

CITY OF MENASHA
Board of Appeals
Council Chambers, 3rd Floor, 140 Main Street, Menasha
January 29, 2007

2:00 PM

AGENDA

 [← Back](#)  [Print](#)

I. CALL TO ORDER

A. Call to Order

II. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

III. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Minutes of July 10, 2006



[Attachments](#)

IV. ACTION ITEMS

A. Request for Variance from Solea Mexican Grill, 705 Appleton Road, Menasha.



[Attachments](#)

V. ADJOURNMENT

A. Adjournment

CITY OF MENASHA
BOARD OF APPEALS
Council Chambers, 3rd Floor
140 Main Street, Menasha
July 10, 2006
MINUTES

- I. Meeting called to order by Chairman Omachinski at 10:05 a.m.
Present: Commissioner Zielinski, Klein, Omachinski, Sanders, Koslowski
Also Present: AP Beckendorf, CA/HRD Brandt, Stephanie Baxter, Clerk Galeazzi
- II. APPROVE MINUTES OF FEBRUARY 6, 2006
Chairman Omachinski asked if there were any questions or changes to the minutes of February 6, 2006. See none, minutes approved as printed.

- III. REQUEST FOR VARIANCE
Stephanie Baxter, 1037 Brighton Drive, Menasha

AP Beckendorf and Stephanie Baxter were sworn in by CA/HRD Brandt.

AP Beckendorf explained the variance requested. Ms. Baxter would be in violation of the current zoning ordinance that requires a front yard set back of at least 25 feet and prohibits accessory structures from being located between a principal structure and a street right-of-way. Ms Baxter is requesting to build a 26' x 30' detached garage. The garage would encroach into the 25 foot set back requirement. AP Beckendorf provided a plat map of the subject property showing how the new garage would look.

Ms. Baxter explained there is currently a small shed on her property that she keeps a few things in, but her cars and boat usually remain outside. The shed will be torn down. Her cars and boat have sustained some damaged being left outside. Adding a garage would blend better with the other properties in the neighborhood. It would also increase the value of her property. Ms. Baxter had a petition signed by her neighbors indicating they did not object to the construction of a garage.

Clerk Galeazzi explained a letter was sent to all property owners within 100 feet of the subject property informing them of Ms. Baxter's request. A letter was received from one property owning indicating they had no objection to her request.

Commissions and CA Brandt asked questions.

Moved by Comm. Sanders, seconded by Comm. Zielinski that due to hardship caused by unique property conditions, the variance should be granted.
Discussion on new laws associated with zoning variances.

Motion to grant variance carried on roll call 5-0.

- IV. ADJOURNMENT

Moved by Comm. Zielinski, seconded by Comm. Sanders to adjourn at 10:20 a.m.
Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

City of Menasha Sign Permit Application

Date: 1-02-06

Name of Business: Soleo Mexican Grill Phone: 920-729-1011

Contact Person: Eduardo Sanchez Fax: _____

Site Address: 705 Appleton Rd
Menasha

Applicant: Eduardo Sanchez Phone: 920-729-1011

Contact Person: _____ Fax: _____

Address: SAME AS ABOVE

Parcel #: _____ Zoning: _____

Type of Sign: _____ wall-mounted
 pole-mounted
_____ monument
_____ projecting
_____ other _____

Setback: _____ front yard
_____ side yard
_____ rear yard

Height: _____ ft.

Dimensions: 14" x 8'
9 sq. ft. (per face)

Illumination: _____ none
 internal
_____ external

Linear Feet of Building Exposure: _____

Corner Lot: yes
_____ no

Sign Construction/Material: Center Single Line outdoor Electronic Message

Site Plan Submittal: A site plan drawn to scale showing the location of the proposed signage on the lot with reference to building exposure, lot lines, and street right-of-way shall be submitted with this application. Such plan shall also include a photograph, drawing, or sketch depicting the letters, symbols, colors, etc. to be incorporated on the proposed signage. All signs shall be installed in conformance with the approved site plan.

