

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Board of Zoning Appeals
DATE OF MEETING: February 16, 2015 (Monday)
PLACE OF MEETING: City Hall – 415 Main Street (Room 112)
TIME OF MEETING: 6:30 P.M.

PURPOSE OF MEETING

1. Call to Order and roll call.
2. Approval of minutes from the previous meeting

Consideration and possible action on the following items:

3. **Public hearing approximately 6:30 pm** Request for variance filed by Woodman's Food Market, Inc., 2631 Liberty Lane, Janesville, WI 53545 for the purpose of a variance to waive the 100 foot minimum setback from an intersection and to exceed the maximum sign square footage of 60 square feet for a two-tenant monument sign with one off-premise tenant at Woodman's Food Market, 9515 State Road 16, Onalaska, WI 54650 (Parcel #18-3625-0).
4. Consideration and Approval of 2015 Board of Zoning Appeals Meeting Schedule.
5. Adjournment

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the Board may attend this meeting to gather information about a subject over which they have decision making responsibility.

Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

NOTICES MAILED TO:

Mayor Joe Chilsen	
Ald. Erik Sjolander	
Ald. Jim Olson	
** Ald. Jim Bialecki	
* Ald. Bob Muth - Chair	
***Ald. Harvey Bertrand	
Ald. Jack Pogreba	
City Attorney	Dept Heads
La Crosse Tribune	Charter Com.
Onalaska Holmen Courier Life	Fox News
WIZM WKTY WLXR WKBH	
WLSU WKBT WXOW	
*Committee Members	** Alternate ***2 nd Alternate
	*Craig Breitsprecher
	*Brent Larson
	*Robert Wehrenberg
	*Arlene Benrud
	Marc Johnson – DRM Inc.
	Onalaska Public Library

Date Notices Mailed: 2/9/15
Date Notices Posted: 2/9/15

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.



CITY OF ONALASKA

STAFF REPORT

Board of Zoning Appeals – February 16, 2015

Applicant/Property Owner: Woodman's Food Market

Site Address: 9515 State Road 16, Onalaska, WI 54650

Parcel No: 18-3625-0

Zoning District: Light Industrial (M-1)

Adjacent Land Uses: Light Industrial (M-1) District & Public & Semi-Public (P-1) District

Requested Action: Request for a variance to allow an off-premise sign be within 100 feet of an intersection and allow a freestanding sign within 200 feet of another freestanding sign exceed 60 square feet per side of the sign.

Background:

The property in question has an existing permitted freestanding sign located in the northwest corner of the property advertising for the gas station & car wash on Woodman's property. The property owner is proposing a shared monument sign to advertise the gas station and car wash, in addition to a sign for a proposed Arby's restaurant which would total 156.85 square feet (per side). The proposed Arby's restaurant is located within 354 feet of the proposed sign location on Woodman's property.

Public Hearing Notice:

A Public Hearing notice for the requested variance was posted on January 30, 2015 at least seven days prior to the scheduled Public Hearing, and written notification was given to all neighboring parcels within two hundred (200) feet of said parcel.

Section of the Zoning Code from which Variance is being Requested:

Sec. 13-6-21 (a) (7) (c), Code of Ordinances, City of Onalaska, Wisconsin states "must be a minimum of one-hundred (100) feet from an intersection". [Off-Premise Signs, Billboards, Displays]

Sec. 13-6-23 (f), Code of Ordinances, City of Onalaska, WI states "the distance between freestanding signs shall be a minimum of two hundred (200) feet throughout the street frontage in order to prevent congestion and maintain traffic visibility. Signs not meeting the two hundred (200) foot minimum spacing must be monument style signs only and may not exceed fifteen (15) feet in height and sixty (60) square feet per side in area." [Distance Between Freestanding Signs]

Consistency with the Comprehensive Plan:

The Comprehensive Plan's Future Land Use Plan identifies this parcel as *Commercial*. The intent of this future land use district is for businesses uses, including retail, restaurant, lodging, professional offices, banks/credit unions, and related uses.

Decision Criteria:

The requested variance is a:

- Area variance – Provides an increment of relief from a physical dimensional restriction such as a building height or setback. The applicant has the burden of proof to demonstrate that unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions "unnecessarily burdensome".¹

CITY OF ONALASKA

- Use variance – *Permits a landowner to put a property to an otherwise prohibited use. The applicant has the burden of proof to demonstrate that they would have no reasonable use of the property without a variance.*¹

For the Board of Zoning Appeals to grant a variance, it must find that all the following criteria are met²:

- D) *Denial of variance may result in hardship to the property owner due to physiographical consideration. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.*

Variance Request #1 [Off-Premise Sign within 100 feet of intersection]: Yes – criteria met.

DRM, Inc suggests that the proposed Arby's parcel, #18-3625-7 is a "second-tier" outlot as it lacks adequate visibility to support a commercial/retail operation due to its distance from State Road 16 (approximately 420 linear feet). DRM, Inc notes that without off-premise signage, the location is at a disadvantage compared to other restaurants along State Road 16 that have visibility from the corridor. DRM, Inc states that the proposed location and size of the off-premise sign will alleviate visibility concerns and inform travelers along State Road 16 of the restaurant's presence and direction to its location. Visual barriers to the proposed Arby's site include adjacent hotels, the Wisconsin Department of Motor Vehicles (DMV) facility, and tree vegetation.

The location of the proposed joint sign is setback twenty-four (24) feet from South Kinney Coulee Road and approximately sixty-two (62) feet from State Road 16 (see enclosed map). Due to the large preserved right-of-way at the intersection of State Road 16 & South Kinney Coulee Road the minimum 100 foot setback would cause the proposed sign to be located in an area occupied by the existing car wash. The proposed location of the sign is located outside of the vision triangle and should not cause negative visual or safety impacts to travelers at the intersection of State Road 16 & South Kinney Coulee Road.

Considering the location of the proposed Arby's, existing vegetation and surrounding development, staff believes the intent of the zoning requirement would be met.

Variance Request #2 [Freestanding Sign Exceed 60 Square Feet Per Side]: Yes – criteria met.

The purpose of limiting the square footage allotment of freestanding signs within two hundred (200) feet along a frontage is to prevent congestion and maintain traffic visibility. The Wisconsin DMV facility sign is located in southwestern corner of the intersection of State Road 16 & South Kinney Coulee Road. The approximate distance between the existing DMV sign and the proposed sign location is 135 feet. The sign locations are separated by the noted signalized intersection. As vehicles will be governed by the signal, staff believe that traffic visibility will not be impaired if the joint sign exceeds the sixty (60) square foot per side limitation. Additionally, the square foot requested is reasonable as it would adequately display the message.

¹ Markham, L. & Roberts, R. (2006) *Zoning Board Handbook: For Wisconsin Zoning Board of Adjustment and Appeals* (2nd ed.).

² As required by Sec. 13-8-44, Code of Ordinances, City of Onalaska, Wisconsin.

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- II) *The conditions upon which a petition for a variance is based are unique to the property for which variance is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.*

Variance Request #1 [Off-Premise Sign within 100 feet of intersection]: Yes – criteria met.

To the best of staff knowledge, there are no other off-premise signs located along State Road 16. Staff researched other restaurants along State Road 16 and determined that all but two (2) have frontage along the highway. The two restaurants that do not have direct frontage with their physical buildings either have signage on State Road 16 or are easily visible. While the proposed Arby's location has frontage on three (3) sides, staff believe that passersby will have more difficulty in viewing the restaurant from State Road 16 and the off-ramp from Interstate 90 (west-bound) due to the location of adjacent hotels, the Wisconsin DMV facility, and vegetation along the off-ramp, satisfying this criteria.

