

CITY OF DELAFIELD BOARD OF ZONING APPEALS MINUTES

1. CALL MEETING TO ORDER

B. Maslowski called the meeting to order at 7:31 P.M.

2. ROLL CALL

Present

Bill Maslowski
Thomas Hoffmann
Gerry Holton
Al Johnson
Rick Lieblang

Absent

3. APPROVE MINUTES OF NOVEMBER 12, 2009 MEETING

R. LIEBLANG MOVED TO APPROVE THE NOVEMBER 12, 2009 BOARD OF ZONING APPEALS MEETING MINUTES AS PRESENTED. A. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. OLD BUSINESS

B. Maslowski explained a copy of the Zoning Board of Appeals process had been distributed to all Board members as part of the packet for this meeting for review. He had asked Attorney Gutenkunst to review and provide additional verbiage related to the "50% rule" as part of this document as well.

R. Lieblang stated he liked the process outline for residents' use as it brought clarity to the process for all involved.

5. NEW BUSINESS

CASE 763 – APPEAL OF KURT AMIDZICH (OWNER) AND TONY MCGUIRE (AGENT) TO MODIFY SIGN PANEL AND STRUCTURE OF A LEGAL NON-CONFORMING SIGN FOR KURT'S STEAK AND SEAFOOD RESTAURANT AT 22 WEST MAIN ST, DELC 0794.988, RELATING TO SECTION 17.73(3) AND SECTION 17.73(4) WHICH REQUIRES ALL SIGNS TO BE SUBJECT TO SETBACK RULES APPLICABLE TO BUILDINGS. B-1 SETBACK IS 30'. THE PROPOSED SIGN IS AT THE ROW.

B. Maslowski reviewed the case, noting the request to modify a sign panel and structure of a legal non-conforming sign for Kurt's Steak and Seafood Restaurant at 22 West Main St., relating to Section 17.73(3) and Section 17.73(4) which required all signs to be subject to setback rules applicable to buildings had been denied. He then explained the review process for this case.

Tony McGuire, representing the applicant, was present.

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T. McGuire explained he had been working with Kurt Amidzich regarding changing the sign panel at Kurt's Steak and Seafood Restaurant. The current pole was more than 20 years old and was deteriorating. Sign panels had been changed several times and the current panel measured 48 square feet. The current sign and parking lot were located within the City's right of way. Signposts were crooked and were badly in need of repair and update. In order to make the sign more conforming to City Code requirements, the proposed sign was reduced in size by 8 feet and the pole moved back one foot from its existing location in the right of way. While the Sign Code requested the use of monument signs, T. McGuire did not think it applicable in this case as cars would back into it and a monument sign would pose additional travel hazards in the area. The proposed sign would also include underground wiring with less light pollution. High output tubes would provide internal lighting for the sign and would reduce the brightness of the current signage.

Discussion ensued regarding the next step in the appeal process.

G. Holton requested clarification on the planter shown in the submitted documentation. A. Johnson stated he liked the planter. Discussion ensued regarding whether the planter was included in the signage presented. G. Holton requested the planter dimensions not exceed the sign dimensions in distance toward the roadway.

B. Maslowski questioned T. McGuire as to the hardship in this case. T. McGuire stated the hardship was that the signage was deteriorating and needed replacement and there was no other location on the property to place the sign other than in the current location.

It was noted no issues of concern had been heard from neighboring properties regarding this request.

R. LIEBLANG MOVED TO APPROVE THE APPEAL OF KURT AMIDZICH (OWNER) AND TONY MCGUIRE (AGENT) TO MODIFY SIGN PANEL AND STRUCTURE OF A LEGAL NON-CONFORMING SIGN FOR KURT'S STEAK AND SEAFOOD RESTAURANT AT 22 WEST MAIN ST, DELC 0794.988, RELATING TO SECTION 17.73(3) AND SECTION 17.73(4) WHICH REQUIRES ALL SIGNS TO BE SUBJECT TO SETBACK RULES APPLICABLE TO BUILDINGS AS PRESENTED AS IT WAS LESS NON-CONFORMING AT 40 SQUARE FEET AND WAS TO BE LOCATED WITHIN THE CITY RIGHT OF WAY AND IF A PLANTER BOX WAS CONSTRUCTED, IT WAS NOT TO EXCEED THE SIGN DIMENSIONS FOOTPRINT. R. LIEBLANG AMENDED THE MOTION TO ALSO STATE THE SIGNAGE AND ARCHITECTURE SHOULD BE APPROVED BY STAFF AND CONFIRMED BY ALL NECESSARY COMMITTEES. A. JOHNSON SECONDED THE MOTION. B. MASLOWSKI CLARIFIED THAT THE HARDSHIP WAS THAT THERE WAS NO OTHER

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LOCATION ON THE PROPERTY FOR THE SIGNAGE PROPOSED. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

5. ADJOURN

A. JOHNSON MOTIONED TO ADJOURN THE DECEMBER 10, 2009, BOARD OF ZONING MEETING AT 7:53 P.M. T. HOFFMANN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.