Signature: Eduardo Sanchez (architect)

Office Use Only

Date Issued: _____

Approved By: _____

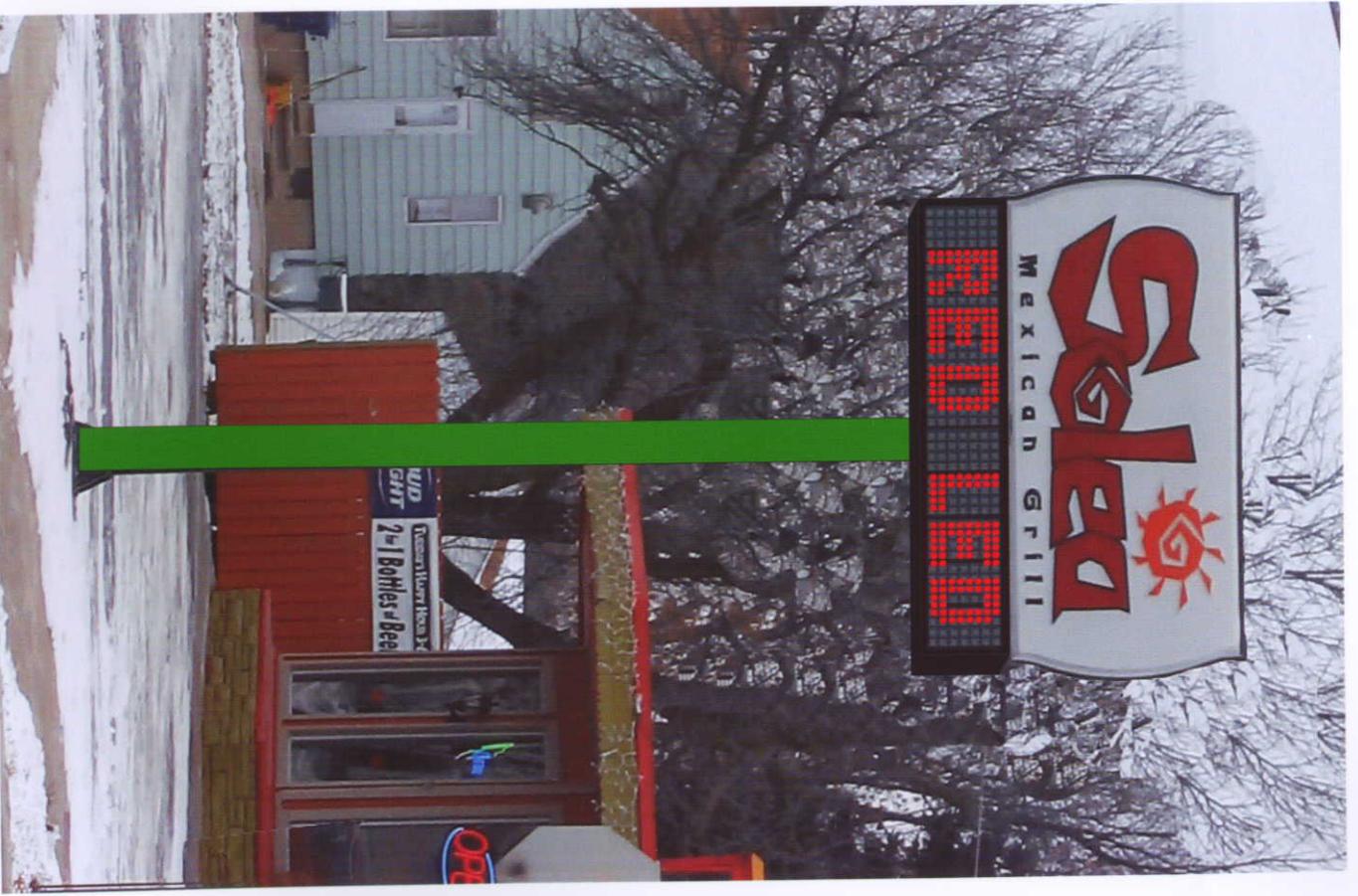
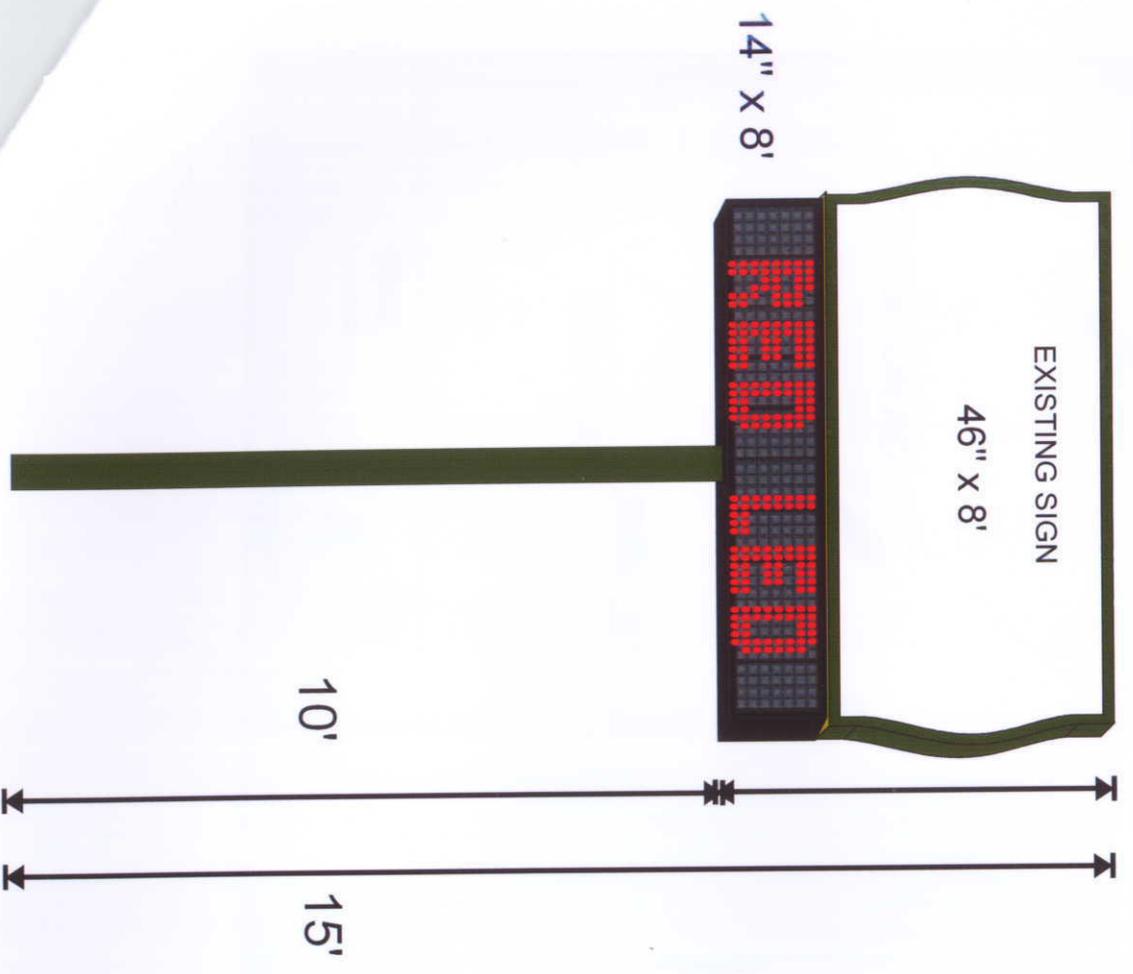
Fee: \$ _____

