

APPLICATION FOR A VARIANCE/APPEAL

Racine County, Wisconsin

Owner: 2730 Sylvania Ave LLC

Applicant/Agent: Handi Products

Address: 3114 Phillips Avenue

Date petition filed: 1-23-2023 Hearing Date: 3-1-2023

Racine, WI 53403

Municipality: V/ Yorkville

Phone (Hm) 262-456-2705 (Wk)

Zoning district(s): B-3

TO THE ZONING BOARD OF ADJUSTMENT/APPEALS: Please take notice that the undersigned was denied a permit or seeks an appeal of the Zoning Administrator for: The construction of a ±296 sq.ft. Electronic Messaging Pole sign.

at site address 2730 S. Sylvania Avenue, Section 24, T 03 N, R 21 E  
Lot(s) 1 Blk - Subd. (CSM) 3534 Parcel Id.# 194032124021010

in Racine County, Wisconsin, for the reason that the application failed to comply with Chapter 20 (Zoning) of the Racine County Code of Ordinances with respect to: The Electronic messaging Pole sign will exceed thirty percent (30%) of the maximum sign area allowed for the subject sign type.

Applicant is subject to: Article VI Division 18 B-3 Commercial Service District and Section 20-1412 Electronic Sign

of the Racine County Zoning Ordinance.

Check applicable below: (Underline or circle the word "all" or "partially" below, as needed)

- N/A Property is all/partially located in the shoreland area of N/A
- N/A Project is all/partially located in the shoreland area of N/A
- N/A Property is all/partially located in the floodplain area of N/A
- N/A Project is all/partially located in the floodplain area of N/A
- N/A Property is all/partially located in a wetland area. N/A Project is all/partially located in a wetland area.

Indicate below or attach separate pages showing how your application meets the legal criteria for a variance.

1) Explain how the Ordinance creates an unnecessary hardship and in the absence of approval no feasible use can be made of the property. See attached

2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure. See Attached

3) Describe how the approval would not create substantial detriment to adjacent property or materially impair or be contrary to the purpose and spirit of zoning or the public interest. See Attached

4) Explain how the request is not based on economic gain or loss and is not self-imposed. See Attached

Owner/Applicant's Signature [Signature] Date 1/20/2023

Fee pd: \$ 450.00 Ck # 3639 (Payable to Racine County Development Services) · Attach required documentation

TO THE ZONING BOARD OF ADJUSTMENT/APPEALS: Please take notice that the undersigned was denied a permit or seeks an appeal of the Zoning Administrator for:

For erecting a sign that met the former ordinances when we began the process but now does not meet the new ordinance that was enacted on December 12<sup>th</sup>.

Parcel ID#: 194032124021001

CSM#: 3534

in Racine County, Wisconsin, for the reason that the application failed to comply with Chapter 20 (Zoning) of the Racine County Code of Ordinances with respect to:

Newly enacted Ordinance Section: 21-1412 – Electronic Signs. Enacted December 12<sup>th</sup>.

1) Explain how the Ordinance creates an **unnecessary hardship** and in the absence of approval no feasible use can be made of the property.

We leased the building with the expectation that we would be able to advertise the products we are manufacturing to facilitate our growth. This would not make the building unusable; it would severely hamper the ability to grow to the level we had projected. We need the ability to advertise our range of products and one of the primary factors for choosing this location was the fact that signage would be very visible to the highway. The special use permit we were granted had a sign ordinance that we were compliant with, but the newly enacted ordinance made our existing plans non-compliant. We've invested in a sign that is no longer compliant with the new ordinance.

2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure.

The proximity to I-94 represents a unique opportunity to gain visibility to our customers for the wide arrange of products we manufacture.

3) Describe how the approval would not create **substantial detriment** to adjacent property or materially impair or be contrary to the purpose and spirit of zoning or the public interest.

This is a newly enacted ordinance, and we are not hindering or impairing anyone around us. We would be more than willing to, in the event of an emergency or an urgent need to communicate a message, allow the use of our sign to the appropriate parties to communicate the public message.

4) Explain how the request is not based on **economic gain or loss** and is not **self-imposed**

The hope was the sign would help us grow and increase the number of employees we would bring into that location, immediately and for future growth. In turn, will increase the sales tax and property tax revenue for the community.

