

BOARD OF APPEALS AGENDA

September 14, 2015

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

August 3, 2015

III. HEARINGS

- A. **600 W Pioneer Road** (Mercury Marine)
Appeal No. 2015-09

Chapter 720 Schedule VIII, Design Standards and Specifications for Signs, allows a maximum ground sign area of 150 square feet in the M-1 zoning district and a maximum sign height of 20 feet.

Proposal: Increase ground sign size from 150 square feet to 265.65 square feet and increase ground sign height from 20 feet to 22 feet.

IV. ADJOURN

BOARD OF APPEALS MINUTES

August 3, 2015
3:00 P.M.

Meeting Room D
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

CALL TO ORDER

ROLL CALL: Present: Jerry Lauby
Howard Floeter
Dan Hebel
Scott Block
Alexander Fiebig

Absent: Kirsten Quam
Thomas Leu
Matthew Schoenleber
John Piper

Administrative Staff: Joellyn Dahlin, Principal Planner

Acting Chairperson Floeter declared a quorum present.

APPROVAL OF MINUTES

June 1, 2015

Motion made by Lauby to approve the minutes of the June 1, 2015 meeting of the Board of Appeals as presented.

Seconded by Hebel.

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

Carried.

BOARD OF APPEALS MINUTES

August 3, 2015

Page 2

HEARINGS

614 Guinette Avenue (Michael Sergi)

Appeal No. 2015-08

Zoning Code Regulation: Chapter 720, Schedule III requires a minimum front yard setback of 25 feet for a single family dwelling in the R-1 district.

Proposal: Reduce front yard setback from 25' to 20'6" for construction of covered porch.

Appeared in Support:

Michael Sergi, Petitioner, 614 Guinette Avenue

Motion made by Hebel to approve the variance request due to the property circumstances of size and location, and specifically due to the purpose of the new construction to improve access to an existing residence.

Conditions of approval shall include:

1. The roof cover and/or porch landing shall not be enclosed, nor shall it be modified to expand the footprint of the existing dwelling.

Seconded by Block.

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

Carried.

ADJOURN

Motion made by Lauby to adjourn.

Seconded by Fiebig.

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

Carried.

Meeting adjourned at 3:10 pm.

MARGARET HEFTER
CITY CLERK

CITY OF FOND DU LAC
ZONING PETITION - VARIANCE



PROPERTY ADDRESS OF VARIANCE REQUEST: 600 W Pioneer Rd Fond du Lac 54936
Tax Key Number (Vacant Land):

Petitioner: Jones Sign Co., Inc. (Name) 1711 Scheuring Rd De Pere, WI 54115 (Address)

Petitioner Phone Number: [REDACTED]

Petitioner Email: [REDACTED]

Property Owner: Mercury Marine (Name) PO Box 1939 Fond Du Lac, WI 54936 (Address)
(If not the same as Petitioner)

PROPOSAL

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

1.0 per linear foot of main building facade; 150 square feet maximum One electronic message center allowed per property & not exceed 50% of the total sign area. Maximum overall height allowed 20 ft
Proposing 22 ft overall height monument at 265.75 Sq. Ft per side with 110 Sq. Ft EMC

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:

Petitioner Signature: Sarah Peters For Jones Sign

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

JONES SIGN

Your Vision. Accomplished.

Mercury Marine
600 W Pioneer Road
Sign Variance Request for New Monument Sign along Hwy 41

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

Mercury Marine is requesting a 22 ft overall height monument sign at 265.75 Sq. Ft per side which includes a 110 Sq. Ft EMC.

Code allows for 20 ft maximum height at 150 Sq. Ft maximum with an electronic message center not to exceed 50% of the total sign area.

This site is located along Hwy 41 so for the sign to be more legible to traffic we are requesting for a larger sign area and electronic message center and a small increase in overall height.

Surrounding businesses along the highway, like the Comfort Inn and Holiday Inn across the highway from Mercury Marine have large pole signs but the Mercury Marine proposed monument sign would not be as large as these signs and have a more architectural look to it.

