



Dane County Planning & Development

Division of Zoning

Appeal No. _____
 Date Received _____
 Date of Public Hearing _____

RECEIVED

FEB 6 2014

DANE COUNTY PLANNING & DEVELOPMENT

VARIANCE APPLICATION:

Owner: Boston, Inc (Bill Fonti)
Mailing Address: 1820 W Stewart Ave
Wausau, WI 54401
Phone Number(s): 715-254-1229 (C) 715-321-0011
Email Address: bill.fonti@bostoninc.net

Assigned Agent: Finishing Touch Interior Signs - David Guld -or- Tara Teske
Mailing Address: 723 S 72nd Ave Suite B
Wausau, WI 54401
Phone Number(s): 715-845-0500 (C) 715-212-1572
Email Address: david@ftsign.com -or- tara@ftsign.com

To the Dane County Board of Adjustment:

Please take notice that the undersigned was refused a permit by the Dane County Zoning Division, Department of Planning and Development, for lands described below for the reason that the application failed to comply with provisions of the Dane County Code of Ordinances: Chapters 10 – Zoning, 11 – Shoreland, Shoreland-Wetland & Inland-Wetland, 17 – Floodplain Zoning, and/or 76 – Airport Height Regulations. The owner or assigned agent herewith appeals said refusal and seeks a variance.

Parcel Number: 0109-344-8720-10 ^{3 8850-0 104} Zoning District: C-2 Acreage: 7.169
 Town: Madison Section: 34 1 / 4 1 / 4
 Property Address: 2402-2404 W. Bellline Hwy
 CSM: 01530 Lot: 3 / Subdivision: _____ Block/Lot(s): 13
 Shoreland: Y/(N) / Floodplain: Y/(N) / Wetland: Y/(N) / Water Body _____
 Sanitary Service: Public / Private (Septic System)

Current Use: Commercial

Proposal: Commercial - Furniture Store (Additional square-footage for Signage Needed)

NOTE: You are encouraged to provide a complete and detailed description of the existing use and your proposed project on an attached sheet.

REQUIRED BY ORDINANCE

Section	Description	Required	Proposed or Actual	Variance Needed
10.74(23)	Wall Sign- Max square-footage 600sqft; 2 Signs Allowed	600	490.6	225.6
	Add a 3rd Sign to building front. Would only need an additional			116.2
	116.2sqft to equal our 600 total, but with just adding another			
	sign			

PRESENTING YOUR CASE TO THE BOARD OF ADJUSTMENT:

An Area Variance may be authorized by the Dane County Board of Adjustment to vary one or more of the dimensional or physical requirements of the applicable ordinance in connection with some proposed construction.

The burden will be on you, as property owner or authorized agent, to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the zoning board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing, including the staff report. Unless you or your agent is present, the board may not have sufficient evidence to rule in your favor and may then deny your application.

Please answer the four questions below. You are encouraged to attach a separate sheet, labeling the answers (1) through (4), to provide enough detail to support your appeal:

(1) Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered in each category below:

(A) Alternatives you considered that comply with existing standards: If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

Have down-sized the signage, and removed a tag line to lessen the amount of square footage requested in this variance.

(B) Alternatives you considered that require a lesser variance: If you reject such alternatives, provide the reasons you rejected them.

Have down-sized the signage, and removed a tag line to lessen the amount of square footage requested in this variance.

(2) Will there be an unnecessary hardship to the property owner to strictly comply with the ordinance?

Unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome.

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home or claiming that they need more outbuilding space than that permitted to store personal belongings). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

Please see attached form.

(3) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain. **The required Site Plan and/or Survey submitted with your application must show these features.**

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances, or lack of objections from neighbors do not provide a basis for granting a variance.

No

(4) What would be the effect on this property, the community or neighborhood, and the general public interest if the variance were granted? Describe how negative impacts would be mitigated. **The required Site Plan and/or Survey submitted with your application must show any proposed mitigation features.**

These interests may be listed as objectives in the purpose statement of an ordinance and may include: Promoting and maintaining public health, safety and welfare; protecting fish and wildlife habitat; maintaining scenic beauty; minimizing property damages; ensuring provision of efficient public facilities and utilities; requiring eventual compliance for nonconforming uses, structures and lots; drainage; visual impact; fire safety and building code requirements; and any other public interest issues.

