

**MINUTES**  
**BOARD OF APPEALS**  
**Monday, March 18, 2013**  
**City Hall, Room 400**  
**5:30 p.m.**

**MEMBERS PRESENT:** D. Carlson, B. Maccaux, J. Reck, J. Bunker

**MEMBER EXCUSED:** R. Marx

**OTHERS PRESENT:** Mark and Kathy Ring, Jeff Peterson, Gary Bryngulfson, Sheri Omernik

D. Carlson called the meeting to order and asked the Board if anyone needed to abstain from voting; all replied no. He asked if any members had gone to the properties or talked to anyone regarding the requests; all replied no.

**APPROVAL OF MINUTES:**

Approval of the February 18, 2013 minutes of the Board of Appeals

A motion was made by J. Reck and seconded by B. Maccaux to approve the February 18, 2013 minutes. Motion carried.

**New Business:**

1. Jeff Peterson Van's Lumber & Custom Builders, Inc, on behalf of Mark & Cathy Ring, property owners, proposes to construct a new single-family dwelling within a 100-year floodplain, AE Zone, located in a Low Density Residential (R1) District at 3543 Nicolet Drive. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code Section 13-1330(a) Standards for development in the flood fringe areas.

Mark and Kathy Ring introduced themselves and their builder, Jeff Peterson. J. Peterson stated they are in the flood plain. They do comply with everything except the side yard. It requires 15 feet of fill to a certain elevation and they can make the 15 feet but cannot take it all the way to the lot-line at that height so they are planning to "tier" it down. He stated they have spoken with the City on this and the plans he presented were drawn by a City Engineer showing how they plan to do this. He stated they are at the correct height at the top of the tier but when they are near the lot-line, they are falling off. He stated they are in compliance on both the east and west ends but it is the north and south sides where they do not comply.

A motion was made by J. Bunker and seconded by J. Reck to approve the variance as requested. Motion carried.

2. Sheri Omernik, Orde Sign & Graphics, on behalf of Greg Ernst, Van Vreede's Appliances & Furniture, property owner, proposes to install a video display sign on an existing pole mounted sign and to relocate an existing changeable copy sign to a second existing pole mounted sign in a General Commercial (C1) District located at 2180 West Mason Street. The applicant requests to deviate from the following requirement, Section 13-2021(c) and Section 13-2019(b) maximum sign area.

S. Omernik stated prior to the new highway renovations, VanVreede's was at a flat level and you could see their wall signage from both Highway 41 and Highway 54. The new highway has walls built up which block that signage. In the past they had received some variances for square footage on the property including the pylon sign. What they are proposing is actually less square footage than what they were granted previously. They are allowed to have a total of 264 square feet with the message

center and sign. The ordinance only allows the message center to take 50% of the sign. The message center size is appropriate for the location that it is in as far as traffic speed and distance away from the highway. In order to make it 50-50 she stated they would have to make the VanVreede sign much larger than it needs to be. They are asking for a variance to allow the message center to take more than 50%. There is a message board existing under the Sleep Shop and they are proposing to move it and use it for the tenants in the building so they can share the sign to help advertise their businesses as they don't have the visibility any more.

The old variance allowed 64 square feet for this message board. The ordinance is only 32 square feet but they need to look at it again because they are moving it from one side to the other side. She added both pylons are existing pylons on the property.

D. Carlson asked S. Omernik how she was changing the sign for the tenants. She stated the tenant pylon is in existence and all they would be doing is moving the message board.

D. Carlson then asked P. Neumeyer a question regarding the sign ordinance and the 32 square feet and if it applies to both signs. P. Neumeyer stated it is two different requirements. He said the video display can go up to 50%.

S. Omernik stated the video is in full color so it can be used for product and the message board will be used for copy. She added 32 square feet for highway visibility is actually very small by general sign standards. She stated in this case the sign size they are proposing is a little more appropriate for the application.

D. Carlson asked S. Omernik what the video part of that is. She stated 65%.

J. Reck stated they are only asking for a variance for the display portion of the sign.

J. Bunker stated that the requested option is much more symmetrical.

Gary Bryngulfson, Vice President of VanVreede's, stated he feels a picture covers a thousand words. He stated they knew about the round-a-bouts but didn't realize they would end up losing the front of the store. The front of the store use to be very visible from Highway 41 and Mason Street. With the walls on the highway built up, all you can see is the top of the sign and roof and not the signage.

J. Reck asked if they will be promoting the multiple tenants on both signs. G. Bryngulfson stated one sign will be for VanVreede's alone.

D. Carlson asked if anyone had a problem with treating these variances as one or asked if they should be split. The response was to keep them together.

J. Reck stated one variance is moving from 50% to 65% which he felt was minimal, ascetically speaking and he agreed with the applicants that it makes more sense. He did not feel it would be a distraction. He felt there was a dire need for it. J. Bunker added he did not see a problem with it either. D. Carlson stated it is similar to a variance that was granted previously.

A motion was made by J. Reck and seconded by J. Bunker to approve the variance as requested. Motion carried.

A motion was made by J. Reck and seconded by J. Bunker to adjourn the meeting at 6:00 p.m. Motion carried.

Meeting Adjourned.

:jvr