

RESOLUTION NO. 2023-05

**VILLAGE OF YORKVILLE
RACINE COUNTY, WISCONSIN**

RESOLUTION SUPPORTING THE GRANTING OF A VARIANCE TO 2730 SYLVANIA AVE, LLC (WITH HANDI PRODUCTS AS APPLICANT/AGENT) FOR A SIGN TO EXCEED THE ESTABLISHED LIMIT FOR LED USAGE ON A SIGN FACE IN THE VILLAGE OF YORKVILLE CODE OF ORDINANCES FOR A SIGN ON THE PARCEL LOCATED AT 2730 SOUTH SYLVANIA AVENUE (WEST FRONTAGE ROAD) (PARCEL ID # 194-03-21-24-021-001) IN THE B-3 (COMMERCIAL SERVICE) ZONING DISTRICT

THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, RESOLVES AS FOLLOWS:

RECITALS

WHEREAS, prior to December 12, 2022, the zoning code for the Village of Yorkville (“Village”) placed no restrictions on the use of light-emitting diode (“LED”) sign faces within the Village, and

WHEREAS, the Yorkville Village Board (“Board”) approved Ordinance 2022-07, entitled "An Ordinance repealing and recreating Chapter 55, Article IX of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, related to signs", on December 12, 2022, and

WHEREAS, Ordinance 2022-07 significantly changed sign regulations in the Village of Yorkville, and

WHEREAS, the new sign code limits the portion of a sign face comprised of LED components to be 30% or less of the total sign area, and

WHEREAS, Handi Products consulted with Racine County (“County”) as the zoning administrator for the Village regarding compliance with the previous sign code before the adoption of the new sign code on December 12, 2022, and

WHEREAS, when the new sign code was passed, Handi Products and the County had spent considerable time working on detailed plans for a sign with an entirely LED sign face, which conformed with the previous sign code but was in violation of the new sign code, and

WHEREAS, when the new sign code was adopted by the Board, Handi Products had not submitted an application for a sign permit, but was still working in earnest on plans for an application submittal, and

WHEREAS, Handi Products will appear before the Village of Yorkville Zoning Board of Appeals on March 1, 2023, to request a variance to construct the sign Handi Products

spent considerable time and money on plans and consultations for prior to the sign ordinance update.

NOW, THEREFORE, BE IT RESOLVED, that the Village hereby supports the approval of a variance by the Village of Yorkville Zoning Board of Appeals for Handi Products regarding their proposed sign at 2730 South Sylvania Avenue (West Frontage Road). The particular circumstances that lead to this variance request are unique. Although no application was submitted before the new sign code was adopted on December 12, 2022, Handi Products invested considerable time into ensuring the sign plans that would accompany a future application would comply with the previous sign code as Handi Products and the County knew it prior to the sign code change. Redesigning the sign entirely to comply with the new sign code at this point in the design and application process, when the design was completely in compliance with the sign code at the time of the planning process, would be unfair.

This Resolution was adopted by the Yorkville Village Board on February 13, 2023.

VILLAGE OF YORKVILLE

Ayes: 5

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Michael McKinney
Michael McKinney, Administrator/Clerk

Abstentions: 0

Absences: 0