

BOARD OF APPEALS

NOTICE IS HEREBY GIVEN that the Board of Appeals of the Village of Hales Corners will convene at the Municipal Building located at 5635 South New Berlin Road, on **May 28, 2025 at 6:00 P.M.** regarding a request by Midwest Apartment Management LLC, Kevin Deters, acting for agent, for the property located at 10125 W. Plum Tree Circle, for the necessary variance to install a replacement monument sign two (2) feet from the front yard setback on parcel number 705-9999-002.

Per Village Code Article XI Signs and Billboards section §445-11.5 Sign setbacks required. B. Front yard setbacks. All monument signs shall be located at least 10 feet from the front property line and all ground mounted sign locations are subject to review regarding vehicular hazard and obstruction.

Per Village Code Article XI Signs and Billboards section §445-11.14 B. Legal nonconforming status (1) The sign loses its nonconforming status if one or more of the following occur, (a) The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this article than it was before the alteration, or the cost or value of such alteration exceeds 50% of the value of such sign before the alteration as determined by the Village Assessor.

All interested persons will be given an opportunity to be heard at this meeting.

Dated May 8, 2025

Sandra M. Kulik
Village Administrator

Publish: CNI – Hales Corners Now 2X: May 14, 2025 and May 21, 2025

Interested parties

VARIANCE PETITION

Village of Hales Corners, WI

Date: 04/21/2025

BA _____

Subject Parcel Location

Address

10125 Plum Tree

City

Hales Corners

Zip

53130

Parcel No.

705-9999-002

Zoning

THE UNDERSIGNED, does hereby respectfully petition the Village of Hales Corners Board of Zoning Appeals to appeal the following zoning regulation or decision of the Zoning Administrator, as it applies to the above subject property [to be completed by staff].

Petitioner requests to install a replacement monument sign at 35 sq feet and 6.66 feet overall height on the existing footing.

Request was denied as Section(s) 445-11.5 of the Village of Hales Corners Zoning Ordinance monument signs require a 10 foot setback from the property line.

In accordance with Section 445-17.5 of the Zoning Ordinance, the reasons for the petition are: [to be completed by petitioner] (additional sheets may be necessary)

We are replacing the existing monumwnt sign with a smaller sign on the existing footing. There is already existing landscaping in that area. If we were to move the sign farther back off of W College Ave, then it would lose its visibility, and it would also crowd into the residential street Plum Tree Ct.

The following are attached in accordance with the requirements of Section 445-17.2(c) of the Ordinance:

- ☐ Full Plat of Survey drawn to scale showing all of the information required under this Ordinance for a Zoning Permit (not to exceed 8½ x 14" format)
- ☐ Names, Addresses and Parcel numbers of all property owners abutting and opposite the subject property
- ☐ Additional Information as required by the Zoning Administrator
- ☐ Fee of \$ _____ (Section _____)

PROPERTY OWNER

Signature

Scott Snow

Name Midwest Apartment Management LLC,
d/b/a Plum Tree Apartments

Address 10459 W College Ave

City Hales Corners State WI Zip 53130

Phone (414) 529-3334

AGENT*

Signature

Ben Detz

Name Metro Signs & Lighting

Address 11444 Kaltz Ave

City Warren State MI Zip 48089

Phone 586-759-2700

***If Applicant is other than property owners, both signatures are required.**

For Office Use Only: Submit by _____ Public Hearing _____ Action _____

VARIANCE/BOARD OF APPEALS PROCESS

A variance may be requested under Chapter 445 of the Village of Hales Corners Zoning Code. The Board of Appeals (BOA) is a quasi-judicial body that hears and acts upon variance requests. It is a citizen board appointed by the Village Board of Trustees.

FEES:	Commercial Zoning Variance	\$400.00
	Residential Zoning Variance	\$295.00
	Sign Code Variance	\$295.00

SUBMITTALS: A completed application form, fee, and support documentation shall be submitted at least 20 days prior to the regularly scheduled BOA meeting. Meetings are held on the second Monday of every month (unless otherwise noticed.)

Support documentation (7 copies) should be submitted in a reproducible 8½ x 11 or 8½ x 14 format. Documents must be sufficient to clearly detail the request and provide reasons as to why compliance with the existing code requirements cannot be met.

