

# BOARD OF APPEALS AGENDA

October 3, 2016  
3:00 PM

Meeting Room D  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

## I. CALL TO ORDER

- A. Attendance
- B. Declaration Quorum Present

## II. APPROVAL OF MINUTES

September 12, 2016

## III. HEARINGS

- A. 450 Arlington Avenue (*Wabash National/Brenner Tank*)  
Appeal No. 2016-12

### **Zoning Code Regulation:**

Chapter 720, Section 720-84 E. states the maximum height of a directional sign is 4 feet and the maximum sign size is 4.5 square feet.

### **Variance Request:**

Increase height to 6' and increase area to 12 square feet for one sign, and increase height to 8' and increase area to 16.65 square feet for two signs.

- B. 95 River Hills Drive (*River Hills Apartments*)  
Appeal No. 2016-13

### **Zoning Code Regulation:**

Chapter 720 Schedule VIII allows 0.5 square feet of ground sign area per linear foot of mainbuilding façade in the R-4 district, with a maximum area of 25 square feet.

### **Variance Request:**

Increase allowable ground sign area to 59.25 square feet.

## IV. ADJOURN

*The City of Fond du Lac provides equal opportunities and services to all individuals, including those individuals with disabilities.*



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Appeared in Support:

LeRoy and Yvonne Buechel, Petitioners, 143 West 2<sup>nd</sup> Street

Motion made by Hebel to approve a modified version of the variance request because the proposed exceptions relate to property development constraints caused by a substandard lot.

Conditions of approval shall include:

1. A maximum porch depth of 4 feet shall be permitted; the porch width may extend across the full front of the building. A building permit is required.
2. The porch shall not be expanded, covered, or enclosed at any time in the future.

Seconded by Quam.

ROLL CALL VOTE:

Aye - Block, Floeter, Hebel, Quam

Nay - None

Carried.

**427 Henry Street (Wood)**

Appeal No. 2016-10

**Code Requirement:**

Chapter 720, Section 720-11 (14)(a) [1] states a detached garage shall not cover a ground area greater than that covered by the residential building.

Chapter 720, Section 720-11 (14)(a) [1] states where a lot is more than 10,000 square feet in area, and where the property owner desires to consolidate the allowable garage area of 650 square feet and the allowable area of a storage building (200 square feet), a garage area of up to 850 square feet may be permitted.

**Proposal:**

1. Construct addition to detached garage, where the total area of the garage (1,440 square feet) exceeds the ground area of the residence (1,024 square feet).
2. Increase allowable garage size from 850 square feet to 1,440 square feet.

Appeared in Support:

David Wood, Petitioner, 427 Henry Street

Appeared in Opposition:

Greg Schimmel, 388 West Scott Street



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shall be situated within the property boundaries; no part of the fence shall encroach into or over the public right-of-way.

2. The fence shall not extend past the limits of the east building wall of the dwelling, not including the garage portion of the building.

Seconded by Floeter.

ROLL CALL VOTE:                      Aye - Block, Floeter, Hebel, Quam  
Nay - None

Carried.

**ADJOURN**

Motion made by Quam to adjourn.  
Seconded by Floeter.

ROLL CALL VOTE:                      Aye - Block, Floeter, Lauby, Quam  
Nay - None

Carried.

Meeting adjourned at 3:42 pm.

MARGARET HEFTER  
CITY CLERK

MH/ke

CITY OF FOND DU LAC  
**ZONING PETITION - VARIANCE**



PROPERTY ADDRESS OF VARIANCE REQUEST: 415 Arlington Ave, FDL 54935  
Tax Key Number (Vacant Land): \_\_\_\_\_

Petitioner: Brian Engelhardt - Wabash National (Brenner Tank) 415 Arlington Ave, FDL 54935  
(Name) (Address)

Petitioner Phone Number: [REDACTED]

Petitioner Email: [REDACTED]

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

**PROPOSAL**

A variance is an exception to a requirement of the zoning code.  
Describe the requested code exception(s) for your variance request:

We are request a variance to install Directional Signs on our property that are bigger than codes allow.

- 1 - Steel Sheet Deliveries 12 sq ft and 72" install height,
- 2 - Arrow direction signs 16.67 sq ft and 96" install height

**STATEMENT OF HARDSHIP**

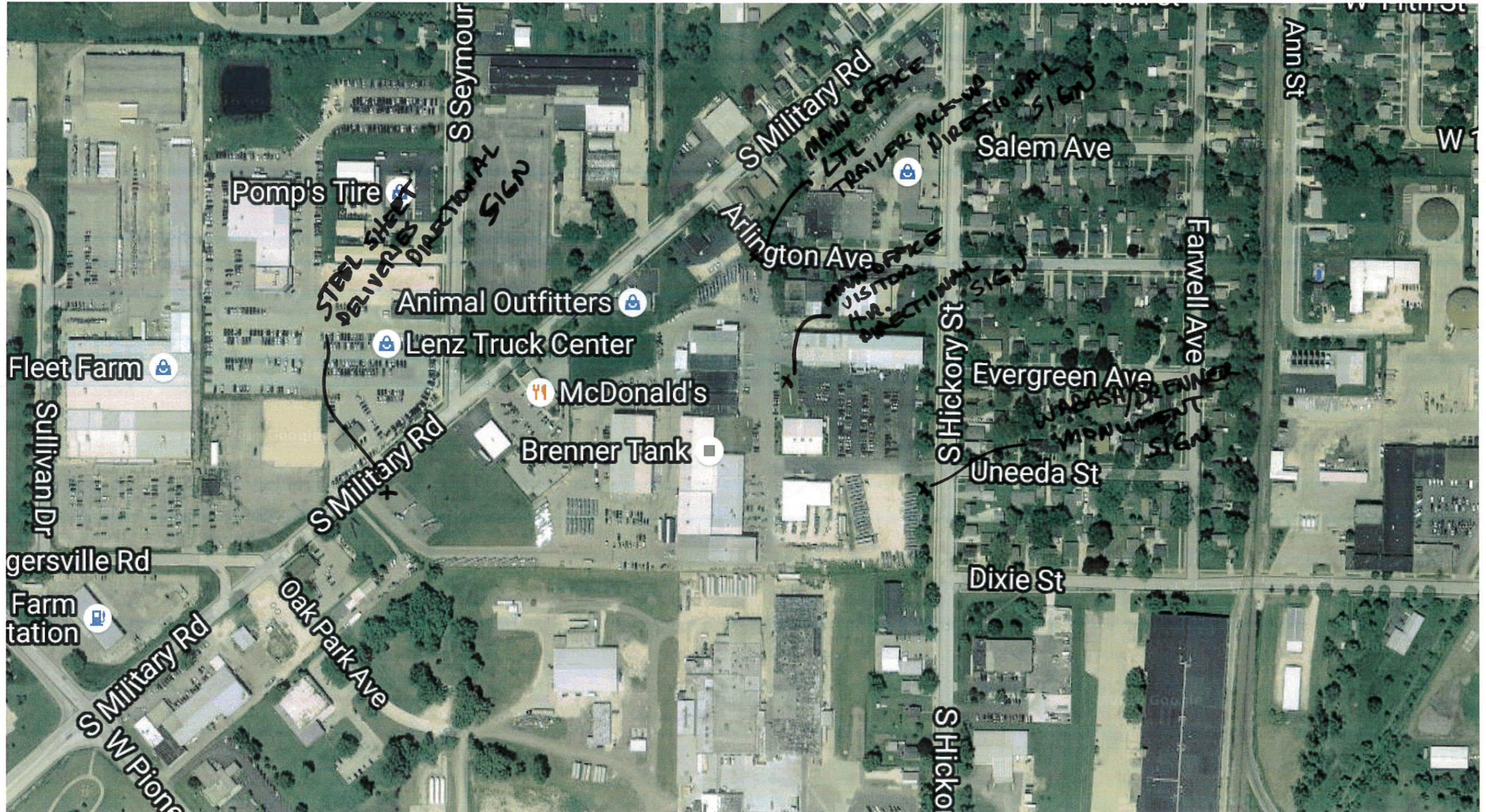
A variance may be approved if a hardship specific to a property does not allow compliance with zoning regulations. A hardship is created by a **physical condition** of the property.

