

BOARD OF APPEALS AGENDA

May 5, 2014
3:00 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

I. CALL TO ORDER

- A. Roll Call
- B. Declaration a Quorum is Present

II. APPROVAL OF MINUTES

- A. April 7, 2014

III. HEARINGS

- A. Appeal No. 2014-10 (Postponed from 4/7/14)
25 East Rees Street
Meyer Property Group LLC

Zoning Code Regulations:

- 1. Section 11.06 C. Schedule I does not permit a garage as a primary land use in the R-4 district.
- 2. Section 11.06 D. Schedule IA requires a 25' front yard building setback in the R-4 district.
- 3. Section 11.06 D. Schedule IA requires a 20' rear yard building setback in the R-4 district.

Variance Request:

- 1. Allow garage as primary land use.
- 2. Reduce front yard building setback from 25' to 12'.
- 3. Reduce rear yard building setback from 20' to 2'.

BOARD OF APPEALS AGENDA

May 5, 2014

Page 2

- B. **Appeal No. 2014-07**
345 Superior Street
Advocap

Zoning Code Regulations:

1. Section 11.06 D. Schedule IA requires a front yard building setback of 25 feet.
2. Section 11.06 D. Schedule IA requires a rear yard building setback of 20 feet.
3. Section 11.06 D. Schedule IA allows maximum lot coverage of 35%.

Variance Request:

1. Reduce front yard building setback from 25 feet to 16 feet for construction of new home.
2. Reduce rear yard setback from 20 feet to 10.41 feet.
3. Increase allowable lot coverage from 35% to 45%.

- C. **Appeal No. 2014-11**
459 East 1st Street
Fond du Lac County

Zoning Code Regulations:

Section 11.12 I. Schedule V allows one ground sign for an institutional use with a maximum area of 40 square feet.

Variance Request:

Install two new ground signs to increase the number of allowable ground signs from 1 to 4 and increase allowable sign area from 40 square feet to 229 total square feet.

IV. ADJOURN

BOARD OF APPEALS MINUTES

April 7, 2014
3:00 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

CALL TO ORDER

ROLL CALL: Present: - Katie Derksen
Eric Drazkowski
Howard Floeter
Kirsten Quam
Jerry Lauby
John Piper

Absent: - Matthew Schoenleber (excused)
Jeffrey Butzke (excused)
Dan Hebel (excused)

Administrative Staff: Joellyn Dahlin, Principal Planner
Guy Fox, Chief Inspector

Chairperson Quam declared a quorum present.

APPROVAL OF MINUTES

March 3, 2014

Motion made by Floeter to approve the minutes of the regular meeting of March 3, 2014 of the Board of Appeals as presented.

Seconded by Piper.

ROLL CALL VOTE: Aye - Derksen, Drazkowski,
Floeter, Lauby, Piper,
Quam
Nay - None

Carried.

ZONING PETITION - VARIANCE



CITY OF FOND DU LAC

ADDRESS OF VARIANCE REQUEST: 25 E Rees St

Tax Key Number if vacant land: _____

Petitioner: Meyer Property Group LLC
(Name) (Address)

Petitioner Phone Number: _____ 42 N Main St

Petitioner Email: _____

Property Owner: _____
(If not the same as Petitioner) (Name) (Address)

VARIANCE REQUEST

A variance is an exception to a requirement of the Zoning Code or Building Code. Describe the requested exception(s) for your variance request:

Build a garage on a non-conforming lot - approved in the past

STATEMENT OF HARDSHIP

A variance may be approved if a hardship specific to a property does not allow compliance with zoning regulations. A hardship is created by a **physical condition** of the property.

Describe the special circumstances of your property that require approval of a variance:

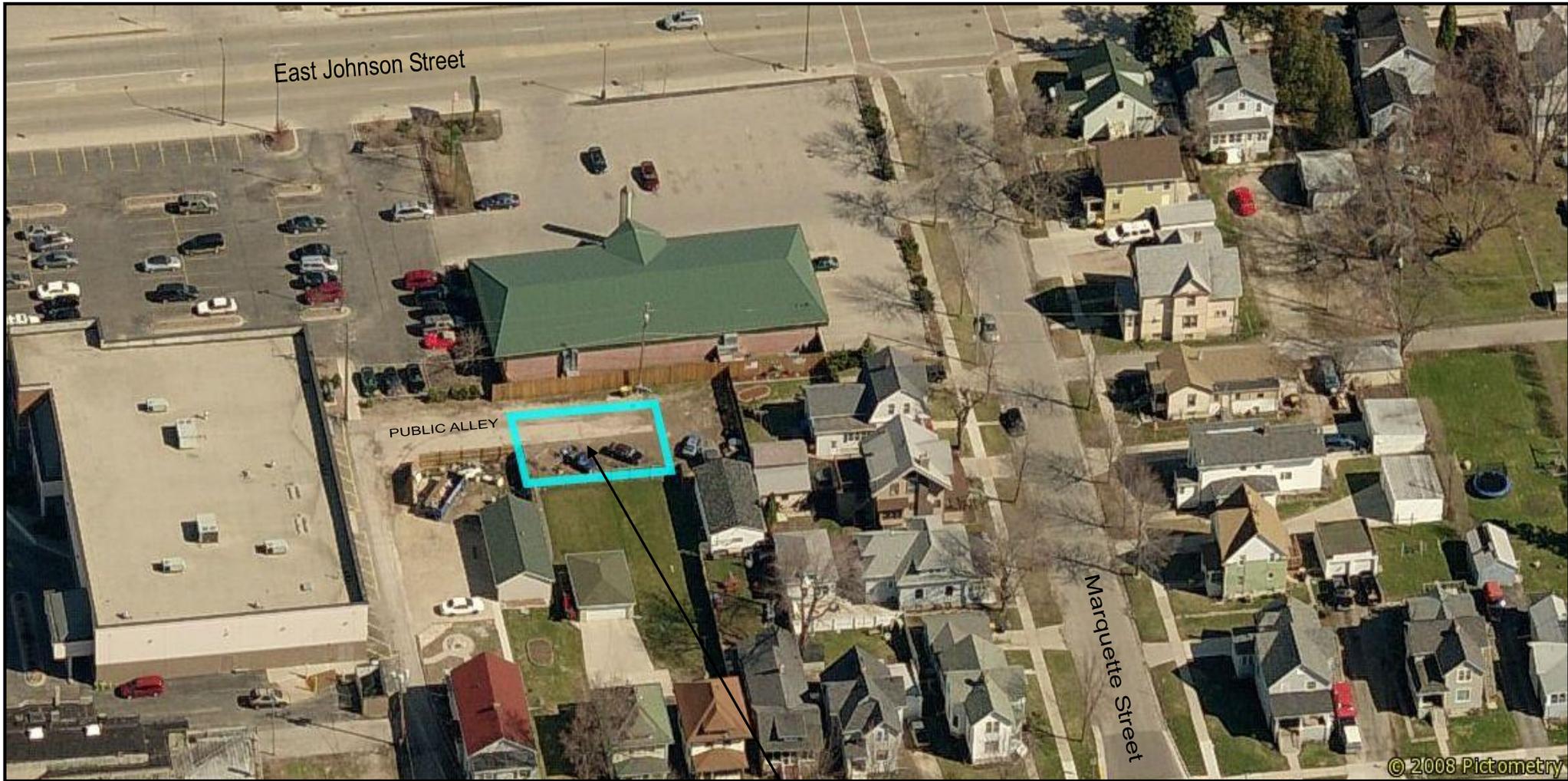
I purchased lot with previous approval for same project

