

**AGENDA**  
**CITY OF STURGEON BAY**  
**ZONING BOARD OF APPEALS**  
Tuesday, January 9, 2024 @ 12:00 Noon  
Council Chambers, City Hall  
421 Michigan Street, Sturgeon Bay, WI

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 28, 2023.
4. Public Hearing: Variance from Section 27.12(4) of the municipal code for an electronic variable message sign for Prince of Peace Lutheran Church located at 1756 Michigan Street, parcel #281-62-21000101.
5. Consideration of: Variance from Section 27.12(4) of the municipal code for an electronic variable message sign for Prince of Peace Lutheran Church located at 1756 Michigan Street, parcel #281-62-21000101.
6. Adjourn.

*NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.*

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Committee Members:

Bill Murrock  
Bill Chaudoir  
Dave Augustson  
Nancy Schopf  
Morgan Rusnak

1/4/2024  
3:30 p.m.  
SS

**CITY OF STURGEON BAY  
Zoning Board of Appeals  
November 28, 2023**

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:00 p.m. by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members William Murrock, Nancy Schopf, Bill Chaudoir and Dave Augustson were present. Staff present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Cindy Sommer.

**Adoption of agenda:** Moved by Ms. Schopf, seconded by Mr. Augustson to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 1, 2023.
4. Public Hearing: Street yard variance from Section 20.29(2) of the municipal code for Steve Peterson located at 945 Georgia St.
5. Consideration of: Street yard variance from Section 20.29(2) of the municipal code for Steve Peterson located at 945 Georgia St.
6. Adjourn.

All ayes. Carried.

**Approval of minutes from November 1, 2023:** Moved by Mr. Chaudoir, seconded by Mr. Augustson to approve the minutes of November 1, 2023. All ayes. Motion carried.

**Public Hearing: Street yard variance from Section 20.29(2) of the municipal code for Steve Peterson located at 945 Georgia St.** Chairperson Murrock opened the public hearing at 12:03 p.m. Ms. Servia explained that the applicant is requesting a variance to allow him to put a 10' x 12' prefabricated shed in front of his principal building at 945 Georgia Street. Section 20.29(2) of the municipal code states that accessory buildings cannot be closer to the street than the principal building. When the principal building is set back more than 60 feet, the accessory building minimum setback is changed to 60 feet. Mr. Peterson's home is about 63 feet from the street, leaving him with a very small backyard, and the only way to move the prefabricated building to the back would be to cut down several mature trees. He is proposing to place the building 46 feet from the street. The shed would allow for additional storage, thereby allowing the yard to stay neater, which is in the public's interest. The building would be visible from the street and the members may want to consider landscaping to shield the building. There is an existing 10' x 10' shed in the back of the property, which is non-conforming.

Mr. Olejniczak noted that the proposed building is 10' x 12', which is relatively small, and if the building were under 100 square feet, the applicant would not need a building permit, nor would he need a variance.

Applicant Steve Peterson stated that he bought the preassembled shed because he needs more storage and it was a very good price, but he cannot get it into his backyard without cutting several large trees. He also stated that he rechecked the measurements and the building would be placed 43-44 feet from the street, not 46 feet as previously thought. He is planning to keep his other storage building in the back. The new shed is very nice looking. It has one 4-foot door that will face his driveway. The building has a wood floor, and he is not planning to put it on a concrete slab. Mr. Peterson also stated he is willing to paint the building to match the house.

No members of the public were present, and no letters were submitted. The public hearing was closed at 12:14 p.m.

**Consideration of: Street yard variance from Section 20.29(2) of the municipal code for Steve Peterson located at 945 Georgia St.** The members discussed the amount of shrubbery in front of the building, which is limited. Mr. Augustson indicated he would like to see the shed match the home. Mr. Chaudoir questioned whether it was possible to require the other shed to be painted to match as well.

Ms. Schopf motioned to approve the variance with the condition that the shed must be placed no closer than 43 feet from the street and both outbuildings must be painted to match the house. The painting should be completed by June 2024. Motion seconded by Mr. Chaudoir. Roll call vote, all ayes. Motion carried.