The proposed monument sign would not cause any vision issues to traffic along the highway or have an adverse effect on any of the surrounding properties.

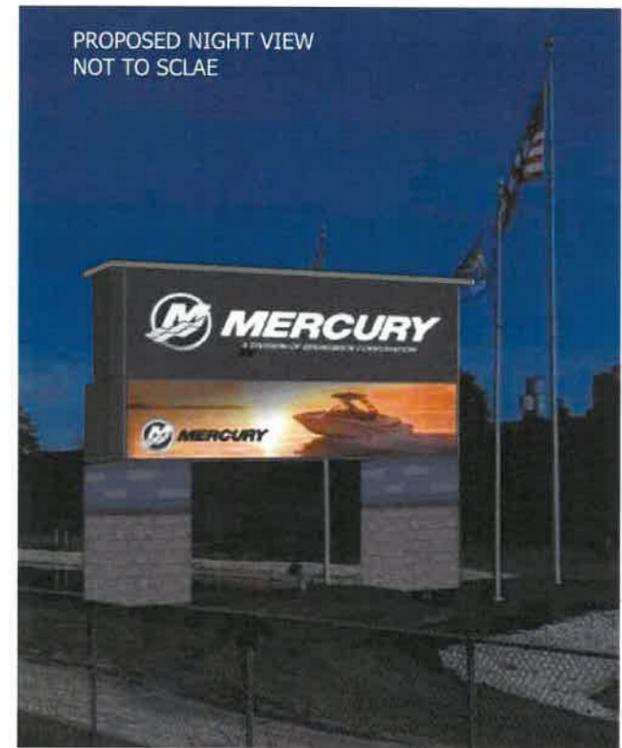
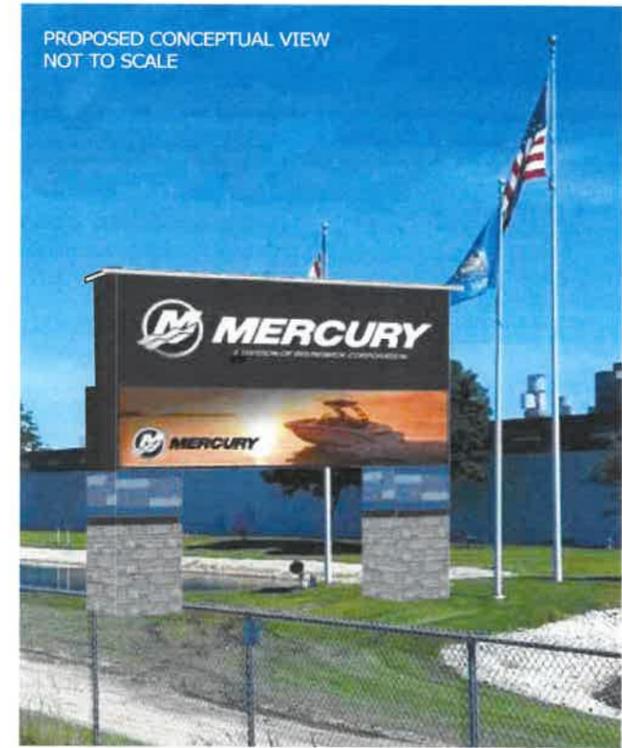
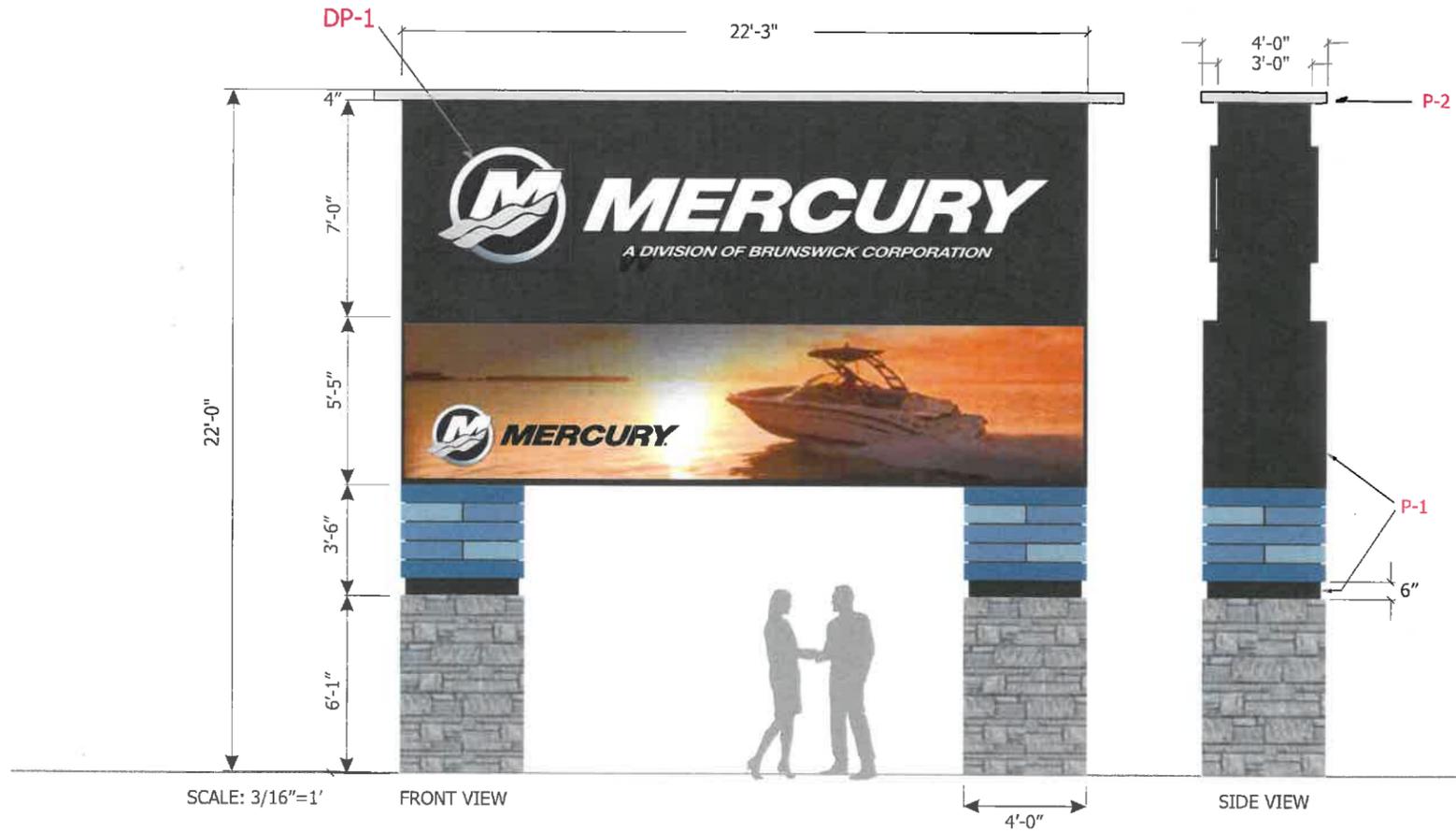
GREEN BAY • PHILADELPHIA • SAN DIEGO • LAS VEGAS

