

It is expected that a Quorum of the Personnel Committee, Board of Public Works, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
BOARD OF APPEALS
Third Floor Council Chambers
140 Main Street, Menasha
June 8, 2017
2:30 PM**

AGENDA

*2:30 PM – Public Hearing – Request for internal illumination monument sign at
St. Timothy Church, 473 Seventh Street, Menasha*

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. Board of Appeals, 1/25/17.
- D. ACTION ITEMS
 - 1. Request for internal illumination monument sign at St. Timothy Church,
473 Seventh Street, Menasha.
- E. ADJOURNMENT

**City of Menasha
Board of Zoning Appeals
Public Hearing**

A Public Hearing will be held by the Board of Zoning Appeals on June 8, 2017 at 2:30 p.m. in the City Hall Council Chambers, 140 Main Street, Menasha, WI to hear a request for internal illumination monument sign at St. Timothy Church, 473 Seventh Street, Menasha.

Absent a variance this action would constitute a violation of Section 13-1-66, which limits the lighting of a monument sign to external illumination only.

All interested persons objecting to or supporting this appeal are requested to be present. Written comments may be considered by the Board.

Deborah A. Galeazzi, WCMC
City Clerk

Publish: May 29, 2017

CITY OF MENASHA
BOARD OF APPEALS
Third Floor Council Chambers
140 Main Street, Menasha
January 25, 2017
MINUTES

Public Hearing – Temporary Use Permit, Bethel Evangelical Lutheran Church,
829 Appleton Road, Menasha

Chairman Evenson opened the public hearing.

No one spoke.

Chairman Evenson closed the public hearing.

A. CALL TO ORDER

Meeting called to order by Chairman Evenson at 2:31 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Commissioners Evenson, Homan, Rashid, Tines.

EXCUSED: Commissioners Koslowski, Kubiak

ALSO PRESENT: CDD Buck, PP Englebert, Clerk Galeazzi

C. MINUTES TO APPROVE

1. [Board of Appeals, 5/16/16.](#)

Moved by Comm. Homan seconded by Comm. Rashid to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. [Request for a Temporary Use Permit of Bethel Evangelical Lutheran Church,
829 Appleton Road, Menasha.](#)

CDD Buck and PP Englebert explained the request of Bethel Evangelical Lutheran Church to allow limited on-site camping from June 1 to August 31, 2017 during the time of the construction of an addition to the church. The proposal has been reviewed by staff. The Health Department is requiring additional information on the plans for the septic system. Church staff is working with the Health Department to finalize the plans for the septic system. The permit will not be issued until the plans are acceptable to the Health Department. The request has been approved by the Plan Commission with the conditions that the septic system plans are approved by the City of Menasha Health Department and operation of the temporary camping use does not exceed permitted light or noise levels at property lines.

Ryan Burns, 770 Pleasants Lane, Menasha. He spoke to church staff about noise issues and who will be helping with the construction of the addition to the church. He feels more comfortable about the temporary camping after talking to church staff.

Moved by Comm. Homan seconded by Comm. Rashid to approve request for a Temporary Use Permit for Bethel Evangelical Lutheran Church with the two conditions recommended by the Plan Commission; 1) septic system plans are approved by the City of Menasha Health Department, and 2) operation of the temporary camping use does not exceed permitted light or noise levels at property lines.

Motion carried on roll call 4-0.

E. ADJOURNMENT

Moved by Comm. Homan seconded by Comm. Rashid to adjourn at 2:43 p.m.


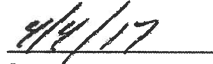
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk



City of Menasha
Department of Community Development
140 Main Street
Menasha WI 54952
(920) 967-3650 (920) 967-5272 fax

APPLICATION FOR SIGN PERMIT

Date: 3-31-17	
Site Address: 473 7th Street Menasha WI 54952	
Zoning: R-1 Residential	Parcel #: 1-00 530-00
Name of Business: St Timothy Church	
Property Owner: St. Timothy Church	Phone: 920-725-2622
Address: 473 7th Street Menasha WI 54952	Fax: 920-725-3140
Email: Sttimoffice@sttimk.org	
Applicant: TLC Sign, Inc	Phone: 920-731-4852
Contact: Julie Braun	Fax: 920-733-3148
Address: 558 Eisenhower Drive Ste A	Email: julie@tlcsign.com
Kimberly WI 54136	
<p>The undersigned hereby agrees to install all signs in accordance with applicable ordinances and holds the City of Menasha harmless from any and all damages, claims or causes of action whatsoever of any nature by reason of installation, use, continuances, or maintenance of said sign(s).</p>	
<p> Property Owner Signature</p>	
<p> Date</p>	