**Describe the special physical condition of your property** that makes compliance with zoning regulations difficult or impossible:

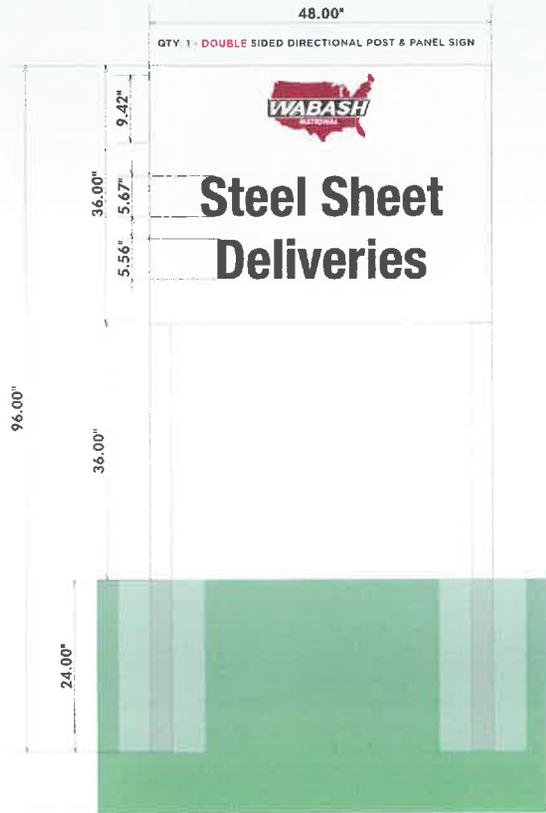
These signs are designed for tractor trailer drivers - please see attached illustration. The letter height and sign size needs to be legible for these taller vehicles moving 15-25 MPH. Since this is a large facility, directional signs are needed

Petitioner Signature: Brian Engelhardt

Submit application package (application/site plan/photos/filing fee) to the Community Development Office  
(4<sup>th</sup> floor, City-County Government Center)



**FOND DU LAC LOCATION**  
 PROPOSED DIRECTIONAL POST & PANEL SIGNS.



AVERY 900 APPLE RED VINYL (1/4" PMS 201C RED)
  AVERY 900 WHITE VINYL
  AVERY 900 BLACK VINYL
  NP SATIN SILVER METALLIC



615-731-3700  
 BRANDIMAGING.COM

CLIENT  
**WABASH NATIONAL**  
 SALES CONSULTANT  
**JAY MANN/SUSAN WOHL**  
 DESIGNER  
**DUSTIN ROARK**

INSTALLATION ADDRESS  
 N/A

START DATE  
 06.01.15

DATE  
 N/A

GENERAL DESCRIPTION OF JOB  
**PROPOSED NEW BRAND STANDARD  
 CONCEPTS FOR POST & PANEL SIGNS**

SCALE  
 .72" = 12"

