

VILLAGE OF WRIGHTSTOWN BOARD OF APPEALS MEETING

A Village of Wrightstown **Board of Appeals** meeting was held at Village Hall, 352 High St., the Conference Room C, on Tuesday, March 5, 2024 at 4:03 pm, following the posted Public Hearing.

Roll Call: Present – Board of Appeals Members: Bradley Bosma, Glenn Buntin, Quinn Cavanaugh, Tony Decker, and Bernie Vickman.

Also Present: Administrator Travis Coenen, Planner Michael Leidig of Robert E Lee & Associates (4:02 pm), Deputy Clerk-Treasurer Patti Leitermann, Clerk-Treasurer Shelia Bowers, and Applicant Joseph Sarazin

BOARD OF APPEALS MEETING

Motion was made by B Vickman with a second made by Q Cavanaugh to call the **March 5, 2024** Board of Appeals meeting to order. **Motion carried.**

Motion was made by B Vickman with a second made by Brad Bosma to appoint Glenn Buntin as chairman for the proceedings. **Motion carried.**

This sign application for a variance from Municipal Ordinance 206 **§206-49 G**, of the Village of Wrightstown, received from Joseph Sarazin, CCL 2020 LLC – Alano Changing Lanes, 344 Broadway Street, Village Parcel VW-201.

Applicant requests to allow for a proposed sign to extend 25 feet into the required yard, rather than the codified maximum of 10 feet. This would result in the edge of the sign hanging at the property line. They also request to allow for a pole mounted hanging sign to be erected, which would encroach into the existing setback for the parcel.

Chapter 206. Zoning

§ 206-49 B-1 Business District and I-1 General Industrial District.

- G.** Property signs fastened to, suspended from or supported by a structure on a premises developed for business shall not exceed 50 square feet in area for all sides combined on any one premises, shall not extend more than 10 feet into any required yard, shall not exceed a height of 20 feet above the average ground level and shall be not less than 10 feet above any pedestrianway and not less than 15 feet above a driveway.

J Sarazin, who is on Alano’s Board of Directors, spoke about the request for a sign that was suggested from several business owners in the area. He said he learned about the setback requirements and the need for a variance in this case. The photo submitted shows the actual two-sided sign he already made.

Planner Michael Leidig outlined Variance Review as follows:

- A. **Variance Request** - 206-49 G as stated above.

Applicant requests to alter the above section of code to allow for a proposed sign to extend 25 feet into the required yard, rather than the codified maximum of 10 feet. This would result in the edge of the sign hanging at the property line.

- B. **Background** – The Alano Club – Changing Lanes is requesting a variance to allow for a pole mounted hanging sign to be erected, which would encroach into the existing setback for the parcel. Because the parcel is currently zoned B-1 Business, the front yard setback is 25 feet from the right of way. This would place the signage setback at 15’ from the right of way line. The building on site is a non-conforming structure, as the Village code is currently written. This creates a situation where the sign is required to observe a greater setback than the building itself.
- C. **Streets and Transportation** – The proposed sign will consist of a hanging wooden sign secured to a wooden post. The wooden post will be approximately 18’ away from existing lanes of travel on Broadway Street. Given that there are already four similar posts in the same locations, and based on the information provided, it is unlikely that this addition would result in a significant risk increase to the public. Additionally, the sign hangs over a paved area likely to be used by pedestrians (not the sidewalk, the paved area to the north between the sidewalk and the building); because of this, the sign is required to be at minimum 10’.
- D. **Sewer and Water** - The proposed variance is not proposed to impact any sewer or water.
- E. **Zoning** - The parcel is currently zoned B-1 Business. The parcel is currently non-conforming, so this variance is not likely to have any zoning ramifications. It should be noted that, unless otherwise adopted as a condition of the variance, if the building were ever significantly altered to the point where it was required to be brought into conformance with Village standards, this sign would be permitted to continue existing at this reduced setback unless the sign too was proposed to be altered.
- F. **Variance Issuance Requirements** - Per Section 206-60 (C), The board of appeals shall not vary the regulations as set forth unless it shall make findings based upon the evidence presented to it in each specific case that:
- Because of the particular surroundings, shape or topographical condition of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out. Should the strict letter of the regulations be carried out, there would be no possibility for a sign of this type, but other types of signs could be permissibly constructed without variance (wall sign, roof sign).
 - Conditions upon which a petition for a variation is based are unique to the property for which the variance is sought and are not generally applicable to other properties within the same zoning classification. There are multiple other parcels in the Village of Wrightstown, especially near High Street and Washington Street, which could request a similar variance on the same grounds.
 - The alleged difficulty or hardship is caused by this chapter and has not been caused by any person presently having an interest in the property. The construction of the nonconforming structure was not undertaken by anyone with a current interest in this property.
 - Granting of the variation shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. This variance would allow for a wooden post to be constructed within 18’ of existing traffic flow; however, there are already four other wooden posts of similar composition to what is

proposed at similar distances from the flow of traffic. Based on the information provided, it is unlikely that this addition would result in a significant increase to the public.

- Proposed variation shall not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property value within the neighborhood. Staff does not foresee that this variance will not impair or cause any of the negative impacts described in this section.

The Board of Appeals engaged in a discussion regarding the Variance Request and discussed the following:

- B Vickman indicated there are other options for this sign placement including wall, roof, etc.
- M Leidig indicated there are different rules for different types of signs.
- T Coenen indicates The Lost Key & The River Inn both have hanging signs over the pedestrian ways.
- Discussion on mounting from the awning or roof to see both sides of the sign. The wind could be an issue with this and also liability for pedestrians & vehicles.

Alano Variance Request, 344 Broadway Street, Parcel VW-201 – Motion made by G Buntin with a second made by T Decker to approve the Variance request. 4 Yes & 1 No (B Vickman)
Motion carried.

ADJOURN – Motion made by Q Cavanaugh with a second made by B Bosma to adjourn.
Motion carried. (Adjourned at 4:34 pm)

Patti Leitermann, Deputy Clerk/Treasurer