Variance Request #2 [Freestanding Sign Exceed 60 Square Feet Per Side]: Yes – criteria met.

The joint sign is intended to serve the proposed Arby's restaurant and Woodman's gas station and car wash. The existing sign on Woodman's property is the only sign that provides this information (gas prices) on-site and is allowed to have up to three hundred (300) square feet per side as an on-premise sign. By the Sign Code, Woodman's may construct a second monument sign, but it would be required to be at least one hundred (100) feet east of the current sign. If the proposed sign only displayed Arby's (up to sixty (60) square feet) and the second sign to the east displayed gas prices, the effectiveness of the sign would be questionable because the gas prices would be distance from the gas pumps. Woodman's is proposing a 98.67 square foot sign and Arby's a 58.18 square foot sign (Arby's hat and arrow). A portion of the 58.18 square foot sign is the arrow that would direct traffic to the restaurant. Due to the requirements by the State of Wisconsin to have gas prices easily visible from streets and the directional nature of the Arby's sign to overcome the issues noted in the discussion above, staff believe this criteria has been met.

- III) *The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property.*

Yes – criteria met for Variance Request #1 & 2. Staff believe that the request is not solely based on income potential of the proposed Arby's due to the issues discussed at length in the above criteria, including visibility to the Arby's parcel and the need for directional signage. The proposed sign for Arby's is under sixty (60) square feet and a portion of that square footage includes the arrow illustrating the directional nature of the sign. Also, considering the requirements by the State of Wisconsin regarding posting gas station prices and that Woodman's could install their proposed portion of the sign without a variance, staff believe this criteria has been met.

- IV) *The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.*

Variance Request #1 [Off-Premise Sign within 100 feet of intersection]: Yes – criteria met.

Staff believe that the requested variance will not be detrimental to adjacent properties or the public welfare due to the expansive right-of-way adjacent to the Woodman's property.

Variance Request #2 [Freestanding Sign Exceed 60 Square Feet Per Side]: Yes – criteria met.

Staff believe that the requested variance will not be detrimental to adjacent properties or the public welfare as Woodman's could currently construct a sign up to three hundred (300) square feet per side and the proposed overall square footage of the joint sign is 156.85 square feet (per side).

However, as a public hearing will be held, testimony from the public should be listened to and considered before deciding on the requested variance.

CITY OF ONALASKA

- V) *The proposed variance will not undermine the spirit and general and specific purposes of the Zoning Code, specifically the standards of Section 13-1-6.*

Yes – criteria met for Variance Request #1 & 2. The requested variance is not believed to undermine the spirit of the Zoning Code as the development upholds legislative purpose and intent of the Zoning Code Sections 13-1-6 (c) & (h) which state, “to protect the character and the stability of the residential, business, manufacturing and to other districts within the City and to promote the orderly and beneficial development thereof” and “to stabilize and protect existing and potential property values and encourage the most appropriate use of land throughout the City.

Staff recommends approval of the proposed variance as staff believes all five (5) criteria have been met. Staff also recommends the following Conditions of Approval:

- 1) Variance applies to any future owner of Tax Parcel #18-3625-7 (Proposed Arby's) provided the approved square footage for the entire sign is not exceeded. A Sign Permit will be required from the City for future re-facing or any change-outs to the sign. Any minor modifications to the sign to be approved by staff through a Sign Permit. Any major modifications to be approved by the Board of Zoning Appeals.
- 2) Provide a signed, recorded copy of Freestanding Sign easement to the Planning & Zoning Department.
- 3) Obtain sign permit for the proposed sign.
- 4) Any omissions of any conditions not listed shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.
- 5) All conditions run with the land and are binding upon the property owner and all heirs, successors, and assigns. The sale or transfer of all or any portion of the property does not relieve the original property owner from meeting any conditions.



CITY OF ONALASKA

415 MAIN STREET
ONALASKA, WISCONSIN 54650-2953

PLANNING / ZONING DEPARTMENT

Request for Variance

Board of Zoning Appeals, City of Onalaska, WI

Application Fee: \$100.00

Date 21JAN2015

I (we), Woodman's Food Market, Inc., the owner(s) of the following described property, do hereby make request to appear before the Board of Zoning Appeals to seek a variance from the City ordinance requirement that:

An off premise sign be a minimum of 100 feet from an Intersection [Section 13-6-21 (a)(7)(c)] and may not exceed 60 square feet per side in area for signage located within 200 feet of an existing freestanding sign [Section 13-6-23 (f)].

For the purpose of: Constructing a shared monument sign on our property (gas station and car wash). That shared sign is for the benefit of our property (gas station and car wash pricing and information) and the proposed Arby's restaurant to be constructed on the approximately 1.52 acre vacant parcel of land located between the Microtel Hotel and the DMV Building on North Kinney Coulee Road (Tax ID No. 18-3625-7).

DESCRIPTION OF PROPERTY:

Tax Parcel # 18-3625-0 Street Address 9515 State Road 16, Onalaska, WI

- PLEASE ATTACH: Application Fee of \$100.00
 Copy of Plot/Site Plan (include parcel dimensions, setbacks, structures, paving, etc.)
 Site Photographs

Owner Information - (attach additional sheet if more room is needed)

Name of Owner (printed) Woodman's Food Market, Inc.	Phone Number 608-347-2930	Address 2631 Liberty Lane
Signature <i>Bret Backus</i> VP - Real Estate		City, State, Zip Janesville, WI 53545
Name of Owner (printed)	Phone Number	Address
Signature		City, State, Zip

Contact Person if other than Owner

Name of Contact (printed) DRM, Inc. / Marc Johnson	Phone Number 402-968-4959	Address 5324 North 134th Avenue
Signature <i>Marc Johnson</i>		City, State, Zip Omaha, NE 68164

For Office Use:	Date Complete Application Received: _____	Initials: _____
Enclosures:	<input type="checkbox"/> \$100 Filing Fee	<input type="checkbox"/> Response to 5 Criteria
	<input type="checkbox"/> Plot/Site Plan/Site Photographs	

GRIFFIN LAW OFFICE, S.C.

1041 NORTHEGE TRAIL
VERONA, WISCONSIN 53593

Telephone: (608) 848-5200
Telecopier: (608) 848-5202
Email: griffinlaw@tds.net

A.J. GRIFFIN III
ATTORNEY AT LAW

February 3, 2015

Brea Grace, AICP
Land Use & Development Director
City of Onalaska
415 Main Street
Onalaska, WI 54650

Via Email

RE: Request for Variance - Woodman's Food Market, Inc., 9515 State Road 16, Onalaska, Wisconsin

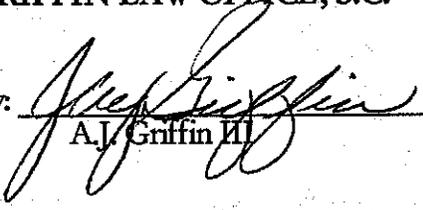
Dear Brea:

At the request of Bret Backus and on behalf of Woodman's Food Market, Inc., we are forwarding the completed package related to Woodman's Request for Variance. I believe you will find the package to be complete, albeit with information added since our last email exchanges and telephone discussions. I wish to express my appreciation for all the assistance which you and Katie were able to provide in connection with our preparation of the Request for Variance and related materials.