LINE ITEMS  
 X

REVISION  
 ① 2 3 4 5 6 7 8 9 10

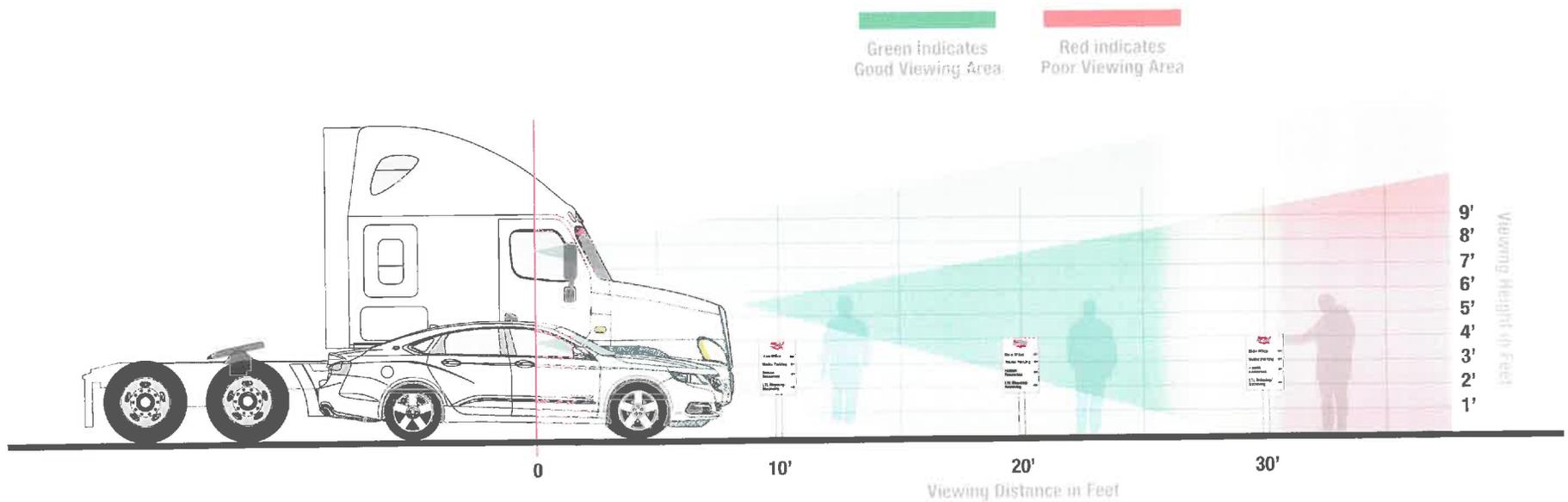
REVISION DATE  
 \_\_\_\_\_

APPROVAL DATE  
 \_\_\_\_\_

CLIENT APPROVAL SIGNATURE  
 \_\_\_\_\_

CLIENT APPROVAL PRINT  
 \_\_\_\_\_

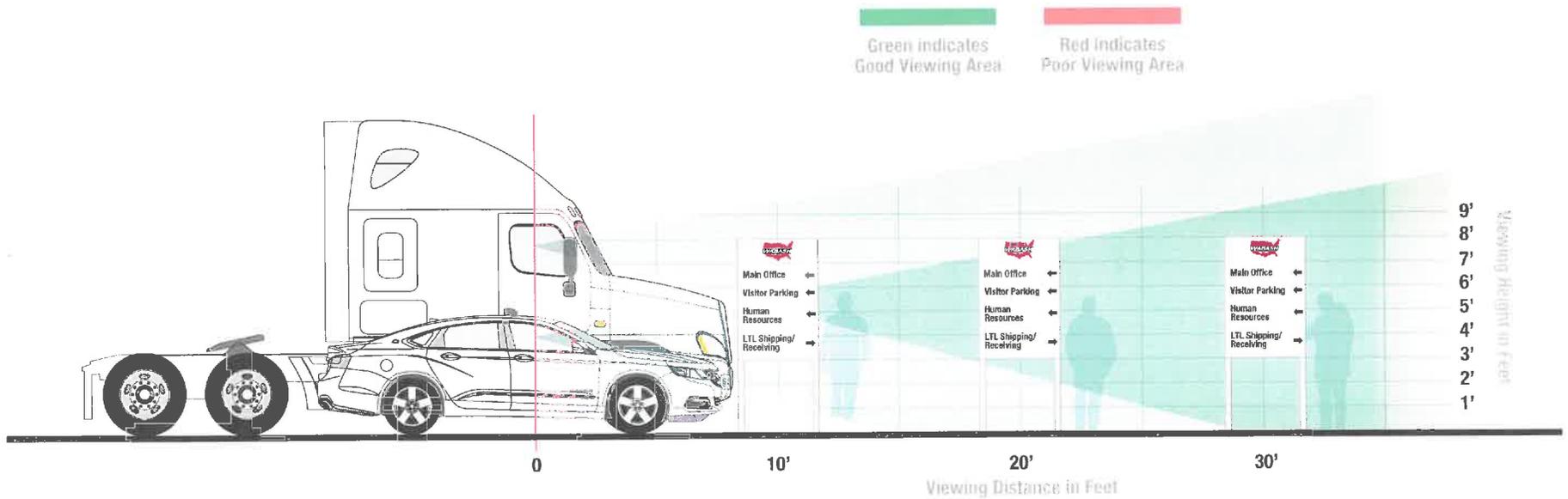
WORKORDER NO.  
**102890**  
 PAGE  
 1 OF 2



## 1.5" Letter Height

Based on 4.5 square feet per sign, no higher than 48" tall.

According to the United States Sign Council, determining letter height and sign size, the overall legibility of a sign is essentially determined by the height, color, and font characteristics of the letters making up its message component. The Legibility Index is a numerical value representing the distance in feet at which a sign may be read for every inch of capital letter height. For example, a sign with a Legibility Index of 30 means that it should be legible at 30 feet with one inch capital letters, or legible at 300 feet with ten inch capital letters.



## 3.4" Letter Height

**Based on original submitted designs.**

According to the United States Sign Council, determining letter height and sign size, the overall legibility of a sign is essentially determined by the height, color, and font characteristics of the letters making up its message component. The Legibility Index is a numerical value representing the distance in feet at which a sign may be read for every inch of capital letter height. For example, a sign with a Legibility Index of 30 means that it should be legible at 30 feet with one inch capital letters, or legible at 300 feet with ten inch capital letters.

# ***CITY OF FOND DU LAC - Memorandum***

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Department of Community Development

**Date:** September 28, 2016  
**To:** Board of Appeals  
**From:** Joellyn Dahlin, Principal Planner  
**Re:** Appeal No. 2016-12 – **450 Arlington Avenue**

**Applicant:** Brian Engelhardt o/b/o Wabash National (Brenner Tank)

**Zoning:** Site: M-1 (Manufacturing) & C-2 (General Business)  
North: M-1 and C-2  
South: M-1  
East: R-1 (Single Family Residential) & M-1  
West: C-2

**Land Use:** Site: Wabash National (Brenner Tank)  
North: Mixed Land Uses  
South: Mercury Marine  
East: Single Family Dwellings & Industrial  
West: Commercial Businesses

## **Variance Request**

Chapter 720, Section 720-84 E. allows a maximum height of 4 feet for a directional sign and a maximum area of 4.5 square feet.

**Proposal:** Increase height to 6’ and increase area to 12 square feet for one directional sign, and increase height to 8’ and increase area to 16.65 square feet for two directional signs.

