



Meeting Date: May 28, 2013

BOARD OF APPEALS STAFF REPORT

REPORT TO: Village of Howard Board of Appeals
REPORT FROM: Dave Wiese, Director of Community Development
REPORT DATE: May 20, 2013

BOARD OF APPEALS MEETING DATE: May 28, 2013

SUBJECT: The Village of Howard Board of Appeals will hold a public hearing on May 28, 2013 at 6:45 p.m. in the Duck Creek Conference Room at 2456 Glendale Avenue concerning a variance petition from Todd Thomas of Creative Sign Company representing Van Boxtel RV to permit the raising of the existing 40' tall free-standing sign to 60' tall and allow the sign set back from the street curblin or road surface a distance less than the height of the sign at 1956 Bond Street, VH-612.

SUMMARY: The permit to erect the existing "Van Boxtel" sign was issued in January 1999 after a variance was granted by the Board of Appeals in 1996 to allow the sign to be erected at a height of 40 feet. The maximum height allowed by the Zoning Ordinance for signs in the B-2 zoning district was 30 feet at that time. In 2012, the Village of Howard amended the zoning ordinance to allow signs adjacent to U.S. 41 a maximum height of 45 feet. The applicant is now petitioning for another variance for the sign to allow it to be raised 20 feet to an overall height of 60 feet.

VARIANCE STANDARDS: Section 50-180 of the Zoning Ordinance requires that *"The Board of Appeals shall not vary the regulations of this ordinance unless it shall first make findings, based upon evidence presented to it by the applicant, that all the following variance standards are met."* These standards were provided to the applicant in printed form prior to receipt of the application.

Unnecessary Hardship The applicant must clearly show that the difficulty or hardship faced has been created by the zoning ordinance and is not self-imposed and that, in the absence of a variance, no feasible use of the property can be made. The difficulty or hardship must be unique to the parcel in question and not one which affects all parcels in the area similarly. Potential loss of profit or desire for financial gain is not, in and of itself, grounds for a variance. Additionally, violations by or variances granted to neighboring property owners does not justify the granting of a variance.

Unique Property Limitation The applicant must show that unique physical characteristics of the property itself, not his own personal desires or preferences prevent him from building or developing in compliance with the provisions of this ordinance. These characteristics may include topographical conditions, parcel shape, physical surroundings, wetland areas or soil types which limit the reasonable use of the property.

Protection of the Public Interest The applicant must show that the granting of a variance will not harm the public interest, including the interests of the public at large, not just those of nearby property owners. The granting of a variance must not result in an inadequate supply of light or air to adjacent property, a substantial increase in congestion of public streets, an increase in the danger of fire, endangerment of the public safety, or reduction or impairment of property values within the neighborhood. The lack of local opposition to a variance petition does not in itself mean that the variance will not harm the public interest.

STAFF FINDINGS:

- Staff does not believe a hardship exists in this case. Although a new flyover ramp is being constructed that may impact how far away the sign can be seen from the south traveling north on Highway 41, the sign is still very readable by travelers in both directions on Highway 41.
- Directly in front of the sign the U.S. 41 mainline will be staying at basically the same height as it exists today. The applicant has over 700 feet of frontage on U.S. 41 and the existing sign could be moved further north on the property.
- Other property owners in the area are impacted in the area by the U.S. 41 corridor expansion so this is not a unique situation to just Van Boxtel.
- The total amount of sign area for the property is over 1400 square feet (INCLUDES OFF-PREMISE SIGN.)
- Outdoor sales can be considered to be advertising for products sold on site.

RECOMMENDATION: Staff recommends the following:

- Visit the site of the proposed variance.
- Review the applicant’s submittals including reasons for requesting the variance.
- Review and discuss the above variance standards as they relate to the applicant’s proposal.
- Determine whether the variance standards are substantially met per Section 50-180 of the Zoning Ordinance.
- Grant or deny the requested variance petition based upon findings and conclusions drawn.

NOTE: If the Board determines that a variance should be granted the Board may want to consider requesting the applicant remove the off-premise sign on the property and reduce the overall amount of square footage of sign area on the property.

ATTACHMENTS:

- I** Aerial site location map
- II** Variance petition submitted by applicant
- III** Existing Inventory
- IV** **DOT Drawing**

ATTACHMENT I



ATTACHMENT II



2456 Glendale Ave
Green Bay , WI 54313

APPLICATION FOR
A ZONING VARIANCE

See Next Page
for Materials to be Submitted
with This Application

Application Fees: **\$250 &
\$500** for Construction w/out
Permit

Date: _____
Initials: _____

Applicant

Name: TOOD THOMAS
Address: 505 LAWRENCE DR DE PERE WI 54115
Phone: 920-336-8900 Email: Todd@greenbaysigns.com
Business Name: VANBOXTEL
Conditional Use Site Address: 1956 VEEP GREEN BAY WI 54207
Landowner of Record: TOM VANBOXTEL
Address: 1956 BOND ST GREEN BAY WI 54303
Phone: 920-497-2072 Email: TVANBOXTEL@VANBOXTEL.VI.COM

Consultant(s)

Architect

Name: TBD
Address: _____
Phone: () - - - - - Email: _____

Contractor/Engineer

Name: CREATIVE SIGN TOOD THOMAS
Address: 505 LAWRENCE DR DE PERE WI 54115
Phone: 920-336-8900 Email: Todd@greenbaysigns.com

Parcel/Building Information

Lot Size: _____ Acres Current Zoning: _____ Street Frontage: _____
Lot Dimensions: _____ Does Current Zoning Permit Intended Use: _____
Bldg. Sq. Footage: _____ Dimensions of Building: _____

