



"In the Spirit of Town Government"

**TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WI
MINUTES OF BOARD OF APPEALS MEETING
MONDAY, MARCH 8, 2010 AT 6:00 P.M.
BUCHANAN TOWN HALL, N178 COUNTY RD N, APPLETON, WI 54915**

- 1) **CALL MEETING TO ORDER:** Meeting called to order by Opsteen at 6:03 p.m.
- 2) **ROLL CALL & VERIFY PUBLIC NOTICE:** Public notice verified. Members present – Opsteen, Hansen and Wallenfang. Also present was Administrator/Clerk Gorall and the applicants.
- 3) **APPROVE PREVIOUS MINUTES**
 - a) November 9, 2009 Board of Appeals Meeting Minutes: Motion by Wallenfang/Hansen to approve minutes. Motion carried 3 to 0.
- 4) **PUBLIC HEARING**
 - a) Application for Variance to Sec. 63-05(7) Permitted Accessory Signs; St. Elizabeth Hospital/Affinity Health System Rehabilitation Services is requesting the variance for N496 Milky Way. Parcel number for the property involved is 030042301: Opsteen opened the public hearing and called for comments in favor of the application. Kusnierz and Brandow of Affinity Health Systems were present and provided a presentation on the sign location request and information about the facility. Opsteen called for comments in opposition to the application. No comments. Motion by Wallenfang/Hansen to close the public hearing. Motion carried 3 to 0.
- 5) **APPLICATIONS FOR APPROVAL OR DENIAL**
 - a) Application for Variance to Sec. 63-05(7) Permitted Accessory Signs; St. Elizabeth Hospital/Affinity Health System Rehabilitation Services is requesting the variance for N496 Milky Way. Parcel number for the property involved is 030042301 – For Approval/Denial: The Board reviewed and discussed the application including all of the listed requirements. The Board also discussed vision corners for the site, traffic increases and the need for wayfinding signage for the site.
 - Variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of the zoning ordinance.
 - The variance will not permit the establishment of a use which is not permitted or permissible in the zoning district.
 - Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
 - The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
 - The hardship is not shared generally by other land or buildings in the area.
 - The hardship results from the strict application of this ordinance and is not the result of self-created or self-imposed circumstances.The Board agreed that all points noted above are favorable to the application. Motion by Wallenfang/Hansen to approve the application as follows:
 - CTH CE/Milky Way Road sign location: four foot setback from CE right of way and four foot setback from Milky Way Road right of way.
 - Van Roy Road /Milky Way Road sign location: 10 foot setback from Milky Way Road right of way and four foot setback from Van Roy Road right of way.Motion carried 3 to 0. The Board also requested an addition to the stop sign on Van Roy Road noting that traffic from Milky Way Road does not stop.
- 6) **FUTURE AGENDA ITEMS**

Future meeting agenda/discussion items and possible action on future Board of Appeals agenda, including specific items for inclusion on or exclusion from future agenda: No future agenda items were presented. Gorall discussed a potential future variance request with the Board to receive guidance on applicability to their involvement.
- 7) **ADJOURN:** Motion by Wallenfang/Hansen to adjourn at 6:43 p.m. Motion carried 3 to 0.

Angela Gorall, Administrator/Clerk
Dated: March 9, 2010

Motion to approve by Wallenfang/Hansen. Date: 4/12/2010.
Carried 3 to 0.