Check #: _____

Comments: _____

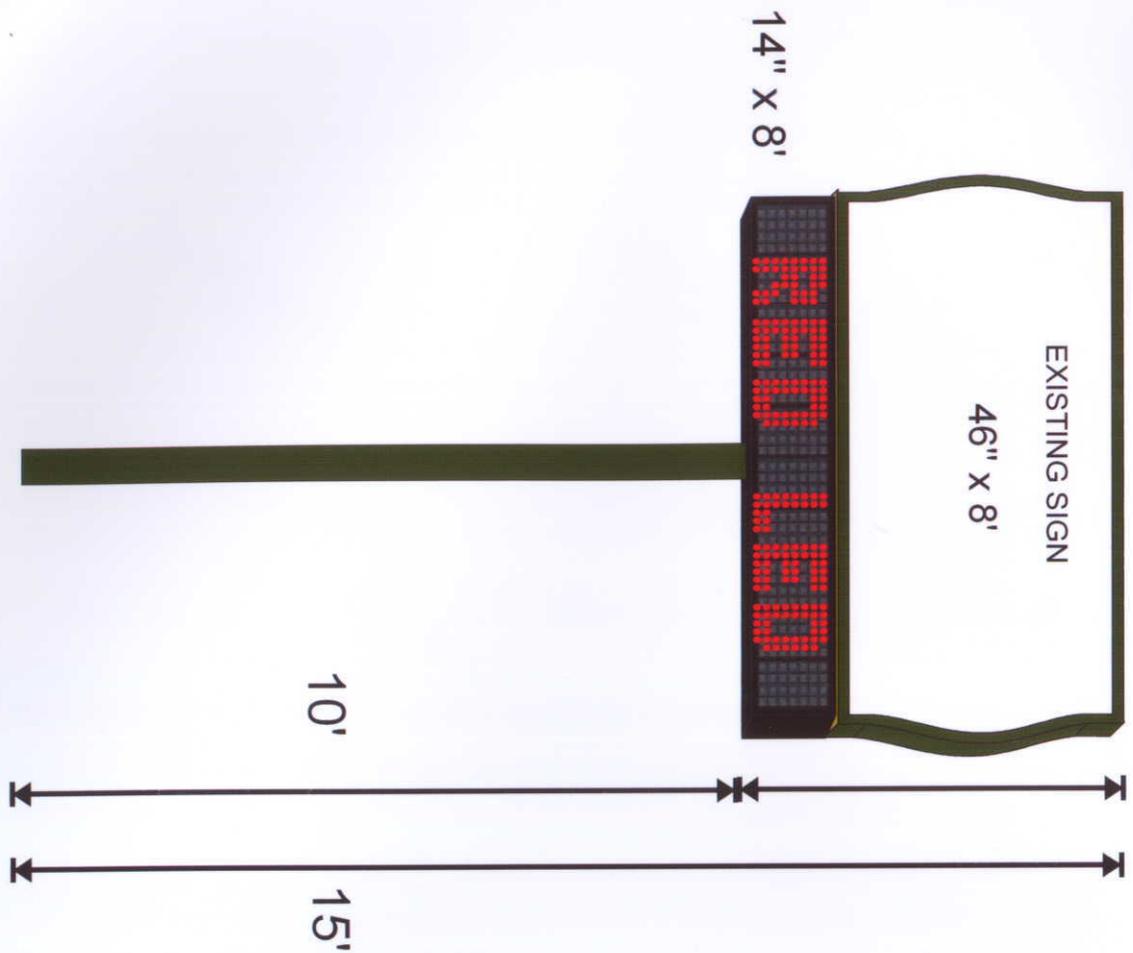
41' TOTAL

PROPOSED DISPLAY



41' TOTAL

PROPOSED DISPLAY





City of Menasha • Department of Community Development

January 5, 2006

Solea Mexican Grill
Eduardo Sanchez
705 Appleton Road
Menasha, WI 54952

Dear Mr. Sanchez:

Zoning 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 modify a legal non-conforming pylon sign that exceeds allowed height limits.. Absent a variance, this action would constitute a violation of Sec. 13-1-66, which limits the height of a monument sign to 16' from existing grade, and 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.