Describe Specifically the Nature of the Request: RAISE SIGN 20' DUE TO
HIGHWAY CONSTRUCTION



505 Lawrence Dr.
De Pere, WI 54115
920-308-8900
greenbaysigns.com

CLIENT: Van Boxel RV
 LOCATION: 1956 Bond St, Green Bay, WI
 DRAWN BY: Amanda S.
 SALESPERSON: Todd T.
 DATE: 10/6/11
 DESIGN #: D5617
 PAGE: 1
 SCALE: 3/32"=1"
 REVISION: X

RAISE EXISTING PYLON SIGN

QUANTITY: 1 Existing 40' Illuminated Pylon Sign
 NEW SIZE: 60' OAH
 EXISTING CAB: Approx. 26" w x 10" h
 EXISTING MC: Approx. 15" w x 6" h
 NEW POSTS: Approx. (2) 24" w x 65" h x 24" d
 COLOR: Paint To Match Existing ***"need color***
 NEW UC: 50'
 MISC: Raise Existing Pylon From 40' To 60' Overall Height By Altering Existing 12" w x 30" h x TBD" d Poles to Approx. 24" w x 60" h x 24" d.

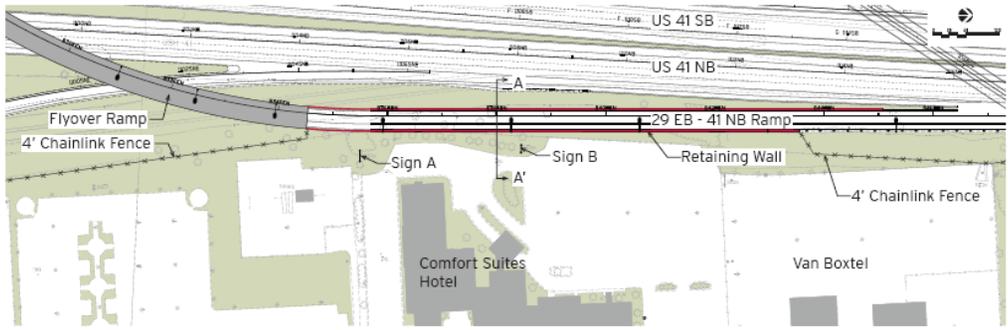
- | | |
|---|--|
| <input type="checkbox"/> ART REQUIRED | <input type="checkbox"/> PERMS REQUIRED |
| <input type="checkbox"/> ART TO BE CLEANED UP | <input type="checkbox"/> SURVEY REQUIRED |
| <input type="checkbox"/> ART ON FILE | <input type="checkbox"/> COLOR REQUIRED |

CUSTOMER SIGNATURE FOR DESIGN APPROVAL

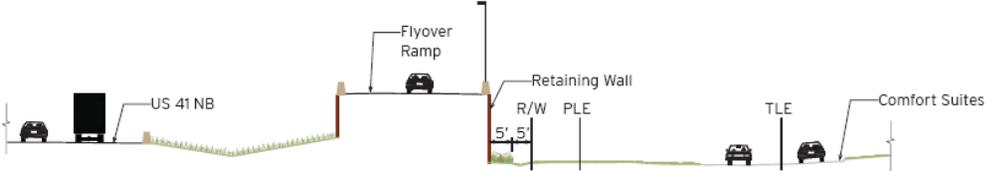
DATE



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Planview



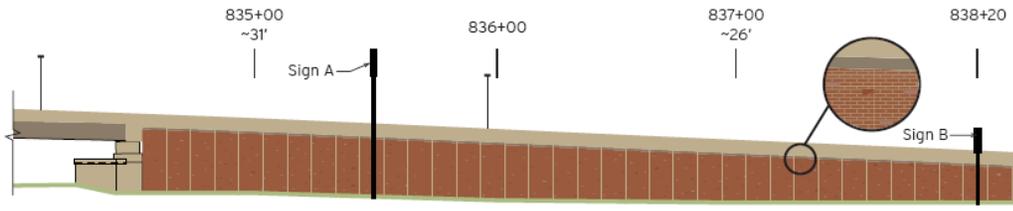
Section A - A'

Comfort Suites/Van Boxtel Ramp Illustration
 US 41 | Brown County, Wisconsin

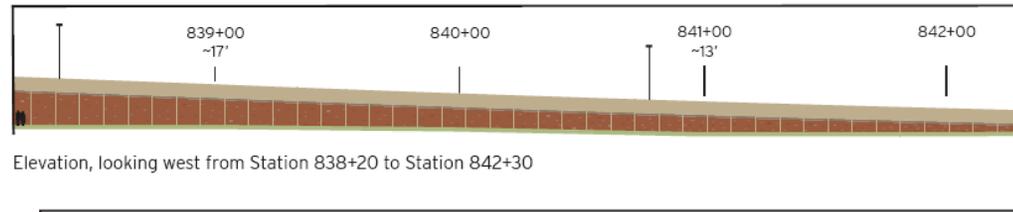
DRAFT



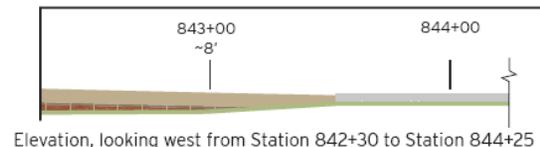
Comment [LAWK1]:



Elevation, looking west from Station 834+00 to Station 838+20



Elevation, looking west from Station 838+20 to Station 842+30



Elevation, looking west from Station 842+30 to Station 844+25

Comfort Suites/Van Boxtel Ramp Illustration
 US 41 | Brown County, Wisconsin

DRAFT



2013.02

ATTACHMENT IV