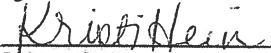

Required Submissions (staff use only)

<input type="checkbox"/>	Site Plan
<input type="checkbox"/>	Building Elevations
<input type="checkbox"/>	Sign Illustration & Description
<input type="checkbox"/>	Permit Fee(s)
Total: \$ _____	
Receipt: # _____	

Review & Approval (staff use only)

<input type="checkbox"/>	Zoning
<input type="checkbox"/>	C-2 Central Business District Design Standards
<input type="checkbox"/>	Landmarks Commission - Historic District
<input type="checkbox"/>	Common Council - Special Use Permit
<input type="checkbox"/>	Public Works - Vision Control Area/ROW

Final Approval

<input type="checkbox"/>	Conditions:
<p><i>This permit has been denied. See letter dated [blank] attached.</i></p>	
	
Zoning Administrator	Date Issued

Sign Permit Application Instructions

- It is recommended that applicants consult with the Zoning Administrator during the initial planning stages to avoid delays and ensure that all proposed signage complies with City of Menasha ordinance requirements.
- Before construction or installation of any sign(s) requiring a permit, applicants shall submit a sign permit application package that includes:
 - A completed permit application form with the signature of the property owner.
 - Required permit fees for each sign.
 - An accurate plot plan drawn to scale of the entire lot on which the sign(s) will be located showing the location of buildings, parking lots, driveways, and landscaped areas on the lot.
 - An accurate indication on the plot plan of the location and orientation of all existing signs, each sign for which a permit is requested, and the anticipated location of future signs requiring a permit.
 - A description and illustration of each proposed sign including the following:
 - Colors and materials to be used in sign construction (e.g., limestone base with bronze letters, etc);
 - Style of lettering for all signs;
 - Appearance/location of logos or icons;
 - Location of each sign on the building(s), with building elevations if necessary (e.g., over doors, over windows, awnings, etc);
 - All sign proportions; and,
 - Types of illumination (e.g. external illumination with description of type of outdoor light fixture).
 - In addition, optional submittals may be required by the Zoning Administrator if deemed necessary due to the character of the proposed signs and/or site.

Over - Please complete both sides of the application form

Please provide the following information for all proposed new signs along with any existing signs to remain on the property and attach the required site plan and sign illustration(s):

Property Information (required)

Linear Dimensions of Building Exposures: North: 169 ft South: 169 ft East: 159 ft West: 160 ft
 Corner Lot: Yes: X No:
 Multiple Tenants: Yes: No: X
 Existing Signs: Yes: X No:

Business Center Signs (\$150/sign + Special Use Permit)

Approval

Existing:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Proposed 1:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Proposed 2:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Illumination:	None: <u> </u>	Internal: <u> </u>	External: <u> </u>	Backlit/Halo: <u> </u>	<u> </u>
Description:	<u> </u>				

Monument Signs (\$150/sign)

Approval

Existing:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Proposed 1:	Area: <u>29.32</u> sq ft	Base Height: <u> </u> ft	Total Height: <u>7</u> ft	Setback: <u>10</u> ft	<u> </u>
Proposed 2:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Illumination:	None: <u> </u>	Internal: <u>yes</u>	External: <u> </u>	Backlit/Halo: <u> </u>	<u> </u>
Description:	monument sign with internally lit ID cabinet & internally lit manual reader board (See rendering)				

Monument Signs with Electronic Message Centers (\$250/sign + annual inspection fee)

Approval

Existing:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Proposed 1:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
EMC 1:	Message Area: <u> </u> sq ft	Static Area: <u> </u> sq ft	Total EMC Area: <u> </u> sq ft		<u> </u>
Proposed 2:	Area: <u> </u> sq ft	Base Height: <u> </u> ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
EMC 2:	Message Area: <u> </u> sq ft	Static Area: <u> </u> sq ft	Total EMC Area: <u> </u> sq ft		<u> </u>
Illumination:	None: <u> </u>	Internal: <u> </u>	External: <u> </u>	Backlit/Halo: <u> </u>	<u> </u>
Description:	<u> </u>				

Pole Signs (STH 441 Only) (\$150/sign)

