

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: October 8, 2021

RE: Variance Application for 2105 E. Enterprise Ave. (31-1-6510-38)

Description of Proposal

The applicant proposes to install a sign that is 694 sq. ft. Section 23-529(c)(2) of the zoning ordinance limits the area of a sign in this location to 200 sq. ft.

Impact on the Neighborhood

In the application, the applicant states that the only nearby building is far enough away that the sign would not block views.

Unique Condition

In the application, the applicant states that the property is obstructed by the overpass and northbound traffic would not be able to see a sign. The applicant also states that the property is a lower elevation and is setback from the highway, which renders traditional signs ineffective.

Hardship

In the application, the applicant states that because patients and the general public cannot see the services offered through a code compliant sign, the cost of investing in a sign is difficult to justify.

Staff Analysis

This property is 348,915 sq. ft. The minimum sized lot permitted in the C2 zoning district is 14,000 sq. ft.

In the application, the applicant described how the layout of exit ramp near the property impacted the ability for traffic on the highway to see a code complainant sign. Section 23-529(c)(2) of the zoning ordinance provides exemptions for properties such as this and allows signs to be higher. Since other exit ramps off highway 41 and 441 in Appleton are design similar, the claim of a hardship appears to be too general in nature and not specific to the dimensional limitations of this particular parcel. If signs near exit ramps are not visible to traffic, the more appropriate course of action would be to petition the City Council to change the code language.

Return to: Department of Public Works
 Inspection Division
 100 North Appleton Street
 Appleton, Wisconsin 54911
 (920) 832-6411

City of Appleton Application for Variance

August 30, 2021	Meeting Date	Sept. 20, 2021 7pm
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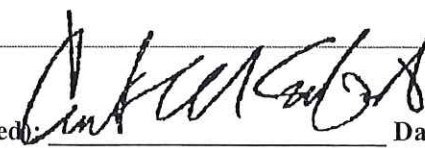
Application Deadline

Please write legibly and also submit a complete reproducible site plan (maximum size 11" x 17"). A complete site plan includes, but is not limited to, all structures, lot lines and streets with distances to each. There is a non-refundable \$125.00 fee for each variance application. The nonrefundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) 2105 E. Enterprise Ave.	Parcel Number 31-1-6510-38
Zoning District C2	Use of Property Residential X Commercial

Applicant Information	
Owner Name DOC-2105 EAST ENTERPRISE AVENUE MOB LLC	Owner Address PO BOX 92129 SOUTHLAKE TX 54913
Owner Phone Number <i>920 - 209 - 7377</i>	Owner E Mail address (optional) <i>CURT. KUBIK @ OSIFU.COM</i>
Agent Name Cody Chlebowski	Agent Address 922 S. 70th Street Milwaukee, WI 53214
Agent Phone Number 615-947-7144	Agent E Mail address (optional) cchlebowski@poblocki.com

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-529(c)(2)- Sign area may not exceed 200 sq. ft.
Brief Description of Proposed Project The proposed ground sign is 694 sq. ft. in area. Section 23-529(c)(2) prohibits ground signs to a 200 sq. ft.

Owner's Signature (Required):  Date: 08/30/21

Recp 2563 - 0003

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Questionnaire

In order to be granted a variance each applicant must be able to prove that an unnecessary hardship would be created if the variance were not granted. The burden of proving an unnecessary hardship rests upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.

1. Explain your proposed plans and why you are requesting a variance:

Since our property is obfuscated by an overpass, a rising exit ramp, lower elevation than the right-of-way and significant building setback, we are proposing a sign that is commensurate with the type and size of signage needed along any highway. And since the main audience in which this signage is meant for is traveling at high speeds on the highway, the size needed to be readable along with the short time a viewer has to understand it, makes the size we are requesting more safe to communicate a message to the travelers on the highway—especially with the obstacles around this section of highway.

2. Describe how the variance would not have an adverse impact on the surrounding properties:

Since the only large building North of us is far enough away as to not block their view of anything and the sign is squarely on our property, there is no perceived adverse impact other than our own view of a small portion of sky above the highway and exit ramp. The sign we have designed is intentionally not designed like a typical wide and monstrous billboard but rather an elegant poster aspect ratio meant to look clean and unified with a simple design aesthetic.