Moved by Mr. Chaudoir, seconded by Mr. Augustson to adjourn. All ayes. Motion carried. The meeting adjourned at 12:21 p.m.

Respectfully submitted,

*Cindy Sommer*

Cindy Sommer

Community Development Administrative Assistant

### Staff Report: Variance Request for 1756 Michigan Street

**Background:** The Prince of Peace Lutheran Church (Prince of Peace) is petitioning for a variance from Chapter 27 (signs) of the Municipal Code so they may replace their existing ground sign with an electronic variable message (EVM) sign on their property at 1756 Michigan Street. The sign will be 24 square feet. According to 27.12(4), EVM signs are only allowed in commercial and industrial zoning districts. Prince of Peace is located in the single-family residential (R-1) zoning district which is why a variance is required. The final design of the sign must also be approved by the Aesthetic Design and Site Plan Review Board. It is important to note that EVM signs have a set of operational and maintenance standards that limit the functional uses of these types of signs. These standards are also required by the sign code.

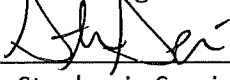
Bay View Lutheran Church, located at 340 W Maple Street, was granted a sign variance for an EVM sign on July 11, 2023. This variance was approved with the added requirements to limit the interval of the message changes to 30 seconds and having a planting bed surrounding the sign. The Sturgeon Bay United Methodist Church, located at 836 Michigan Street, was granted a sign variance for an EVM sign on August 10, 2021. This approval was granted with similar conditions to what was approved for Bay View Lutheran Church. The proposed sign for Prince of Peace follows a similar design to the signs that were constructed both at Bay View and at the United Methodist Church. St. Peter's Lutheran Church also requested a variance for an EVM sign on April 12, 2016. This was granted due to the subject property being located adjacent to commercial properties and verification of setbacks.

**Considerations:** The purpose of the sign code is to provide minimum standards to safeguard life, health, property, and public welfare and preserve and enhance aesthetic values by regulating and controlling the design and area, number, construction, illumination, installation, location and maintenance of all signs.

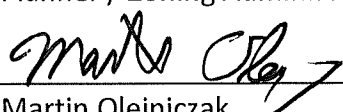
**Surrounding Zoning/ Uses:** To the north and west of the property is zoned R-1 and is mostly comprised of single-family homes. The property directly to the north is owned by Prince of Peace and is mostly vacant other than a portion of their parking lot. To the east are offices zoned C-4 and to the south are single-family homes that are a mix of R-1 and R-4. The property to the southeast that is kitty-corner from the church is an apartment building zoned R-4.

**Options:** The Board can:

- 1) Approve the EVM sign variance as proposed.
- 2) Approve the EVM sign variance with conditions that are pertinent to the petition.
- 3) Deny the EVM sign variance.

Prepared By:   
Stephanie Servia  
Planner / Zoning Administrator

12-21-2023  
Date

Reviewed By:   
Martin Olejniczak  
Community Development Director

12-21-2023  
Date

**CITY OF STURGEON  
BAY VARIANCE  
APPLICATION ZONING  
BOARD OF APPEALS**

STAFF USE:  
Date Received:  
Fee Paid: \$ Received By:

*C231206-1  
Rec'd \$350.00  
12/16/2023 CS*

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	Jim Hoyer	Prince of Peace Lutheran Church
Company		Prince of Peace Lutheran Church
Street Address	4428 W Madeline Ln UNIT 10	1756 Michigan St
City/State/Zip	Sturgeon Bay, WI 54235	Sturgeon Bay, WI 54235
Daytime Telephone #	920-743-7306	920-743-7750
Email	jimearlene@yahoo.com	pastor@princeofpeacesb.com