We are hopeful that City staff will recommend the two variances which the Request is seeking – i.e., a waiver of the minimum 100 feet distance from an intersection and a waiver of the size limitation with respect to the proposed shared monument sign. If you have questions concerning any of the information submitted herewith, please feel free to contact me.

Very truly yours,

GRIFFIN LAW OFFICE, S.C.

by: 

A.J. Griffin III

cc: Mr. Bret Backus (*Via Email*)
Todd A. Richardson, Esq. (*Via Email*)
Mr. Matt Johnson (*Via Email*)
Mr. Marc Johnson (*Via Email*)

Attachment

AJG:tlb

ATTACHMENT TO REQUEST FOR VARIANCE

Owner Information Supplement

Woodman's Food Market, Inc. ("Woodman's") is the owner of the property located at 9515 State Road 16, Onalaska, Wisconsin (Tax Parcel ID No. 18-3625-0) ("Woodman's Parcel"). Woodman's currently operates a food merchandising center and a gas station with associated car wash on the Woodman's Parcel. The gas station and car wash are accessory uses to the primary use, which is the operation of the food merchandising center. PIB Alaska, LLC ("PIB") is the owner of the property located at 3240 North Kinney Coulee Road, Onalaska, Wisconsin (Tax ID No. 18-3627-7) ("PIB Parcel"). The PIB Parcel is vacant land. DRM, Inc. ("DRM") has entered into an agreement to purchase the PIB Parcel and proposes to improve the same for the operation of an Arby's restaurant. DRM's agreement to purchase the PIB Parcel is contingent upon the construction of adequate off-site signage in the form of a shared monument sign on the Woodman's Parcel; and Woodman's is amenable to DRM's request. The PIB Parcel is uniquely disadvantaged for use by a restaurant or other commercial establishment due to the fact that it is set back a substantial distance from Highway 16 and its visibility is obscured. Other restaurants with a presence along Highway 16 have signage which is clearly visible to traffic passing by on Highway 16.

Woodman's wishes to replace its existing sign with a more modern version, advertising both its gas station and car wash, and is willing to construct a new monument sign which also will identify the Arby's restaurant and provide directional assistance to passers-by. In support, Woodman's proposes to replace its current sign with a new shared monument sign which will provide off-premises advertising for and directional assistance to the Arby's restaurant on the PIB Parcel. The freestanding monument sign is to be located as shown on the attached site sketch, which places it within 200 feet of the existing freestanding signage maintained by the DMV. It is important to note that Woodman's existing sign is, and its proposed replacement will be, the only non-building signage advertising the primary and accessory uses on the Woodman's Parcel. The variance requested by Woodman's is twofold, seeking: (i) a waiver or exemption from the 100 foot minimum setback from an intersection, as to DRM's/Arby's portion of the shared monument sign [Section 13-6-21 (a)(7)c]; and (ii) a waiver or exemption from the requirement that a freestanding sign which is located within 200 feet of an existing freestanding sign may not exceed 60 square feet per side in area [Section 13-6-23 (f)].

S.T.H. 16

R.O.W

EXISTING GRASS

EXISTING LANDSCAPE

SIGN HEIGHT 11.0'

EXISTING SIGN

CARWASH

4.41'

12'

PROPOSED SIGN

EXISTING ASPHALT PAVEMENT

18.0'

35.0'

EXISTING GRASS

EXISTING GRASS

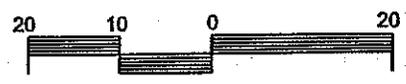
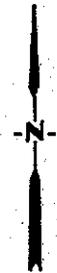
EXISTING CONCRETE SIDEWALK

24.0'

353.9'

NORTH KINNEY COULEE ROAD

NORTHEAST CORNER OF ARBY'S PARCEL



SCALE: 1"=20'
DATE: 1/28/2015

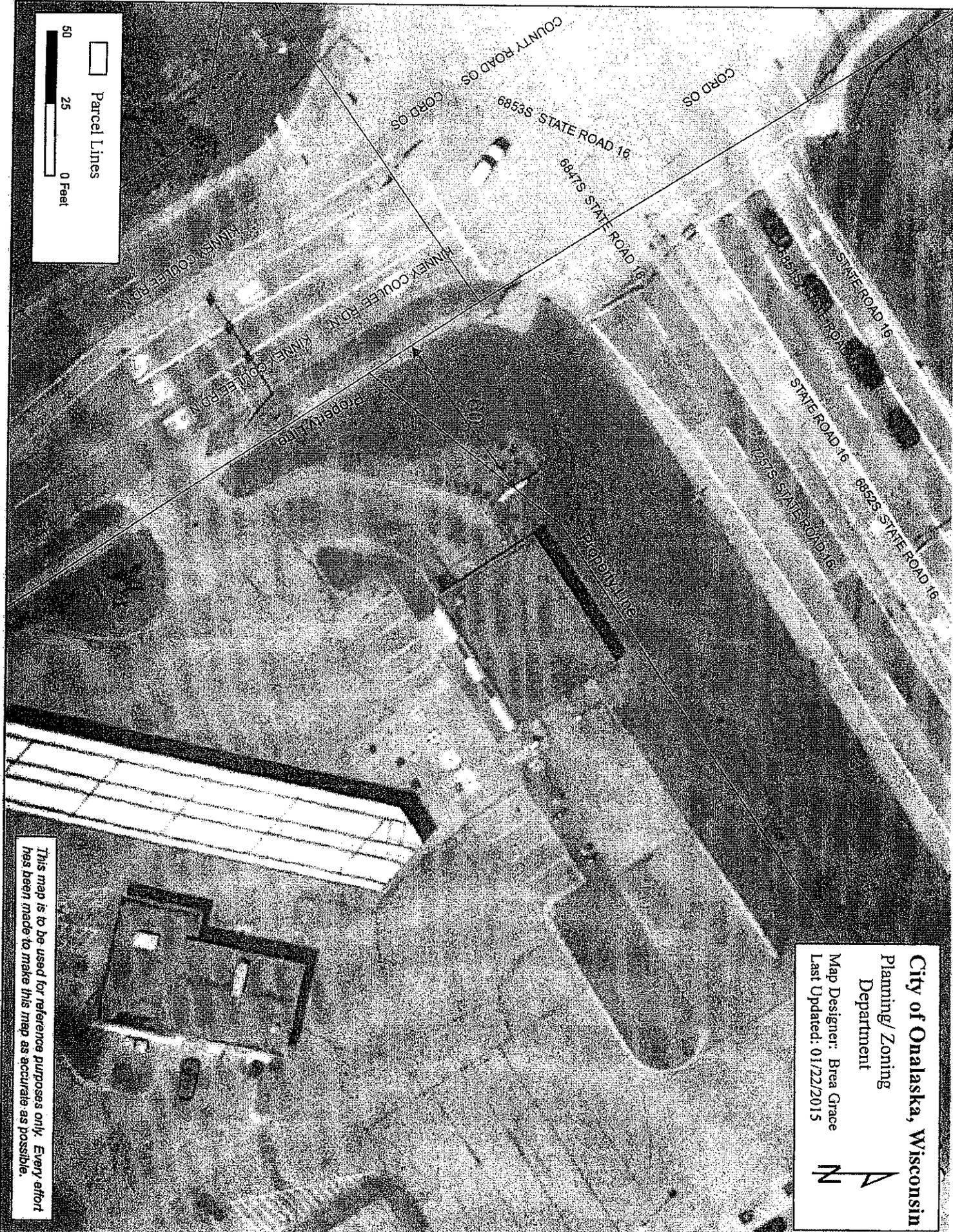
LEGEND

- D.O.T. RIGHT OF WAY MARKER
- ⊗ DECIDUOUS TREE
- *⊗* LIGHT POLE

**ARBY'S / WOODMAN'S
NEW SIGN LOCATION**



Environmental Design & Consulting
CIVIL ENGINEERING . LANDSCAPE ARCHITECTURE . SURVEYING
632 COPELAND AVENUE . LA CROSSE, WI 54603
Tel.608.781.3110 Fax.608.781.3197 Paragon-Assoc.biz