3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:

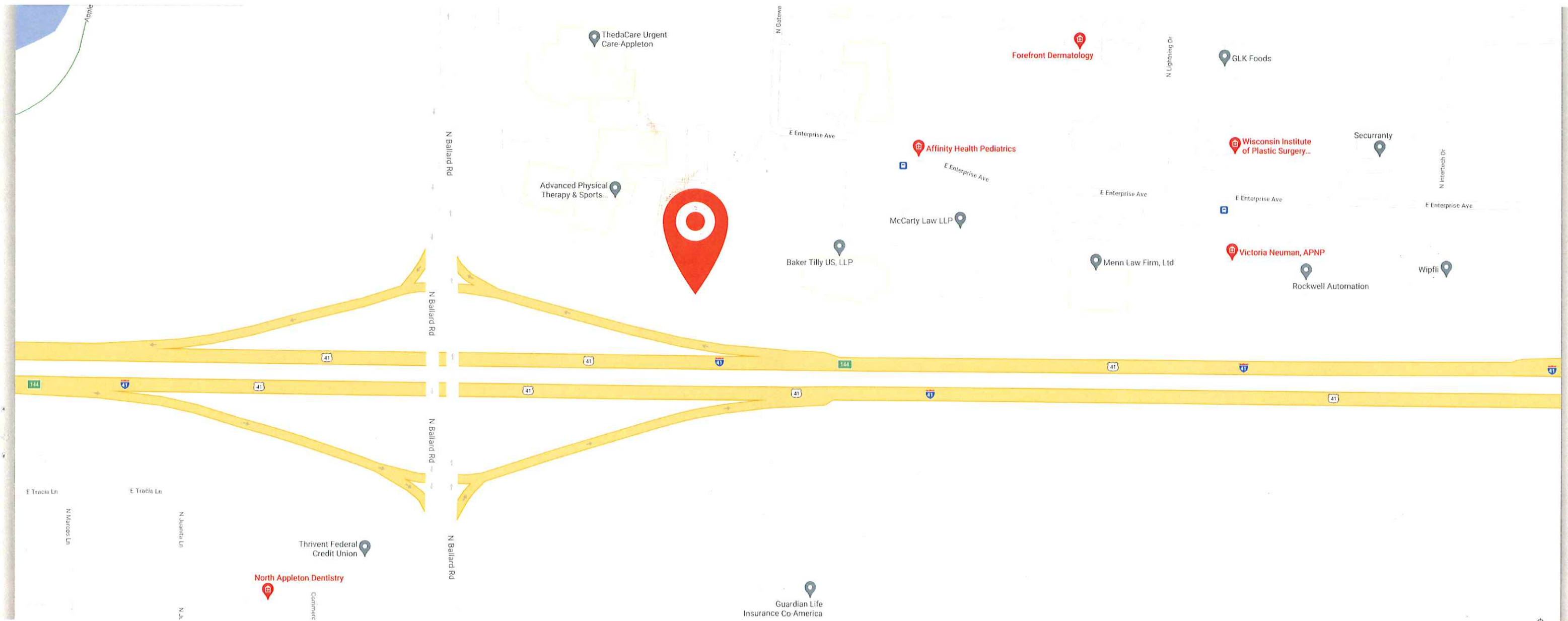
Our property is obfuscated by an overpass which blocks viewing of any sign on our property from any northbound traffic until they are almost half way past our building. A rising exit ramp also, typically filled with off-ramp traffic—including semis, blocks our building and any ground sign from both southbound and northbound traffic for a significant portion of daytime viewing. In addition, the lower elevation of our property, significant set back of our building and the nearly extra 50 feet of distance from the width of the exit ramp renders any traditionally sized or placed signage completely ineffective. Furthermore, we don't even get much benefit from overpass traffic as those viewers are also blocked by the same exit ramp traffic and safety fencing.

4. Describe the hardship that would result if your variance were not granted:

There are many times patients and general public traveling the highway that don't realize the important orthopedics services we offer, many of which can be urgent. The need for them to know exactly what we do and exactly where we are is imperative in the health care business we are in. Any investment in signage smaller than what is being recommended makes it incredibly difficult to justify any expense toward signage that would be far less effective.