With adding this additional signage, it would make the buildings front look more acceptable. It wouldn't be so off-set for the community to view.

REQUIRED PLANS AND SPECIFICATIONS:

In addition to providing the information required above, you must submit:

1. **Site Plan:** Complete and detailed plans of your lot or lots, drawn to a standard and easily readable scale. **In most cases, a survey by a Registered Land Surveyor is needed.** The Site Plan/Survey should include the following, as applicable, as well as any unique existing features of the lot and any proposed mitigation features, as described above:
 - Scale and North arrow
 - Road names and right-of-way widths
 - All lot dimensions
 - Existing buildings, wells, septic systems and physical features such as driveways, utility easements, sewer mains and the like, including neighboring properties and structures.
 - Proposed new construction, additions or structural alterations.
 - For property near lakes, rivers or streams:
 - Location of Ordinary High Water Mark (OHWM) Elevation
 - Location of Floodplain Elevation
 - For property near Wetlands, a Wetland Boundary determination by a qualified professional consultant may be required.
 - Topographic survey information may be desirable or necessary.
 - Setbacks from any existing or proposed structures (building) to lot lines, right-of-way lines, Ordinary High Water Mark, and/or Wetland Boundary, as applicable.
 - For setback from Ordinary High Water Mark Variance Appeals, the setbacks of the two neighboring structures from the OHWM may be required.

2. Floor Plans and Elevations: Professionally-prepared plans and elevations are not required, but the plans submitted must be drawn to a standard and easily readable scale, must show each story of the building or structure, and must include all parts of existing and proposed structures, including any balconies, porches, decks, stoops, fireplaces and chimneys. Exterior dimensions must be included. Show all exit door locations, including sliding doors, and any windows or other features that are pertinent to your appeal. The plans may be a preliminary version, but are expected to represent your actual proposal for the use of your lot.

Please consult with the Assistant Zoning Administrator regarding required plans for non-conventional structures such as signs, construction cranes, etc.

3. Town Acknowledgment: Obtain a signed, dated memo or letter from the Town Clerk or Administrator of the Town where the variance is needed, acknowledging that you have informed them of your intention to apply for the variance(s). You probably will need to appear before the Town Board and/or Plan Commission, which will provide advisory input requested by the Board of Adjustment.

APPLICANT SIGNATURE:

The undersigned hereby attests that all information provided is true and accurate, and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the Appeal request made herein, during reasonable daylight hours.

Signature Required: Tara Teske Date: 1-30-2015

Print Name: Tara Teske

Specify Owner or Agent: Finishing Touch Interior Signs

Agent must provide written permission from the property owner

STAFF INFORMATION:

Date Zoning Division Refused Permit (if different from filing date)

Filing Date

Filing Materials Required:

Site Plan

Floor Plans

Elevations

Fee _____ Receipt No. _____

Town Acknowledgement Date

Notices Mailed Date

Class II Notices Published Dates

Site Visit Date

Town Action Received Date:

Public Hearing Date

Action by B.O.A. _____

Approved by: _____ **Date:** _____

Director, Division of Planning Operations, Department of Planning and Development

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- Would be at a competitive disadvantage to surrounding business.
- 3 tenants will be occupying this property; and have to share sign square-footage.
- Business owner is updating an out of date and vacant structure back to new.
- Creates employment in the Town of Madison, and surrounding areas.
- Owner was under the assumption that the signs were included in on the building permit already submitted.
- Big box companies are being run out of business now days because of internet companies. Internet companies don't open employment, nor do they pay tax dollars. This will help the Town of Madison, as this company will be paying in high tax dollars to occupy this property.
- Business next door has more signage than allowed per the current ordinance.