Project Management • Fabrication • Installation • Repair & Maintenance • Architectural Features

PROPOSED POLE SIGN

D/F ILLUMINATED MONUMENT - QTY: [1]

CABINET: 155.75 SQ. FT.
EMC: 110 SQ FT
TOTAL: 265.75 SQ. FT.



SPECIFICATIONS:

- FACE-LIT CHANNEL "CIRCLE-M" LOGO, DP-1
- ROUTED ALUMINUM FACES PAINTED P-1 / PUSH-THRU WHITE ACRYLIC LETTERS
- ALUMINUM CAP P-2
- D/F LED FULL COLOR DISPLAY / 16MM / 90x396 MATRIX / RF COMMUNICATION, SIDES SKINNED WITH ALUMINUM, P-1
- MASONRY AND ALUMINUM CLAD COLUMNS WITH P-1 REVEAL



FINISHES:

- P-1 MP BLACK
- P-2 MP 41342SP BRUSHED ALUMINUM
- DP-1 DIGITAL PRINT

NOTES:

- MASONRY AND ALUMINUM CLADDING TBD

JOB NUMBER: 209080	
SITE ADDRESS: Mercury Marine W6250 Pioneer Rd. Fond du Lac, WI 54936-1939	QUANTITY: 1

CUSTOMER NAME: Mercury Marine	SIGNTYPE: D/F Internally Illuminated Monument w/EMC
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JONES SIGN
Your Vision Accomplished
1711 Scheuring Road, De Pere, WI 54115
Tel: 920-983-6700 Fax: 920-983-9145
www.jonesign.com

CONCEPTUAL DESIGNER: Tim Gueschow
CONSTRUCTION DESIGNER: —
DATE: 06.22.15
SALESPERSON: Scott Bertrand
PROJECT MANAGER:

Authorized Signature:
X _____
Date: ____ / ____ / ____

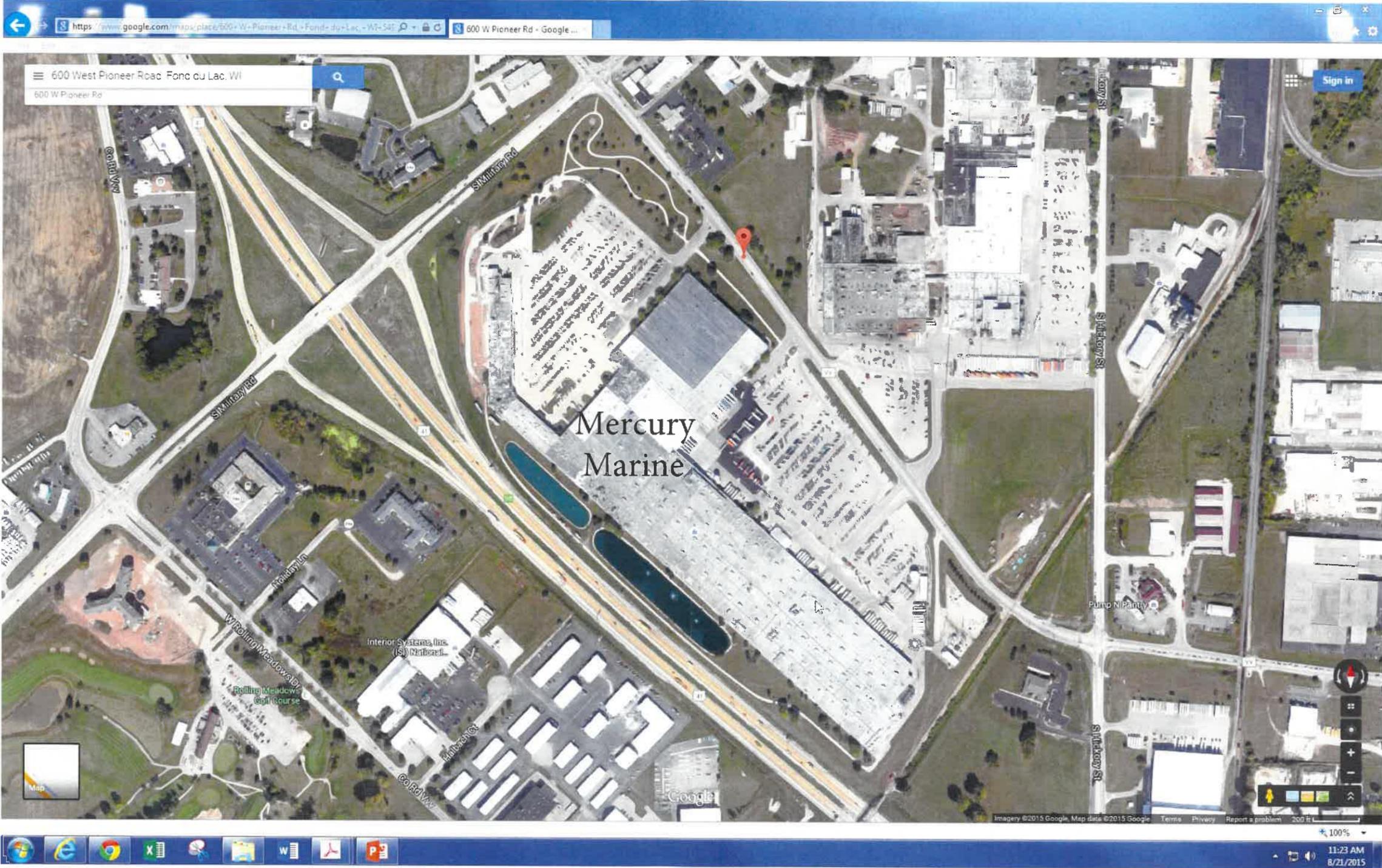
REVISIONS:

