

VILLAGE OF CALEDONIA ZONING BOARD OF APPEALS
East Side Community Center - 6156 Douglas Avenue - Racine, Wisconsin
Tuesday, September 27, 2016 at 9:00 a.m.

Chairperson Rosanne Kuemmel called the meeting to order at 9:00 a.m. Kuemmel read the meeting process. Board members may have visited the site before this meeting.

1. Roll Call

Board Members in attendance: Rosanne Kuemmel, Richard Mielke, John Barnes, Joan Rennert, Judith Tomachek

Staff Present: Jarmen Czuta of Racine County Development Services to assist the Board on regulations and requirements, Village Administrator Tom Christensen, Village Engineer Anthony Bunkelman

2. Review and Possible Approval of Minutes from July 26, 2016

Rennert made a motion to approve the minutes. Barnes second. Voice vote 5/0. Motion carried.

3. Public Hearing

Ladwig & Ladwig, LLC
57115 Randal Lane
104-04-23-18-008-010
Akil Ajmeri, Applicant

The proposed sign exceeds the allowable square footage on one side and all sides and the LED portion of the sign exceeds 30% of the sign copy area

Czuta read the public hearing notice:

Applicant requests a variance to remove two existing ground signs and construct a 6.5' x 9' (sign copy area) and a 1.33' x 9' (base area) internally illuminated 8' high double sided monument sign with a 3' x 8' electronic changeable reader board located at 6633 Douglas Ave., Section 18, T4N, R23E, Village of Caledonia.

Permit was denied and a variance is requested as the proposed sign exceeds the allowable square footage on one side and all sides and the LED portion of the sign exceeds 30% of the sign copy area.

Applicant is subject to Art. VI, Div. 14. P-2 Recreational Park District; Sec. 16-7-3 General Restrictions; Sec. 16-7-6 Administration; and Sec. 16-7-9 Requirements of the Village of Caledonia Zoning Ordinance.

Kuemmel swore in Akil Ajmeri, 2714 – 4 ½ Mile Road, Racine, WI 53402

Ajmeri explained his petition. Currently there are two signs that are grandfathered in, but he would like to replace the two signs with one sign. He feels high end signage is extremely important to a business and wants his sign to be able to advertise to people what they are offering via the electronic changeable reader board.

Mielke asked for clarification on the four questions on the application that were handwritten. Ajermi explained what he was asking for, he wanted to downsize from two signs to one sign and the one sign will be high end to make his property look gorgeous.

Mielke stated if you have special circumstances you should be allowed to have a different sign, but he had not read anything to that effect. Ajermi explained they have 30 acres and he was striving to improve his property, to make Caledonia look better, with a nice monument sign that is easier to read. By making two signs into one makes more sense and he will not have signage on the building. One elegant sign is easier to maintain.

Discussion followed. Members of the Board brought out that other businesses have been allowed to update their signage under similar circumstances. This was not asking for special treatment, it was just a special situation.

Kuemmel asked if anyone was present in support.

Lisa Bell, 11918 – 4 Mile Road was present. She stated she did serve on the committees that were forming the rules and maybe it was time the sign ordinance was revisited. The spirit of the ordinance was to make Caledonia look as nice as it could and what Ajermi was doing that by improving with a more upscale sign.

No one was present in opposition.

Czuta read a memo from Julie Anderson, Director of Racine County Public Works and Development Services, dated 9/20/2016

“Staff does not object to this variance request. The applicant intends to remove two existing ground signs and construct a 6.5’ x 9’ (sign copy area) and 1.33’ x 9’ (base area) internally illuminated 8’ high double-sided monument sign with a 3’ x 8’ electronic changeable reader board. The variance does not appear to be contrary to the purpose and spirit of the ordinance as the proposed sign is more aesthetically pleasing than the existing signs and the proposed sign is in harmony with sign technology that has evolved over time. The proposed sign will exceed the allowable square footage by ten and one-half (10 ½) square feet on one side and twenty-one (21) square feet on all sides. The current square footage allowed by ordinance is forty-eight (48) square feet on one side and ninety-six (96) square-feet on all sides. The applicant has indicated that the proposed sign is an upgrade and that no signage is proposed to be placed on the building which will warrant the proposed square footage of the proposed monument sign. The LED portion of the sign exceeds 30% of the sign copy area by a small amount as it constitutes 41% which only exceeds the allowable amount by 6.45 square feet per side. The proposed sign is an update which will be in harmony with today’s sign technology, the proposed sign is aesthetically pleasing, and should not create substantial detriment to the neighborhood. To comply with the ordinance would render conformity with such restrictions as unnecessarily burdensome and would not allow the applicant the same opportunity as other business owners to properly advertise their business to assist customers to identify the site. If approved, it must be clearly stated that the LED sign displays are steady in nature and each

message lasts no less than five (5) seconds. A zoning permit would be required for the proposed double-sided monument sign and the fee would be \$200.00.”