STREET ADDRESS OF SUBJECT PROPERTY: \_\_\_\_\_1756 Michigan\_\_\_\_\_

Location if not assigned a common address: \_\_\_\_\_

TAX PARCEL NUMBER: _2816221000101_____
CURRENT ZONING CLASSIFICATION: _____R-1 Residential _____
CURRENT USE AND IMPROVEMENTS: __Existing Church Structure to hold regular church services, conduct community outreach and conduct congregation operations and management_____
IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEMS BEING REQUESTED FOR REVIEW: _____27.12(4)_____
<p>ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:</p> <p>North: _____R-1 Residential_____</p> <p>South: _____R-1 and R4 Residential_____</p> <p>East: _____C-4 Commercial (Office, Business)_____</p> <p>West: _____R1 - Residential_____</p>

**VARIANCE STANDARDS:**

Please address how the proposed variance meets each of the three required standards for authorizing variances. (Attach additional sheets, if necessary)

1. Unnecessary hardship: \_\_\_\_\_ See Appendix A \_\_\_\_\_

2. Unique physical property limitation: \_\_\_\_\_ See Appendix A \_\_\_\_\_

3. Protection of public interest: \_\_\_\_\_ See Appendix A \_\_\_\_\_

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? **Yes** or **No** (Circle One) IF YES, EXPLAIN:

**Attach an 8-½"x 11" detailed site plan (if site plan is larger than 8-½"x 11", also include 15 large sized copies), full legal description (preferably digital), 8-½"x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of the person who drew the plan, etc.**

Property Owner Date

12/6/23

Applicant/Agent Date

I, Jim Hoyer, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

Jim C. Hoyer Staff 12/6/2023 Date of review  
meeting Applicant signature Staff signature

**Attachments:**

**Procedure & Check List**

**Agreement for Reimbursement of Expenses**

STAFF USE ONLY

Application conditions of approval or denial:

\_\_\_\_\_  
Community Development Director Date

## Appendix A. Variance Standards

### 1. Unnecessary Hardship

- a. Prince of Peace's mission is to be active in the community we are in, offering our regular community dinners and Coffee House that is open to the Public.
- b. Sturgeon Bay Zoning Code does not have a non-profit, educational or religious classification as so many other municipalities have. As such, the current zoning of the church property is R-1 residential which does not permit Electronic Variable Message Signs.
- c. The existing letterbox sign is no longer a sufficient method to effectively communicate our message to the community members.

### 2. Unique Physical Property Limitation

- a. The sign will be on a corner facing Michigan Street and 18th Avenue with commercial zoning (C-4) across 18th Avenue and R4 on the parcel directly across from the sign.
- b. The current zoning of the church property is R-1 residential which does not permit Electronic Variable Message Signs.

### 3. Protection of Public Interest

- a. Prince of Peace Lutheran Church - Missouri Synod is a long standing member of the community with the 50th Year Anniversary to be held in 2024. This church has a strong history of not only attending to the needs of the members of the congregation, but going beyond that to reach out to meet the needs of the community.
- b. Visual communication is essential to reach out to our community with the services that are available, while respecting the residential neighborhood look and feel. This proposal will be replacing the letter board sign as is, which already meets setback requirements to not block the corner vision triangle. While this EVMS board does emit light to convey our message, the light will be no more disruptive than the light from the existing letterbox sign.
- c. We are ready to meet the Sturgeon Bay sign requirements code as well as any reasonable conditions to mitigate any negative impact on nearby residents or distract auto traffic.
- d. We are ready to reach out to our neighbors to be sure they are informed of the proposed sign and answer questions they may have about this proposed new sign prior to the public hearing.

## Appendix B Project Description

This project is looking to replace the existing 4X6 letterbox sign with a new Electronic Variable Message Sign (EVMS) of the same size and in the same location.

The existing letterbox sign has a header displaying the LCMS cross logo and the congregation name, Prince of Peace. The replacement sign will be of similar size with a 1 foot by 6 foot header with a static backlit message, very similar to the header that is on the existing sign. The new EVMS sign area will be 3' X 6' directly under the header, just as the existing letterbox sign is laid out.

As the sign is the same size as the existing sign, the wind load requirements will be the same as the existing sign. We intend to use the same sign base that is under the existing sign for the new EVMS sign.

Golden Rule Signs out of Shelbyville KY has been selected as our sign manufacturer and contractor for the installation. The company website is <https://goldenrulesigns.com>. Our Project Consultant is Ethan Wood. [ethan@goldenrulesigns.com](mailto:ethan@goldenrulesigns.com). The company proposal is included with this application.