Petitioner Signature: Samuel Meyer

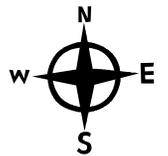
APPEAL NO. 2014-10

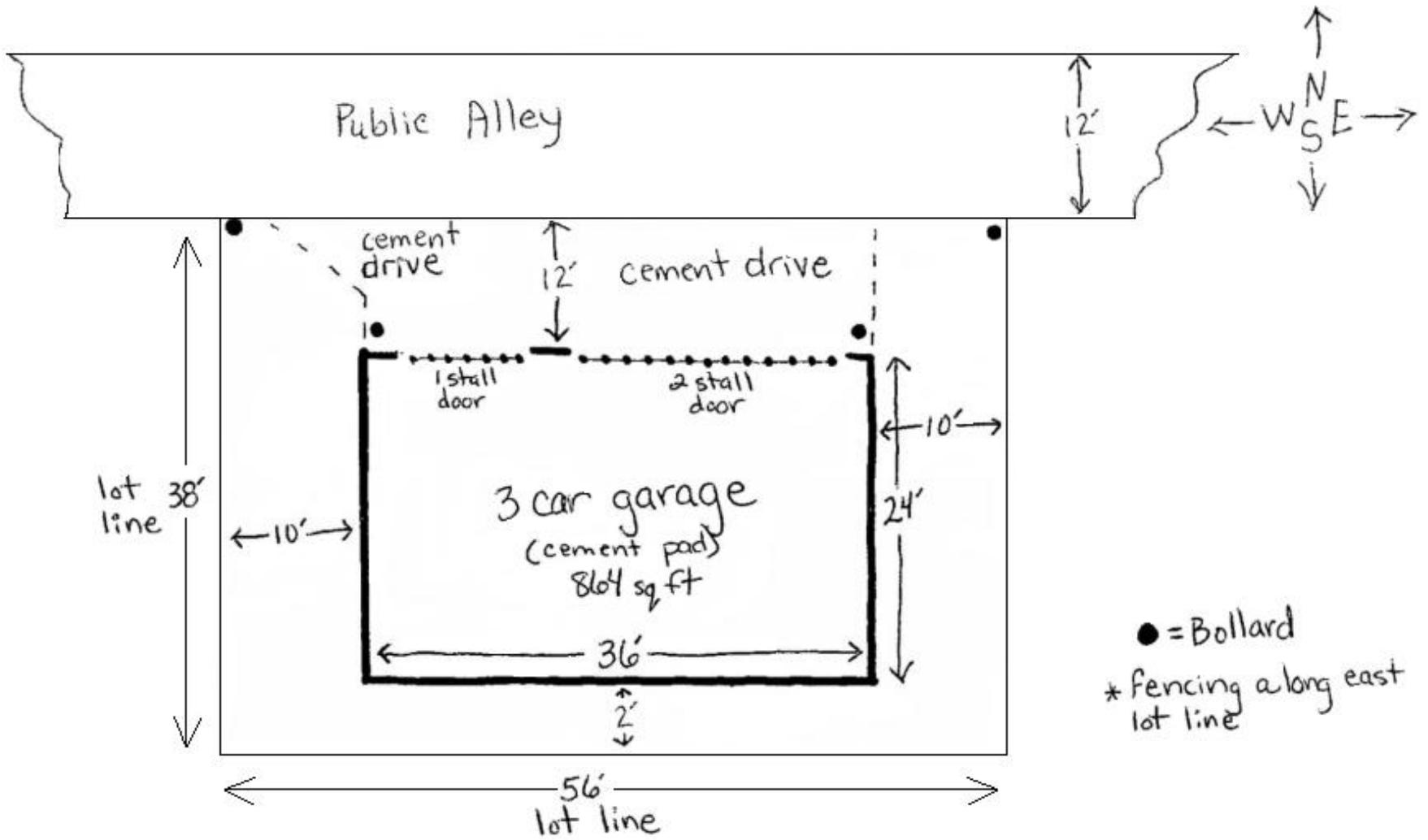
Submit application to the Community Development Office
(4th floor, City-County Government Center)

APPEAL NO. 2014-10 – MEYER PROPERTY GROUP
25 EAST REES STREET



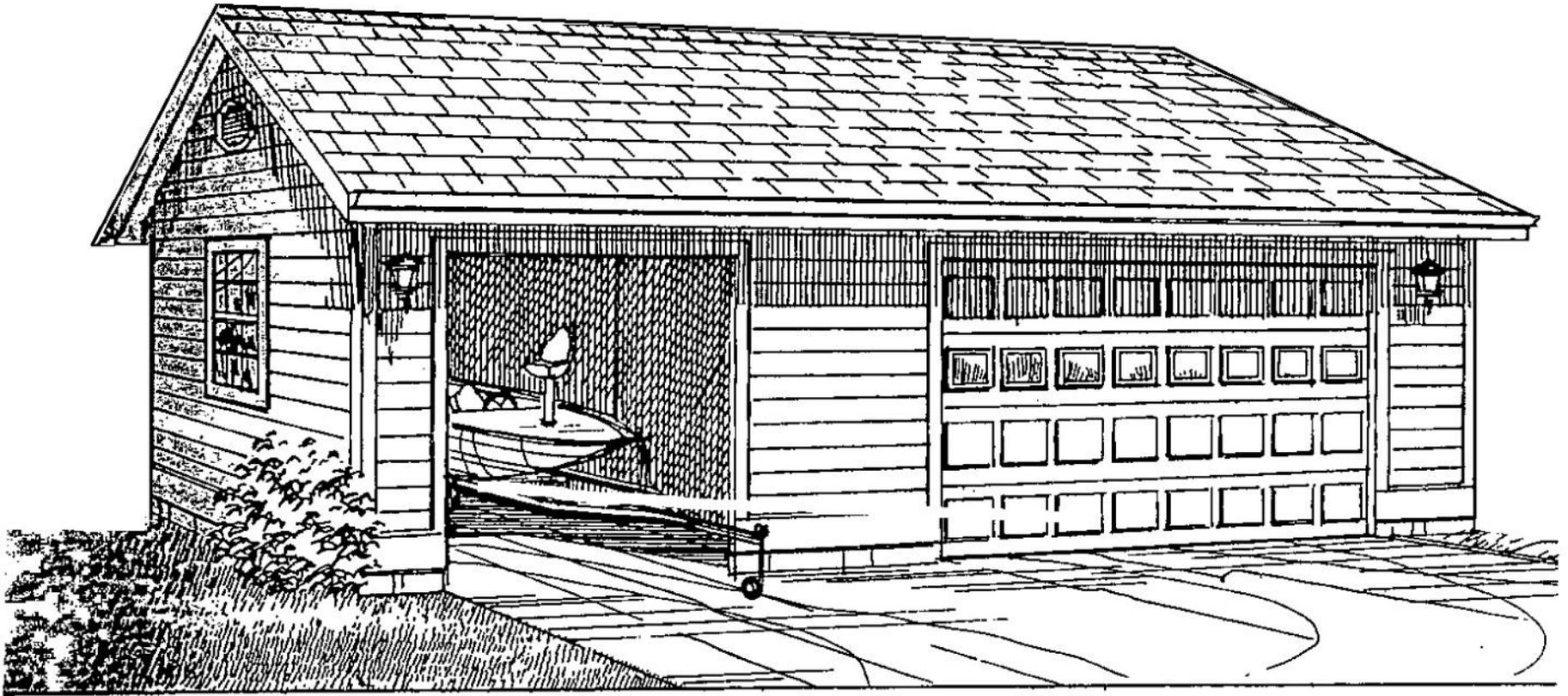
SITE





25 E Rees St.
Samuel D. Meyer

25 E Rees Street – PROPOSED GARAGE



BOARD OF APPEALS MINUTES

December 7, 2009
3:00 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

CALL TO ORDER

ROLL CALL: Present: Matthew Clementi
Alan Meindel
Paul Smedberg
Betty Scannell
Katie Derksen