Czuta read a letter from Village Engineer Anthony Bunkelman, dated 9/21/2016:

“I am in receipt of the notice for the Village of Caledonia Zoning Board of Appeals Public Hearing for 6633 Douglas Avenue. This notice was in reference to removing 2 existing ground signs and construct a 6.5’ x 9’ sign with a 1.33’ x 9’ base. The sign would be an internally illuminated 8’ high double sided monument sign with a 3’ x 8’ electronic changeable reader board. The proposed sign exceeds the allowable square footage on one side and all sides and the LED portion of the sign exceeds 30% of the sign copy area.

I have reviewed the application and offer the following information.

- I have no objection to the type and size of the sign based on the fact that the applicant will be razing the existing signs and will not be placing signs on the existing building.
- The existing trees near the Right of Way that have been topped, are they proposed to be removed? The tree closest to the sign appears that it will need to be removed so that the sign can be installed/seen.
- The State of Wisconsin Department of Transportation is responsible for the Right of Way of Douglas Avenue (State Trunk Highway 32).
 - The DOT will perform a resurfacing project on Douglas Avenue around 2019.
 - The DOT in the distant future will be reconstructing Douglas Avenue to 4 lanes (project exists but with no timeline).
 - When the reconstruction of Douglas Avenue occurs the sign and building will potentially need to be razed.
 - In conversation with the DOT, they do not have any objection to the sign location at this time due to the reconstruction project being in the distant future.
 - The DOT stated that if the electric for the sign comes from the Right of Way a Right of Way Entry Permit would be required. If the electric for the sign comes from private property, no permit is required.”

Czuta stated his office sent a technical request to Thomas Strickler, Outdoor Advertising Program Coordinator @ Wisconsin DOT. He indicated he may appear today at this meeting and he is not in the audience. He told Czuta if he did have comments he would submit them, so the interpretation is there is no objection from the Wisconsin DOT.

Public Hearing portion of the meeting ended at 9:26 a.m.

Tomacheck made a motion to adjourn the Public Hearing portion of the meeting. Rennert second. Voice vote 5/0. Motion carried.

Board did not take a break.

4. Board Meeting

A. Decision on preceding petition

Kuemmel said it will be an absolute improvement. Mielke was also happy for the improvement with more modern signage but does not understand what the role of this Board is if anybody who comes in here, as long as they speak to us, can set the rules aside and maybe the Village Board should change the rules. Kuemmel felt an outdated ordinance should not be used to penalize anyone and there have been several situations where adjustments have been made for the benefit of the business. Christensen felt it was important to look at totality, within the existing ordinance there could be significant more cluttering, but they are proposing a bit larger, but a total less than what is allowable. This is a significant upgrade, looks good, enhances appearance of the building and gets rid of the old signs. The purpose is to keep people from putting stuff out that is outrageous, this is a bit outside of the ordinance, but not outrageous. Tomachek felt by looking at the proposed sign you will see exactly what the property offers and they deserve to advertise that in an attractive manner. Barnes felt when laws are made, not all possible circumstances can be anticipated, things come up that will fall outside of the strictly worded ordinance and that needs to be reviewed, that is what we have here. Czuta stated to ease the Board's concerns; it is not that simple that anyone who would come before the Board is an automatic approval, each is reviewed on its own merits.

Kuemmel asked for a motion.

Rennert made a motion to approve the proposed signage. Tomachek second. Voice Vote. Kuemmel, Rennert, Barnes, Tomachek – Yes. Mielke – No. Motion carried 4/1.

B. Other business as authorized by law

No other business.

C. Adjourn

Tomachek made a motion to adjourn the meeting. Barnes second. Voice vote 5/0. Motion carried. The meeting adjourned at 9:34 a.m.

Respectfully submitted,
Mary Jo Schmidt
Eng/Bldg Adm Asst II
Village of Caledonia