## **Analysis**

Wabash National (Brenner Tank) is situated on 17.676 acres of land with frontage on Arlington Avenue, Hickory Street and Military Road. The property is served with three driveways. A driveway on Arlington Avenue and another on Hickory Street provide the main points of access to the site. A driveway on Military Road provides access for deliveries. Exceptions to sign regulations are requested for the installation of directional signs.

Four directional signs are allowed; no directional signs are currently provided for the subject property. The allowable size of a directional sign is 4.5 square feet; the maximum height is 4 feet. Three directional signs are proposed. The size and height of the directional signs exceed zoning code limitations. The proposed sign size and height reflect visibility for large trucks travelling to and within the site.

One of the proposed signs is 6' high and 12 square feet in area. The sign would be located at the driveway entrance on Military Road to provide directional information for deliveries. Two other directional signs would each be 8' high and 16.65 square feet in area. One sign would be located at the Arlington Avenue driveway to provide directional information for the main office, shipping/receiving and trailer pickup; one sign would be located within the interior of the property to provide on-site directional information.

Approval of a variance must consider property conditions that do not allow compliance with zoning regulations. The code allowance for the size and height of directional signs is adequate for a typical commercial property but is not realistic for large facilities with multiple services, parking lots and entrances. Flexibility in determining usable directional signs for the subject property is warranted by the significant size of the site, the multiple points of access, multiple buildings, the nature of the development, and the requirements for sign visibility to vehicles traveling to and within the site.

Approval of the requested exceptions will not give undue privilege to the petitioner nor will it create any type of negative effect for any nearby property. Favorable consideration of the variance request 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*.**

The variance request reflects the substantial bulk of the property, the use of the property, multiple points of access, and the requirements for sign visibility to vehicles traveling to and within the site.

### 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;
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** because the proposed exceptions relate to the substantial bulk of the property, the use of the property, multiple points of access, and unusual requirements for sign visibility to vehicles traveling to and within the site.

# PUBLIC NOTIFICATION

Board of Appeals  
450 Arlington Avenue

Parcel Number	Site Address	Mailing Address 1	Mailing City	Mailing State	Mailing Zip
FDL-15-17-16-43-510-00	724 S MILITARY RD	536 S SEYMOUR ST	FOND DU LAC	WI	54935
FDL-15-17-16-43-512-00	740 S MILITARY RD	536 S SEYMOUR ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-610-00	601 S HICKORY ST	160 UNIVERSITY DRIVE	FOND DU LAC	WI	54935
FDL-15-17-16-43-511-00	730 S MILITARY RD	536 S SEYMOUR ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-576-00	395 EVERGREEN AVE	395 EVERGREEN AVE	FOND DU LAC	WI	54935
FDL-15-17-15-33-592-00	549 S HICKORY ST	549 S HICKORY ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-613-00	607 S HICKORY ST	111 CUMBERLYNN DR	FOND DU LAC	WI	54935
FDL-15-17-16-44-777-00	450 ARLINGTON AVE	PO BOX 670	FOND DU LAC	WI	54936
FDL-15-17-16-44-775-01	449 ARLINGTON AVE	449 ARLINGTON AVE	FOND DU LAC	WI	54935
FDL-15-17-16-44-766-00	661 S MILITARY RD	460 LINDEN ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-594-00	559 S HICKORY ST	15 N MARR ST	FOND DU LAC	WI	54935
FDL-15-17-16-44-775-00	431 ARLINGTON AVE	245 E DIVISION ST	FOND DU LAC	WI	54935
FDL-15-17-16-44-773-00	430 ARLINGTON AVE	PO BOX 108	FOND DU LAC	WI	54936
FDL-15-17-16-43-524-00	765 S MILITARY RD	765 S MILITARY RD	FOND DU LAC	WI	54935
FDL-15-17-16-44-770-00	721 S MILITARY RD	1192 FOND DU LAC AVE	FOND DU LAC	WI	54935
FDL-15-17-15-33-612-00	605 S HICKORY ST	605 S HICKORY ST	FOND DU LAC	WI	54935
FDL-15-17-22-22-255-00	631 S HICKORY ST	631 S HICKORY ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-593-00	553 S HICKORY ST	553 S HICKORY ST	FOND DU LAC	WI	54935
FDL-15-17-16-44-765-00	475 S SEYMOUR ST	155 E MAIN ST	LOMIRA	WI	53048
FDL-15-17-16-44-772-00	442 ARLINGTON AVE	PO BOX 108	FOND DU LAC	WI	54936
FDL-15-17-16-44-769-00	699 S MILITARY RD	PO BOX 182571	COLUMBUS	OH	43218
FDL-15-17-21-11-007-00	545 W PIONEER RD	PO BOX 1939	FOND DU LAC	WI	54936
FDL-15-17-21-11-007-00	545 W PIONEER RD	PO BOX 1939	FOND DU LAC	WI	54936
FDL-15-17-21-11-007-00	545 W PIONEER RD	PO BOX 1939	FOND DU LAC	WI	54936
FDL-15-17-16-43-518-00	770 S MILITARY RD	512 LAUREL ST	BRAINERD	MN	56401
FDL-15-17-16-43-525-00	745 S MILITARY RD	P O BOX 66338	BATON ROUGE	LA	70896
FDL-15-17-21-11-001-01	606 S HICKORY ST	987 EASTMAN LN	FOND DU LAC	WI	54935
FDL-15-17-16-44-758-00	625 S MILITARY RD	625 S MILITARY RD	FOND DU LAC	WI	54935
FDL-15-17-16-44-777-01	643 S MILITARY RD	643 MILITARY RD	FOND DU LAC	WI	54935
FDL-15-17-21-12-250-00	743 S MILITARY RD	743 S MILITARY RD	FOND DU LAC	WI	54935
FDL-15-17-15-33-574-00	400 ARLINGTON AVE	400 ARLINGTON AVE	FOND DU LAC	WI	54935
FDL-15-17-15-33-611-00	603 S HICKORY ST	603 S HICKORY ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-595-00	395 UNEEDA ST	395 UNEEDA ST	FOND DU LAC	WI	54935
FDL-15-17-15-33-575-00	531 S HICKORY ST	531 S HICKORY ST	FOND DU LAC	WI	54935

CITY OF FOND DU LAC  
**ZONING PETITION - VARIANCE**



PROPERTY ADDRESS OF VARIANCE REQUEST: 95 River Hills Drive  
Tax Key Number (Vacant Land): FDL-15-17-27-31-249-05

Petitioner: Matt Beer (agent), 38525 Woodward Ave., Bloomfield Hills, MI, 48303  
(Name) (Address)

Petitioner Phone Number: [REDACTED]

Petitioner Email [REDACTED]

Property Owner: Edward Rose Development Co. LLC, 38525 Woodward Ave., Bloomfield Hills, MI  
(If not the same as Petitioner) (Name) (Address)

**P R O P O S A L**

A variance is an exception to a requirement of the zoning code.  
Describe the requested code exception(s) for your variance request:

Please see the attached.