In addition to the new sign, Prince of Peace is planning to replace the aging 'front' parking lot with a new parking base and surface, along with improved parking lot lighting.

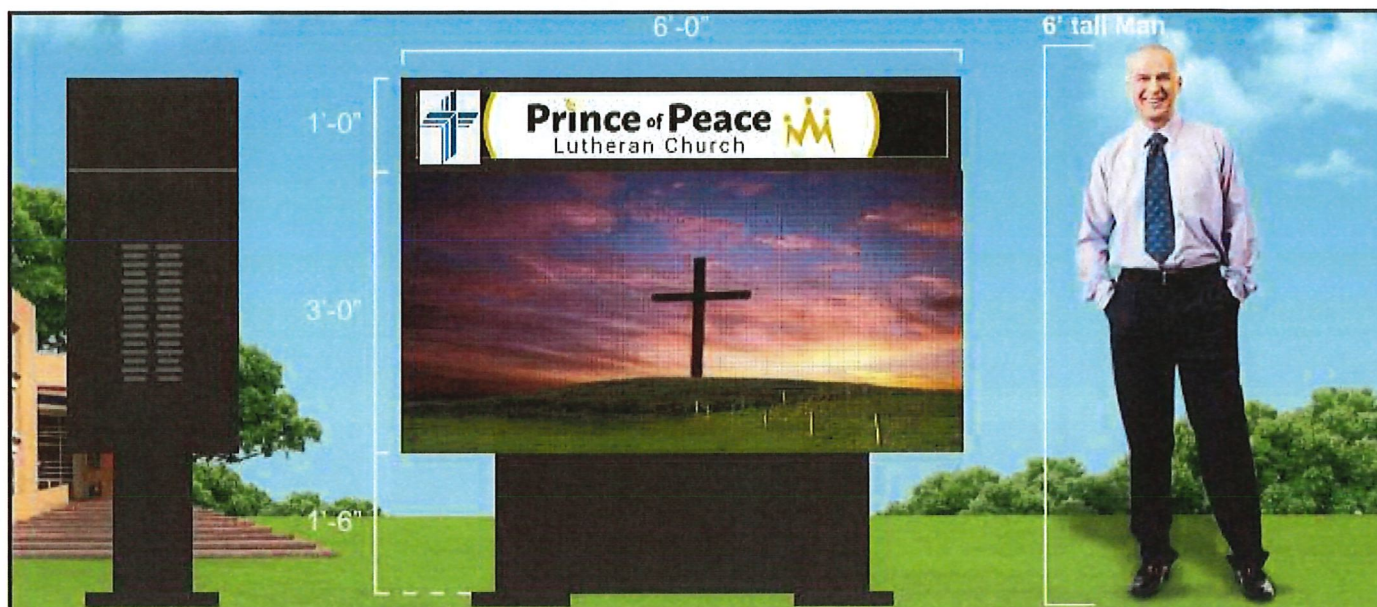
We intend to work with the City of Sturgeon Bay Zoning Administrator on both projects to ensure we are submitting the appropriate information to the City in a timely fashion to provide City staff and officials sufficient time to review these projects and route them through the appropriate approval channels.

We also understand that as this property is in the R-1 residential neighborhood, we will also need to apply for a variance. That application is included in this submission.

Thank you.

Jim Hoyer - Sign Committee Chair  
Bart Zilk - Sign Committee Member  
Tom Strong - Sign Committee Member  
Chris Borgmann - Property Trustee  
Ted Schroeder - Church Board President  
James Gomez - Church Pastor





1083 Brooks Industrial  
Shelbyville KY 40065

Consultant Ethan Wood  
1-800-732-9886  
ethan@goldenrulesigns.com

Quote #32564  
Date 11-20-2023

Client Thomas Strong  
Prince of Peace Lutheran  
Church-Sturgeon Bay  
1756 Michigan St  
Sturgeon Bay WI 54235