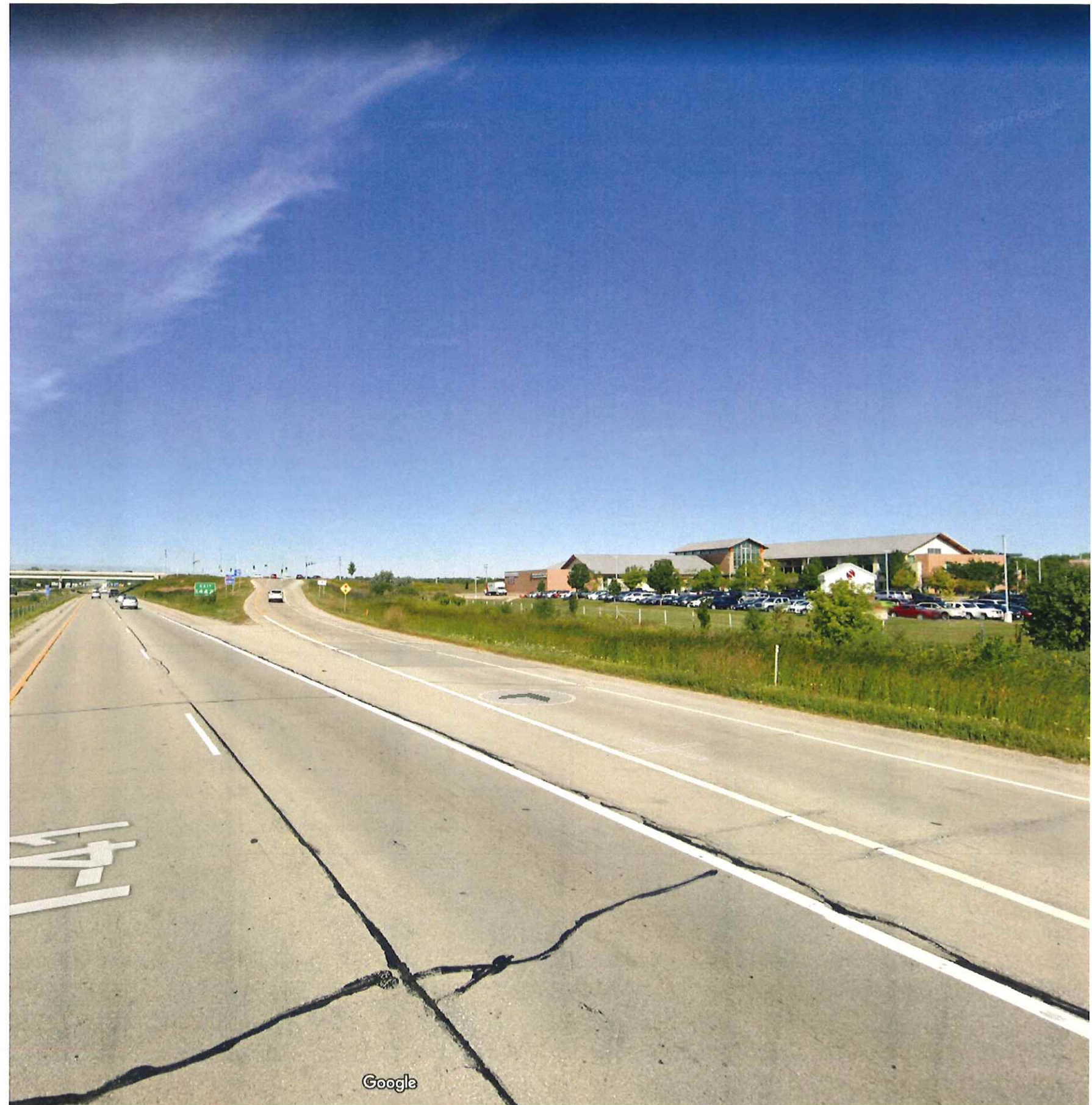
2105 E. Enterprise Ave, Appleton, WI 54913

- Property Signage Hardship



Property Signage Hardship

- HWY 41 Sound -bound traffic would not be able to read any sign that is strictly conformed to the current sign code of 200 ft²