Support documentation shall include:

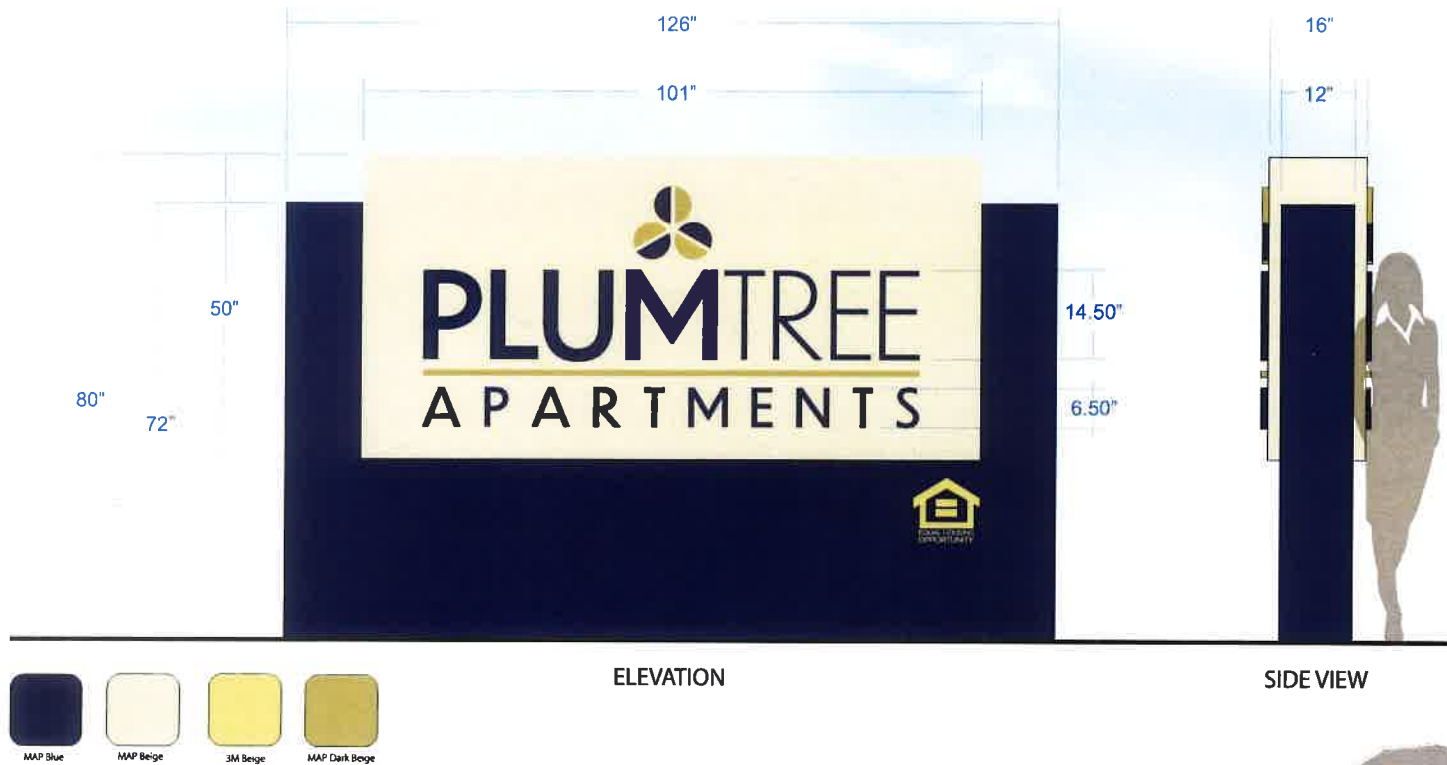
- Survey or site plan showing exact and dimensioned project location
- Photographs of existing situation
- Proposed building plans or sign rendering
- Other information as required by the Zoning Administrator

RATIONALE: Under State law and local ordinance, the BOA may only grant variances if the following can be demonstrated:

- Exceptional Circumstances. There is something unusual or exception about the lot or the use of the lot (which does not apply to similar lots or uses) which causes the applicant to request the variance.
- Absence of Detriment. The variance requested will not have any negative affects on the neighboring properties.
- Hardship not Created by Owner. The current or prospective property owner has not created a need for this variance. The hardship or difficulty must be peculiar to the subject parcel in question and different from that of similar parcels. Generally, hardships arise because of some unique property limitation of a parcel that will not accommodate a structure of reasonable design or size for a permitted use, if all area, yard, and setback requirements are observed.

PROCESS: Upon receipt of a complete submittal, the petition will be scheduled for a public hearing before the BOA. A hearing noticed is published in the official newspaper (Southwest NOW), and notices are sent to the petitioner and all adjacent property owners to the subject site.

At the hearing, the applicant will be given the opportunity to present their request and the BOA may allow interested parties to make statements in support of or against the request. The BOA will then deliberate and render a decision. The BOA may approve, approve with conditions, or deny the variance petition. The Zoning Administrator will notify the petitioner in writing of the BOA determination. If denied, the petitioner has 30 days to file an appeal in circuit court.



Aluminum face with surface mounted
non-illuminated cut-out dimensional
letters & graphics



METRO SIGNS & LIGHTING

METRO DETROIT OFFICE:
11444 Kaitz Avenue, Warren, MI 48089

GRAND RAPIDS OFFICE:
6490 E. Fulton, Ada, MI 49301

Phone: 586-759-2700
www.metroisal.com

Project:
PLUMTREE Apartments

Project Description:
Monument Sign

Address:
10459 W College Avenue
Hales Corners, WI 53130

Date:
1/23/2025

File Name:
230715 PLUMTREE Apartments.cdr

Drawing Title:
230715 PLUMTREE Apartments
A-1 Monument Sign
REV-00 Pg 1

Square Footage:
50"x101" Sign Face - 35 Sq. Ft.