Approval

Existing:	Area: <u> </u> sq ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Proposed:	Area: <u> </u> sq ft	Total Height: <u> </u> ft	Setback: <u> </u> ft	<u> </u>
Illumination:	None: <u> </u>	Internal: <u> </u>	External: <u> </u>	Backlit/Halo: <u> </u>
Description:	<u> </u>			

Projecting Signs (\$75/sign)

Approval

North Elevation:	Existing: <u> </u> sq ft	Proposed 1: <u> </u> sq ft	Clearance Height: <u> </u> ft	<u> </u>
South Elevation:	Existing: <u> </u> sq ft	Proposed 2: <u> </u> sq ft	Clearance Height: <u> </u> ft	<u> </u>
East Elevation:	Existing: <u> </u> sq ft	Proposed 3: <u> </u> sq ft	Clearance Height: <u> </u> ft	<u> </u>
West Elevation:	Existing: <u> </u> sq ft	Proposed 4: <u> </u> sq ft	Clearance Height: <u> </u> ft	<u> </u>
Illumination:	None: <u> </u>	Internal: <u> </u>	External: <u> </u>	Backlit/Halo: <u> </u>
Description:	<u> </u>			

Sidewalk Signs (\$50/sign)

Approval

Proposed:	Area: <u> </u> sq ft	Height: <u> </u> ft	Location: <u> </u>	<u> </u>
Description:	<u> </u>			

Wall, Awning, Canopy, or Marquee Signs (\$75/sign)

Approval

North Elevation:	Existing: <u> </u> sq ft	Proposed 1: <u> </u> sq ft	Type: <u> </u>	<u> </u>
South Elevation:	Existing: <u> </u> sq ft	Proposed 2: <u> </u> sq ft	Type: <u> </u>	<u> </u>
East Elevation:	Existing: <u> </u> sq ft	Proposed 3: <u> </u> sq ft	Type: <u> </u>	<u> </u>
West Elevation:	Existing: <u> </u> sq ft	Proposed 4: <u> </u> sq ft	Type: <u> </u>	<u> </u>
Illumination:	None: <u> </u>	Internal: <u> </u>	External: <u> </u>	Backlit/Halo: <u> </u>
Description:	<u> </u>			



April 5, 2017

TLC Signs, Inc.
Attn: Julie Braun
558 Eisenhower Drive Ste A
Kimberly, WI 54136

Dear Ms. Braun:

City of Menasha zoning code procedures require issuing a denial of your sign request in order to initiate the variance process. This letter constitutes a formal denial of your request to install an internally illuminated monument sign at St. Timothy Church located at 473 Seventh Street, Menasha (Parcel #1-00530-00). Absent a variance, this action would constitute a violation of Sec. 13-1-66, which limits the lighting of a monument sign to external illumination only. The proposed sign is also in violation of Sec. 13-1-63(e) which prohibits signs in which the bottom is not in contact with or close to the ground and those that are mounted on freestanding pole(s), column(s), or similar support.

Enclosed you will find the application and procedure for submittal of a zoning variance. Once the application and fee are received, the City Clerk will schedule a Board of Appeals meeting. The City Clerk will notify you of the date, time, and location of the meeting.

If you have any questions about the proceedings, please feel free to call.

Sincerely,

Kristi Heim
Community Development Coordinator

Enclosures(4)


c: City Attorney Pam Captain
City Clerk Deborah Galeazzi ✓
Community Development Director David Buck
Principal Planner Kevin Englebert



City of Menasha Application Appeal or Variance

SUBMIT TO:
City of Menasha
Dept. of Com. Development
129 Main Street
Menasha, WI 54952-3190
PHONE (920) 967-3650

APPLICANT INFORMATION

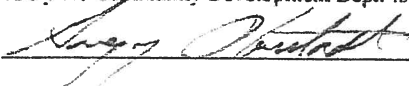
Petitioner: TLC Sign, Inc Date: _____
Petitioner's Address: 558 Eisenhower Drive Ste A City: Kimberly State: WI Zip: 54136
Telephone #: (920) 731-4852 Fax: (920) 733-3148 Other Contact # or Email: julie@tlcsign.com
Status of Petitioner (Please Circle): Owner ☒ Representative Tenant Prospective Buyer
Petitioner's Signature (required):  Date: 5-1-17

OWNER INFORMATION

Owner(s): St. Timothy Church Date: _____
Owner(s) Address: 473 7th Street City: Menasha State: WI Zip: 54952
Telephone #: (920) 725-2667 Fax: (920) 725-3140 Other Contact # or Email: gregoberstadt@gmail.com
Ownership Status (Please Circle): Individual Trust Partnership Corporation

Property Owner Consent: (required)

By signature hereon, I We acknowledge that City officials and or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Community Development Dept. for incomplete submissions or other administrative reasons.

