

**CITY OF STURGEON BAY  
Zoning Board of Appeals  
December 13, 2022**

The City of Sturgeon Bay Zoning Board of Appeals was called to order at 12:02 p.m. by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members William Murrock, William Chaudoir, Dave Augustson, Nancy Schopf and Morgan Rusnak were present. Staff present were Community Development Director Marty Olejniczak and Community Development Administrative Assistant Cindy Sommer.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 8, 2022.
4. Public Hearing: Variance from Section 27.13(4)(c)5 of the municipal code regarding minimum setback of a ground sign for JT Petroleum located at 154 N. 4<sup>th</sup> Avenue, parcel #281-10-85270801.
5. Consideration of: Variance from Section 27.13(4)(c)5 of the municipal code regarding minimum setback of a ground sign for JT Petroleum located at 154 N. 4<sup>th</sup> Avenue, parcel #281-10-85270801.
6. Consideration of: Request to extend the time limit to initiate previously granted variance for property at 1642 Cove Rd, parcel #281-34-65001101.
7. Adjourn.

All ayes. Carried.

**Approval of minutes from November 8, 2022:** Moved by Mr. Chaudoir, seconded by Ms. Schopf to approve the minutes of November 8, 2022. All ayes. Motion carried.

**Public Hearing: Variance from Section 27.13(4)(c)5 of the municipal code regarding minimum setback of a ground sign for JT Petroleum located at 154 N. 4<sup>th</sup> Avenue, parcel #281-10-85270801:**

Chairperson Murrock opened the public hearing at 12:03 p.m.

Mr. Olejniczak explained this is a request for a variance from the five foot street right of way requirement to reface an existing ground sign. A previous variance was approved in 1979 for a 0 feet street right of way, however the replacement sign is larger, which causes the under-clearance to be reduced from about 10 feet to about 6.5 feet. The proposal is to use the existing sign post. The overall height would remain the same, however the new sign is longer. About a foot of the existing sign hangs over the sidewalk, which could create a clearance issue for pedestrians on the sidewalk. The proposed sign differs slightly from what is in the agenda packet in that only the logo will be lit, rather than the entire sign being backlit.

Tim Stephan of Canopy Refresh explained that in order for the logo to look proportionate, the sign had to be enlarged. There is no other appropriate location on the property to move the sign. The sign would use the same footprint but have a more modern, upgraded appearance. Mr. Stephan explained that he is unsure of the overall height of sign but it may be possible to raise the sign about 6" to raise the under-clearance. Another possible option would be to eliminate one of the prices, which would also increase the clearance.

Mr. Olejniczak explained that the previous variance restricted the overall height to 20', so if the sign were to be raised above that, another public hearing would be required and this would delay the project another month.

No members of the public presented for the hearing and there were no letters regarding the variance request. The public hearing was declared closed at 12:22 p.m.

**Consideration of: Variance from Section 27.13(4)(c)5 of the municipal code regarding minimum setback of a ground sign for JT Petroleum located at 154 N. 4<sup>th</sup> Avenue, parcel #281-10-85270801:**

The members discussed if the under-clearance would cause a problem for snow removal and Mr. Olejniczak explained that the property owners are responsible for clearing the sidewalks and the city has no involvement.

Motion by Mr. Chaudoir to approve the variance request as presented but with the condition that the sign must have a minimum of 7 feet of clearance above the sidewalk. The reasoning is that it is a nice looking, updated sign that fits in with the neighborhood. Motion seconded by Ms. Rusnak for the same reasons. Roll call vote, all ayes. Motion carried.

**Consideration of: Request to extend the time limit to initiate previously granted variance for property at 1642 Cove Rd, parcel #281-34-65001101:**

Mr. Olejniczak explained that Collin Jeanquart is requesting an extension of the one year time limit to begin construction of a home at 1642 Cove Road. It is within the parameters of the Zoning Board of Appeals Rules of Procedure to extend the time limit without a public hearing.

Mr. Collin Jeanquart explained that the architect he was working with delayed the project for several months and then became non-responsive, which forced Mr. Jeanquart to hire a new architect who had to redraw the plans from scratch, causing further delays. He still intends to move forward with the construction and is requesting an additional year to begin construction. He further explained that the plans are fundamentally the same as approved previously with only small changes that were suggested at the time of the approval and fall within the scope of approval.

Mr. Chaudoir motioned to approve a one year extension as requested with the reasoning that the delay was not caused by the applicant and outside of his control. Motion seconded by Ms. Rusnak for the same reasons. Roll call vote, all ayes. Motion carried.

Moved by Mr. Auguston, seconded by Mr. Chaudoir to adjourn. All ayes. Motion carried. The meeting adjourned at 12:32 p.m.

Respectfully submitted,

Cindy Sommer  
Community Development Administrative Assistant