

**MINUTES OF THE ZONING BOARD OF APPEALS – Dec. 22nd, 2010 – 5:15 pm**

**MEMBERS PRESENT:** Donald Orth, Joe Mrotek, Jean Wakefield,  
Howard Zimmerman, Paul Steinbrecher

**MEMBERS ABSENT:** Mike Pappathopoulos, Frank Rodriguez

**OTHERS PRESENT:** Amir Adam, Jim Muenzenmeyer, Lisa Mueller

The meeting was called to order by Chairman Don Orth at 5:15pm. It was moved by Howard Zimmerman and seconded by Paul Steinbrecher to approve the minutes of the November 16<sup>th</sup>, 2010 meeting as submitted. Vote by the board was unanimous.

The appeal of Amir Adam, agent for, Assisted Living Concepts, 950 South Rapids Road, Manitowoc, Wisconsin, was read.

Secretary Muenzenmeyer described for the board the proposed 64 square foot V-shaped monument sign. He continued that the appellant had a reconsideration and determined that the 32 square foot single plane monument sign approved by the board October 19<sup>th</sup>, 2010 would not be large enough and that a V-shaped design would be a better.

Mr. Adam provided a color rendering to the board of the existing temporary ground sign. He stated that the existing temporary sign would be removed and that the newly proposed sign would be of a similar V-shaped design.

Board members questioned the reason for seeking a variance for the same item that was approved October 19<sup>th</sup>, 2010.

Additional discussion by the board clarified that when two identical sign faces are placed back to back on a single plane the sign area shall be computed by the measurement of one of the faces. This was the case with the computed area of 32 square feet for the variance approved October 19<sup>th</sup>, 2010. The currently proposed monument sign has a computed area of 64 square feet due to its V-shaped design and ability for the two faces to be viewed at different points.

Chairman Orth asked if there were any additional comments.

Secretary Muenzenmeyer reminded the board there are three criteria for granting a variance; 1. No harm to the public 2. Unique property limitations 3. Unnecessary hardship. Also the R-6 zoning area is a residential district. He continued that the board should ask, “What is the reason for the larger sign?” and “Are they not able to use the property if the variance is not granted for a larger sign?”

Howard Zimmerman asked the appellant what has changed since the variance was granted October 19<sup>th</sup>, 2010.

Mr. Adam stated he believed the newly proposed V-shaped sign would be better visually.

Secretary Muenzenmeyer stated he referenced the Zoning Board Handbook and that once a variance has been granted by the board and the appellant appeals again for a new variance on the same item, the question that should be asked is, "What has changed?"

Joe Mrotek made a motion to deny the request for the 64 square foot V-shaped monument sign. He continued that a variance was granted to the appellant (October 19<sup>th</sup>, 2010) for a 32 square foot sign that exceeded the allowable sign area. Mr. Mrotek also stated that nothing had changed (since the variance granted October 19<sup>th</sup>, 2010). Chairman Orth amended the motion to include that there was no undue hardship. Howard Zimmerman seconded the motion.

Chairman Orth asked if there was any other discussion. There being none. The vote to deny the appeal by the board was unanimous.

There being no further business a motion was made by Jean Wakefield to adjourn at 5:30 pm and seconded by Paul Steinbrecher. Vote by the board was unanimous.

Submitted by,

Jim W. Muenzenmeyer  
SECRETARY  
ZONING BOARD OF APPEALS

JWM / lmm