Property Owner's Signature:  Date: 5/2/17

APPEAL OR VARIANCE INFORMATION

Address/Location of Appeal/Variance Request: 473 7th Street Menasha WI 54952
Tax Parcel Number(s): #1-00530-00
Reason for Appeal Variance Request: request for internal illumination vs external illumination

Zoning Adjacent to the Site: North: Residential
South: Residential
East: Residential
West: Residential

Staff Mal Date Rec'd _____

Denial based on violation of Section 13 – 1 – 66 which limits monument signs to external illumination only and Section 13 – 1 – 63 (e) prohibiting signs which the bottom is not in contact with or close to the ground and those that are mounted on free standing poles or columns

1. Describe the hardship to the property owner that would result if the variance were not granted and the exceptional, extraordinary, or unusual circumstance 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:

If the variance were not granted to St. Timothy Church to obtain an internally illuminated sign, the community would have continue to have a difficult time locating the church, as well as being informed of their events. Although the city does allow external illumination, Wisconsin weather poses as a hardship to that option. With heavy snow falls in winter, external lighting can be easily covered and become inoperative.

2. Explain why the conditions upon which the petition for the variance is based are unique to the property and necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity:

St. Timothy Church has been a part of the Menasha community since 1954. The church later expanded in 1984, which made the building more visible to the public eye. However, in 2014, Menasha High School expanded their building and dwarfed the church. Now, people have to drive past the school in order to see the church, in essence their viewable distance decreased. An internally illuminated sign would help draw the public's eye to the church in a short viewing time.

Since the church is right across the street from a school, vandalism risks are greater. An externally illuminated sign can easily be tampered with. Having an internally illuminated sign, with vandal-proof faces and LED lighting enclosed within the cabinet make vandalism a smaller concern.

The church is located on Racine Street, a very busy road, used by community members. An internally illuminated sign would allow the church to provide the public with notices within the church and city day or night.

3. Provide evidence demonstrating that the purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property:

St. Timothy Lutheran Church is not intending to increase property value nor income potential with the new sign, as they are a non-profit organization with no intent to sell.

4. Describe how 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:

Internal illumination is safer to the public than external. External lighting is more distracting to drivers, as the light is not easily controlled. Internal lighting can be turned down during certain parts

of the day to eliminate the brightness factor. Another safety concern is the exposed electrical socket in external illumination. Nothing is exposed to the public on an internally illuminated sign.

5. Explain why the proposed variance will not undermine the spirit and general or specific purposes of the zoning code:

The proposed sign design is a clean and simple look that corresponds with the architectural work of the church. The limestone would be refurbished from the chimney of the church. The sign will not flash or change colors and is not too large for its location.



MEMORANDUM

To: Zoning Board of Appeals
From: Kristi Heim, Community Development Coordinator
Date: June 1, 2017
RE: **Variance Request for Internally Illuminated Sign at 473 Seventh Street (Parcel #1-00530-00)**

Overview

TLC Sign, Inc., on behalf of St. Timothy Church, requests a variance to install an internally illuminated monument sign on the northeast corner of the property located at 473 Seventh Street (Parcel #1-00530-00). Current signage on the property consists of a legal non-conforming monument sign located on the northeast corner of the property as well as a legal conforming monument sign on the northwest corner of the property. The intention of the property owner is to replace the legal non-conforming sign on the northeast corner (Racine Street frontage) with an internally illuminated monument sign.

St. Timothy Church is currently zoned in the R-1 Single Family Residence District. Church uses are permitted as a special use within the R-1 District. The Zoning Ordinance allows monument signs for special uses within the R-1 District however they must be externally illuminated. Therefore, St. Timothy Church is requesting a variance to allow and internally illuminated sign. All other aspects of the sign request meet Zoning Ordinance standards including size, height, setbacks and materials.