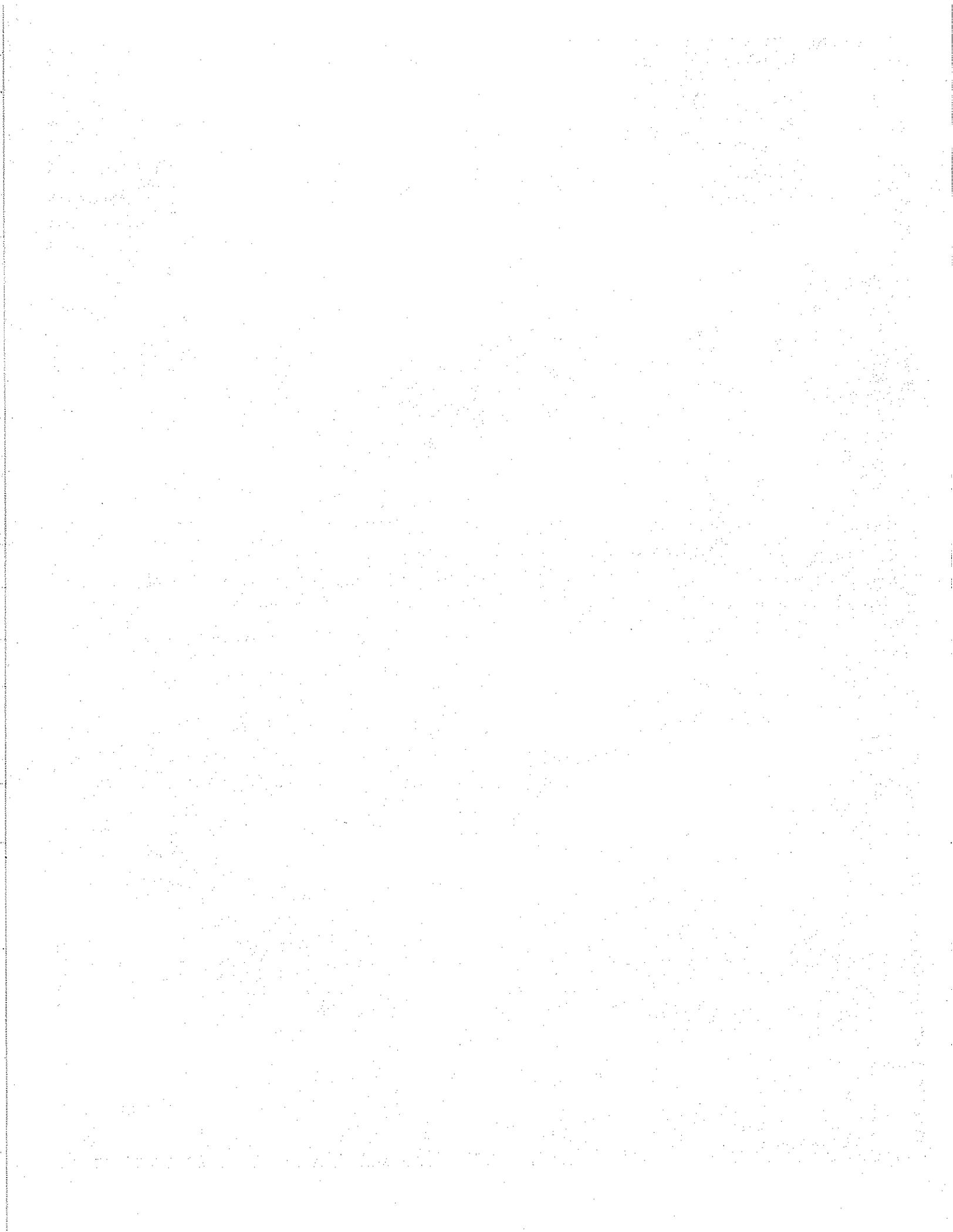
Parcel Lines

50
25
0 Feet

City of Onalaska, Wisconsin
 Planning/ Zoning
 Department
 Map Designer: Brea Grace
 Last Updated: 01/22/2015



This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.



Request for Variance – CITY OF ONALASKA, WI

Please answer the following questions to help the Board of Zoning Appeals understand your requested variance. Your answers will be provided to the Board of Zoning Appeals as part of your application. As required by Sec. 13-1-6, Code of Ordinances, City of Onalaska, WI, in order for the Board of Zoning Appeals to grant a variance, it must find that the following criteria are met.

1. **Unnecessary Hardship:** Unnecessary hardship is present when compliance with the strict letter of dimensional requirements unreasonably prevents a property owner from using the property for a permitted purpose, or would render conforming to such requirement “unnecessarily burdensome”. Explain how you find your appeal meets this test: (Use additional paper if necessary.)

The PIB Parcel is a "second tier" outlet in that it is set back a substantial distance from Highway 16 on North Kinney Coulee Road; and from a development perspective, it lacks adequate visibility to support a commercial/retail operation. Without the addition of off-premises signage to inform passers-by of the presence and location of the Arby's restaurant, the site is at a distinct disadvantage in comparison to competitive restaurants operating along the Highway 16 corridor. The proposed size and off-premises location of the signage will alleviate the lack of visibility and inform Highway 16 traffic approaching the intersection with North Kinney Coulee Road of the restaurant's presence and direction to its location. The size of the Arby's signage is intended to reflect the scale and proportion of the Woodman's signage, which, being located on its premises, is allowed to exceed 60 square feet in size and is required to advertise both the gas station and car wash components, as well as pricing.

2. **Unique physical characteristics of your property must be present.** These include characteristics that prevent a proposed development from complying with the ordinance being appealed. Explain how you find that your property meets this standard:

The substantial distance of the PIB Parcel from the Highway 16 and North Kinney Coulee Road intersection provides only limited visibility of the site. Microtel hotel blocks visibility from Interstate 90. The DMV building partially obscures the site from the view of traffic flowing in a northeasterly direction along Highway 16, and a large clump of trees combine to obstruct visibility of the site to the South, making it a disadvantaged retail/restaurant location. The existing improvements on the Woodman's Parcel (car wash structure, access drive and parking) combined with the encroaching Highway 16 right-of-way, restrict the space in which the shared monument sign may be constructed. The proposed location of the new sign is dictated by the existing physical characteristics of the Woodman's Parcel.

(Please continue on the next page.)