**Great Signs. Great Service. Great Prices.**

#### L.E.D. Message Unit (Impact G3 Series)

Color	RGB -2 Billion Colors	Communication Capabilities	Ethernet - Client Provided
Pitch	6mm		Text, Pictures, Graphics, Video
Matrix	150 x 300	Certifications	Animations, Time & Temperature
Dimensions	3' -0" x 6' -0" (Height x Length)		
Max # of Lines	21		
Max letter per line	50		
Configuration	Double Face		

#### Identification/Logo Cabinet & Support Structure (Full Depth Cabinet)

Cabinet Size	1'-0" x 6'-0" (Tall x Wide) DS
Pedestal Size	1' -6"x 4' -0" (Tall x Wide)
Structure	4"steel structural support #2

Your sign cabinet will be internally lit and controlled by a day/night sensor. It contains translucent faces which display digitally printed lettering/art (name of organization/mascot etc.) which will be approved prior to manufacturing.

Professional logo package - high resolution/vectorized

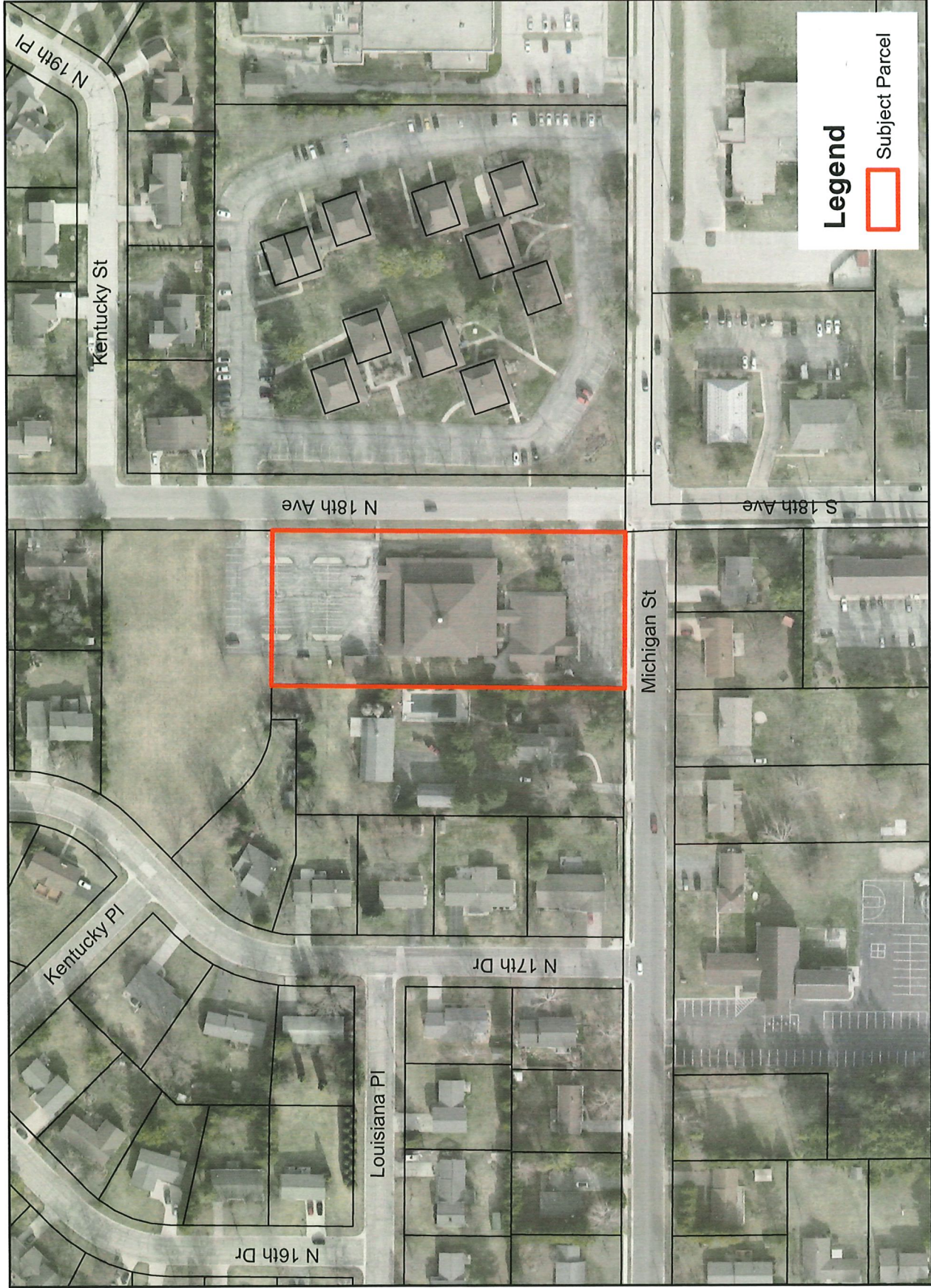


Appendix C Existing sign photo and location.





