

CITY OF SHEBOYGAN

REQUEST FOR ZONING BOARD OF APPEALS CONSIDERATION

ITEM DESCRIPTION:

Address: Vacant

Parcel #: 624950

Owner's Name: HABITAT FOR HUMANITY LAKESIDE INC

Zoning: NR-6 (NEIGHBORHOOD RESIDENTIAL)

REPORT PREPARED BY: Ellise Rose, Planning and Zoning Administrator

REPORT DATE: 09/29/2025

MEETING DATE: 10/15/2025

BACKGROUND / ANALYSIS

Owner would like to construct a single-family home on a legal non-conforming lot

Ordinance #: 105-234(a)(1)(b) Minimum lot area (MLA): 6,000 square feet for a single-family development.

Requesting: 4,500 square feet

Allowed: 6,000 square feet

Ordinance #: 105-234(b)(3)(b) Front or street side lot line to house: Single-family: 25 feet

Requesting: 19 feet on the south lot line and 9 feet on the west lot line

Allowed: 25 feet

Ordinance #: 105-234(b)(3)(d) Total of both sides, lot lines to house/attached garage: Single-family: 15 feet or 30 feet for a corner lot

Requesting: 15 feet

Allowed: 30 feet


Ordinance #: 105-929(g)(5)(c) Minimum Permitted Throat Length: 25 feet

Requesting: 20.5 feet

Allowed: 25 feet

ATTACHMENTS:

Application, pictures, and drawing

	CITY OF SHEBOYGAN VARIANCE APPLICATION	Fee: _____ Review Date: _____
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Read all instructions before completing. If additional space is needed, attach additional pages.

SECTION 1: Applicant/ Permittee Information			
Name (Ind., Org. or Entity) <i>Habitat for Humanity Lakeside, Inc</i>			
Mailing Address <i>P.O. Box 973</i>	City <i>Sheboygan</i>	State <i>WI</i>	ZIP Code <i>53082</i>
Email Address <i>jhoffman@habitatlakeside.com</i>	Phone Number (incl. area code) <i>920-254-0169</i>		
Applicants interest in property:			
SECTION 2: Property Information			
Property Address <i>5928162450</i>	City <i>Sheboygan</i>	State <i>WI</i>	Zip <i>53083</i>
Type of Building: <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential			
Request for: <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Repairs <input type="checkbox"/> Alterations <input type="checkbox"/> Addition <input type="checkbox"/> Nonconforming Use <input type="checkbox"/> Other			
SECTION 3: If the Request is for a Nonconforming Use			
Your intended use: <i>Construction of a single family residential dwelling</i>			
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.			
Name of Owner/Authorized Representative (please print) <i>Habitat for Humanity Lakeside / Jon Hoffman</i>	Title <i>Construction MGR</i>	Phone Number <i>920-254-0169</i>	
Signature of Applicant <i>[Signature]</i>		Date Signed	