Request for Variance – CITY OF ONALASKA, WI

3. Explain if this request for a variance is based exclusively on motivations of value or income potential of the property:

This request is intended to improve the commercial viability of the PIB Parcel, which is a second tier outlot disadvantaged by visual obscurity attributable to both natural and constructed elements, and which has remained an undeveloped commercial outlot for approximately 20 years. The requested waivers or exemptions for the proposed off-premises shared monument sign are desirable in order to enhance the property's potential for commercial development. As noted in the "Attachment/Owner Information Supplement", the immediate plan to develop the PIB Parcel is conditioned upon the allowance of off-premises signage to compensate for its low visibility. In the absence of the proposed signage, a restaurant operating on the site will suffer a significant competitive disadvantage in comparison with others located along the Highway 16 corridor and will struggle to survive.

4. Explain why the granting of this variance will not be contrary to, or harm, the interest of the public:

Replacing the existing Woodman's Food Market gas station marquee with a new modern marquee will enhance the appearance over existing and is not likely to hinder or interfere with the passage and flow of traffic through the larger and signalized intersection of Highway 16 and North Kinney Coulee Road. The fact that the intersection is signalized helps to ensure that traffic on Highway 16 will be moving at a more moderate pace or stopping at the intersection so that the sign should not pose a distraction or safety hazard to drivers. Granting the requested variance also promotes infill through development of a parcel which has remained undeveloped approximately 20 years, due in significant part to its lack of visibility, and adds to the community's tax base.

If you have any questions about completing this application, please feel free to contact the City of Onalaska's Planning / Zoning Department at 608-781-9590.

Request for Variance – CITY OF ONALASKA, WI

DECISION CRITERIA:

There are two (2) types of variances, an Area Variance and a Use Variance.

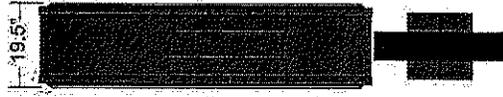
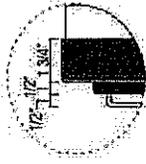
- **Area Variance** – *Provides an increment of relief from a physical dimensional restriction such as a building height or setback. The applicant has the burden of proof to demonstrate that unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose *leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions "unnecessarily burdensome".¹*
- **Use Variance** – *Permits a landowner to put a property to an otherwise prohibited use. The applicant has the burden of proof to demonstrate that they would have no reasonable use of the property without a variance.¹*

¹ Markham, J. & Roberts, R. (2006) *Zoning Board Handbook: For Wisconsin Zoning Board of Adjustment and Appeals (2nd ed.)*.

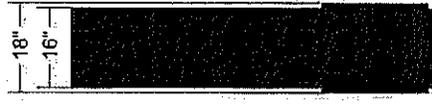
Sec. 13-1-6, Code of Ordinances, City of Onalaska, WI, has established the criteria that must be met in order for the Board of Zoning Appeals to grant a variance. These five (5) criteria are:

- I) Denial of variation may result in hardship to the property owner due to physiographical consideration. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.
- II) The conditions upon which a petition for a variation is based are unique to the property for which variation is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
- III) The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property.
- IV) The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
- V) The proposed variation will not undermine the spirit and general and specific purposes of the Zoning Code, specifically the standards of Sec. 13-1-6.

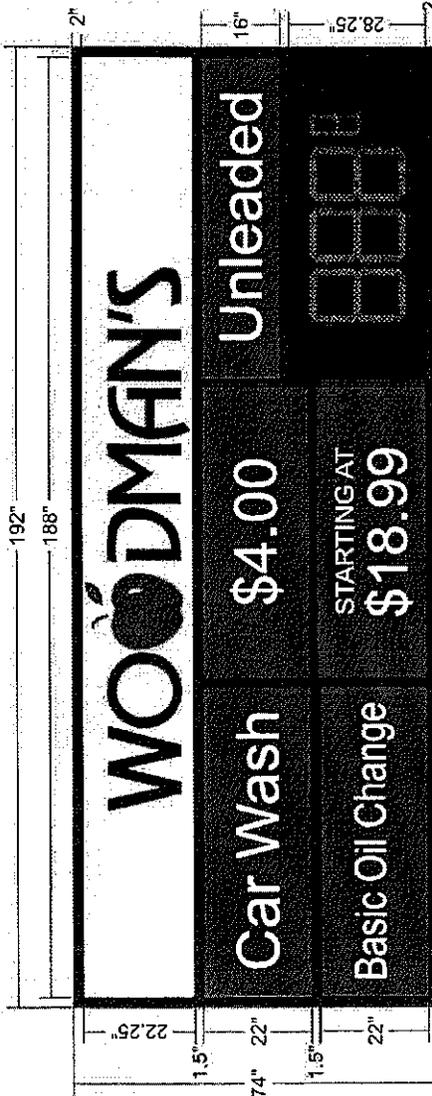
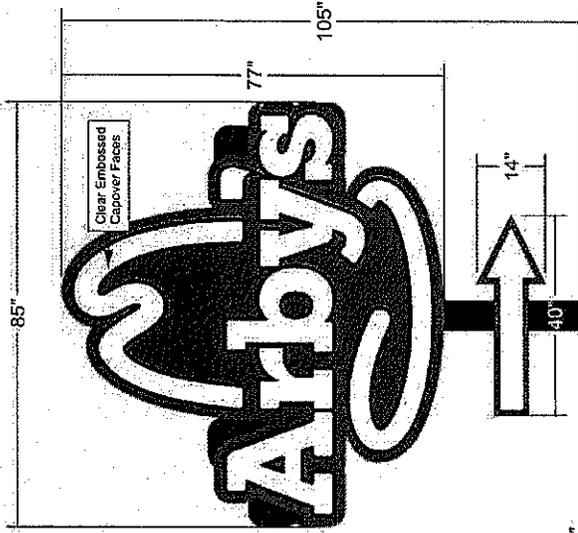
B-8 Custom Monument



Arby's Side Detail



Woodman's Side Detail



Arby's Hat and Arrow Color Specs	
Black Vinyl Outline Applied 2nd Surface	Arby's Hat and Arrow Color Specs
Faces Painted Red PMS 1795 2nd Surface	Arby's Hat and Arrow Color Specs
Clear Polycarbonate Faces painted White 2nd surface	Arby's Hat and Arrow Color Specs
Returns Painted Red PMS 1795	Arby's Hat and Arrow Color Specs

Woodman's Cabinet Color Specs	
#230-26 Green Vinyl Applied 1st Surface	Woodman's Cabinet Color Specs
#230-157 Blue Vinyl Applied 1st Surface	Woodman's Cabinet Color Specs
#230-33 Red Vinyl Applied 1st Surface	Woodman's Cabinet Color Specs
White Acrylic Faces	Woodman's Cabinet Color Specs
Cabinet and Retainers Painted to Match #230-157	Woodman's Cabinet Color Specs

Base and Cap to Be Supplied by Client

Client:	Arby's
Location:	
Contract Exp.:	CN
Contract No.:	1200124
Contract Date:	12/01/14
Contract By:	
Contract Scale:	
Contract Status:	Completed/On Hold/In Progress/Not Started



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APPROVAL INFORMATION & CONFIRMATION

Proof is approved. Proceed with production of order. Proof is approved with corrections. Make corrections as indicated and proceed with production of order.