**S T A T E M E N T O F H A R D S H I P**

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 physical condition of your property that makes compliance with zoning regulations difficult or impossible:**

Please see the attached

Petitioner Signature:  09/20/16  
MATT BEER (AGENT)

Submit application package (application/site plan/photos/filing fee) to the Community Development Office  
(4<sup>th</sup> floor, City-County Government Center)

## Proposal – Variance of Zoning Ordinance section being sought

### Chapter 720 – Article XI – Signs

Attachment 8; Note 1 – Restriction to a maximum of 25 sqft of surface area for the structure of a monument sign.

### Statement of Hardship

Edward Rose Development Co. LLC is proposing a monument sign with the following design attributes;

Gross Area = 59.25 sqft.

Precast Sign Panel Area = 28.98 sqft.

Copy/Logo Area = 10.2 sqft.

Edward Rose Development Co. LLC is seeking to increase its allowed square footage due to a number of circumstances specific to its site conditions.

The proposed sign at the developments' S. Main St. entrance drive is the only entrance drive available to the community. The sign, relative to the property line/R.O.W., is set back 85' from the centerline of S. Main St. This is a considerable distance given the limited square footage allowed and the speed of the traffic on S. Main St. Not only is this the only entrance to the residential community, it is also the only street frontage for the development. The majority of the community is obscured from view via S. Main St by the existing topography and will be obscured behind the commercial property that will occupy the street frontage for the remaining width of the property.

Any signage located at this entrance drive will be the only identifying feature for the communities' existence from S. Main St.

The lack of sign recognition and legibility are important issues that can negatively impact not just the developers, but can also negatively impact the residents of the residential community and the community at large via civil and emergency services.

The lack of sign recognition will impact the owners as it is the primary identifier of the communities' existence. Recognition is imperative as a successful commercial advertising tool to garner market attention.

This same lack of recognition will impact the residents and future residents of the community as identification of the sign and legibility of the sign will create a challenge for those who would like to visit as either future residents or as friends and family of current residents.

The final, and most important consideration, is for road and community safety. If the identification of the sign and community is challenging, it will create circumstances on the road as passerby searching for the property may be enticed to take emergency measures in an attempt to enter the property before passing it by due to delayed recognition and response. These kinds of attempts

create a greater potential for vehicular accidents. Emergency services such as medical and fire could also face similar challenges, delaying their response and arrival to emergency events potentially endangering lives. The traffic in this area is projected to become greater with its proximity to the entrance and exit of the adjoining highway, only making the potential for these road safety concerns to increase.

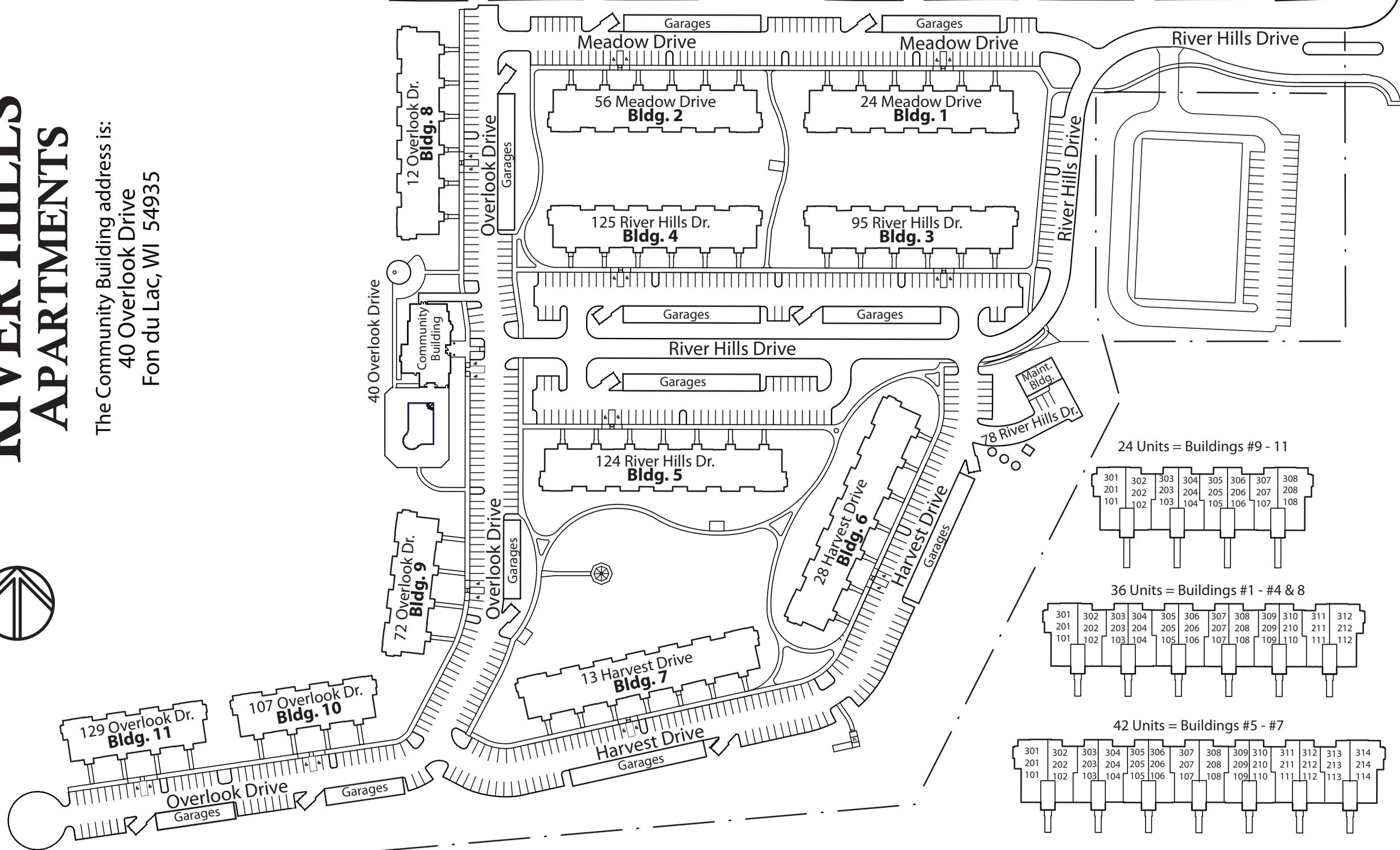
The conditions as mentioned; the limited street frontage, the deep setback of the sign from the roadway, the limited visibility due to topography and commercial frontage, the limitation of having only one entrance and exit drive to the development, all add up to limited sign recognition and legibility due to size restrictions, we petition Zoning Board of Appeals to increase the size of the communities identifying sign per the proposed monument sign plans as submitted.