Absent: Andrew Land
Tom Meiklejohn
Joseph Reber
Marilyn Zangl

Administrative Staff: Joellyn Dahlin, Principal Planner
Guy Fox, Chief Building Inspector

Samuel D. Meyer
25 E. Rees Street
Appeal No. 2009-45

Variance Required: Section 11.04 C.3.o, Section 11.04 C.3.o(1)(f) and Section 11.06 D. Schedule IA state (1)The maximum size of a detached garage is 650 square feet or cover a ground area not greater than that covered by the residential building, whichever is less; (2) The width of a garage shall not exceed more than one-half of the width of the lot; and (3) The front yard setback in the R-4 district is 25 feet.

Variance Requested: (1) Construct and maintain a garage as the principal use of a residential lot; (2) Increase allowable garage width from 28 feet to 36 feet; and (3) Reduce front yard setback from 25 feet to 12 feet.

Motion made by Smedberg to approve the variance request based on staff findings, and specifically because the exceptions reflect property circumstances of a substandard lot that is not suitable for development in accord with its zoning designation.

Conditions of approval shall include:

1. Eave troughs and downspouts shall be provided to direct water away from adjacent properties.
2. All storage shall be confined with the interior of the building.

Seconded by Scannell.

ROLL CALL VOTE: Aye - Clementi, Derksen, Meindel,
Smedberg, Scannell

Nay - None

Carried.



City of Fond du Lac
First on the Lake

City-County Government Center
160 S. Macy Street—P.O. Box 150—Fond du Lac, WI 54936-0150

December 10, 2009

Samuel Meyer
42 N. Main St
Fond du Lac, WI 54935

Appeal No. 2009-45
Location: 25 E. Rees Street

Dear Appellant:

This letter is to confirm that at its December 7, 2009 meeting, the Board of Appeals voted to **APPROVE** the variance request based on staff findings, and specifically because the exceptions reflect property circumstances of a substandard lot that is not suitable for development in accord with its zoning designation.

Conditions of approval shall include:

1. Eave troughs and downspouts shall be provided to direct water away from adjacent properties.
2. All storage shall be confined with the interior of the building.

You must apply for your building permit from the Building Inspector within six (6) months of the Board's approval date. Should you have any further questions, please do not hesitate to contact our office.

Sincerely,

SUE STRANDS
City Clerk

cc: Guy Fox, Chief Inspector
Joellyn Dahlin, Planner
Kay Smedberg, Community Development

board of appeals memorandum

Date: April 30, 2014
To: Board of Appeals
From: Joellyn Dahlin, Principal Planner
Subject: Appeal No. 2014-10

Location: 25 East Rees Street
Applicant: Meyer Property Group LLC
Zoning: Site: R-4 (Multifamily Residential)
North: B-3 (Central Shopping District)
South: R-4
East: R-4
West: R-4
Land Use: Site: Vacant Lot
North: Family Video
South: Single Family Residence
East: Nonconforming Storage Building
West: Nonconforming Storage Building

Variance Request

NOTE: Action on the proposal was postponed by the Board of Appeals on 4/7/14 for revision. The request has been revised pursuant to the petitioner's request.

Zoning Regulations:

1. Section 11.06 C. Schedule I does not allow a garage as a primary land use.
2. Section 11.06 D. Schedule IA requires a 25' front yard building setback.
3. Section 11.06 D. Schedule IA requires a 20' rear yard building setback.

Proposal:

1. Construct garage as principal land use on property zoned for residential use.
2. Reduce front yard (north) building setback from 25 feet to 12 feet.
3. Reduce rear year (south) building setback from 20 feet to 2 feet.

Analysis

The subject property is a small lot situated behind the Family Video store on East Johnson Street. The lot does not have frontage on a public street. Access to the lot is taken from East Rees Street via a public alley. The variance request reflects the construction of a garage as a principal land use and also concerns building setback requirements. The proposal reflects a previous approval that expired for lack of action (2009-45).

The subject lot is 38 feet deep and 56 feet wide. The lot is substandard to code requirements for width, depth and area. The lot cannot accommodate residential development or some other permitted land use. The petitioner proposes to construct a residential-type garage as the principal use of the property. The proposed garage is 24'x36' (864 square feet). The setback from the alley is 12 feet; 25 feet is required. The 2' rear yard setback falls short of the zoning code requirement for 20 feet, but is comparable to the setback required for a residential garage. The proposed side yard setbacks comply with zoning regulations for a nonresidential use.

In most cases the development of a residential property solely for a garage would not be appropriate and exceptions to building use and setbacks would be difficult to justify. The subject property is unusual in that it is not accessible from a public street, it is not usable for residential purposes, and it borders commercial development to the north and nonconforming uses to the east and west.

Use of the property is impossible without consideration of a variance to relax zoning regulations. Approval of the variance request would not cause a negative impact on any nearby property. Favorable consideration of the requested exceptions is recommended.

Statement of Hardship

To justify approval of a variance, the hardship to support an exception to zoning regulations must directly relate to the physical character of the *property*, not the personal circumstances or preference of the *property owner* or tenant.

The variance request reflects the circumstances of a substandard lot that is not suitable for development pursuant to its zoning designation.

Statement of Findings

To grant the requested variance, the Board of Appeals must find:

1. The proposed variance is not contrary to the public interest;
2. The property has a special or unique condition; and
3. The special condition of the property creates an unnecessary hardship.

Making and Taking of Precedent

A decision to approve or deny a variance request must be based on the merit of the individual case. Where a history of variance requests provides similar account of circumstances, a reasonable consistency between decisions would be appropriate.

Recommendation

A motion for variance approval or denial must state the findings in support of the action.

Community Development staff suggests a motion to **approve the variance request** based on findings referenced herein and because of property circumstances that do not allow reasonable use of the property pursuant to its zoning designation.

Conditions of approval shall include:

1. Use of the building shall be for storage purposes only. The building shall not be used for the operation of a business or for residential purposes.
2. Eave troughs and downspouts shall be provided to direct water away from adjacent properties.
3. Drainage shall be managed on-site. A drainage plan prepared by a licensed professional shall be approved by the City Engineer prior to the issuance of a building permit.
4. All storage shall be confined to the interior of the building.