1756 Michigan Street



Parcel #281-62-21000101



Google Maps

1 N 18th Ave

Existing Sign

Sturgeon Bay, Wisconsin

Google Street View

Aug 2019    See more dates

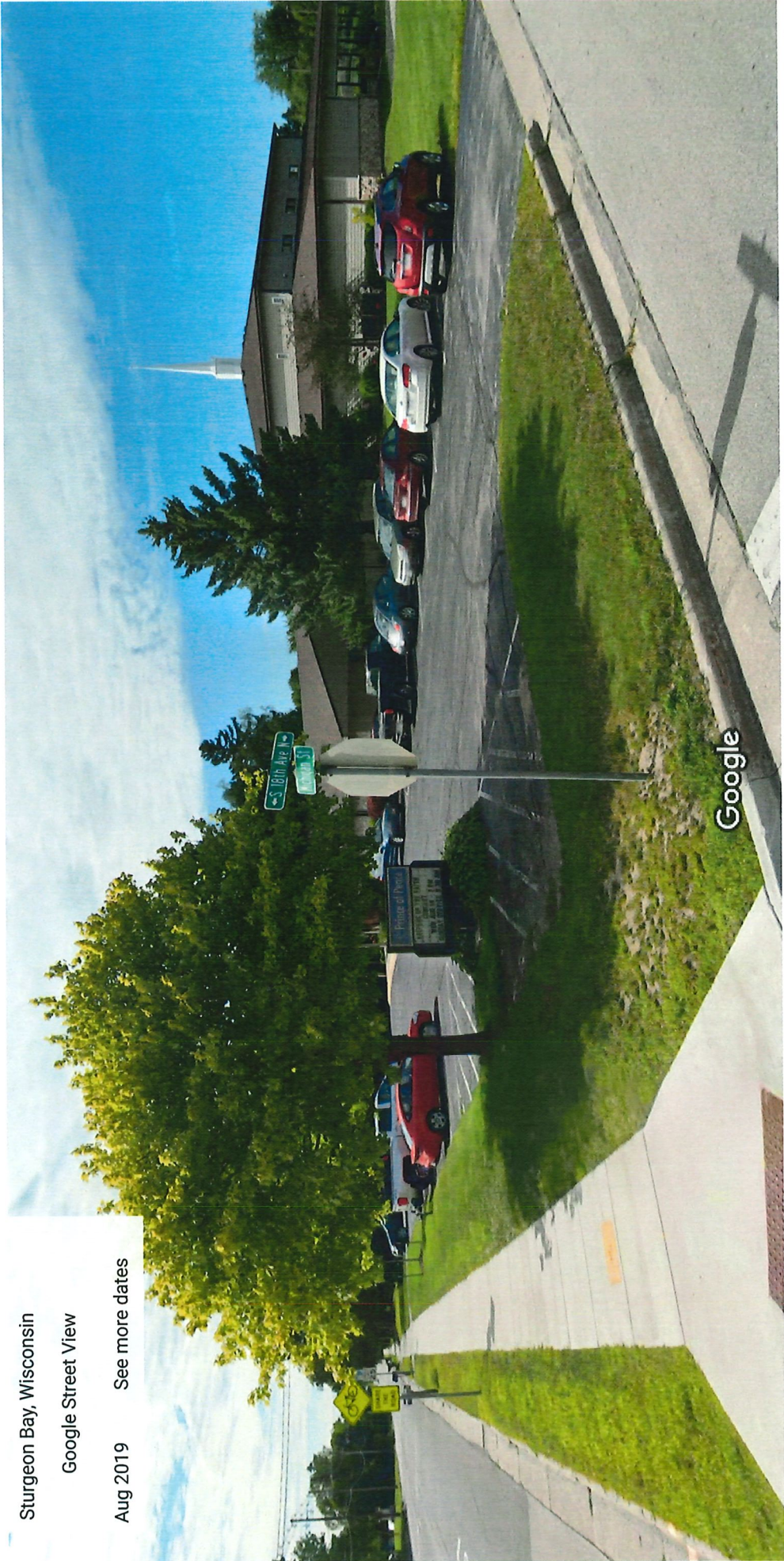


Image capture: Aug 2019    © 2023 Google



## Exerpt from Sturgeon Bay Sign Code

### 27.12(4) Special Signs- Electronic Variable Message Signs

(4) *Electronic variable message signs (EVMS)*. The sign inspector may issue a special sign permit for a EVMS in the commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

#### (a) *Dimensional standards.*

1. EVMS shall meet the sign setback regulations for the appropriate zoning district.
2. EVMS shall not be permitted where they attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device. EVMS shall not be permitted where they prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
3. The illuminated or message display area of the EVMS shall be included within the area to be regulated as the maximum area of a sign for the site. The message display area shall not exceed 32 square feet.

#### (b) *Operational standards.*

1. The EVMS shall only display static messages and such displays shall not have movement, animation or scrolling, or the appearance or illusion of movement.
2. EVMS shall not be used as flashing signs or lights.
3. Each message displayed by the EVMS shall remain for a minimum of 6 seconds.
4. Each change of message must be accomplished within one second.
5. All EVMS must be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illuminations.
6. Commercial messages displayed by a EVMS may promote only goods or services provided by companies occupying the site on which the sign is erected.