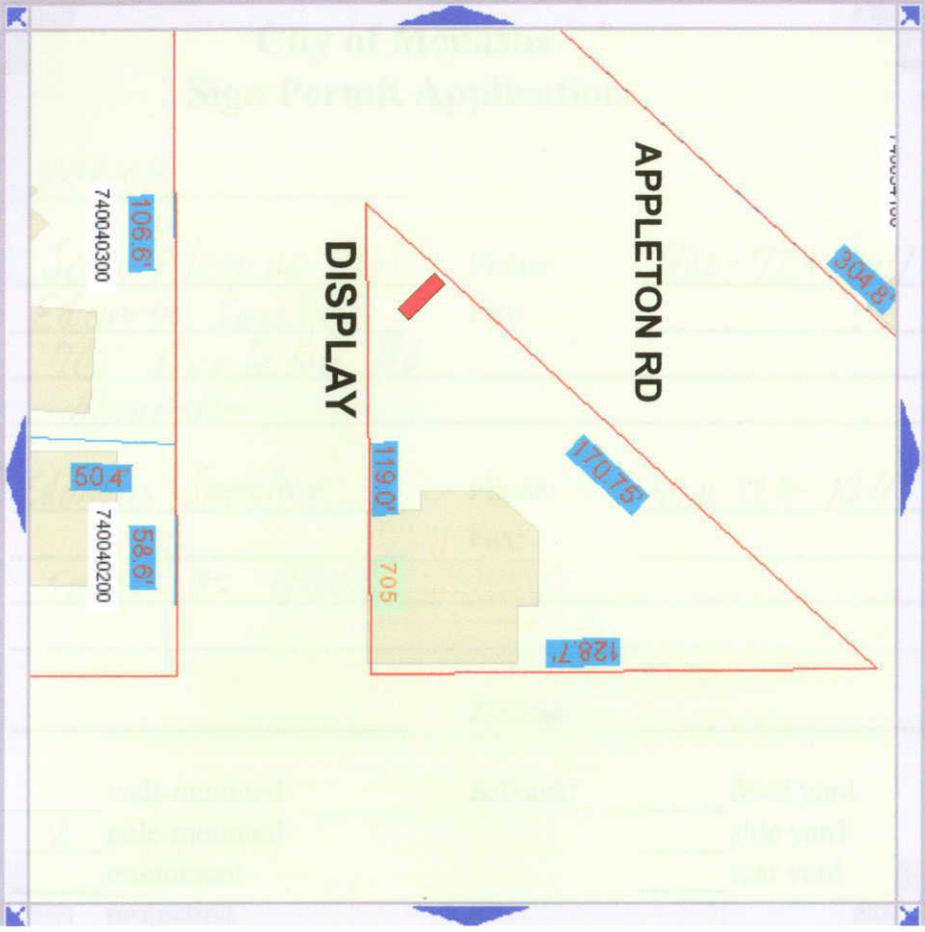
You have complied with other requirements of the zoning variance procedures and a public hearing will be scheduled before the Board of Appeals in the near future. The City Clerk will mail you a notice regarding the date, time, and location of the meeting.

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

Sincerely,

Jessica Beckendorf
Associate Planner

c: City Attorney Jeff Brandt
City Clerk Deborah Galeazzi



City of Menasha

SPECIAL ZONING APPROVAL

Owner Soleo Mexican Grill

Case or Plan No. _____

Address 705 Appleton Rd

Fee 225⁰⁰

Applicant (if different than Owner) _____

Address _____

Zoning _____ Parcel Number(s) _____

PLEASE INDICATE WHICH REQUEST IS BEING MADE

- Rezoning Special Use Flood Plain Map Amendment
- Appeal or Variance PUD Plan Approval

Description of Request: VARIANCE ON SIGN CODE TO MODIFY AN
EXISTING POLE SIGN.

Owner/Agent Eduardo Sanchez - Michel Lopez (Signtronix)
Signature

(If applicable) Formal Hearing _____

Informal Hearing _____ Notice Mailed _____

Notice Mailed _____ Notice Mailed _____

Action Taken: _____ 20__

- APPROVED DENIED

Conditions (if any): _____

**City of Menasha
Variance Application Questionnaire**

Applicant: Soto Mexican Grill

Site Address: 705 Appleton Rd.