PRESENTATION ONLY

Revision Number REV-00	
Sales: Eric Ropelewski	Drawn By: Connie Fotiu

Project Number
230715

Revised By: XXX

Date: XXX

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Hales Corners, WI 53130

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230715 PLUMTREE Apartments.cdr

Drawing Title:
230715 PLUMTREE Apartments
A-1 Monument Sign
Presentation REV-00 Pg 2

Square Footage
50"x101" Sign Face - 35 Sq. Ft.

PRESENTATION ONLY

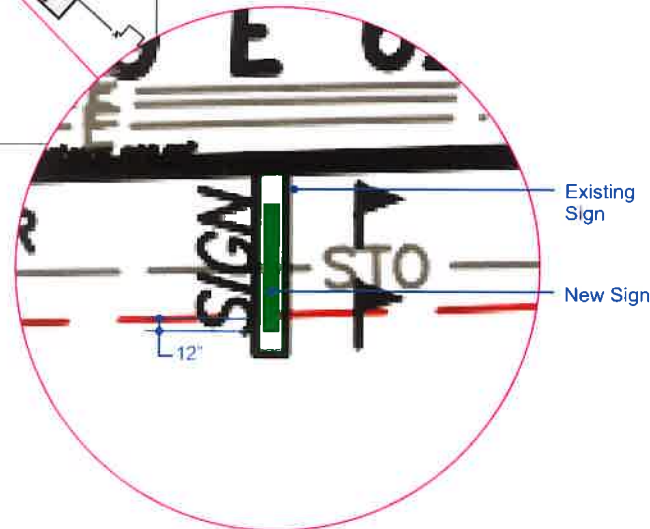
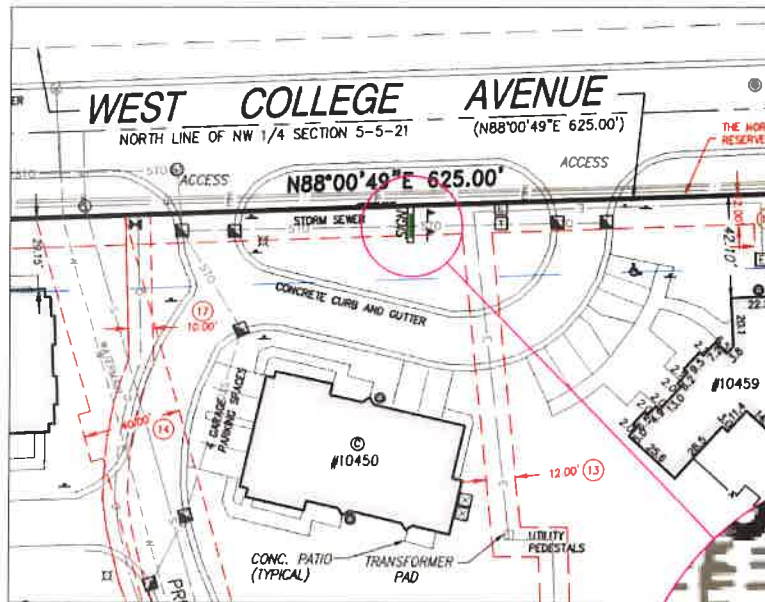
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Project:
PLUMTREE Apartments
 Project Description:
Monument Sign
 Address:
**10459 W College Avenue
 Hales Corners, WI 53130**
 Date:
2/6/2025

File Name:
230715 PLUMTREE Apartments.cdr

Drawing Title:
**230715 PLUMTREE Apartments
 A-1 Monument Sign
 Site Details REV-00 Pg 3**

Square Footage
50"x101" Sign Face - 35 Sq. Ft.

FOR PERMITTING	
Revision Number REV-00	
Sales: Eric Ropelewski	Drawn By: Connie Fotiu
Project Number 230715	
Revised By: XXX	
Date: XXX	

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Supplemental Narrative – 10459 W College Ave

Exceptional Circumstances. We are proposing to install a replacement monument sign on the existing footing. There is existing landscaping in that area already. Furthermore, if we were to move the sign 10 feet back off of College Ave, then it would lose its visibility, and it would also encroach into the residential street Plum Tree Ct.

Absence of Detriment. We are requesting to replace the existing monument sign with a smaller monument sign. The sign is being proposed in the same location using the existing footing. Therefore, if this variance is granted, it will not have any negative effects on the neighboring properties. In fact, the proposed new sign is smaller and looks much nicer than the existing sign.

Hardship not Created by Owner. The existing monument sign looks a bit old and outdated. As such, the sign needs to be updated. The need for this variance was not created by the owner. The proposed new sign is smaller than the existing sign, and it is proposed in the same spot using the existing footing. If the monument sign is moved back 10 feet off of College Ave, then it would encroach into the residential street Plum Tree Ct.