PUBLIC NOTIFICATION - APPEAL NO. 2014-10
MEYER PROPERTY GROUP - 25 E REES STREET

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-10-41-073-00	114 S MAIN ST #116	FOND DU LAC	WI	54935	21 E REES ST
FDL-15-17-10-41-150-00	N3056 KELLY RD	FOND DU LAC	WI	54937	36 E REES ST
FDL-15-17-10-41-076-00	W20298 STATE ROAD 121	WHITEHALL	WI	54773	29 E REES ST
FDL-15-17-10-41-078-00	37 E REES ST	FOND DU LAC	WI	54935	37 E REES ST
FDL-15-17-10-41-152-00	28 E REES ST	FOND DU LAC	WI	54935	28 E REES ST
FDL-15-17-10-41-082-00	148 MARQUETTE ST	FOND DU LAC	WI	54935	148 MARQUETTE ST
FDL-15-17-10-41-068-00	1022 E ADAM ST	SPRINGFIELD	IL	62703	32 E JOHNSON ST
FDL-15-17-10-41-149-00	40 E REES ST	FOND DU LAC	WI	54935	40 E REES ST
FDL-15-17-10-41-074-00	27 E REES ST	FOND DU LAC	WI	54935	27 E REES ST
FDL-15-17-10-41-151-00	32 E REES ST	FOND DU LAC	WI	54935	32 E REES ST
FDL-15-17-10-41-081-00	144 MARQUETTE ST	FOND DU LAC	WI	54935	144 MARQUETTE ST
FDL-15-17-10-41-075-00	42 N MAIN STREET	FOND DU LAC	WI	54935	25 E REES ST
FDL-15-17-10-41-154-00	22 E REES ST	FOND DU LAC	WI	54935	22 E REES ST
FDL-15-17-10-41-077-00	N5123 OAKHILL RD	FOND DU LAC	WI	54937	33 E REES ST
FDL-15-17-10-41-079-00	41 E REES ST	FOND DU LAC	WI	54935	41 E REES ST
FDL-15-17-10-41-155-00	117 N MAIN ST	FOND DU LAC	WI	54935	117 N MAIN ST
FDL-15-17-10-41-071-00	W3793 FOURTH ST RD	FOND DU LAC	WI	54937	127 N MAIN ST
FDL-15-17-10-41-080-00	1719 PARKRIDGE LANE	N FOND DU LAC	WI	54937	136 MARQUETTE ST

ZONING PETITION - VARIANCE



CITY OF FOND DU LAC

ADDRESS OF VARIANCE REQUEST: 345 Superior Street

Tax Key Number if vacant land: _____

Petitioner: ADVOCAP C/O: Mike Bonertz 19 West 1st Street
(Name) (Address)

Petitioner Phone Number: [REDACTED]

Petitioner Email: [REDACTED]

Property Owner: Same as above
(If not the same as Petitioner) (Name) (Address)

VARIANCE REQUEST

A variance is an exception to a requirement of the Zoning Code or Building Code. Describe the requested exception(s) for your variance request:

Variance for front yard setback: Code requires 25' asking for 16' setback.

Variance for rear yard setback: Code requires 20' asking for 10' setback.

Variance for lot coverage: Code allows max of 35% asking for 45% max coverage

STATEMENT OF HARDSHIP

A variance may be approved if a hardship specific to a property does not allow compliance with zoning regulations. A hardship is created by a **physical condition** of the property.

Describe the special circumstances of your property that require approval of a variance:

See attached.

Petitioner Signature: 

APPEAL NO. 2014-07

Submit application to the Community Development Office
(4th floor, City-County Government Center)

City of Fond du Lac – Zoning Petition – Variance

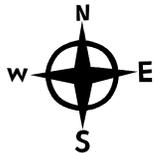
Statement of Hardship

Front Yard Setback: The existing lot does not comply with the size requirements of the current zoning code, which makes it difficult to place an average size home on the lot and meet all requirements. The neighboring house at 349 Superior Street does not comply with the current front yard setback (the existing house is located 12.91' from the East right of way line of Superior Street).

Rear Yard Setback: The existing lot does not comply with the size requirements of the current zoning code, which makes it difficult to place an average size home on the lot and meet all requirements. The neighboring house at 374 South Military Street does not comply with the current front yard setback (the existing house is located 7.29' from the rear property line).

Lot Coverage: The existing lot does not comply with the size requirements of the current zoning code, which makes it difficult to keep the impervious surface under 35%.

APPEAL NO. 2014-07 – ADVOCAP
345 SUPERIOR STREET



APPEAL NO. 2014-07 – ADVOCAP
345 SUPERIOR STREET



SITE



board of appeals memorandum

Date: April 30, 2014
To: Board of Appeals
From: Joellyn Dahlin, Principal Planner
Subject: Appeal No. 2014-07

Location: 345 Superior Street

Applicant: Advocap

Zoning: Site: R-3 (Single Family Residential)
North: R-3
South: R-3
East: R-3
West: R-3

Land Use: Site: Vacant Lot
North: Vacant Lot
South: Single Family Residence
East: Two-Family Residence
West: Single Family Residence

Variance Request

Zoning Regulations:

1. Section 11.06 D. Schedule IA requires a front yard building setback of 25 feet.
2. Section 11.06 D. Schedule IA requires a rear yard building setback of 20 feet.
3. Section 11.06 D. Schedule IA allows maximum lot coverage of 35%.

Proposal:

1. Reduce front yard building setback from 25 feet to 16 feet for construction of new home.
2. Reduce rear yard setback from 20 feet to 10.41 feet.
3. Increase allowable lot coverage from 35% to 45%.

Analysis

The subject property is a vacant lot zoned for single family use. The property is an existing lot of record. The lot meets the minimum width requirement but does not meet zoning code standards for depth and area. The petitioner proposes to construct a new home on the property and requests exceptions to requirements for front and rear building setbacks, and for allowable lot coverage.

Zoning regulations require a front yard building setback of 25 feet. The variance request proposes a 16' setback for the residence and 20' for the attached garage. The neighboring home to the south is situated with a 7' front yard setback and the home at the north end of the block has a 12' setback. The setback of homes on the west side of the street ranges from 11 feet to 28 feet. The proposed front yard setback reflects a pattern of nonconforming neighborhood conditions and will comply with standards of the new zoning code (adoption pending).

Another issue of the variance request is the rear yard building setback requirement; 20 feet is required. Reflective of lot lines that are not parallel, the variance request proposes 10.41 feet at the southeast corner of the building and 15.65 feet at the northeast corner. A former building on the site was situated with an 8' setback.

The third issue of the variance request affects lot coverage; 35% is allowed - an increase of up to 45% is proposed. The proposed site plan maintains lot area coverage of 40% for the new home. The building size and layout relate to floor space requirements for handicap accessibility.

Existing lot conditions challenge reuse of the property. Favorable consideration of the requested exceptions is recommended.

Statement of Hardship

To justify approval of a variance, the hardship to support an exception to zoning regulations must directly relate to the physical character of the *property*, not the personal circumstances or preference of the *property owner* or tenant.

The variance request reflects the circumstances of an existing substandard lot of record and building size requirements for handicap accessibility.

Statement of Findings

To grant the requested variance, the Board of Appeals must find:

1. The proposed variance is not contrary to the public interest;
2. The property has a special or unique condition; and
3. The special condition of the property creates an unnecessary hardship.

Making and Taking of Precedent

A decision to approve or deny a variance request must be based on the merit of the individual case. Where a history of variance requests provides similar account of circumstances, a reasonable consistency between decisions would be appropriate.

Recommendation

A motion for variance approval or denial must state the findings in support of the action.

