

ZONING BOARD OF APPEALS
Tuesday, July 24, 2018

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

Roll call: Members Wayne Spritka, James Goodwin, William Murrock, and Alternate Justin Kirwen were present. Excused: Members Andrew Starr and Bill Chaudoir. Also present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Spritka, seconded by Mr. Kirwen to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 30, 2018.
4. Public Hearing: Petition for variance from Section 27.12(4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street.
5. Consideration of: Petition for variance from Section 27.12(4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street.
6. Adjourn.

Carried.

Approval of minutes from January 30, 2018: Moved by Mr. Goodwin, seconded by Mr. Murrock to approve the minutes from January 30, 2018. All ayes. Carried.

Public Hearing: Petition for variance from Section 27.12(4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street: Chairperson Murrock opened the public hearing at 12:04 p.m.

Mark Holey, Chairman of Trustees Committee for Sturgeon Bay United Methodist Church, stated that they just completed a campaign to raise money for improvements on their property, including a new driveway and a redesigned parking lot. They also want to install a 30 square-foot electronic variable message sign since there are many groups that use their church for different events. Their current sign, which is located on the corner of 9th Avenue and Michigan Street, is small and unlit. Mr. Holey also mentioned that the proposed sign will help visitors locate the church. He is sure that membership will increase after installation of this sign. The church is in a residential location. Other churches have those type of signs and feel it is unfair to them. Sturgeon Bay Schools had also received permission for an EVMS.

Mr. Holey said the church has always been a good neighbor. They will abide by the rules. The proposed sign would be located in the middle of the property. He mentioned that they could install a lit sign and would not have to go through a variance. With the capital campaign they are looking at the future with an EVMS. The sign would be used as an outreach to let people know what programs they have. It is not intended as a marquee sign. They would also work with the neighbors in regard to lighting.

Mr. Sullivan-Robinson stated that the United Methodist Church is in the middle of a residential corridor. The proposed sign would front Michigan Street west of the bell tower. The Aesthetic Design & Site Plan Review Board approved the sign, but required nighttime dimming and opaque background. Previously, the ZBA approved an EVMS for St. Peters Church, which fronts both residential and commercial corridors.

Mr. Sullivan-Robinson spoke with some of the neighboring property owners. They were concerned with lighting. Time limits could be considered.

Mr. Olejniczak stated that an EVMS was allowed in commercial districts, but not residential. The maximum size allowed is 32 square-feet. This proposal is for 30 square-feet.

No one spoke in favor of the variance request. There were no letters in favor of the request.

Steve Graf, 833 Michigan Street, spoke in opposition. There would be a lot of light pollution. It would be a driving hazard.

Shelly Kerwin Phelps, 727 Michigan Street, spoke in opposition. The lit flame symbol in front of the church is very large and a very visual denote for the church. She wondered if they already had more signage than allowed. Safety is a concern.

Kathy White, 833 Michigan Street, stated that the church is lit all night long. The flame shines in her bedrooms. She does not want an EVMS lit all day. Safety is an issue. Parking on the street is dangerous.

Jerod Santek, 907 Michigan Street, read a letter that he submitted in opposition. The lighting and messaging system would be distracting. Property values will be decreased.

Allison Roemer, 827 Michigan Street, agreed with everyone's testimony. It is residential property. She doesn't want another driveway across from her house or a bright sign in her face.

Mr. Goodwin read one letter in opposition from Diane Evenson, 32 N. 9th Avenue. Another letter that was received from Brian Bergee and Jerod Santek, 907 Michigan Street, had been read by Jerod Santek during testimony.

Mr. Murrock offered a chance for rebuttal.

Mr. Holey stated that they are not a commercial operation. He will meet with the concerning neighbors. Two lights will be eliminated in the new parking lot. The sign will be perpendicular to the street and could be turned off at night. It is important for the church to get the message out.

Mr. Murrock allowed the following two citizens to speak, even though it was not rebuttal testimony:

Marianne Bennett, 819 Michigan Street, stated she does not want lights shining on her porch.

Lou Ferarri, 827 Michigan Street, stated he is legally blind in his right eye. The double lane driveway will be a hazard.

Rebuttal testimony continued.

Shelly Kerwin Phelps, 727 Michigan Street, wondered if it is valid to have another sign. This is precedence setting for a two block area. It always comes back to safety.

Steve Graf, 833 Michigan Street, wanted to make sure that there were no members of the ZBA that were members of the United Methodist Church or that would be a conflict of interest.

Chairperson Murrock closed the public hearing at 12:48 p.m.

Consideration of: Petition for variance from Section 27.12(4) of the City of Sturgeon Bay Sign Code, to install an Electronic Variable Message Sign for the Sturgeon Bay United Methodist Church, located at 836 Michigan Street: Mr. Olejniczak stated that the existing flame sign is considered a wall sign. Their existing ground sign would be replaced by the proposed sign.

Mr. Spritka pointed out that the Board needs to go back to the original petition. There are a lot of other issues being talked about. The variance is for the EVMS.

Mr. Kirwen stated that we need to look at what opposing people are saying.

Mr. Sullivan-Robinson stated that the Aesthetic Board preferred to only have the lettering lit, with a darker background. The bottom half of the sign is 6 feet x 2.5 feet. They are allowed to have a ground sign.

Discussion continued. Moved by Mr. Murrock, seconded by Mr. Goodwin to deny the variance request because of the lighting, adverse effect of the neighborhood, Michigan

Street is the main artery for the school, there is a lot of traffic on Michigan Street, and could cause distraction of drivers.

Roll call vote: All ayes. Carried.

Adjourn: Moved by Mr. Goodwin, seconded by Mr. Kirwen to adjourn. All ayes. Carried.
Meeting adjourned at 12:58 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary