow the applicant to develop the land into desirable housing based on the challenges regarding contamination that will continue to be located on the site.

This is a very visible site along N. 8th Street that has been vacant and somewhat unsightly for decades. The site does have some contamination that makes the developable foot print a challenge but the proposed homes as designed will be a welcome addition to this neighborhood along Huron Avenue and N. 8th Street.

The Plan Commission may want to have the applicant address the following:

- Are the homes to be constructed at the same time or will this be phased? If phased, which home will be constructed first? What is the timeline for the 2nd home?
- What is the intended use of the coach house?
- There is a lot of hardscape and minimal landscaping that is proposed for the coach house lot. What is the intention of this space - will it be all concrete or will there be some landscaping design to this large paved area in the front of the coach house?
- The applicant discusses fencing – what type of fencing is the applicant proposing to install?
- What is the intention of utilizing the thin strip of land at the west end of the southern home that runs from the backyard to the alley to the south?

ACTION REQUESTED:

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

1. Applicant shall obtain all licenses and building permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, environmental, State of Wisconsin, DNR, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Applicant is required to meet all requirements regarding the contamination on the property and will address any concerns and/or issues accordingly with the DNR.
3. Prior to building permit issuance for either house, the applicant shall show the contamination location on the survey in order for the building department to verify the house is located outside of the contaminated area.
4. Building permits shall be issued if and only if the applicant submits plans very similar to those plans submitted to and approved by the Plan Commission (design, materials, colors, location, square footage, exceptions, etc.). However, if the applicant changes the general design concepts, the site plan, lot configurations, location, etc. and/or if staff has any concerns with the proposal, the matter may be brought back to the Plan Commission for their consideration.
5. Maximum size accessory building/shed shall be 200sf and shall be compatible design to match that of the house.
6. Outdoor storage of materials, products or equipment shall be prohibited.
7. 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.
8. All areas used for parking/maneuvering of vehicles shall be paved.
9. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping/hardscaping.
10. Any new ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives that are no longer used shall be removed and improved to standard City specifications (Huron Avenue and 8th Street).
11. Applicant will obtain all required permits/approvals prior to constructing the driveway, parking area, hardscape area, etc. including but not limited to building permit, site plan, storm water, etc.
12. Vehicles parked on the driveway of the southern lot must be completely located on the lot and not within the City of Sheboygan N. 8th Street sidewalk/public right-of-way.
13. 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.
14. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc. unless an encroachment is obtained permitting use of public right-of-way.
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, driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
16. The Certified Survey Map (CSM) will be reviewed if and only if the Plan Commission approves the conditional use permit. The proposed CSM will exactly match the approved site plan/property layout.
17. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance.

18. Building permits will only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded.
19. If operating as a short term rental, the applicant will be required to file the proper room tax paper work with the City of Sheboygan.
20. If there are any amendments including but not limited to the approved use, building design, floor plans, site plans, lot configuration, exceptions, etc., the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use and required attachments