Town of Madison

2120 Fish Hatchery Road • Madison, Wisconsin 53713-1253

General Business Office: (608) 210-7260 • Fax: (608) 210-7236

www.town.madison.wi.us

January 23, 2015

Hans Hilbert
Dane County Planning and Development
210 Martin Luther King, Jr. Blvd, Room 116
Madison, WI 53703

Mr. Hilbert:

This letter is to advise you that the owners of the Ashley Furniture Stores, located at 2404 W. Beltline Hwy in the Town of Madison, have contacted our staff and Building Inspection Department regarding a sign variance. The Town of Madison is aware that Ashley Furniture Stores will be applying to Dane County Zoning for a sign variance at this location.

Please contact me should you have any questions.

Sincerely,

Renee M. Schwass, CPA
Business Manager
Town of Madison



Town of Madison

2120 Fish Hatchery Road • Madison, Wisconsin 53713-1289
Fire Department: (608) 210-7261
Fax: (608) 210-7235 • (608) 210-7236
Emergency: Dial 911



January 28, 2015

Re: Town Ordinances

Parcel # 0709-344-8720-6

2402 W Beltline Hwy, Town of Madison

Dear Tara,

This letter is to confirm that the Town ordinance only applies to the off premises Pedestal Signage, the signage must not be larger than 300 Sq. Ft per side or face and meet all Dane County zoning Requirements.

The Town of Madison does not have an ordinance regarding wall signage but does require all signage to meet Dane county zoning requirements.

Must obtain a sign permit from the Town of Madison for all signage with copy of zoning permit attached to application at a cost of \$ 1.00 Per Sq. Ft of advertising area and minimum fee of \$ 50.00

Thanks,

Brian Burkeland, Town of Madison

Building Inspector, Firefighter/Paramedic

Ph. 608-210-7217

Fax 608-210-7235



SIGN SPECIFICATIONS

- * internally lit raceway signs mounted to building
- * raceway colors to match building

Client:
Boston, INC
Madison, WI

Finishing Touch signs
 723 S. 72nd Avenue Wausau, WI
 715-845-0500
 ftsign.com

permitted 10.6.15
 2015-01-27
 2015-01-27
 need variance



Job Number

14054

for name and extension

THIS ARTWORK IS COPYRIGHTED
 AND MAY NOT BE USED WITHOUT
 PERMISSION. IT IS THE PROPERTY
 OF FINISHING TOUCH SIGNS AND MUST BE
 RETURNED TO THEM.

Customer: Ashley Furniture

Sales Rep: Dave

Date: 01/27/2015

Revision Date:

FINAL DRAWING APPROVAL

These drawings will be released to manufacturing once signed and returned.
 Any changes after this point will require fabrication and incur extra charges.
 ONCE THE DESIGN IS APPROVED FINISHING TOUCH WILL NOT BE RESPONSIBLE FOR ERRORS

signature

date:

COLORS SHOWN FOR REPRESENTATION
 ONLY. ACTUAL PRINT OR VINYL GRAPHICS
 MAY NOT MATCH INK COLORS ON LAYOUT

Finishing Touch signs

723 S. 72nd Avenue Wausau, WI
715-845-0500
ftsign.com

Client:
Boston, INC
Madison, WI

SIGN SPECIFICATIONS
* internally lit raceway signs mounted to building
* raceway colors to match building

ft

717 SQFT total

190.6 SQFT

305"

FURNITURE
& **ApplianceMart**

F 44.5" **A** 30"

90"

283"

300 SQFT

ASHLEY
FURNITURE
HomeStore

153"

AS

40.4"

F

26.8"

H

43"

225.6 SQFT

365"

S 30" **89"**

ASHLEY-SLEEP

Job Number

14054

for name and extension

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PERMISSION. IT IS THE PROPERTY
OF FINISHING TOUCH AND MUST BE
RETURNED TO THEM.