7. EVMS must be maintained in safe and orderly condition, and so as to be able to display messages in a complete and legible manner.
8. All EVMS shall comply with the minimum operational standards for EVMS contained in this section.
9. For electronic variable message signs in existence before August 18, 2009, subsections 1, 3, and 4 of section 27.12(4)(b) shall not be effective until May 1, 2020.

## Servia, Stephanie

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**From:** Tom Strong <strong.tom2@gmail.com>  
**Sent:** Tuesday, January 2, 2024 1:48 PM  
**To:** Servia, Stephanie  
**Subject:** Fwd: Jan. 3, 2024 Newsletter Article  
**Attachments:** 27.12 EVM signs.pdf

Just an FYI regarding questions from neighbors that have come in regarding our sign project. Fair questions and understandable. We're happy to answer questions.

For Next Tuesday, Jim Hoyer, the sign committee chair, Bart Zilk and I will be there in person. Ethan Wood from the sign company will be there via video if available. I will have him on by phone if that isn't an option. I plan to do a very brief introduction then let Jim give the board an overview.

Thanks again for all your guidance. And Happy New Year!!!!

Tom  
920-980-9053

----- Forwarded message -----

**From:** Tom Strong <strong.tom2@gmail.com>  
**Date:** Tue, Jan 2, 2024 at 1:38 PM  
**Subject:** Re: Jan. 3, 2024 Newsletter Article  
**To:** James Gomez <pastor@princeofpeacesb.com>, Ethan Wood <ethan@goldenrulesigns.com>  
**Cc:** Jim Hoyer <jimearlene@yahoo.com>, Darlene Kellow <office@princeofpeacesb.com>, BART ZILK <bart\_zilk@yahoo.com>, Chris Borgmann <cborgmann9208245300@gmail.com>, Ted Schroeder <schrloederted@att.net>

Good afternoon.

Please see my responses below. I copied Ethan Wood from Golden Rule for his information.