Community Development staff suggests a motion to **approve a variance to reduce front and rear yard setback requirements, and increase allowable lot coverage**, based on findings referenced herein and specifically due to circumstances of an existing substandard lot of record and building size requirements for handicap accessibility.

Conditions of approval shall include:

1. The minimum front yard garage setback shall be not less than 20 feet.
2. Lot area coverage shall reflect the proposed site plan. Maximum lot coverage shall not exceed 40%.
3. Eave troughs and downspouts shall be provided to direct water away from adjacent properties.
4. Drainage shall be managed on-site. A drainage plan prepared by a licensed professional shall be approved by the City Engineer prior to the issuance of a building permit.
5. Accessory buildings shall not be permitted.
6. Open uncovered parking in addition to the driveway is not permitted. Allowable driveway area shall correspond to the width of the garage.

Public Notification - Appeal 2014-07
345 Superior Street/Advocap

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-15-23-586-00	19 W 1ST ST	FOND DU LAC	WI	54935	345 SUPERIOR ST
FDL-15-17-15-23-553-00	322 SUPERIOR ST	FOND DU LAC	WI	54935	322 SUPERIOR ST
FDL-15-17-15-32-349-00	72 W 9TH ST	FOND DU LAC	WI	54935	401 S MILITARY RD
FDL-15-17-15-23-588-00	288 GROVE ST	FOND DU LAC	WI	54935	288 GROVE ST
FDL-15-17-15-23-590-00	445 CHURCH ST	LOMIRA	WI	53048	370 S MILITARY RD
FDL-15-17-15-32-382-00	P O BOX 306	RIPON	WI	54971	288 W 9TH ST
FDL-15-17-15-32-252-00	358 SUPERIOR ST	FOND DU LAC	WI	54935	358 SUPERIOR ST
FDL-15-17-15-32-283-00	79 UNIVERSITY DR	FOND DU LAC	WI	54935	400 S MILITARY RD
FDL-15-17-15-23-593-00	N5610 ESTERBROOK RD	FOND DU LAC	WI	54937	317 SUPERIOR ST
FDL-15-17-15-23-552-00	193 4TH ST	FOND DU LAC	WI	54935	316 SUPERIOR ST
FDL-15-17-15-32-250-00	349 SUPERIOR ST	FOND DU LAC	WI	54935	349 SUPERIOR ST
FDL-15-17-15-23-585-00	346 SUPERIOR ST	FOND DU LAC	WI	54935	346 SUPERIOR ST
FDL-15-17-15-23-591-00	600 BRIDGE ST	MAYVILLE	WI	53050	284 GROVE ST
FDL-15-17-15-24-853-00	393 E MERRILL AVE	FOND DU LAC	WI	54935	344 S MILITARY RD
FDL-15-17-15-23-594-00	311 SUPERIOR ST	FOND DU LAC	WI	54935	311 SUPERIOR ST
FDL-15-17-15-23-584-00	334 SUPERIOR STREET	FOND DU LAC	WI	54935	334 SUPERIOR ST
FDL-15-17-15-23-589-00	280 S WATER ST	LOMIRA	WI	53048	374 S MILITARY RD
FDL-15-17-15-23-592-00	92 S LAKE ST	NEENAH	WI	54956	350 S MILITARY RD
FDL-15-17-15-23-554-00	309 GROVE ST	FOND DU LAC	WI	54935	309 GROVE ST
FDL-15-17-15-32-253-00	W6860 BLUE HERON BLVD #7	FOND DU LAC	WI	54937	352 SUPERIOR ST
FDL-15-17-15-23-555-00	315 GROVE ST	FOND DU LAC	WI	54935	315 GROVE ST
FDL-15-17-15-23-587-00	1601 VONDRON RD	MADISON	WI	53716	339 SUPERIOR ST

ZONING PETITION - VARIANCE



CITY OF FOND DU LAC

ADDRESS OF VARIANCE REQUEST:

459 E 1st Street

Tax Key Number if vacant land: _____

Petitioner: Fond du Lac County (Dept. of Social Services & Dept. of Community Programs)

Petitioner Phone Number: [REDACTED]

Petitioner Email: [REDACTED]

Property Owner: _____
(If not the same as Petitioner) (Name) (Address)

VARIANCE REQUEST

A variance is an exception to a requirement of the Zoning Code or Building Code. Describe the requested exception(s) for your variance request:

The code allows 1 ground sign for this parcel. We would like 2 additional ground signs.

STATEMENT OF HARDSHIP

A variance may be approved if a hardship specific to a property does not allow compliance with zoning regulations. A hardship is created by a **physical condition** of the property.

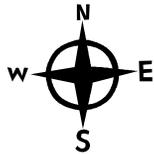
Describe the special circumstances of your property that require approval of a variance:

This is an inordinately large parcel which requires additional signs to identify the 3 different departments located in the building.

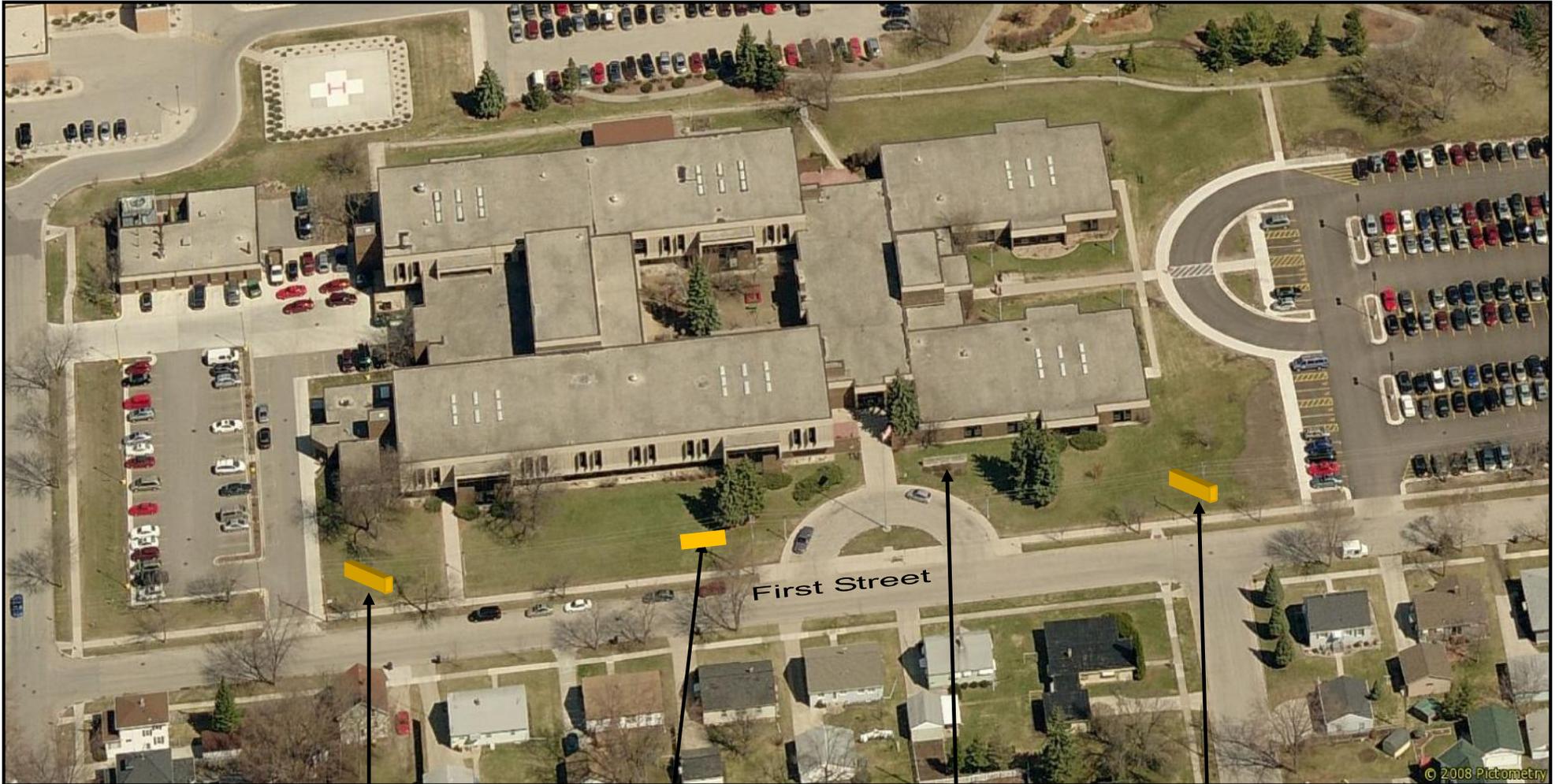
Petitioner Signature: 