Customer: **Boston, INC**

Sales Rep: **Dave**

Date: **01/27/2015**

Revision Date:

signature

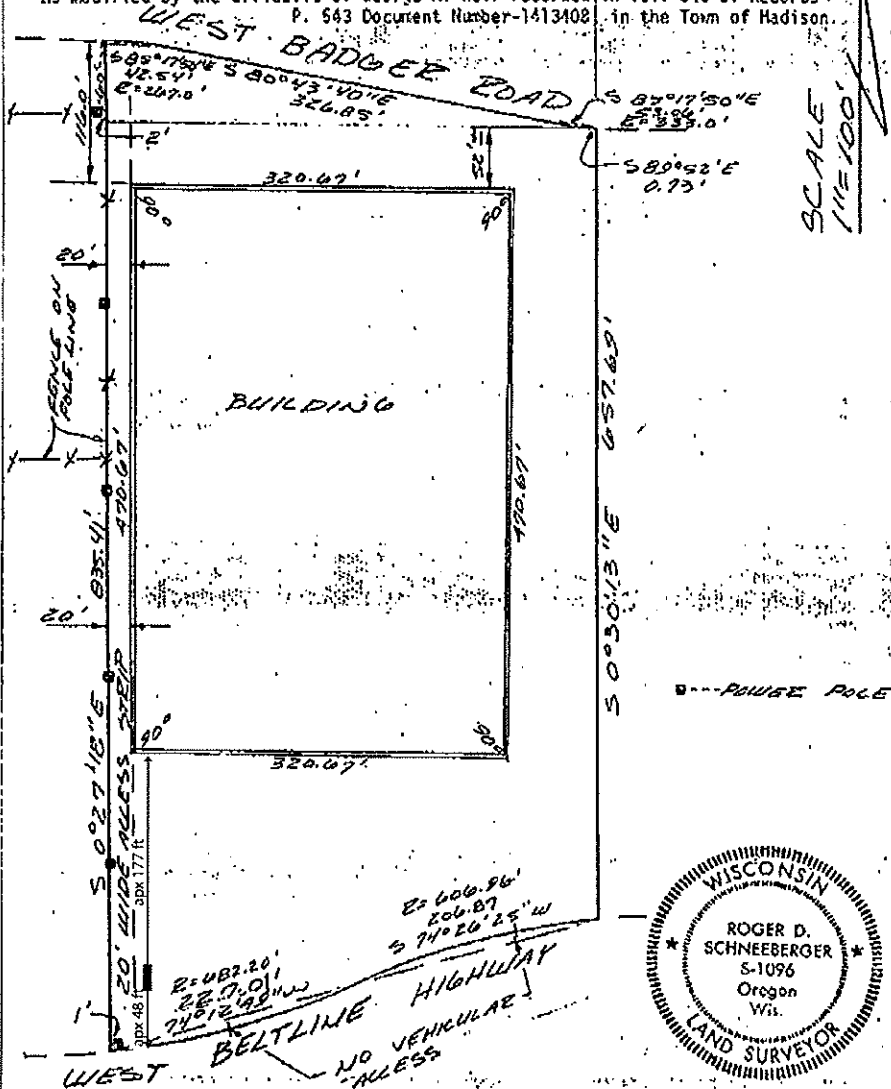
FINAL DRAWING APPROVAL
This sign will be assessed to manufacturing once signed and returned.
Any additional design requests will delay fabrication and incur extra charges.
ONCE THE DESIGN IS APPROVED FINISHING TOUCH WILL NOT BE RESPONSIBLE FOR ERRORS

COLOURS SHOWN FOR REPRESENTATION
ONLY. ACTUAL PAINT OR VINYL GRAPHICS
MAY NOT MATCH INK COLOURS ON LAYOUT

SURVEY PLAT

CLIENT/OWNER: George A. Reuhl
 Leonard S. Mattioli

DESCRIPTION: Lot 3 of Certified Survey Map No. 1536, Document No. 1411023, recorded in Volume 6 on pages 256 and 257 of Certified Surveys of Dane County. As modified by the affidavit of George A. Weir recorded in Vol: 540 of Records, P. 543 Document Number-1413408, in the Town of Madison.



I have surveyed the above-described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments, if any.

Dated at: Madison Wis
 This day of 17 June, 1980

Roger D. Schneeberger
 Roger D. Schneeberger, S-1096

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one (1) year from date hereof; and as to them I warrant the accuracy of said survey and map.

MEAD and HUNT, INC.

Engineers - Surveyors
 Madison, Wisconsin
 6-16-80
 Tele: (608) 233-9706

Dwg No. N-7685
 Sheet L of 1

REVISED