

**Minutes**  
**City of Burlington Plan Commission**  
**Police Dept. Courtroom**  
**July 14, 2009, 6:30 p.m.**

Mayor Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. followed by roll call: Aldermen Tom Vos and Steve Rauch; Commissioners Darrel Eisenhardt, Chris Reesman and Bob Henney were present. Commissioner John Lynch was excused. Town of Burlington Representative Phil Peterson was absent. Also present were City Administrator Kevin Lahner and Building Inspector/Zoning Administrator Patrick Scherrer

**APPROVAL OF MINUTES**

Alderman Vos moved and Alderman Rauch seconded to approve the minutes of June 9, 2009. All were in favor and the motion carried.

**CITIZEN COMMENTS**

None.

**PUBLIC HEARINGS**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

**A. Consideration to recommend approval to the Common Council of an Extraterritorial Certified Survey Map for Art and Eileen Naber at 29929 Plank Road in the Town of Burlington, subject to Kapur & Associate's June 24, 2009 and Patrick Meehan's June 29, 2009 memorandums to the Plan Commission.**

- Mayor Miller opened this issue for discussion.
- There were no comments.

Alderman Vos moved and Commissioner Henney seconded to recommend approval of an ETZ CSM for 29929 Plank Road, subject to Kapur and Associates' June 24, 2009 and Patrick Meehan's June 29, 2009 memorandums to the Plan Commission as follows:

All in favor and the motion carried. This item will move on to the July 21, 2009 Committee of the Whole meeting.

**B. Consideration to recommend approval of Ordinance 1886(7) to the Common Council to amend Section 315-104, Zoning Board of Appeals Variance Appeals and Applications and Section 315-106A(1), Zoning Board of Appeals Preservation of Intent of the Municipal Code.**

- Mayor Miller opened this issue for discussion.
- Alderman Vos questioned the point of reducing the time frame to appeal if the current system is working. Patrick Scherrer responded by stating that ninety days is too long of a period due

to the fact that violators typically have thirty days to comply with a violation notice. He further stated that the ninety day period did not match current zoning compliance codes.

- Commissioner Eisenhardt questioned if thirty days is enough time for someone to comply with a violation notice. Mr. Scherrer stated that it goes case by case as to how much time there is to comply, such as a fence violation is thirty days, whereas a large scale project may be sixty days.
- Mayor Miller reminded the commission it is the appeal time that is proposed to be changed, not the compliance time.
- Commissioner Eisenhardt questioned if ninety days could drag out the timeliness of complying with a violation notice. Mr. Scherrer agreed it could especially with the time needed to conduct a Zoning Board of Appeals meeting after the application is received.
- Alderman Rauch questioned if this deals with any kind of variance issue, not just violations? Mr. Scherrer responded yes.
- There were no further comments.

Commissioner Eisenhardt moved and Alderman Rauch seconded to recommend approval of Ordinance 1886(7) to the Common Council.

All in favor and the motion carried. This item will move on to the July 21, 2009 Committee of the Whole meeting.

**C. Consideration to recommend approval of Ordinance 1887(8) to the Common Council to amend Section 315-70, Electric Signs of the Municipal Code.**

- Mayor Miller opened this issue for discussion.
- Alderman Vos questioned why the size of the electric sign needs to be reduced. Mayor Miller explained it has to do with aesthetics. Administrator Lahner also responded stating there were two reasons for proposing the changes; first, technology for electric signs has changed that has allowed for more color variations that are sharper and less distracting, and second, too many large scale signs close in area, such as the north STH 36/83 corridor, could become overwhelming and hazardous to drivers.
- Alderman Vos stated he would like to see the sign ordinance revisited. He further questioned if there had been any complaints regarding the current electronic signage in the city. Mr. Lahner stated there was none that he was aware of. Alderman Vos further stated he is concerned that this change might limit a business's potential for advertising.
- Commissioner Eisenhardt questioned if the current electronic signage in the city will be in compliance with code if this change goes through. Administrator Lahner explained that they will be "grandfathered" in until the time that they make any changes to the sign. At that time they would need to come into compliance with the code.
- Commissioner Reesman stated that at the 150 square foot maximum signage requirement, 37 square feet could be used for electronic signage under this proposal. He felt this might encourage business owners to put up larger signs.

- Alderman Vos questioned if this proposal is for freestanding signs only or would it include wall signs. Mr. Scherrer responded stating it would be freestanding signs only.
- Administrator Lahner reminded the commission that this change will further give businesses the use of more colors on the electronic sign than what is currently allowed, which is ultimately at the request of business owners.
- There were no further comments.

Commissioner Reesman moved and Alderman Rauch seconded to recommend approval of Ordinance 1887(8) to the Common Council.

All in favor and the motion carried. This item will move on to the July 21, 2009 Committee of the Whole meeting.

**D. Consideration to recommend approval of Ordinance 1888(9) to the Common Council to amend sections of the Municipal Code regarding floodplains to adopt new Flood Rate Insurance Maps in portions of the city lying in Walworth County and align with State and FEMA mandated floodplain provisions.**

- Mayor Miller opened this issue for discussion.
- Administrator Lahner explained to the commission that the floodplain in this are will not change with the new maps.
- Alderman Vos questioned if the buildable area for hangars at the airport would be affected. Administrator Lahner stated it would not.
- There were no further comments.

Commissioner Eisenhardt moved and Commissioner Henney seconded to recommend approval of Ordinance 1888(9) to the Common Council.

All in favor and the motion carried. This item will move on to the July 21, 2009 Committee of the Whole meeting.

**OTHER MATTERS**

None.

**ADJOURNMENT**

Alderman Vos moved and Alderman Rauch seconded to adjourn the meeting at 6:57 p.m. All were in favor and the motion carried.

Recording Secretary  
Megan E. Johnson  
Assistant to the City Administrator