Property Signage Hardship

- Even if you were stopped on HWY 41 S, you can't even read a sign that conforms to the current sign code of 200 ft²



Property Signage Hardship

- HWY 41 North-bound traffic would of course be even worse that South-bound and would not even see a sign that is strictly conformed to the current sign code of 200 ft²



Property Signage Hardship

- We are even further obscured by the fence for local overpass traffic on Ballard Road, making it very difficult to focus and read any sign behind the fence and conforming to the current sign code of 200 ft²



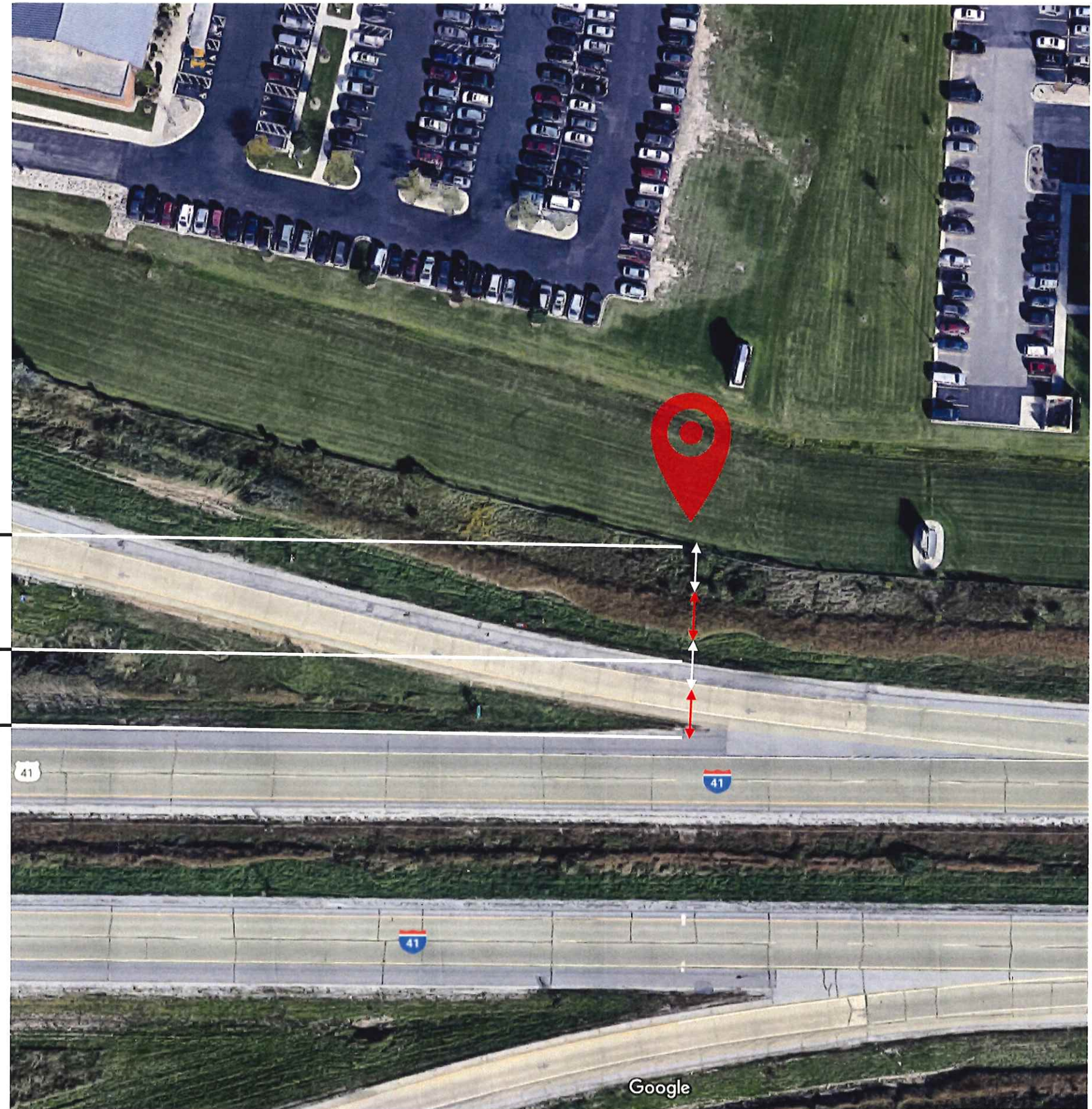
Additional Exit Ramp Impact

- Even the best-case placement of any sign is further hampered by the rising exit ramp distance of 30-50 additional feet of viewing distance

