

**VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES**

DATE: Monday, June 3, 2013

**LOCATION: Village of Thiensville
250 Elm Street**

TIME: 5:30 PM

I. CALL TO ORDER

Chairman Mobley called the meeting to order at 5:30 PM.

II. ROLL CALL

Chairman:	Van Mobley	
Commissioners:	John Cabaniss	Carol Gengler
	Sam Cutler	Ken Kucharski
	Rick Gattoni (excused)	Dan Luedtke
Administrator:	Dianne Robertson	
Planner:	Jon Censky	

III. BUSINESS

A. Approval of Minutes

1. May 7, 2013

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Cabaniss to approve the minutes from May 7, 2013. **MOTION CARRIED UNANIMOUSLY.**

**B. Review and approval of a Sign Permit for Reuter & Associates
118 N. Main Street for new signs**

There was no one present to represent Reuter & Associates.

Planner Jon Censky stated that this is another application where a variance will be needed. The Village certainly wants to maintain standards to protect ourselves but in areas like the Main Street development where we want more flexibility this can come from either rezoning the properties through a PUD or generate language for the sign code. This would give the Plan Commission the discretion to allow certain things. Chairman Mobley agrees that the code should be changed so that variances are not the normal result.

The proposed sign that is two-sided is 6.3 square feet and the sign that is above the front doorway is 6.2 square feet. Mr. Censky is going to create more flexible language to the sign code to fit future development especially in the Main Street development area. Is the sign going to read Reuter or Reuters? There were two different drawings with this discrepancy. Mr. Censky will check into this.

Jon Censky stated that the only issue with the signs is the Plan Commission needs to grant a waiver of a 4' setback to 1' setback and to include the following provisions that were in Jon Censky's report:

Proposal:

The Reuter's sign plan consists of a ground monument sign off the southwest corner of their building and a wall sign mounted located above the main entrance on the south facade. My review indicates that both signs are code compliant with respect to the style and size requirements but the monument sign fails to meet the setback requirement from the ultimate road right-of-way.

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According to **Section 16.17b.2.c., a freestanding, pole or monument sign may not be located closer than four (4) feet public road right-of-way, property line or driveway.**

In this instance, the right-of-way is directly behind the front sidewalk and their sign is proposed to be located above the retaining wall 1 foot off the sidewalk. Therefore, Commissioners will need to consider a waiver/modification to this section to approve the monument sign.

The building mounted sign will consist of black anodized aluminum letters directly mounted to the south façade. The lettering will be 8 inches high and the Reuter name will extend 4' wide with the Insurance name 5' wide for a total size of 6 square feet. The monument sign will also consist of individual letters mounted to the sign face which will be of grey stucco material to match the building façade. A white trim will separate the address from the business name.

This sign will be on a base of blue/grey dry-stacked Beaver Dam Lannon Stone located within their green space area above the front retaining wall adjacent to the SW corner of the building.

Planner's Comments:

Because of the limitations to the buildable area of this site as a result of minimal lot depth couple with the presence of the Pigeon Creek floodplain, the green space where the monument sign is proposed is only 8.72.wide. Since the base of the sign measures 5'6", it fails to meet the required setback requirement. As Commissioner's know, **Section 16.24** of the Sign Code now reads that **the Planning Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.** This provision was added to provide more flexibility for Commissioners to approve quality signs that generally met the intent of the code but failed to meet the letter of the law. Since this monument sign is critical for south bound traffic to locate the business and since there is no other practical place on site to locate the sign, the applicant has a legitimate argument for a modification to code requirements to provide needed visibility. Accordingly, the applicant is seeking a modification of the 4 foot setback to a 1 foot setback in order to place the sign above the retaining wall. Approval should be subject to the following:

- Prior to the installation of their signs, the applicant must secure the necessary sign permit.
- The signs being install in accordance with the plans approved by the Plan Commission on 6/3/2013

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Gengler to approve a Sign Permit for Reuter & Associates, 118 N. Main Street for new signs to include a waiver of a 4' setback to a 1' setback.

Commissioner Cutler feels that the applicant should be present for the approval process.

Ayes: Commissioners Cabaniss, Gengler, Kucharski, Luedtke and Chairman Mobley.

Naes: Commissioner Cutler

MOTION CARRIED.

C. Review and approval of a Building Permit for Elissa Elser, 311 Park Crest Drive for a swing set

Elissa Elser was in attendance. The Elser's currently have an old swing set that is not safe that they want to remove and put up a new one. The new location is the rear corner of their lot and is the same size as the existing set. Ms. Elser will talk to her neighbors but does not see any problems.