Staff Findings

Based on analysis of the variance application including the questionnaire submitted by TLC Sign, Community Development staff finds the following:

- Absent a variance, the property owner has the ability to erect an externally illuminated monument sign or a wall sign on the property. The Zoning Ordinance allows signage by right that the property owner could install as well as the ability to illuminate such signage. Additionally the property owner can maintain the existing legal non-conforming monument sign as well as the legal conforming monument sign. Based on those conditions a hardship, as defined, is unfounded because the property owner is able to enjoy the same substantial property rights as others in the same district.
- No recognized unique conditions exist on this property that distinguishes it from those zoned within the same district.
- The variance is not intended to increase the property value or income potential of the church.
- The Zoning Ordinance does not allow internally illuminated signs within residential districts in order to provide a pleasing aesthetic environment for residents. Internally illuminated signs can cause glare and distract pedestrian and vehicular traffic. It may be found that allowing an internally illuminated monument sign at this property is detrimental to public welfare and injurious to neighboring properties.

- The granting of this variance may set a precedent to allow other special uses including churches, schools, civic institutions and the like, within the R-1 Single Family Residential District to apply for variances for internally illuminated signs.

Staff Recommendations

Staff recommends denial of a variance for an internally illuminated monument sign at 473 Seventh Street, St. Timothy Church.

8' 6" CABINET LENGTH
5' 6" READER BOARD

7' OVERALL HEIGHT
3'-1" READER BOARD
2' CABINET HEIGHT

ST. TIMOTHY
LUTHERAN CHURCH

3 LINES OF 8"
CONDENSED FONT
15 LETTERS

NIGHT VIEW
(NOT TO SCALE)

ST. TIMOTHY
LUTHERAN CHURCH

3 LINES OF 8"
CONDENSED FONT
15 LETTERS

ILLUMINATED MONUMENT QTY: (1)

LED ILLUMINATED CABINET DECORATED WITH HIGH PERFORMANCE CUT VINYL GRAPHICS
LED ILLUMINATED READER BOARD AND BRICK STONE COLUMNS

SQ. FT. ALLOWED: 32 PER SIDE
SQ. FT. SHOWN: 14.44 + 14.88 = 29.32

TLC Sign
TRUSTED. LOVAL. CREATIVE. | A DIVISION OF TIM'S LIGHTING CORP. ANY INK
TLC SIGN.COM

EASTERN WISCONSIN:
O: 920-731-4116 F: 920-733-3448
555 ESENHOWER DR.
KIMBERLY, WI 54136

CENTRAL WISCONSIN:
W7555 32ND CT.
WEAUAUWEGA, WI 54983
O: 920-867-4116 F: 920-867-3225

CLIENT: ST. TIMOTHY LUTHERAN CHURCH PG: 1 OF 2
ADDRESS: MENASHA, WI
DATE: 11.0.16
FILE NAME: 17-0105C.CDR
DESIGNER: ALLISON OETTINGER
SCALE: 1/2"= 1'-0"
REVISED BY: KELSEY-ANN HAYES
REV. DATE: 3.14.17

CUSTOMER SIGNATURE FOR DESIGN APPROVAL

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SITE MAP

MONUMENT TO BE PLACED 10' FROM PROPERTY LINE (INSIDE OF SIDEWALK)

 <p>TRUSTED. LOYAL. CREATIVE. A Division of Tines Lighting Company, Inc.</p> <p>TLC SIGN.COM</p>		<p>EASTERN WISCONSIN: O: 920-731-4100 F: 920-733-3148 1000 E. KILBURN AVE. KILBURN, WI 54949</p> <p>CENTRAL WISCONSIN: N: 255 JENCO C.E. WYOMING, WI 54983 O: 920-867-7400 F: 920-867-3825</p>	<p>CLIENT: ST. TIMOTHY LUTHERAN CHURCH</p> <p>ADDRESS: MENASHA, WI</p> <p>DATE: 1/10/16</p> <p>FILE NAME: 17-0105C.CDR</p> <p>REVISED BY: KELSEY-ANN HAYES</p>	<p>PG: 2 OF 2</p> <p>NOTES:</p> <p>DESIGNER: ALLISON OETTINGER</p> <p>SCALE: 1/32" = 1'-0"</p> <p>REV. DATE: 3.14.17</p>	<p>CUSTOMER SIGNATURE FOR DESIGN APPROVAL</p> <p>_____ <small>THIS DOCUMENT IS THE PROPERTY OF TINES LIGHTING COMPANY, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT WRITTEN PERMISSION FROM TINES LIGHTING COMPANY, INC. ANY VIOLATION OF THIS POLICY WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.</small></p>
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