REV.	BY	DATE	DESCRIPTION
△	TG	07.08.15	DELETE OPTIONS 1 & 2, REVISE EMC SIZE, REVISE COLUMNS/CABINET TO MATCH EMC SIZE
△	TG	07.31.15	REDUCE CABINET HEIGHT, RAISE EMC, REMOVE "WORLD HEADQUARTERS"
△			

SHEET NUMBER:
1.0

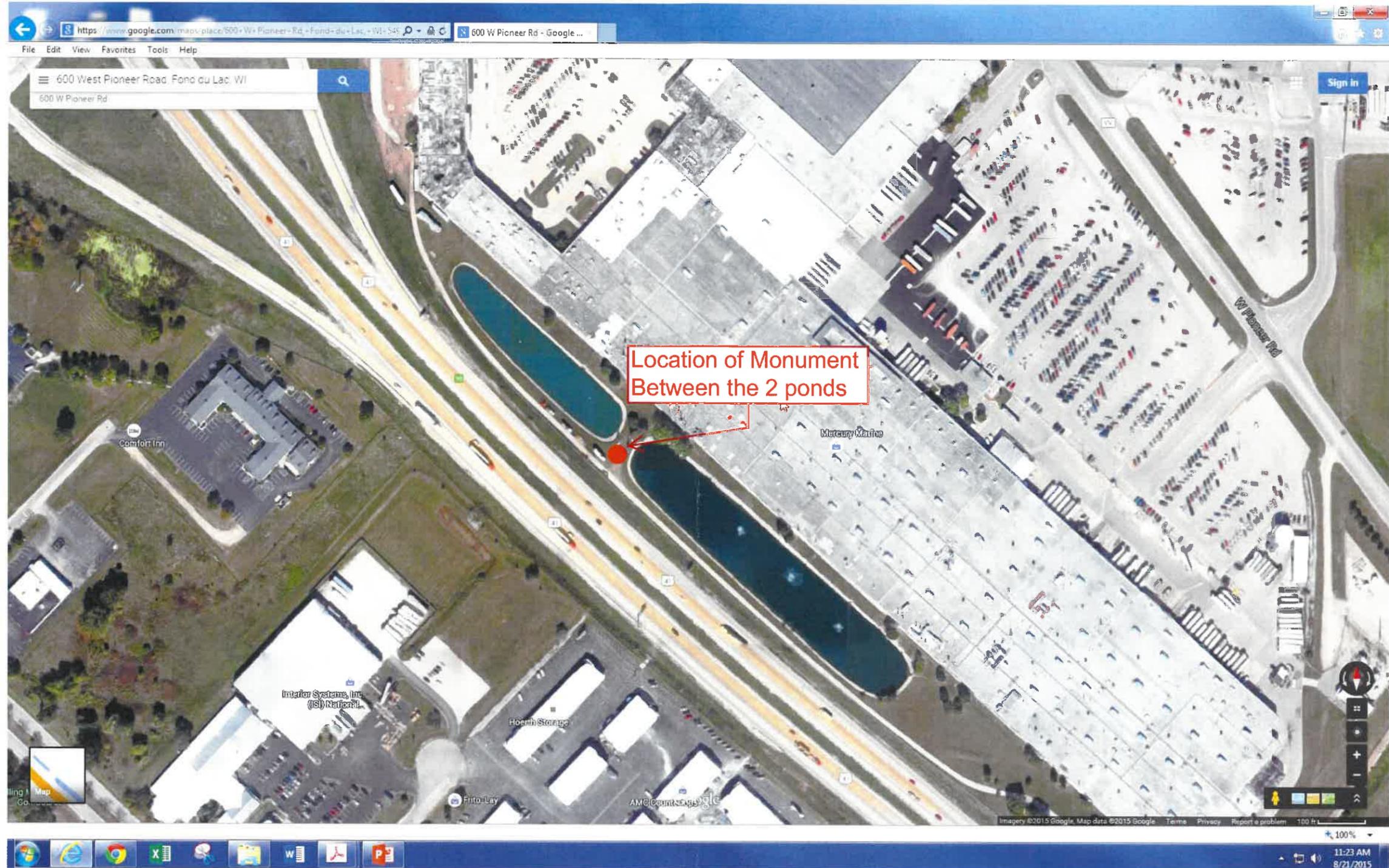


OVERALL PROPERTY VIEW



20
21

LOCATION OF PROPOSED POLE SIGN



CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: September 9, 2015
To: Board of Appeals
From: Joellyn Dahlin, Principal Planner
Re: Appeal No. 2015 -09 – **600 W Pioneer Road**

Applicant: Jones Sign Co. o/b/o Mercury Marine

Zoning: Site: M-1 (Manufacturing)
North: C-2 (General Commercial)
South: C-2
East: M-1 and C-2
West: M-1 and C-2

Land Use: Site: Mercury Marine
North: Commercial Businesses
South: Kwik Trip
East: Mercury Marine
West: I-41

Variance Request

Zoning Code Regulation:

Chapter 720 Schedule VIII, Design Standards & Specifications for Signs, allows a maximum ground sign area of 150 square feet in the M-1 zoning district and a maximum sign height of 20 feet.

Proposal:

Increase ground sign size from 150 square feet to 265.65 square feet and increase ground sign height from 20 feet to 22 feet.

Analysis

The variance request affects the Mercury Marine property on West Pioneer Road. An exception to sign regulations is requested for the installation of a new ground sign visible to the traffic of I-41.

The property is zoned for industrial use. Sign regulations allow a ground sign size of 150 square feet; maximum sign height is 20 feet. Although the property is bordered by I-41 the industrial zoning does not allow special consideration for highway signage that would otherwise be permitted for a commercial business.

A new ground sign is proposed on the west side of the building with the intent of being visible to traffic on I-41. The variance application refers to the new sign as a monument sign. To clarify, the proposed sign is a brick clad two-pole ground sign; it is not a monument sign.

The proposed sign is 22 feet high. Each sign face is 22'3" wide and 12'5" high. The 265.75 square foot sign area includes a 5'5" x 22'3" electronic message center (110 square feet).

In describing the property circumstances that make compliance with zoning regulations difficult or impossible (i.e. the hardship) the petitioner states that the increase in sign area and sign height above the code maximum is required for the sign to be more legible to traffic.

If the property was zoned for business use it would be entitled to a sign 200 square feet in area. A reasonable conclusion for appropriate signage would therefore support an exception to sign regulations for a 200 square foot sign for the petitioner's property. However, recent approvals for ground signs in excess of 200 square feet have been granted for the nearby Love's Travel Stop and the new Kwik Trip due to unusual property size. Reflective of these actions, approval of the petitioner's request would be in line with other large signs in the area.