Typical distance = 50'

Extra distance = 30'

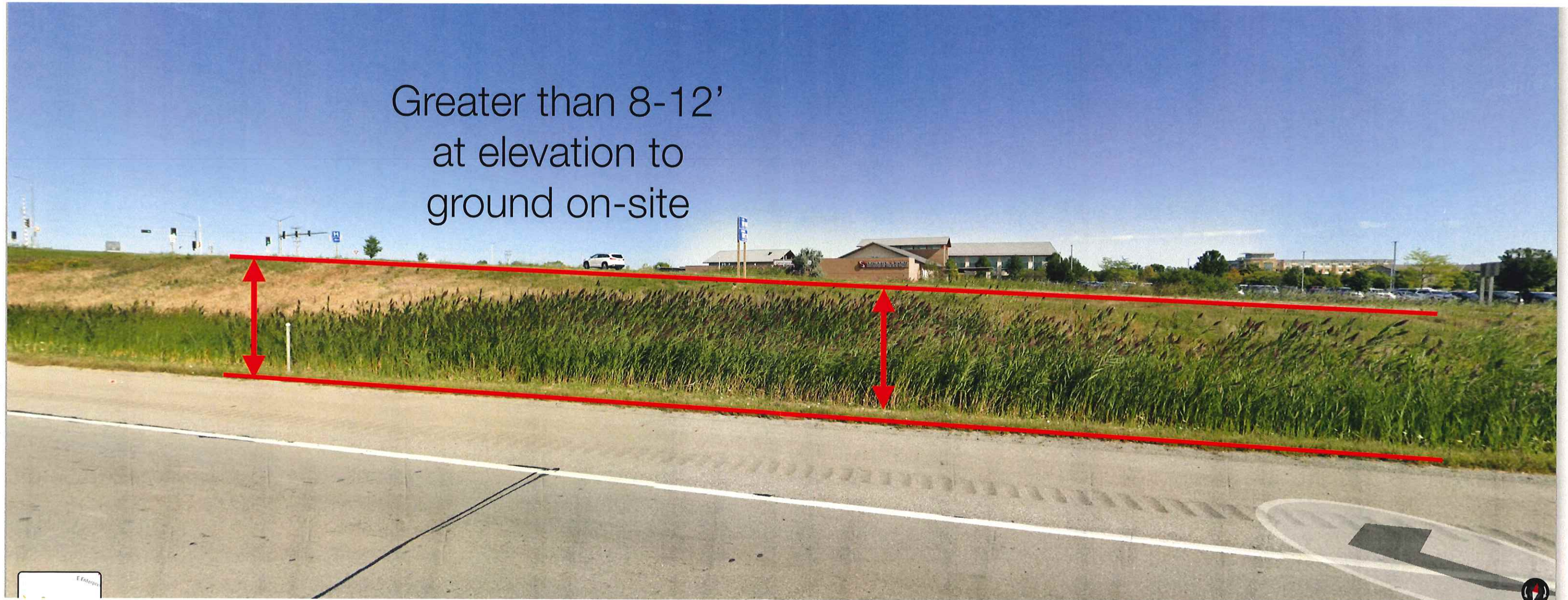
Each.  = approx. 20'



Additional Grade Height impact of over 8 feet

- And since the exit ramp rises up well over 8-12 feet in front of our property, without taking into account the potential of 12' semis and truck being on the ramp, makes any typical sign completely ineffective.

Greater than 8-12'
at elevation to
ground on-site



Our Proposal

- The image at the right is what we have researched and is industry standard for readable signage along a highway viewers to safely and quickly read what a sign says—especially at the speed they are traveling.
- The model to the right of what we're proposing is a commonly accepted and utilized size in nearly every city in the U.S. as well as all along our very own HWY 41 from Green Bay to Fond du Lac.
- We are well within the parameters of what is commonly accepted even when taking into account the additional exit ramp impact.