SIGNATURE _____ DATE _____

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Grace, Brea

From: Marc Johnson <marc@drmarbys.com>
Sent: Thursday, January 22, 2015 3:12 PM
To: Grace, Brea
Cc: griffinlaw@tds.net; bret@ravenmgmt.com; Matt Johnson; Marc Johnson
Subject: FW: FW: Custom Woodmans- Arby's Sign
Attachments: Onalaska, WI- B-8_CustomMonument.pdf

Brea, attached is the sign graphics for the monument sign we are proposing in the variance application. See below for square footage information relative to the monument sign. In addition to the variance for the 100' restriction for off premise signage, we will also need to include the request for variance to exceed the maximum allowable square footage.

Thank you for your help!

Marc Johnson

From: Heather Picou [mailto:hpicou@designteam.net]
Sent: Thursday, January 22, 2015 2:52 PM
To: Marc Johnson
Subject: Re: FW: Custom Woodmans- Arby's Sign

The Woodman's sign is $192" \times 74" = 14,208/144 = 98.67sf$
The Arby's hat sign is $85" \times 77" = 6,545/144 = 45.45sf$
The arrow is $40" \times 14" = 560/144 = 12.73sf$

On Thu, Jan 22, 2015 at 2:06 PM, Marc Johnson <marc@drmarbys.com> wrote:

Can you give me the square footage of each sign on the attached document? Thank you! Marc Johnson

From: Heather Picou [mailto:hpicou@designteam.net]
Sent: Thursday, January 8, 2015 10:59 AM
To: Marc Johnson; John Wolford
Subject: Custom Woodmans- Arby's Sign

Here is the art for the custom Woodman's/Arby's sign.

--

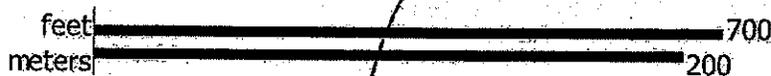
Best Regards,

Heather B Picou

Sales/Project Manager

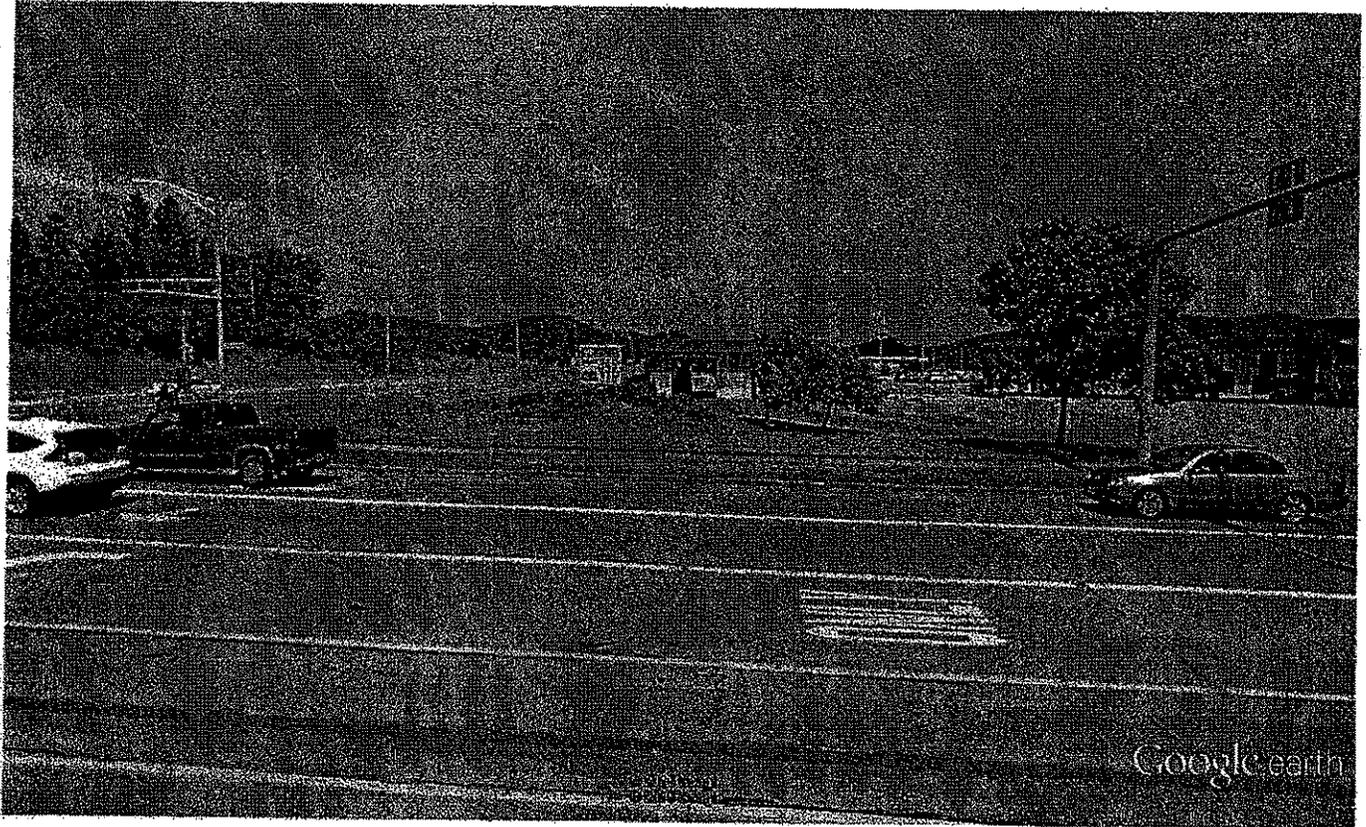


Google earth



monument sign location

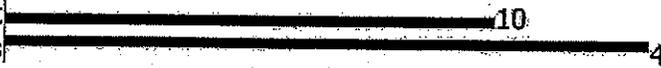
A sign easement shall be prepared for execution with Woodman's Food Market, Inc. for the replacement of existing gas marquee by monument graphics attached.



