



"In the Spirit of Town Government"

**TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WI
MINUTES OF BOARD OF APPEALS MEETING
THURSDAY, MARCH 24, 2022 AT 6:00 P.M.
BUCHANAN TOWN HALL, N178 COUNTY RD N, APPLETON, WI 54915**

- 1) **CALL MEETING TO ORDER:** Meeting was called to order by Van Lanen at 6:00 p.m.
- 2) **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.
- 3) **ROLL CALL & VERIFY PUBLIC NOTICE:** Public notice verified. Board members present: Van Lanen, Lenz, Olson, and Stahmann. Also present was Administrator Mahoney, Town Clerk Sieracki, and members from the public. Rottier was absent.
- 4) **APPROVE PREVIOUS MINUTES:**
 - a) July 22, 2021 Board of Appeals Meeting Minutes

Chairperson Van Lanen approved the Minutes from the July 22, 2021 Board of Appeals Meeting.

5) PUBLIC HEARING:

- a) Application for a Variance 2022-01 to Sec. 525-50.6(C)(2)(b) – Signs permitted by districts (total number of signs). Site Enhancement Services for Olive Garden is requesting the variance for W3254 Van Roy Rd, Appleton to allow for the additional signage. Parcel number for the property involved is 030042302.

Van Lanen opened the public hearing at 6:03 p.m.

Van Lanen called for comments favoring application for Variance #2022-01 to Sec. 525-50.6(C)(2)(b) – Signs permitted by districts (total number of signs). Site Enhancement Services for Olive Garden is requesting the variance for W3254 Van Roy Rd, Appleton to allow for the additional signage. Parcel number for the property involved is 030042302. The following spoke favoring the Application for Variance:

- Shawn Smith, 6001 Nitz Parkway, Park Bend, IN stated he was representing Olive Garden for the application for the variance. He stated that Olive Garden will be refurbishing the Uno's building and would like two additional wall signs. He stated that the total number of signs would be the same as what is currently on the building. He stated that he feels the additional signs are required for the footprint of the building. He mentioned that they feel they are within reason and want to meet Corporate standards.

Van Lanen called for comments opposing application for Variance #2022-01 to Sec. 525-50.6(C)(2)(b) – Signs permitted by districts (total number of signs). Site Enhancement Services for Olive Garden is requesting the variance for W3254 Van Roy Rd, Appleton to allow for the additional signage. Parcel number for the property involved is 030042302. No one spoke opposing the Application for Variance.

Van Lanen closed the public hearing at 6:12 p.m.

6) APPLICATIONS FOR APPROVAL OR DENIAL:

- a) Application for a Variance 2022-01 to Sec. 525-50.6(C)(2)(b) – Signs permitted by districts (total number of signs). Site Enhancement Services for Olive Garden is requesting the variance for W3254 Van Roy Rd, Appleton to allow for the additional signage. Parcel number for the property involved is 030042302. – For Approval/Denial.

Before the discussion began, Van Lanen stated "it is this Board's duty to review, hear and discuss the variance application as it relates to signs. The Board functions like a court and must follow state and local ordinances and code. We cannot change or ignore any parts of state law and must apply the laws as written. The applicant may be asked to answer questions however this is not a debate session."

Van Lanen opened the discussion at 6:12 p.m.

Lenz asked Mr. Smith why 5 wall signs are needed. Mr. Smith stated that the current tenant has that many and they are needed for how the building is situated. Multi access points are needed to find the location. Lenz asked if the number of signs was the same for all the Olive Garden buildings. Mr. Smith stated no, however this building is not the same structure as the others and stated this site warrants additional signage. Lenz asked if the public could find the location with the number of allowed signs. Mr. Smith stated yes, but more signs would help in navigating the area. Lenz stated that the location in Buchanan would be easier to access then the one across town and that location has less signs.

It was noted for the record that Mahoney, Lenz, Olson, Van Lanen, and Sieracki had all visited the site for the Olive Garden.

Olson asked if the outside of the building would look like the other Olive Gardens. Mr. Smith stated it would.

Van Lanen asked if Mr. Smith had reviewed the updated memo for the signs. Mr. Smith had. Van Lanen asked about the navigation vs wall signs. Smith stated the additional signs would help the public navigate in the interior area. Van Lanen pointed out that the exposure is already there and the code would allow for an additional monument sign on Van Roy Rd. Smith stated that some of the signs state that there is an Olive Garden but not where it is and that is why more signs are needed.

Staff did not have anything else to add.

The Board of Appeal discussed the types of signs and the application.

Motion Olson/Lenz to deny the variance request by Site Enhancement Services for Olive Garden based on the following facts: The applicant fails to meet all the variance requirements for approval. Roll call vote taken: Lenz: Aye, Olson: Aye, Van Lanen: Aye, Stahmann: Aye. Carried 4 to 0.

7) NEW BUSINESS: NONE

8) OLD BUSINESS: NONE

9) ADJOURN: *Motion by Van Lanen to adjourn at 6:45 p.m. Motion carried 4 to 0 by voice vote.*

Cynthia Sieracki, Clerk
Drafted: March 28, 2022

Chair approved - Date: 04/20/2022