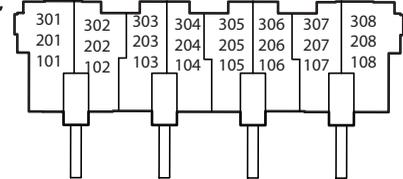
SITE LOCATION - RIVER HILLS APARTMENTS

# RIVER HILLS APARTMENTS

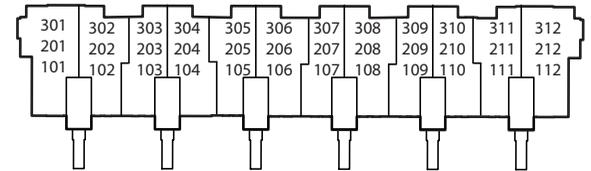
The Community Building address is:  
 40 Overlook Drive  
 Fon du Lac, WI 54935



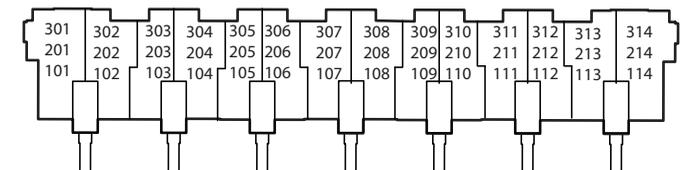
24 Units = Buildings #9 - 11



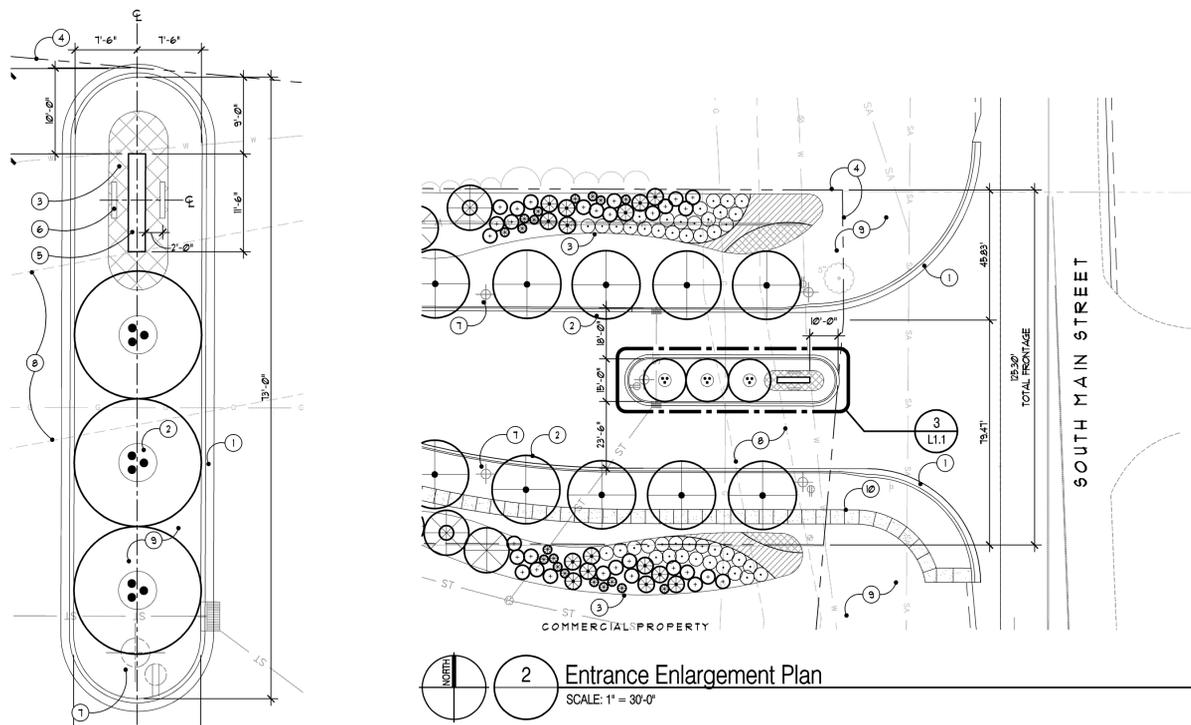
36 Units = Buildings #1 - #4 & 8



42 Units = Buildings #5 - #7



South Main Street



**SIGN AREA CALCULATIONS:**

1. SIGN LOGO AREA	102 SF.
2. PRECAST SIGN PANEL AREA	2889 SF.
3. ENTIRE MONUMENT SIGN AREA	9925 SF.

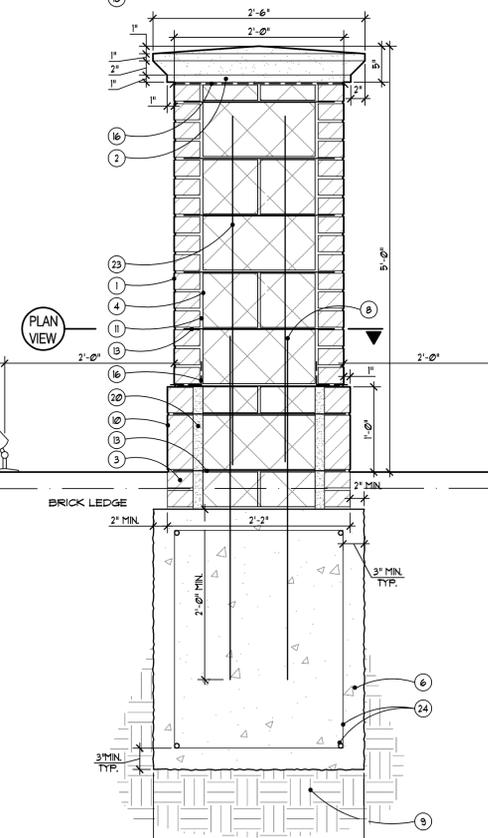
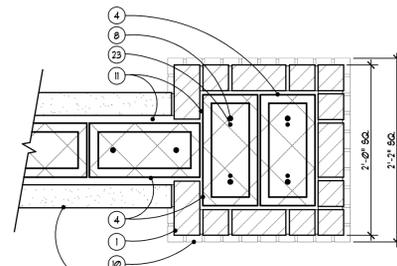
**Note Key:** APPLIES TO DETAILS 2 AND 3

- 1 CURB & GUTTER
- 2 DECIDUOUS TREES
- 3 LANDSCAPE BEDS
- 4 EXISTING PROPERTY LINE / ROW LINE
- 5 PROPOSED ENTRANCE SIGN, SEE DETAIL 1.L1
- 6 PROPOSED SIGN LIGHTING
- 7 STREET LIGHTING
- 8 NATURAL GAS EASEMENT
- 9 LAWN AREA
- 10 SIDEWALK

**Legend**

- ST — ST — STORM SEWER
- W — W — WATER MAIN
- SA — SA — SANITARY SEWER
- G — G — GAS LINE
- — — — — PROPERTY LINE
- — — — — FUTURE ROW

**3 Island Enlargement**  
SCALE: 1" = 10'-0"

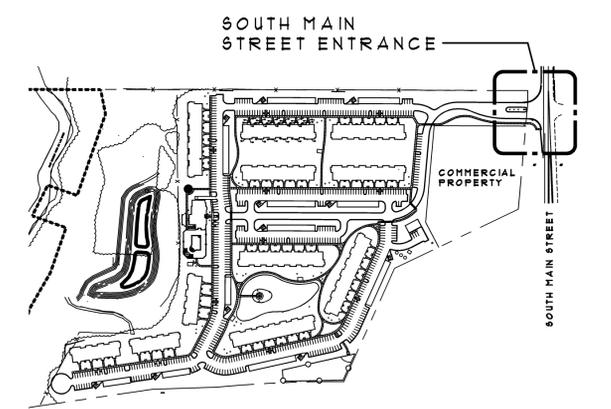


**Note Key:** APPLIES TO DETAILS 1, A, AND B

- 1 BRICK VENEER W/ 3/8" TOOLED MORTAR JOINTS, BRICK TO MATCH BUILDING BRICK - FILL COLOR RANGE, PROVIDE HALF BRICKS AT CORNERS OF PIERS - FILL FIELD WITH RUNNING BOND PATTERN
- 2 LIMESTONE CAP - WATERPROOF BOTTOM OF CAP W/ (2) COATS OF TAPOSEAL (OR APPROVED ALTERNATE GENTILES WATERPROOFING PER MANUF. SPECS.), 3 EQUAL LENGTH CAP SECTIONS OVER PRECAST SIGN, SET ON 3/8" TH. MORTAR BED, VERTICAL JOINTS TO BE 3/8" RAKE BACK AND INSTALL BACKER ROD AND SEALANT. SEALANT TO MATCH MORTAR COLOR - SUBMIT SAMPLE FOR OWNER REVIEW
- 3 MIN. (2) COURSES BELOW GRADE, TYP. DAMP PROOF MASONRY BELOW GRADE
- 4 8X8X16 CMU BACKUP WITH 3/8" MORTAR JOINTS - GROUT FILL FULL ALL CORES