The sign would be subject to regulations of the Wisconsin Department of Transportation for siting and restrictions on use of the electronic message center. The EMC would also be regulated by zoning code standards for intent/purpose and message duration. Both the zoning code and WDOT standards limit use of the EMC to provide information only for business activities and services conducted on the property. WDOT will monitor the sign

during routine inventory of highways to be sure there is no off-premise advertising, no issues with lighting, and verify compliance with electronic message display regulations.

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 circumstances of property bulk supports approval of the variance request.

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 due to the unusual property size.

Conditions of approval shall include:

1. Sign siting shall comply with Wis. Stats. 201.02 i.e., the sign must be located within 50 feet of the driveway, parking lot or business for which the sign relates.
2. The electronic message center shall comply with local and state regulations for message timing and use. Blinking, flashing and animated messages are prohibited. Use of the EMC shall relate to on-site services, functions and activities of the property. Off-premise advertising shall be prohibited.
3. No temporary sign displays including banners, balloons, flags, pennants, inflatable devices, etc. on or near the sign shall be permitted.

PUBLIC NOTIFICATION - 2015-09

Variance Request
600 W Pioneer Rd

Parcel Number	Site Address	Mailing Address 1	Mailing City	Mailing State	Mailing Zip
FDL-15-17-21-21-001-01	920 S MILITARY RD	592 BRADFORD WAY	HARTLAND	WI	53029
FDL-15-17-21-21-001-03	894 S MILITARY RD	58 OAKRIDGE CT	FOND DU LAC	WI	54937
FDL-15-17-21-31-010-00	0 W ROLLING MEADOWS DR	625 W ROLLING MEADOWS DR	FOND DU LAC	WI	54935
FDL-15-17-21-14-753-00		6250 N RIVER RD STE 9000	ROSEMONT	IL	60017
FDL-15-17-21-21-001-02	0 S PIONEER RD	315 WEST MILWAUKEE ST	JANESVILLE	WI	53545
FDL-15-17-21-12-259-00	864 S MILITARY RD	906 JOHNATHON DR	MADISON	WI	53713
FDL-15-17-21-31-003-00	525 W ROLLING MEADOWS DR	241 N BROADWAY #600	MILWAUKEE	WI	53202
FDL-15-17-21-41-004-01	980 S HICKORY ST	1626 OAK ST	LA CROSSE	WI	54603
FDL-15-17-21-41-004-01	980 S HICKORY ST	1626 OAK ST	LA CROSSE	WI	54603
FDL-15-17-21-31-005-01	98 HALBACH CT	392 ROYAL ST GEORGE	VERNON HILLS	IL	60061
FDL-15-17-21-12-256-01	821 S MILITARY RD	821 S MILITARY RD	FOND DU LAC	WI	54935
FDL-15-17-21-12-255-00	661 W PIONEER RD	PO BOX 309	ONALASKA	WI	54650
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-15-17-21-13-500-00	600 W PIONEER RD	PO BOX 1939	FOND DU LAC	WI	54936
FDL-15-17-21-41-001-00	406 W PIONEER RD	PO BOX 1939	FOND DU LAC	WI	54936
FDL-15-17-21-41-002-02	912 S HICKORY ST	430 E DIVISION ST	FOND DU LAC	WI	54935
FDL-15-17-21-12-257-00	632 ROGERSVILLE RD	PO BOX 5055	BRAINERD	MN	56401
FDL-15-17-21-12-258-00	654 S PIONEER RD	PO BOX 5055	BRAINERD	MN	56401
FDL-15-17-21-42-250-00	65 HOLLANDER CT	N8621 USH 151	FOND DU LAC	WI	54937
FDL-15-17-21-14-752-00	W PIONEER RD	817 W MAIN ST	BROWNSVILLE	WI	53006
FDL-15-17-21-41-005-00		PO BOX 7921	MADISON	WI	53707
FDL-15-17-21-42-253-00	60 HOLLANDER CT	944 VANDERPERREN WAY	GREEN BAY	WI	54304
FDL-15-17-21-24-751-00	77 HOLIDAY LA	625 W ROLLING MEADOWS DR	FOND DU LAC	WI	54937