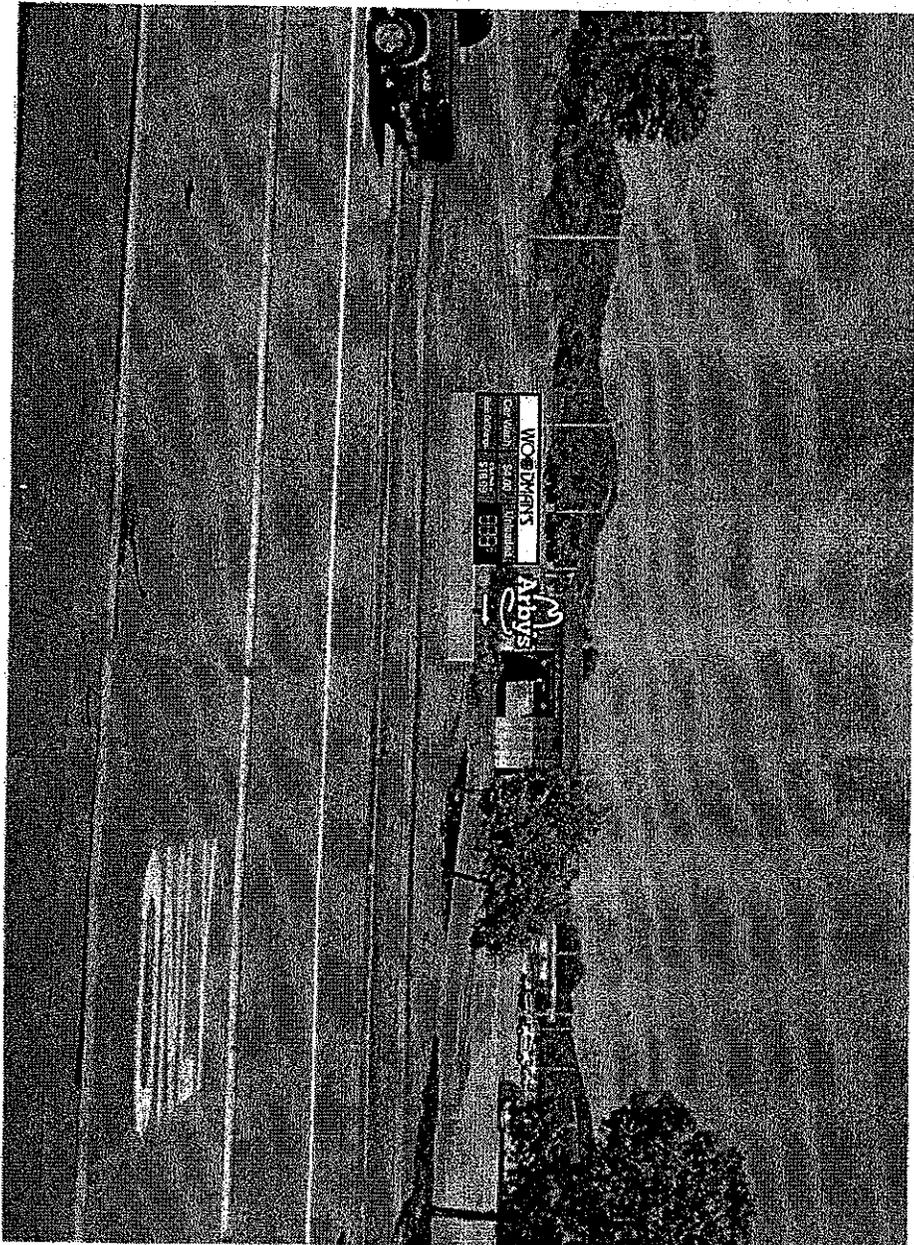
Google earth

Google earth

feet
meters



Existing



Proposed

APPROVAL INFORMATION & CONFIRMATION

Proof is approved. Proceed with production of order.
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SIGNATURE _____
 PRINT NAME _____
 DATE _____

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Client:	ADY'S
Location:	GA
Drawn By:	DYNE 10/31/14
Approved By:	Scale
File:	Copied/Resized/Original/Revised/Unk/Revised

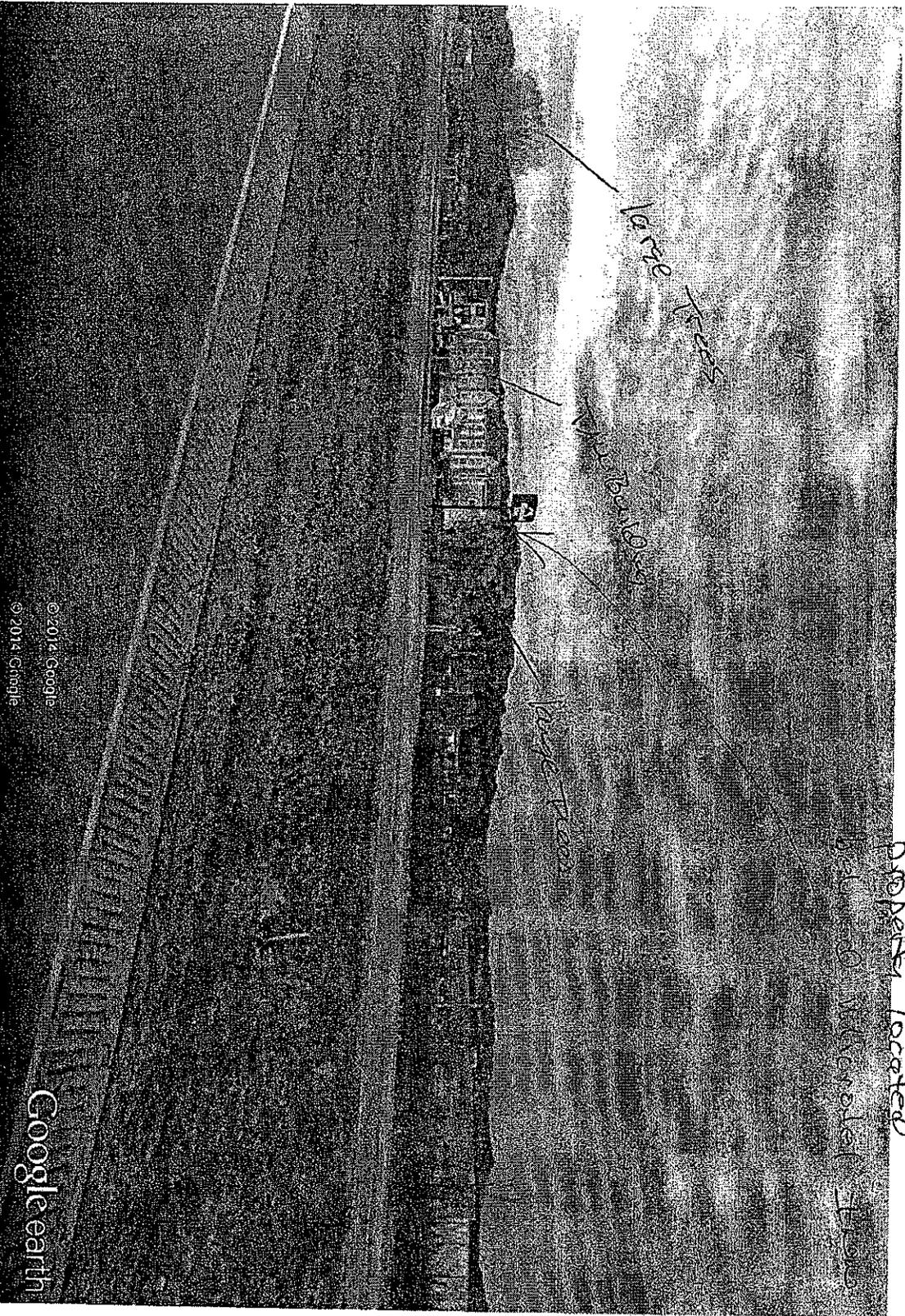
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Google earth

feet
meters



20



property located
at the corner of
Main St & 1st St

© 2014 Google
© 2014 Google

Google earth

**PUBLIC HEARING NOTICE
CITY OF ONALASKA
BOARD OF ZONING APPEALS**

Please take notice that the Board of Zoning Appeals for the City of Onalaska will hold a public hearing on:

**MONDAY, FEBRUARY, 16, 2015
6:30 PM**

in Onalaska City Hall, 415 Main Street, Onalaska, WI 54650, at which time they shall consider an application filed by Woodman's Food Market, Inc., 2631 Liberty Lane, Janesville, WI 53545 who requests to appear before the Board of Zoning Appeals for the purpose of requesting a variance to waive the 100-foot minimum setback from an intersection and to exceed the maximum sign square footage of 60 square feet for a two-tenant monument sign with one off-premise tenant at the property located at Woodman's Food Market, 9515 State Road 16, Onalaska, WI 54650.