APPEAL NO. 2014-II

APPEAL NO. 2014-11 – FDL COUNTY
459 EAST FIRST STREET



APPEAL NO. 2014-11 – FDL COUNTY
459 EAST FIRST STREET

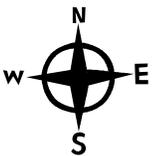


PROPOSED SIGN
SOCIAL SERVICES

PROPOSED SIGN
COMMUNITY PROGRAMS

EXISTING SIGN
HEALTH CARE CENTER

EXISTING SIGN
HARBOR HAVEN



© 2008 Pictometry

**EXISTING SIGN - FDL COUNTY HEALTH CARE CENTER
MAIN ENTRANCE**



FOND DU LAC COUNTY
HEALTH CARE CENTER

RESERVED
PARKING
THIS SPACE
\$200 FINE

23' 9"

46"

EXISTING SIGN - HARBOR HAVEN

*emailed
4-2-14*



120"

31 7/8"

2"

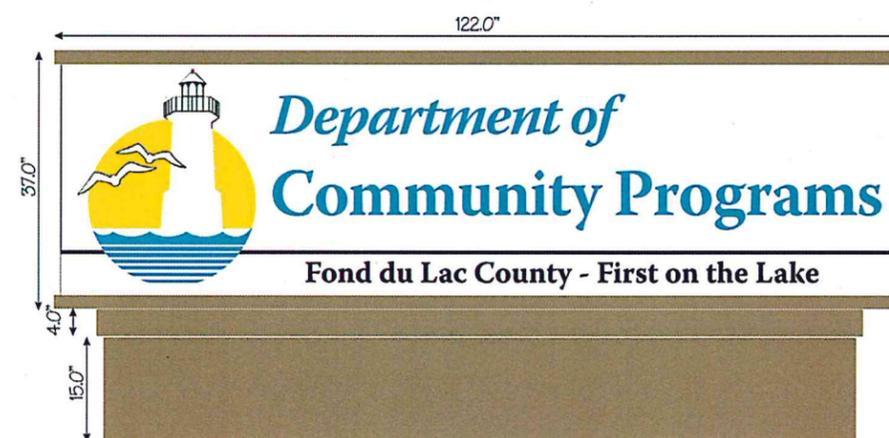
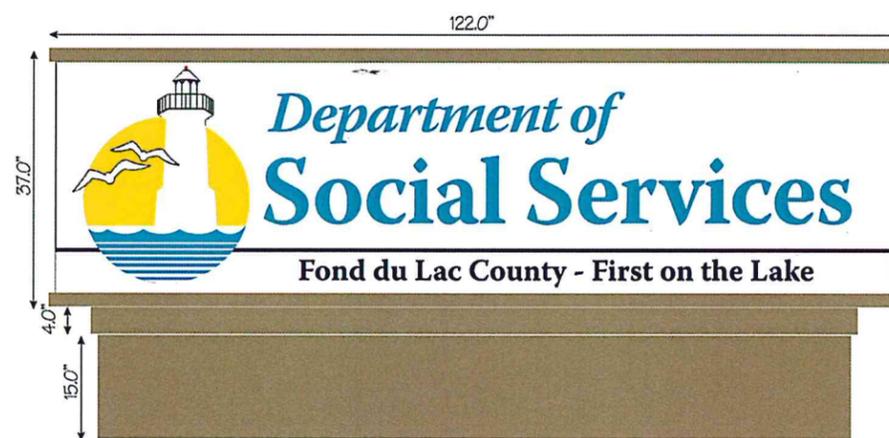
4"

15"



Harbor Haven
Health & Rehabilitation

Fond du Lac County - First on the Lake



APPROVED BY: _____
 DATE: ___/___/2014

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 A DIVISION OF FLYWAY INC.



921-7181
 1-800-201-7553
 Fax: (920) 921-8129 • e-mail: info@flywaysigns.com
 N5528 Miranda Way, Fond du Lac, WI 54937
 www.flywaysigns.com

READ THIS PLEASE



***COLOR DISCLAIMER:** THE INK COLORS SHOWN IN THIS RENDERING PROVIDE CONCEPTUAL COLORS & LOCATIONS ONLY. THE COLORS MAY NOT MATCH THE ACTUAL PAINT, FINAL PRINT OR VINYL COLORS THAT WILL BE USED ON OR IN THE DESIGN SHOWN.

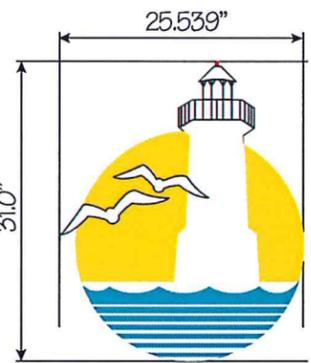
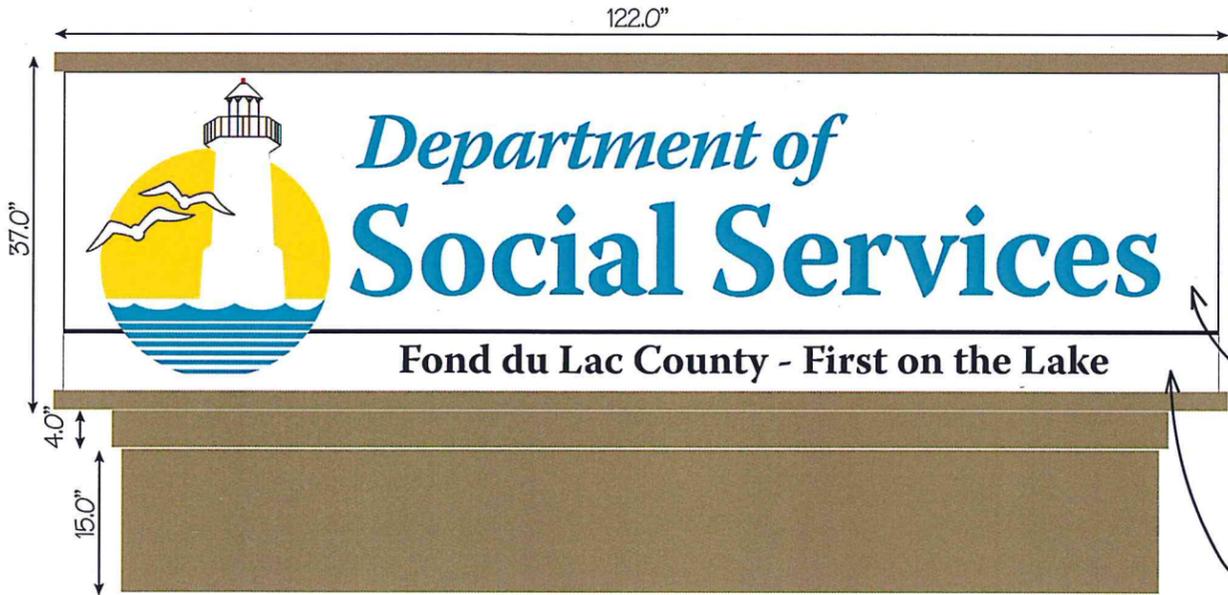
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TITLE: Fond du Lac County
 DRWN DATE: 4.11.2014
 DRWN REV#: 1
 SCALE: NTS

