

<b>MEETING:</b>	<b>REGULAR MEETING OF THE BOARD OF ZONING APPEALS</b>
<b>DATE AND TIME:</b>	<b>Wednesday, April 23, 2025 5:30 PM</b>
<b>LOCATION:</b>	<b>Germantown Village Hall Board Room N112 W17001 Mequon Road</b>

**MINUTES**

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*  
Chairman White called the meeting to order at 5:36pm.
  
- II. **ROLL CALL:**  
Committee Members Barry White, Tim Edwards and Kristine Huber were present. Also present were Community Development Director Retzlaff, Associate Planner Jordan Yanke, Village Clerk Donna Ott and Administrative Coordinator Deb Remich.
  
- III. **APPROVAL OF MINUTES:**
  - A. February 27, 2025  
This item was tabled until the next BOZA meeting.
  
- IV. **PUBLIC HEARINGS:**
  - A. THE PURPOSE of said hearing will be to hear any and all parties, their attorneys or agents, for or against a VARIANCE APPEAL from certain sign location, property line setback, maximum height, and maximum area requirements and limitations under Section 17.46(7) of the Zoning Code filed by Lemberg Electric, Appellant, on behalf of Green Bay Packaging Inc., Property Owner, located at N128 W21600 Holy Hill Road.  
Chairman White read the public hearing notice and opened the public hearing at 5:38pm.  
Chairman White swore in Associate Planner Yanke who summarized the four (4) sign variance requests.  
Chairman White swore in Jaina Westphal of Lemberg Electric 4085 N. 128th St., Brookfield, WI. Ms. Westphal summarized their request and answered questions.  
Chairman White swore in John Vander Vries, Director of Sales for Green Bay Packaging N128W12601 Holy Hill Road to clarify the wayfinding sign variance.  
Chairman White asked if there was anyone that wanted to speak in favor or against the requested variances? No one came forward.  
Chairman White closed the Public Hearing at 6:23pm.  
Chairman White reopened the Public Hearing briefly at 6:34pm to allow Jaina Westphal to give testimony as to why they prefer the main monument sign placement be in the ROW.

## **The Findings, Conclusions, Decision and Order were Deliberated.**

### **Variance 1 - Setback variance for monument sign.**

1. The variance will not be contrary to public interest and will be in accord with the spirit of the zoning code because there is still sufficient distance from the road to the sign.
2. There are exceptional conditions that apply because of the low-lying nature and slope of the property.
3. The variance is necessary as the owner has a right to effective and properly placed signage.
4. The variance will not create a detriment to nearby property owners and is far enough from the road to not create a safety hazard.
5. The enforcement of the Zoning Code would result in difficulty because an effective sign is important and depriving them of that would be a hardship due to potential difficulty in finding the facilit.

### **Variance 2 - Wayfinding Sign(s) variance for increased size.**

1. The variance will not be contrary to public interest due to the large size of the facility, and doesn't affect neighbors and will not be in accord with the spirit of the zoning code, which does not provide extra signage for large facilities.
2. There are not exceptional conditions that apply because there are alot of other businesses that have large semi trucks which was the basis for their argument and that is not unusual.
3. The variance is not necessary because the size of the signs doesn't affect their ability to use the property.
4. The variance will not create a detriment due to adjacent properties being so far away, and it would actually be safer.
5. The enforcement of the Zoning Code would not result in difficulty because it doesn't limit the number of signs, just the size of them.

### **Variance 3 - Visitor Parking Sign(s) variance for increased size.**

1. The variance will not be contrary to public interest due to the large size of the facility, and doesn't affect neighbors and will not be in accord with the spirit of the zoning code, which does not provide extra signage for large facilities.
2. There are not exceptional conditions that apply because the size of the sign has nothing to do with the size of the lot.
3. The variance is not necessary because they don't need larger visitor parking signs to utilize the property.
4. The variance will not create a detriment due to adjacent properties being far away, and it would actually be safer.
5. The enforcement of the Zoning Code would not result in difficulty because they could just make the signs 6" smaller.

**Variance 4 - Wall-mounted Sign variance for increased size.**

1. The variance will not be contrary to public interest because no one is affected by it, and will be in accord with the spirit of the zoning code because the building is large enough that the additional signage won't dominate in such a way that the zoning code is designed to prevent, and the signage is on multiple sides.
2. There are exceptional conditions that apply because of the facility's unique location and layout, which requires signage that is visibility from Hwy 41.
3. The variance is necessary because there is a need to advertise the business on multiple fronts.
4. The variance will not create a detriment because no one will be affected and there is no effect on public safety.
5. The enforcement of the Zoning Code would result in difficulty because they believe that signage on multiple fronts is a substantial property right and denying it would deprive them of the right to properly advertise their business.

**Motion:** To Approve Setback Variance-1 (S2), Deny Wayfinding Signs Variance-2 (S3-8), Deny Visitor Parking Signs Variance-3 (S47-51), Approve Wall Mounted Sign Variance-4 (S-60)

**Motioned By:** Barry White

**Seconded By:** Kristine Huber

**Rollcall Vote:** Kristine Huber, Tim Edwards, Barry White

**No:** None

**Abstain:** None

**Motion Passed (Yes 3, No 0, Abstained 0)**

**V. ADJOURNMENT:**

Chairman White adjourned the meeting at 7:16pm.