- 5 PROVIDE 1" WASH AT TOP OF PRECAST SIGN PANEL, TYP.
- 6 CONCRETE FOUNDATION
- 7 #4 VERT. EVERY OTHER CELL, #4 TIES TO BOND BEAM IN SIGN WALL
- 8 #5 VERT. REINFORCING, 48" LONG, 24" EMBEDMENT INTO FOOTING, EVERY OTHER CELL IN SIGN WALL, TIE TO #4 REINFORCING
- 9 COMPACTED SUBGRADE TO 95% MODIFIED PROCTOR
- 10 BRICK SOLDIER BASE COURSE
- 11 VOID SPACE
- 12 #4 BOND BEAM IN WALL ONLY, CONTINUOUS, USE LINTEL CMU FOR TOP COURSE, GROUT FILL FULL
- 13 #5 HORIZ LADDER EVERY BLOCK COURSE
- 14 PIER WITH CAP BEYOND
- 15 ETCHED TEXT TO BE PAINTED BLACK WITH EXTERIOR GRADE ACRYLIC PAINT FOR CONCRETE APPLICATIONS OR APPROVED EQUAL
- 16 5 OZ. POLY FABRIC FLASHING (THROUGH WALL AT BASE AND UNDER CAPS)
- 17 INNER FACE OF 1" DEEP RECESS TO BE PAINTED BLACK WITH EXTERIOR GRADE ACRYLIC LATEX PAINT FOR CONCRETE APPLICATIONS OR APPROVED EQUAL
- 18 PRECAST SIGN PANEL (SMOOTH FINISH TO MATCH LIMESTONE) WITH ETCHED TEXT AND GRAPHIC, ANCHOR TO CMU PER FABRICATOR'S RECOMMENDATIONS, SUBMIT COMPLETE SHOP DRAWINGS AND ANCHOR CUT SHEETS - DOUBLE SIDED SIGN AT MAIN ENTRY
- 19 ETCHED SMOOP TO BE PAINTED BLUE WITH EXTERIOR GRADE ACRYLIC LATEX PAINT FOR CONCRETE APPLICATIONS OR APPROVED EQUAL
- 20 GROUT FILL FULL VOID SPACE BELOW THROUGH WALL FLASHING
- 21 CELL VENT (COLOR TO MATCH MORTAR) 24" O.C. MAX. - CELL VENT SHALL REPLACE MORTAR JOINT, BOTTOM COURSE ONLY
- 22 LINE OF 1" DEEP ARCHED RECESS IN BACKGROUND
- 23 #4 VERT. IN PIERS, TYP.
- 24 #4 VERT. AND HORIZONTAL, TYP. TIED TO EACH OTHER (CASE) IN FOUNDATION AS SHOWN, VERTICALS TO BE SPACED 16" O.C.
- 25 PROPOSED EASEMENT - SIGN AND FOUNDATION TO BE LOCATED OUTSIDE EASEMENT
- 26 GROUND MOUNTED UPLIGHT PLACE ON BOTH SIDES OF SIGN WALL - SIGN / WALL LIGHTER LED, AS MANUFACTURED BY KIM LIGHTING MODEL# 4348PTD-32LAKUV-DB-FH48-8"18"DB COLOR DARK BRONZE, WITH FIXED HOOD AND STANCHION MOUNT