Property is more particularly described as:

Computer Number: 18-3625-0

Section 11, Township 16, Range 7,
PRT NE-NE & S ½-NE COM E ¼ COR S88D28MW 1513.55FT N15D8ME
19.93FT TO POB N15D8ME 181.36FT N37D9ME 85FT N18D8ME 87FT
N54D38ME 260FT N18D58ME 200FT S82D1ME 337.5FT N17D55ME
302.35FT N31D56MW 362.55FT N35D46MW 263.08FT S56D32MW 824.95FT
S50D15MW 201.21FT S56D32MW 100FT S66D27MW 203.04FT S56D32MW
200FT S33D27ME 370FT S56D32MW 543.88FT N89D21ME 1044.43FT TO
POB & PRT SE-NE COM SE COR W 1220.4FT N14D6ME 262.15FT
N86D58MW 87.7FT N2D8ME 167FT N56D8ME 74.4FT TO POB S80D32ME
435FT N16DW 137FT N19D25ME 74FT N80D32MW TO PT S20D28MW
200FT TO POB & N 33FT VAC RD IN V1176 P668 EX CSM NO. 95 VOL 6 &
EX CSM NO. 156 VOL 7 & PRT VAC R/W IN V1081 P546 & V1109 P313 &
EX .07AC FOR RD IN V1086 P547-P548 & V1109 P311 & EX 1.03AC FOR
RD IN V1087 P341-P343 & V1109 P317 & EX FOR RD IN V1182 P35 & EX
V1278 P927 T/W & SUBJ TO ESMT IN V1049 P636 & ESMT IN V1182 P33
SUBJ TO ESMT IN V1336 P371 SUBJ TO ESMTS IN DOC 1343942 T/W
ESMT IN DOC NO. 1604281 SUBJ TO RESTR IN DOC NO. 1610895

Computer Number: 18-3625-7

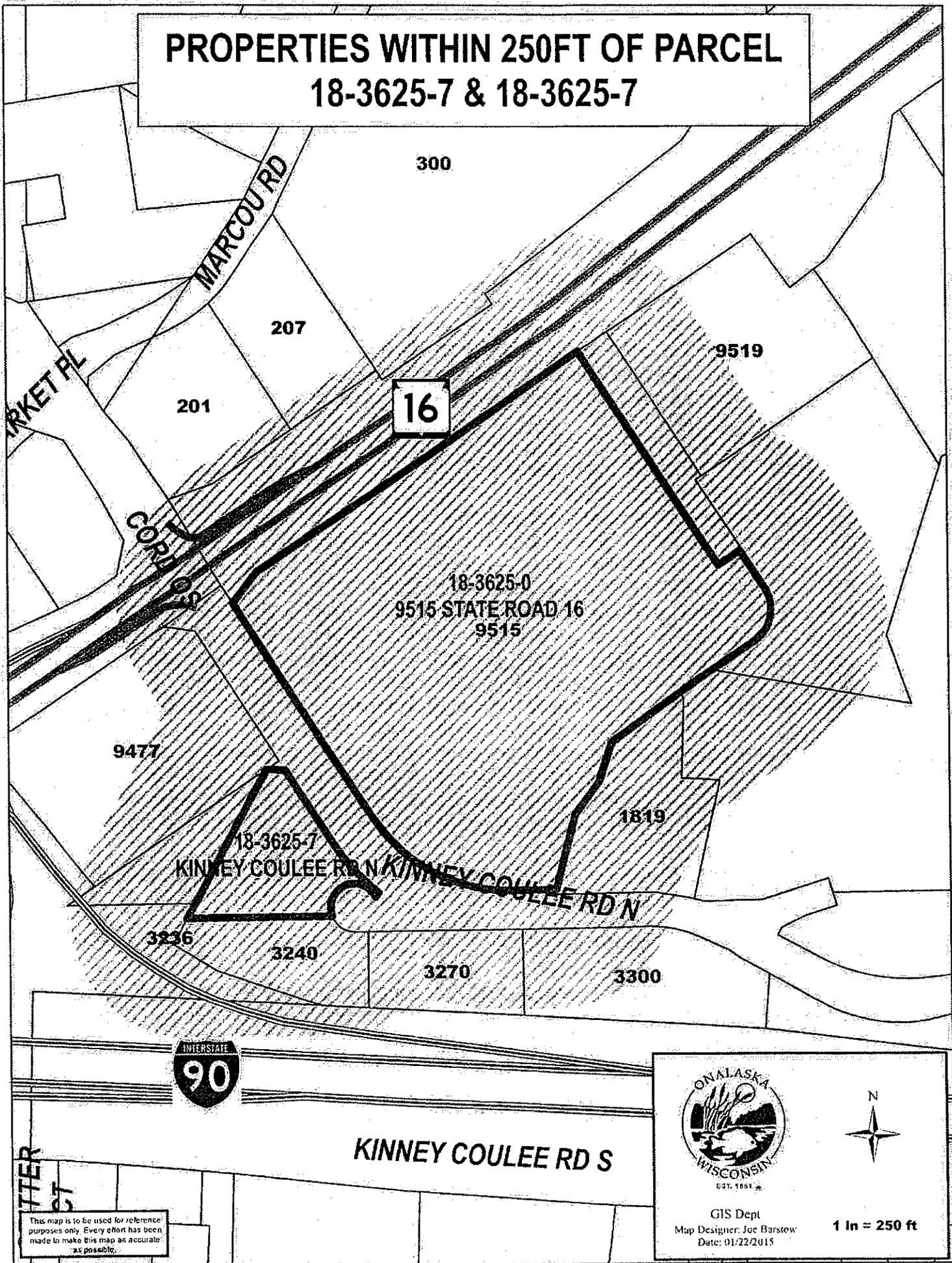
Section 11, Township 16, Range 7,
PRT SW-NE COM E1/4 COR SEC 11 S87D28M4SW 1986.9FT TO POB
S88D28M50SW 312.54FT N28D17M1SE 358.03FT S87D41M12SE 40.27FT TO WLY
R/W S34D13M14SE 181.13FT S43D22M10SE 143.11FT ALG CUR S33D1M10SW
12.18 FT ALG CUR S65D32M48SW 99.92FT TO POB

YOU ARE FURTHER NOTIFIED that the Board of Zoning Appeals will hear all persons interested, their agent or attorney, concerning this matter.

Dated this 30th day of January, 2015.

Cari Burmaster
City Clerk

PROPERTIES WITHIN 250FT OF PARCEL 18-3625-7 & 18-3625-7



UTTER ST

This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.

WISCONSIN
EST. 1848

GIS Dept
Map Designer: Joe Burstow
Date: 01/22/2015

1 in = 250 ft



CITY OF ONALASKA

STAFF REPORT

Board of Zoning Appeals – February 16, 2015

Agenda Item:

4

Agenda Item: Consideration and approval of 2015 Board of Zoning Appeals Schedule.

Background & Action Requested:

Following is a schedule for the 2015 Board of Zoning Appeals meetings. Staff is looking for the Board's review and approval of the 2015 meeting dates.

Application Submittal Deadline <i>(approximately 19 working days prior to BOZA meeting date)</i>	Board of Zoning Appeals Meeting (6:30 P.M.)
December 23, 2014	January 19, 2015
January 21, 2015	February 16
February 18	March 16
March 25	April 20
April 22	May 18
May 20	June 15
June 24	July 20
July 22	August 17
August 26	September 21
September 23	October 19
October 21	November 16
November 18	December 14
December 23	January 18, 2016

* Submittal Deadlines are being provided for general Board of Zoning Appeals information.