PROJECT DESCRIPTION: Layout for approval

Emailed 4-21-14



Textured paint above black line

Smooth paint below black line

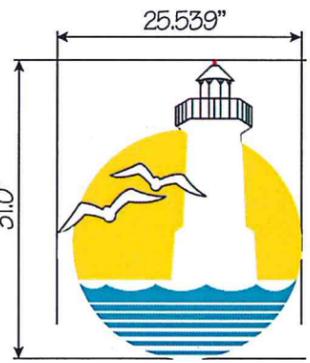
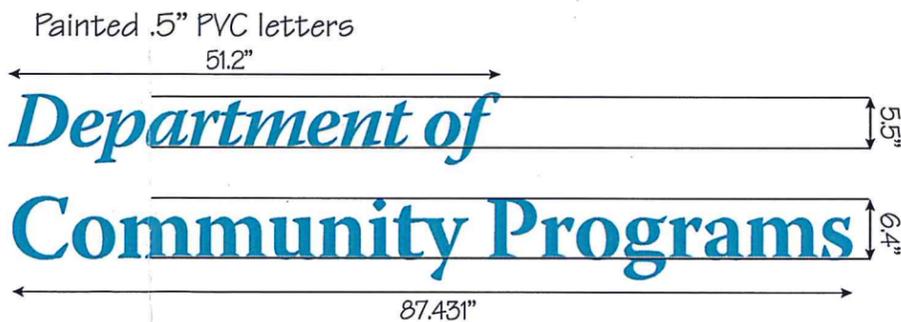
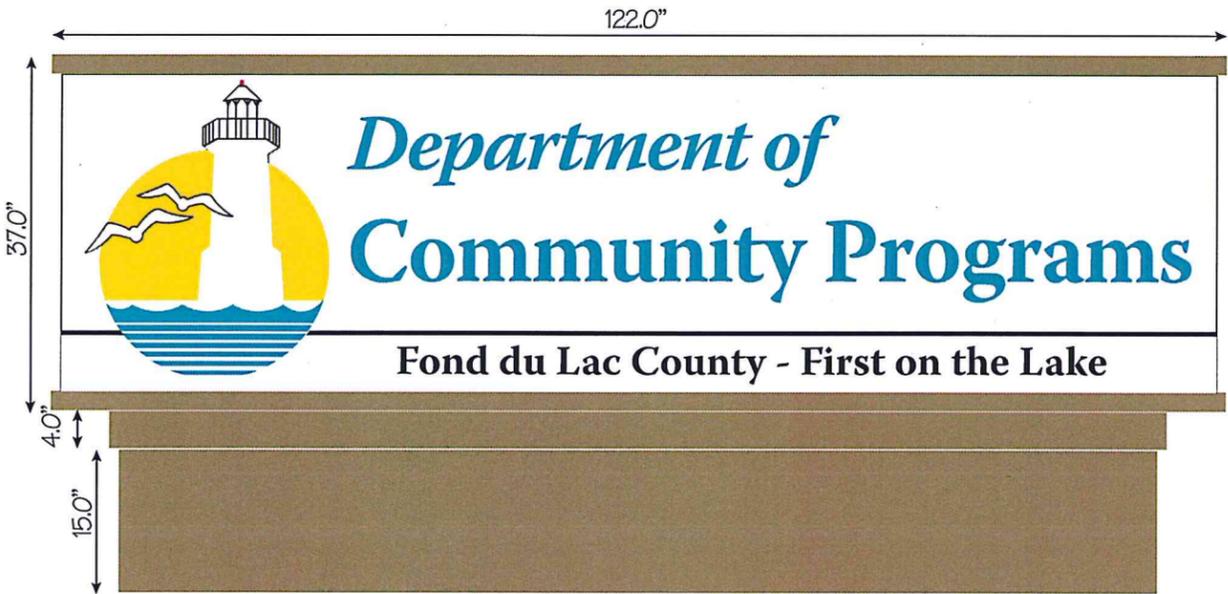
Black cut vinyl (.5" striping around entire sign)



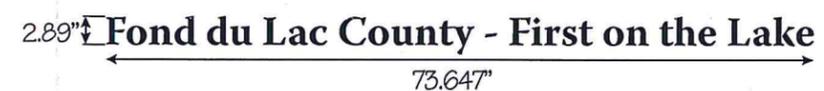
Vinyl-material Colors Specs:

	Off-white paint
	Blue paint
	Yellow paint
	.5" PVC

Notes:
Qty: 2 37"x122" single-sided signs.
Off-white painted cabinet, textured and smooth (match existing), with custom top and base (painted to match existing).
.5" painted PVC (blue and yellow) letters and logo. Black vinyl stripe and copy.



Black cut vinyl (.5" striping around entire sign)



APPROVED BY: _____
DATE: ___/___/2014

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READ THIS PLEASE

***COLOR DISCLAIMER:** THE INK COLORS SHOWN IN THIS RENDERING PROVIDE CONCEPTUAL COLORS & LOCATIONS ONLY. THE COLORS MAY NOT MATCH THE ACTUAL PAINT, FINAL PRINT OR VINYL COLORS THAT WILL BE USED ON OR IN THE DESIGN SHOWN.

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DRWN BY:	TITLE: Fond du Lac County
CHKD BY:	DRWN DATE: 4.11.2014
DRWN FILE NAME: 36464 Template	DRWN REV#: 1
PROJECT DESCRIPTION: Layout for approval	SCALE: NTS

board of appeals memorandum

Date: April 30, 2014
To: Board of Appeals
From: Joellyn Dahlin, Principal Planner
Subject: Appeal No. 2014-11

Location: 459 East 1st Street
Applicant: FDL County Dept. of Social Services & Dept. of Community Programs
Zoning: Site: R-3 (Single Family Residential)
North: O (Office)
South: R-3
East: R-3
West: O
Land Use: Site: FDL County Health Care Center, Harbor Haven
County Offices (Social Services/Community Programs)
North: St. Agnes Hospital
South: Single Family Homes
East: DeNevue Creek
West: Parking Lot – St. Agnes Hospital

Variance Request

Zoning Regulations:

Section 11.12 I. Schedule V allows one ground sign for an institutional use with a maximum area of 40 square feet.