**NOTES**

- 1 CONTRACTOR TO PROVIDE COMPLETE SHOP DRAWINGS OF PIERS AND PRECAST CONCRETE SIGN FASTENING SYSTEM, TEXT AND LOGO FOR APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION.
- 2 SUBMIT BRICK, LIMESTONE AND PRECAST SAMPLES FOR OWNER REVIEW/ APPROVAL.



TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN  
CALL DIGGERS HOTLINE  
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Project: River Hills  
Fond du Lac, WI

Sheet: Entrance Enlargement

Job Number: R29-1613  
Drawn: NB  
Checked: SG  
Scale: As Noted

Date: 05/04/2016 Issued for: Permit  
09/20/2016 ZBA Submission

Sheet Number: L1.1  
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# ***CITY OF FOND DU LAC - Memorandum***

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Department of Community Development

**Date:** September 28, 2016  
**To:** Board of Appeals  
**From:** Joellyn Dahlin, Principal Planner  
**Re:** Appeal No. 2016-13 – **95 River Hills Drive**

**Applicant:** Matt Beer o/b/o Edward Rose Development Company

**Zoning:** Site: R-4 (Multifamily Residential)  
North: M-BP (Industrial-Business Park)  
South: R-4  
East: C-2 (General Business)  
West: A (General Agriculture) – Town of FDL

**Land Use:** Site: River Hills Apartments (Construction in Progress)  
North: Undeveloped Land  
South: USH 151  
East: Undeveloped Land - Future Commercial  
West: Open Space – FDL River

## **Variance Request**

### **Code Requirement:**

Chapter 720 Schedule VIII allows 0.5 square feet of ground sign area per linear foot of main building façade in the R-4 district, with a maximum area of 25 square feet.

### **Proposal:**

Increase allowable ground sign area to 59.25 square feet.

## **Analysis**

The subject property is located on South Main Street north of USH 151. Development of the 31-acre property is underway for the construction of a large apartment complex. The phased development will construct 378 apartments situated in eleven buildings.

Approval of a variance is requested for an exception to zoning regulations for the allowable size of a ground sign. The allowable size of a ground sign is determined by the linear measurement of the building frontage that faces a public street; the maximum sign size is 25 square feet. The area of a monument sign is inclusive of the sign structure.

The property is entitled to a ground sign of 25 square feet. The variance request proposes a monument sign 59.25 square feet in area. The sign consists of a precast panel affixed to a brick veneer structure. The area of the sign panel is 28.98 square feet; the area of the sign text is 10.2 square feet. The sign would be situated within a landscape island at the entry to the apartment development.

Approval of a variance must consider property conditions that do not allow compliance with zoning regulations. The code allowance for signage is adequate for a typical residential property but may not be realistic for an unusually large property. The configuration of the subject property is unusual in that the lot frontage of the 31-acre parcel is only 125 feet along the Main Street right-of-way line and consists of the width of a boulevard driveway entry; the buildings are situated more than four hundred feet west of the roadway. Property conditions are also unusual in that none of the principal residential buildings face the street; the main building façade that would typically be used for calculating sign area in this case is the narrow end of one of the apartment buildings, measuring approximately 50 linear feet. Based on code requirements, the building façade measurement would allow a sign area of 25 square feet.

The property is in an area of mixed land uses, including commercial and industrial properties. The property is not situated in a traditional residential neighborhood. The proposed sign would not be out of character with the surrounding area and it would be comparable to signs permitted for nearby non-residential uses. The proposed sign is proportionate to the scale of the property and for visibility for property identification to vehicles travelling on South Main Street.

Approval of the proposed exception will not give undue privilege to the petitioner nor will it create any type of negative effect for any nearby property. Favorable consideration of the variance request 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*.**

The variance request relates to the unique circumstances of the property for unusual size, location, visibility, and the significant distance from the street to the principal residential buildings.

### **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;
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 a 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** because of the unique circumstances of the property for unusual size, location, visibility, and the significant distance from the street to the principal residential buildings.

## PUBLIC NOTIFICATION

Board of Appeals  
95 River Hills Drive

Parcel Number	Site Address	Mailing Address 1	Mailing City	Mailing State	Mailing Zip
FDL-15-17-27-24-999-00	0 US HIGHWAY 175	PO BOX 1006	FOND DU LAC	WI	54936
FDL-15-17-27-31-249-04		PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-27-31-249-04		PO BOX 150	FOND DU LAC	WI	54936
T09-15-17-27-10-001-00		PO BOX 150	FOND DU LAC	WI	54936
T09-15-17-27-10-001-00		PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-27-31-249-05	95 RIVER HILLS DR	PO BOX 2012	BLOOMFIELD HILLS	MI	48303
FDL-15-17-27-31-249-05	95 RIVER HILLS DR	PO BOX 2012	BLOOMFIELD HILLS	MI	48303
FDL-15-17-27-31-249-05	95 RIVER HILLS DR	PO BOX 2012	BLOOMFIELD HILLS	MI	48303
FDL-15-17-27-31-249-06		PO BOX 2012	BLOOMFIELD HILLS	MI	48303
T09-15-17-27-09-090-00		944 VANDERPERREN WAY	GREEN BAY	WI	54304
T09-15-17-27-14-090-00		944 VANDERPERREN WAY	GREEN BAY	WI	54304