

EDGERTON COMMUNITY BUILDING
EDGERTON BOARD OF ZONING APPEALS
December 11, 2018
6:45 PM
Minutes

The Edgerton Board of Zoning Appeals convened with Vice Chair Tim Berger calling the meeting to order at 6:45 p.m.

The Roll Call was answered, indicating those present were: Commissioners Tim Berger, Charlie Crooks, Jeremy Little. Absent were Commissioners Andrew Merriman and John Daley. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Assistant City Administrator Scott Peterson, Development Services Director Katy Crow, and City Clerk Rachel James.

The City Clerk indicated a quorum was present.

MINUTES

The meeting minutes of May 8, 2018 were considered.

Motion by Crooks, Second by Little, to approve the minutes. Motion was approved, 3-0.

PUBLIC HEARINGS

PUBLIC HEARING – VARIANCE REQUEST FOR 32180 W. 191ST STREET, BZA2018-01

The opening of a public hearing in regards to an application requesting consideration and approval of a variance from the signage requirements in L-P District districts required under the Unified Development Code Article 5, Section 5.2.P(17.e) Applicant/Agent: Bucky Brooks, Midwest Gateway Ventures, LLC

Commissioner Berger opened the public hearing.

Katy Crow, Development Services Director, introduced the variance request from Midwest Gateway, who requested signage in order to lease the building. There are two (2) specific parts of the UDC they requested to be a variance. First, the applicant requested to hang the banner directly on the building. Second, the applicant requested a larger size than 500 square feet. The variance request is a banner that is 10 feet by 500 feet. Midwest Gateway requested this variance for the period of one (1) year.

Ms. Crow outlined the five (5) factors that must be true for a variance to be granted. First, the variance arises from a condition unique to the property in question and is not a general condition found in the neighborhood. The applicant stated in the variance application that the request is due to the large building face at the Midwest Gateway site and the signage being requested will only be 1.5% of the south facing elevation. Second, that granting the variance will not adversely affect the rights of adjacent property owners or residents. The applicant stated in the variance application that granting the variance will not adversely affect the rights of adjacent property owners or residents as it will not contain any wording or imagery that refers to any other property. Third, strict adherence to the regulations in the specific case will constitute unnecessary hardship upon the property owner requesting the variance. The applicant stated in the variance application that leasing the property is dependent on marketing,

and signage plays a significant role in leasing the property which in turn attracts tenants and jobs to Edgerton. Fourth, the variance desired will not adversely affect the public health, safety, morals or welfare, convenience, prosperity or general order. The applicant stated in the variance application that the variance, if granted, would only describe their building and would not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare of surrounding parcels. Fifth, the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the Zoning Ordinance provisions that are in question. The applicant stated in the variance application the proposed variance is only requested while a lessor is being sought for the property. Once fully leased, the signage would be removed. Ms. Crow outlined the possible finding of fact for approval or denial of the requested variance, including staff's recommendation that the sign be allowed for a period of 180 days.

Bucky Brooks, Midwest Gateway Representative, addressed the Commission and stated the need for the banner and his appreciation working with Edgerton Staff. Mr. Brooks introduced Edna Martinson, Marketing Director for Midwest Gateway. Ms. Martinson spoke on the mock-up of the banner. Mr. Brooks stated their marketing efforts have increased and the intention is to fill the warehouse and bring jobs to Edgerton. Mr. Brooks emphasized that similar warehouses in the county are advertising with large banners.

Commissioner Berger asked Mr. Brooks what percent of the leasing is generated through drive-by marketing. Mr. Brooks stated that figure is not large, but all the bases need to be covered. Commissioner Crooks asked how fast maintenance would be conducted on the signs if there was the need. Ms. Martinson stated that Midwest Gateway works closely with their signage company and they are responsible and would have it repaired as soon as possible.

Mayor Roberts commented that long the building sits vacant, the harder it is on the market. Mayor Roberts state that tours are happening all the time of the warehouses, so potential interested parties driving by could generate interest in leasing the warehouse. Mr. Brooks stated that Midwest Gateway has a personal stake in making sure the signage and business looks good.

Motion to Crooks, second by Little, to close the public hearing. Motion was approved, 3-0.

Motion by Crooks, second by Little, to adopt the possible findings of fact for approval of the requested variance. Motion was approved, 3-0.

ADJOURNMENT

Motion by Crooks, seconded by Little, to adjourn the meeting. Motion was approved, 3-0.

The meeting adjourned at 6:58 p.m.

Submitted by:

Rachel A. James
City Clerk