Proposal:

1. Install two new ground signs to increase the number of allowable ground signs from one to four.
2. Increase allowable sign area from 40 square feet to 229 total square feet.

Analysis

The subject property is the site of the Fond du Lac County Health Care Facility. The building also accommodates Harbor Haven nursing/care facility and two County departments (Social Services and Community Programs). The property is located in an area zoned for residential use and is situated in a residential neighborhood. Reflective of the residential zoning, signage for non-residential uses is limited. An exception to zoning regulations for an increase in the number of ground signs and an increase in the total ground sign area is requested.

Zoning regulations permit one ground sign for a non-residential property. Allowable sign area is 40 square feet. The property and various uses are currently identified with wall signs and two ground signs. One ground sign is located at the main entrance to the building and identifies the Health Care Center; the sign is 90.96 square feet in area and measures 3.83' x 23.75'. A second ground sign (46.09 square feet) identifies Harbor Haven.

Two new ground signs are proposed. The new signs would be in addition to the two existing ground signs. The purpose of the new signs is to provide separate identification for various uses of the building. The new signs separately identify the Department of Social Services and the Department of Community Programs. The new signs mimic the size of the existing Harbor Haven sign. Each sign measures 4.67' x 10.17'; sign area is 46.09 square feet.

Considering the property size of 8.2 acres and its frontage on two streets, the provision of a ground sign for each frontage is reasonable. The Board of Appeals has applied this determination in similar situations to allow multiple ground signs on a large property and in fact the new zoning code (adoption pending) will allow one ground sign per street frontage.

The two existing ground signs and the two proposed signs are all situated within the First Street frontage of the property and opposite single family homes that are located on the south side of the street. The proposal to situate four ground signs within the primary lot frontage is contrary to the intent of zoning regulations and is a visual intrusion for nearby homes.

The identification of multiple uses on a sign is common; multiple signs for the individual uses within a building are not common. Modification of the existing sign at the main entrance to provide a

directory and locational information for the various agencies and facilities in the building is a viable alternative to multiple ground signs. Another option would be the use of directional signs to provide identification and visitor information. Another alternative is to remove the sign at the main entrance and install a new sign at the westerly end of the property to identify the property and the various uses (the Harbor Haven sign could remain as-is).

Property conditions do not justify approval of a variance to allow four ground signs. A conditional approval of an exception to sign regulations that considers the residential neighborhood and reflects the intent of sign regulations is recommended. The conditional approval would allow two ground signs for one frontage (First Street) and allow an increase in ground sign area over that permitted to accommodate the identification of multiple uses of the building.

Statement of Hardship

To justify approval of a variance, the hardship to support an exception to zoning regulations must directly relate to the physical character of the *property*, not the personal circumstances or preference of the *property owner* or tenant.

The large property size with frontage on two streets supports two ground signs within the primary lot frontage and an increase of sign area comparable to what would otherwise be allowed.

The provision of individual signs for individual uses of the building is a matter of convenience and approval of a variance to that effect is not justified.

Statement of Findings

To grant the requested variance, the Board of Appeals must find:

1. The proposed variance is not contrary to the public interest;
2. The property has a special or unique condition; and
3. The special condition of the property creates an unnecessary hardship.

Making and Taking of Precedent

A decision to approve or deny a variance request must be based on the merit of the individual case. Where a history of variance requests provides similar account of circumstances, a reasonable consistency between decisions would be appropriate.

Recommendation

A motion for variance approval or denial must state the findings in support of the action.

Community Development staff suggests a motion to **approve a variance to allow two ground signs for the primary frontage of the property** based on findings referenced herein and due to property size and frontage on two streets; the provision of separate signs for individual uses of the building is a matter of convenience and approval of a variance to that effect is not justified.

Conditions of approval shall include:

1. Maximum sign size for each monument sign shall be 60 square feet. Total sign area shall include the area of the sign face and sign structure.
2. If provided, illumination shall be external.

PUBLIC NOTIFICATION - APPEAL NO. 2014-11
459 E FIRST STREET/FDL COUNTY

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-11-34-855-00	430 E DIVISION ST	FOND DU LAC	WI	54935	366 E DIVISION ST
FDL-15-17-11-43-522-00	420 E DIVISION ST	FOND DU LAC	WI	54935	0 E DIVISION ST
FDL-15-17-14-12-253-00	PO BOX 1436	FOND DU LAC	WI	54936	408 GILLET ST
FDL-15-17-14-12-255-00	430 E DIVISION ST	FOND DU LAC	WI	54935	419 E 1ST ST
FDL-15-17-14-12-256-00	430 E DIVISION ST	FOND DU LAC	WI	54935	413 E 1ST ST
FDL-15-17-14-12-257-00	430 E DIVISION ST	FOND DU LAC	WI	54935	409 E 1ST ST
FDL-15-17-14-12-258-00	PO BOX 1436	FOND DU LAC	WI	54936	401 E 1ST ST
FDL-15-17-14-12-259-00	430 E DIVISION ST	FOND DU LAC	WI	54936	399 E 1ST ST
FDL-15-17-14-21-047-00	430 E DIVISION ST	FOND DU LAC	WI	54935	395 E 1ST ST
FDL-15-17-14-12-271-00	462 E 1ST ST	FOND DU LAC	WI	54935	462 E 1ST ST
FDL-15-17-14-12-263-00	418 E 1ST ST	FOND DU LAC	WI	54935	418 E 1ST ST
FDL-15-17-14-12-264-00	426 E 1ST ST	FOND DU LAC	WI	54935	426 E 1ST ST
FDL-15-17-14-12-251-00	160 S MACY ST	FOND DU LAC	WI	54935	0 E 1ST ST
FDL-15-17-14-12-252-00	160 S MACY ST	FOND DU LAC	WI	54935	459 E 1ST ST
FDL-15-17-14-12-272-00	466 E 1ST ST	FOND DU LAC	WI	54935	466 E 1ST ST
FDL-15-17-14-12-260-00	400 E 1ST ST	FOND DU LAC	WI	54935	400 E 1ST ST
FDL-15-17-14-12-267-00	111 VINCENT ST	FOND DU LAC	WI	54935	111 VINCENT ST
FDL-15-17-14-12-262-00	412 E 1ST ST	FOND DU LAC	WI	54935	412 E 1ST ST
FDL-15-17-14-12-261-00	406 E 1ST ST	FOND DU LAC	WI	54935	406 E 1ST ST
FDL-15-17-14-12-266-00	N8219 CTY TRK QQ	MALONE	WI	53049	107 VINCENT ST
FDL-15-17-14-12-270-00	458 E 1ST ST	FOND DU LAC	WI	54935	458 E 1ST ST
FDL-15-17-14-12-274-00	470 E 1ST ST	FOND DU LAC	WI	54935	108 ASHLAND AVE
FDL-15-17-14-12-273-00	470 E 1ST ST	FOND DU LAC	WI	54935	470 E 1ST ST
FDL-15-17-14-12-265-00	103 VINCENT ST	FOND DU LAC	WI	54935	103 VINCENT ST
FDL-15-17-14-21-048-00	396 E 1ST ST	FOND DU LAC	WI	54935	396 E 1ST ST
FDL-15-17-14-12-268-00	450 E 1ST ST	FOND DU LAC	WI	54935	450 E 1ST ST
FDL-15-17-14-12-269-00	454 E 1ST ST	FOND DU LAC	WI	54935	454 E 1ST ST