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

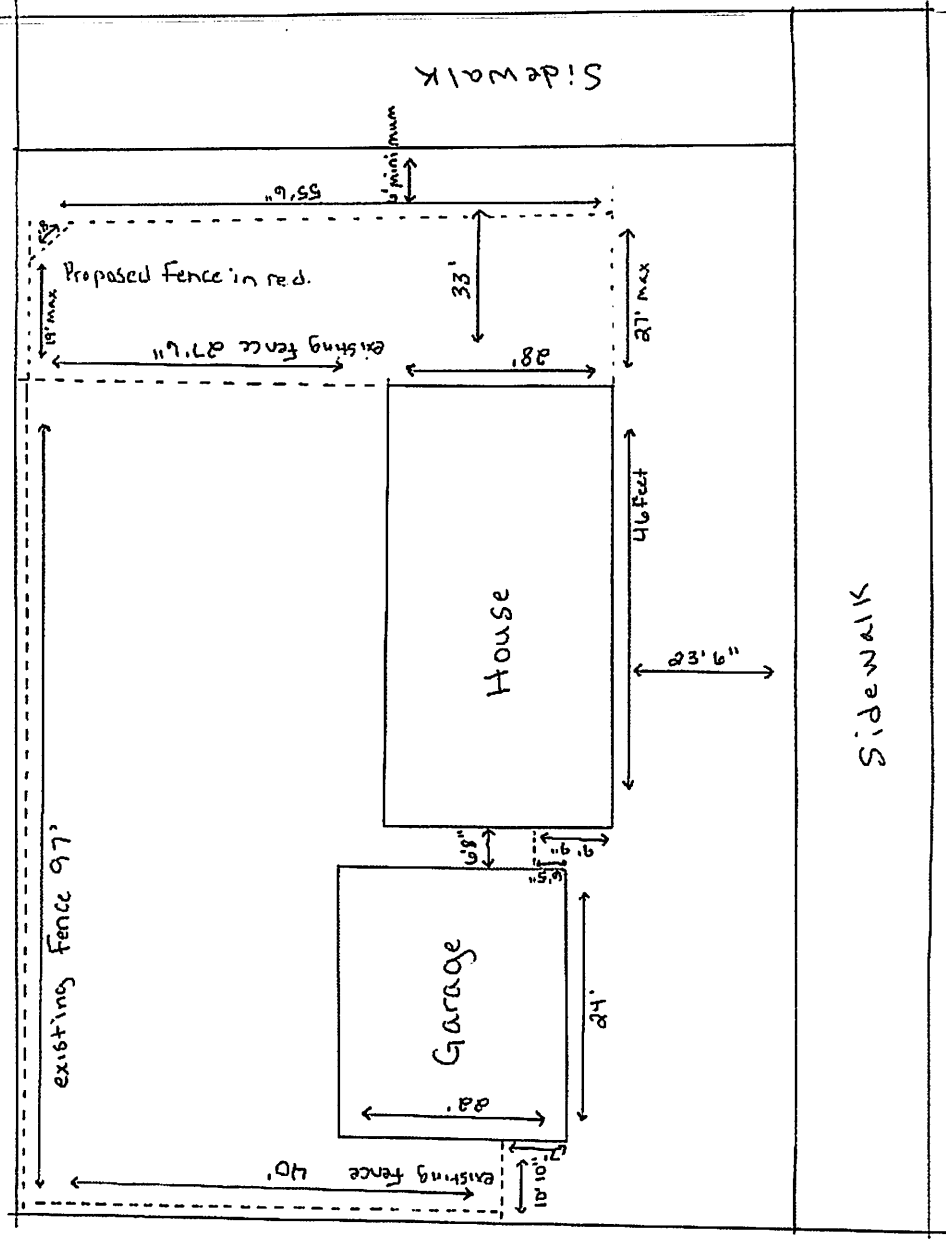
The Board members will be taking into account the reason for the existence of the zoning ordinance in applying this test. Lack of opposition ***does not*** necessarily mean the proposed construction would not harm the public interest.

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.

Hand-drawn site plan of a property. The plan shows a rectangular lot with a "House" and a "Garage" building. The "House" is oriented vertically and has a width of 28' and a height of 46' Feet. The "Garage" is oriented horizontally and has a width of 22' and a height of 24'. A "Proposed fence in red" is shown as a dashed line around the perimeter of the lot. An "existing fence 27' 6\"





We build strength, stability, self-reliance, *and* shelter.

Sept 10, 2025

Attn: City of Sheboygan Zoning Board of Appeals

Subject: Variance Request for northeast corner of 22nd Street and Geele Ave

Esteemed Members,

It is my pleasure to submit this letter describing the variance necessary to build a single-family home on the northeast corner of 22nd St. and Geele Ave. (parcel # 59281624950)

This property has been owned by Habitat for Humanity Lakeside since 2014-2015, and is one of two remaining from several lots donated by surviving members of the Maitlin family.

The development of this lot to include the single-family home proposed will add value and beauty to the neighborhood. The situation that presents itself when the plan and placement of the home on this lot is confronted with current municipal ordinances (for setbacks and minimum foot print) causes the three tests for variance to be met:

Test #1: Unnecessary Hardship

As the lot in question is a corner lot with dimensions of 45'x100' there is not room to build the minimum footprint home on the property adhering to the ordinance requirement of 25' setback from 22nd Street. As the ordinance is written, the required setbacks on the left and right of the home leave only 14' of width in which to build. Reasonable use of the property is illustrated by the fact that the setbacks for Both the northwest and southwest corners of the intersection exist with non-complying setbacks.

Test #2: Unique Property Limitations:

As stated in Test# 1, The size of the lot and the fact that it is a corner lot (both long established prior to the adoption of the current ordinance) combined with setback requirements and minimum footprint size, limit the width of any building on the property to a maximum of 14 feet. The only limitations the property has to accommodating the proposed 25' x 44' footprint of the home are limitations imposed by the current ordinance. The proposed setback variance is typical of current and historical conditions at the intersection, on the block, and on surrounding blocks.



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Test #3: No Harm to Public interest.

There no harm to public interest in the proposed construction of a single-family home on this corner, However, there are multiple benefits to the public interest. As a vacant lot, the site represents all of the generally recognized negative community impacts to the public interest associated with vacant lots: Blight and crime in the form of illegal dumping on the site, negative health impacts as noxious weeds easily overtake minimally maintained areas (as well as whatever hazards are created by objects illegally dumped at the property), and economic strain in the lowering of neighboring property values. All three of these considerations combine to create a sense of divestment in a neighborhood. The proposed investment of building and owner-occupied single-family home will create immediate advantages to the public interest in the form of increased property values and income (revenue) generation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Hoffman". The signature is fluid and cursive, with a large initial "J" and "H".