MOTION by Commissioner Cutler, **SECONDED** by Commissioner Luedtke to approve a Building Permit for Elissa Elser, 311 Park Crest Drive for a swing set contingent upon talking to the neighbors. **MOTION CARRIED UNANIMOUSLY.**

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D. Review and approval of a Building Permit for Roland Runge, 415 Grand Avenue for a shed replacement

Roland Runge was in attendance. Mr. Runge wants to put up the Pewaukee shed model from Shedwerks. The shed will be 150 square feet which meets the shed size requirements and is 11' high. This is a replacement shed. The shed will be placed in the same area and will be lengthwise on the property.

Mr. Runge wants to put asphalt under the shed to make the shed look crisp and clean. The color will be white or barn red. Chairman Mobley prefers white.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to approve a Building Permit for Roland Runge, 415 Grand Avenue for a shed replacement to be either red or white in color. **MOTION CARRIED UNANIMOUSLY.**

E. Review and approval of a Building Permit for Paul Jirovetz, 425 Park Crest Drive for a new fence

Paul Jirovetz was in attendance. The fence will be placed around the back yard and within 5 feet of the back of the house. The purpose of the fence is privacy, a small child and two large dogs. All the neighbors are aware of the new fence and there were no concerns.

MOTION by Commissioner Gengler, **SECONDED** by Commissioner Luedtke to approve a Building Permit for Paul Jirovetz, 425 Park Crest Drive for a new fence. **MOTION CARRIED UNANIMOUSLY.**

F. Review and approval of revised site elevation plans, deck size and square footage for Arthur Liebau, 715 Riverview Drive

Bruce Stern of Inland Construction was in attendance. The size of the house has been reduced by 392 square feet to 4,333 square feet. It is proposed to remove the stone from the front of the home and to reduce the rear wood deck in size. The house will be all hardy plank siding. The main colors of the siding will be a darker gray with a lighter gray trim but the colors may change slightly. Any changes will be submitted at a later date. There will be a patio installed on the lower level in the same place as there is now. The deck on the back of the house will be large enough for a grill and a small table and chairs. Administrator Robertson asked how does this fit into the floodplain elevation?

Mr. Stern answered there currently is a lower level walkout from the basement and this area will have a small foundation wall around it with a drain and a separate pump system and will conform to all floodplain regulations. The revised plan will not have any rock or stone on the house.

Chairman Mobley commented that every house along this area has at least some rock or brick on the front face of the home. Mr. Stern stated that there are a number of homes in the nearby cull du sac that do not have any stone or brick. Planner Jon Censky commented that there is a suggestion in the architectural code, Section 17.112(10) that there should be a change in materials when there is reconstruction of a home to include some sort of stone or brick look. The Plan Commission approved the house initially with the brick/stone on the front and the Commissioners would prefer to see brick or stone on the front of the house rather than just hardy plank siding all throughout. This will add to the value of the home.

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MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Cutler to approve the revised site elevation plans, deck size and square footage for Arthur Liebau, 715 Riverview Drive with the exception to maintain some type of brick or stone element to the front of the home with final authority/approval by Planner Jon Censky and Administrator Robertson. **MOTION CARRIED UNANIMOUSLY.**

G. Conceptual review pertaining to Little Free Libraries as an allowable use in the Zoning Code

Carol Gengler was in attendance of course as a Plan Commissioner and this is her request. These libraries are coming to fruition all over the country. These libraries are being placed in commercial, business, school and residential areas. Ms. Gengler wants to place one outside her business at 102 S. Main Street, Interior Garden Art Studio. People can look at the books and take them if they choose. If this gets approved Ms. Gengler would register the library and the registered number would be inside the library. The library would be taken in when winter comes. The Historic Preservation Commission was in favor of this. Ms. Gengler would paint the box to match the building.

Commissioner Cutler asked if this would be considered a conditional use but there is nothing in the code regarding this. Mr. Censky does not feel that this type of use warrants a conditional use. The question is what districts should the libraries be allowed in. Chairman Mobley does not want unkempt little libraries scattered about the Village with no ability to move them out. He wants to be able to get rid of unsightly boxes. Mr. Censky recommended that the motion should be stated that the Village requires these to be maintained and if not maintained the Village has the authority to remove the box at any time and that can come pick it up by the owner if they wish. If a conditional use was applicable then it would could be reviewed on a yearly basis. Commissioner Cutler asked if these get put up in the right-of-way in other municipalities. Other municipalities require them to be placed on public places or private property. The Plan Commission does not want to regulate where these can be placed at this time. Under Section 17.0204 Use Regulation in the Zoning Code it reads: **Uses Not Specified** in this Ordinance and which are found to be similar in character to principal uses permitted in the district may be permitted by the Plan Commission.

The Plan Commission stated to Ms. Gengler that she should put the little library up at her own risk they preferred not to make a motion.

All applicants or their contractors must be present for any approvals.

IV. BUSINESS FROM THE FLOOR

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

V. ADJOURNMENT

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Cabaniss to adjourn the meeting at 6:58PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Approved by,

Susan R. Conway
Administrative Assistant

Dianne S. Roberson
Village Clerk