- Would the sign run all night, or could we turn it off/down from 8:00pm – 6:00am or something? **A: This was a condition placed on the prior churches who approached this board. I believe the cut off time for the others was 10:00 PM in the evening. I don't recall the morning time. We are ready to comply with any time restrictions imposed.**
- Is there such a thing as a "dim" setting that could be employed? This is a requirement by City Ordinance. **A: This is a requirement by City Ordinance. Ethan Wood confirms this is a standard feature.**
- We'd want to strongly consider not using "video" concepts, at risk of distracting drivers, but certainly we'd like to maintain a "dynamic" sign that features multiple events, one at a time. **A: This is prohibited by City Ordinance. See attached. We will also likely need to have the sign change over**

**only once every 30 seconds as a condition. City ordinance requires no less than 6 second message rotations.**

- Nobody seems to be against the church. It's not an issue of whether or not we are offering good things for the benefit of the community. The issues brought forth so far are almost exclusively about safety and light pollution. **A: Related to Q2 above, I expect that this sign will actually project less light than the existing letter box sign. Their concerns about the lighting are fair. From memory - I believe Chris said the parking lot lights will be directed down and in. THIS WILL ALSO NEED CITY APPROVAL BUT IS HANDLED IN A SEPARATE MEETING TO GET A 'CERTIFICATE OF APPROPRIATENESS'. The sign and lighting will be considered together at that time.**

Let me know if you would like me to reach out to Patrick O'Connell directly in advance of the meeting.

Thank you!

Tom Strong  
920-980-9053

On Tue, Jan 2, 2024 at 12:45 PM James Gomez <[pastor@princeofpeacesb.com](mailto:pastor@princeofpeacesb.com)> wrote:

Good morning, all.

Social media is abuzz with questions and comments about the sign variance. A Patrick O'Connell is the most "curious" about it. He lives on 18<sup>th</sup> Ave, just north of the driveway to the office complex on the east side. He could easily see our sign from his house if he wanted to.

Our immediate neighbor, Mike Brenner, is also planning to attend the hearing. His only issue with living next to the church is the light from the building and parking lot all night. (Is this something we could address separately, Chris?)

Patrick and his wife, Gretchen, are not really complaining, but are concerned about light pollution in general, as well as traffic safety at that intersection. Both are valid, and I think we'd be wise to address those questions at the hearing if not before.

- Would the sign run all night, or could we turn it off/down from 8:00pm – 6:00am or something?
- Is there such a thing as a "dim" setting that could be employed?
- We'd want to strongly consider not using "video" concepts, at risk of distracting drivers, but certainly we'd like to maintain a "dynamic" sign that features multiple events, one at a time.
- Nobody seems to be against the church. It's not an issue of whether or not we are offering good things for the benefit of the community. The issues brought forth so far are almost exclusively about safety and light pollution.

We need to look at these issues, but that doesn't mean they are deal breakers by any stretch. We just need to be ready to respond well, kindly, and in a manner that would let Christ's light shine through the process.

Pastor Gomez

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**From:** Jim Hoyer <[jimearlene@yahoo.com](mailto:jimearlene@yahoo.com)>  
**Sent:** Tuesday, January 2, 2024 11:25 AM  
**To:** Darlene Kellow <[office@princeofpeacesb.com](mailto:office@princeofpeacesb.com)>; James Gomez <[pastor@princeofpeacesb.com](mailto:pastor@princeofpeacesb.com)>  
**Cc:** Tom Strong <[strong.tom2@gmail.com](mailto:strong.tom2@gmail.com)>; BART ZILK <[bart\\_zilk@yahoo.com](mailto:bart_zilk@yahoo.com)>; Chris Borgmann <[cborgmann9208245300@gmail.com](mailto:cborgmann9208245300@gmail.com)>; Ted Schroeder <[schroederted@att.net](mailto:schroederted@att.net)>  
**Subject:** Jan. 3, 2024 Newsletter Article

Hello to all. Attached is the article for this week's newsletter concerning the Let Your Light Shine effort. We received \$755 this last week, bringing our total to \$8,345!

Jim H

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Thank you!

Tom Strong  
920-980-9053

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Thank you!

Tom Strong  
920-980-9053