Jon Hoffman

Construction Manager, Habitat for Humanity Lakeside

jhoffman@habitatlakeside.com

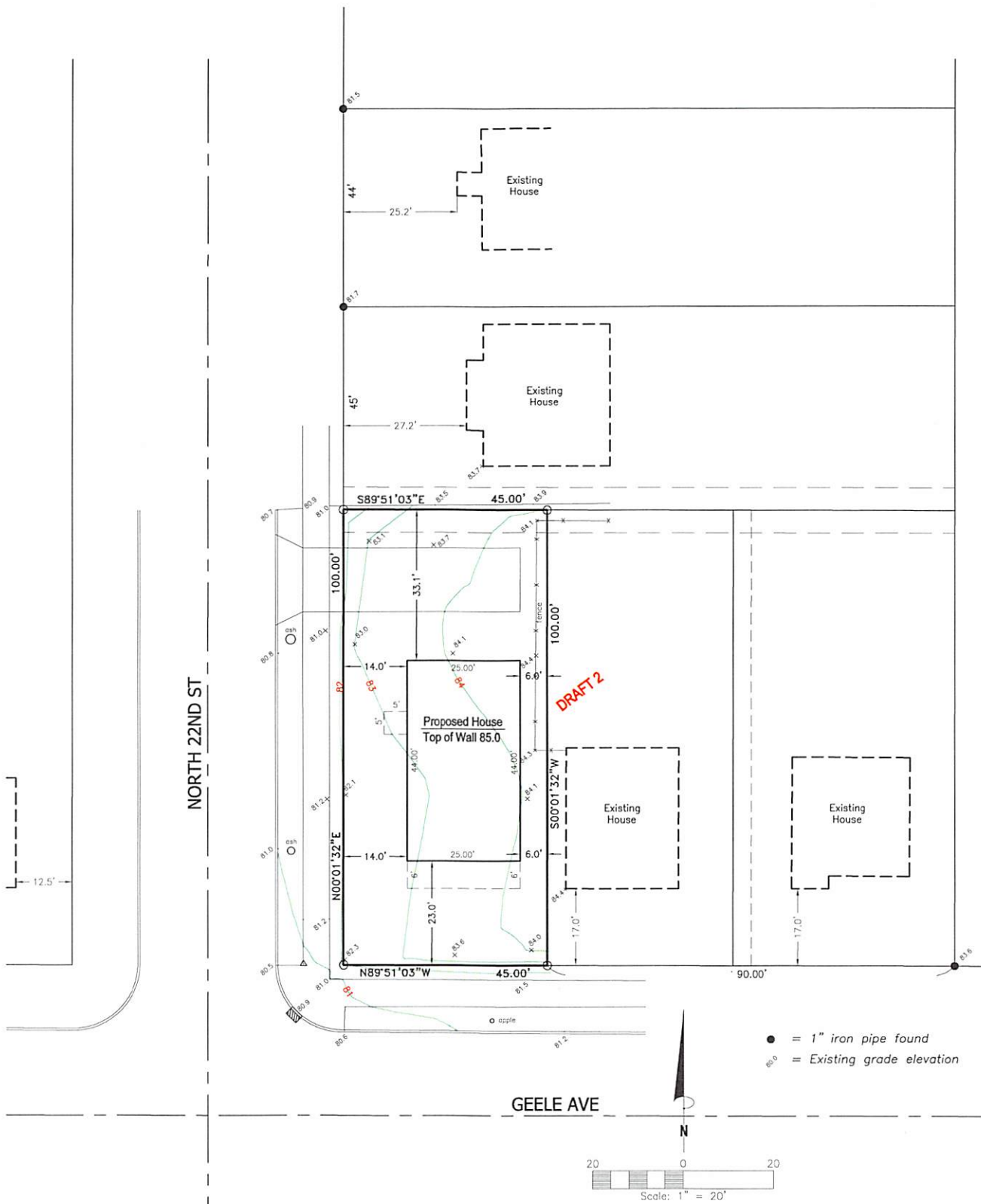








Roof near Appalachian Sky



I, John M. DuMez, Wisconsin Professional Land Surveyor, certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.

John M. DuMez - Wisconsin P.L.S. S-2267 / / 2025 Date
The certification contained on this document shall not apply to copies.

Lot 10, Block 1, St. Dominic's Subdivision,
City of Sheboygan, Sheboygan County, WI

Compsite
Surveying & Mapping
Oostburg, Wisconsin
(920) 564-6812

TAX PARCEL NO. 59281624950
PATH: c:\projects2\habitat_humanity\gelee_22nd\dwg\
DRAWN BY: jdm
PROJECT: 4781



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