Menasha Ordinance 13-1-53(d) provides that the Board of Appeals shall evaluate a variance request based on the foregoing criteria. Before granting such a request, the Board must find that all of the criteria enumerated apply to the variance requested. Please address each statement; use additional sheets if necessary.

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:

See ATTACHED

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:

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:

See Attached

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:

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

Please submit a site plan showing an accurate depiction of the property and any other relevant or required documents.

I certify that all information provided is to the best of my knowledge accurate and true.

Property Owner:

Eduardo Sanchez
Signature (Michele Lopez)

Date: 1-02-07

Variance Proposal

To modify an existing pole structure.

- Reduce in height and repaint pole and sign cabinet.
- The addition of a red LED time-temp-message center
- The LED unit is a single line 10" character that has a 16 stage digital dimmer controlled by ambient light. The LED unit is UL rated.

The current display is approximately 18.5' to the top and has a sign area of 53' (see attached).

The proposed new height would be 15' to the top and a sign area of 41' total (see attached). 54' is allowed under the sign ordinance.

Question 1

Based on the unusual size, location, and limited parking to change the pole sign to comply with the cities monument requirements would;

1. Require the loss of parking spots which are now critical. As you can see on the attached copy of the aerial view, Soleo Mexican Grill has 11 parking spaces. With the seating capacity, Soleo Mexican Grill is stretched as it is and many times customers are forced to use parking across the street. Based on a meeting on site with Jessica Beckendorf in the Community Development Department, she concurs that to move the sign would be of detriment to Soleo Mexican Grill and that the best location is to keep the display where it is. All of the displays in the general vicinity are pole signs.

Question 2

See question 1.

Question 3

Soleo Mexican Grill already has a manual changeable marquee. The intent is to beautify and existing display and to be able to more effectively convey messages to the drive-by traffic to include public service messages. Manual changeable copy signs are labor intensive, weather dependant, and at times a hazard. Many times messages don't get changed or there is nothing put up because of the aforementioned. Today with digital copy displays, messages can be programmed with ease for Soleo Mexican Grill interspersed with public service announcements.

Question 4

The proposed variance in no way compromises the existing sign ordinance. What it does is allow Soleo Mexican Grill to modify an existing structure that based on the above

information is the only option. Sign codes are written to beautify a business district. This proposal does that.

In closing, after meeting with Jessica Beckendorf in Community Development and spending much time on the phone as well, I thank her for her support and understanding in the proposed project and we thank the board for their time as well hearing this.

Sincerely,

Eduardo Sanchez (Michael Hayes)

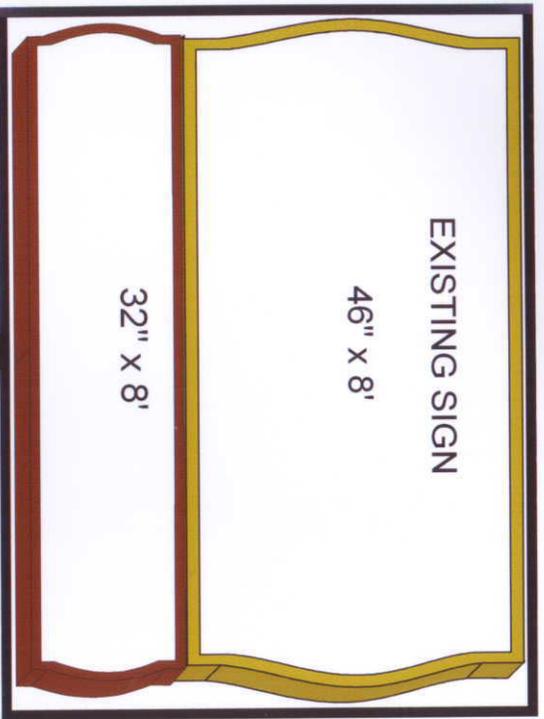
Eduardo Sanchez

VARIANCE PROPOSAL



EXISTING DISPLAY

53' TOTAL



12'

18.5'

