

**MINUTES OF THE BOARD OF APPEALS OF THE CITY OF CUDAHY, WI.
HELD AT THE MUNICIPAL BUILDING, 5050 S. LAKE DR., CUDAHY, WI.
Wednesday, October 27, 2010**

ROLL CALL

Chairman Harry Savagian called the meeting to order at 6:30 PM with the following members present: Harry Savagian, Will Kaszuba, Kathy Wojtysiak, Jim Hooper, Neil Jensen and Glen Walters. Alternate member Randy Pheifer was also present and did not vote at this meeting.

OPEN MEETING STATEMENT

The proper open meeting statement was read.

Notice was given that petitioners will be given 10 minutes to make a presentation in support of their request before the Board. If supports present would like to be heard, they shall not exceed 20 minutes. All petitioners shall step up to the microphone and identify themselves and give their addresses before speaking. At the conclusion of statements from the audience the Board of appeals shall deliberate in open session toward a decision. Only members of the Board shall speak at that time and no further comments from the public shall be allowed.

APPEAL NO. 1: To hear the appeal of Centro Properties Group of 40 Skokie Blvd. Suite 600, Northbrook, IL 60062 (Richard Reagan) for property located at 5656 S. Packard Ave.

Type or Building Use: Multi Tenant Center **Zoning:** B-2 w/PUD **Key No:** 678-0096-014

Lot Size: 692' x 665.3'

Requested Variance: To allow Centro to replace existing pylon sign using existing supports which per City Engineering records is 2' from the property line. Current code requires a minimum of 5'.

The reason for denial of approval/permit is as follows:

Cudahy Municipal Code Sec. 17.0603 Existing Nonconforming Signs. B. In the event that any such sign or its supporting structure is hereafter damaged or altered to an extent exceed 50 percent on the replacement cost of the sign, or is removed by any means including an act of God, such sign when restored, reconstructed, altered, repaired, or replaced must conform to the requirements of this code.

17.0608 Signs Permitted in All Business and Manufacturing districts With a Permit: (1) Freestanding Signs. (b) Vision Setback: The sign face may be at the lot line, but must be a minimum of 8.5 feet above grade and any supports must be a minimum of five (5) feet from the lot line.

Owner proposes to use existing base that puts the sign approximately 2' from the Property Line. Code requires a minimum of 5'. A 3' variance is requested.

Mr. Richard Reagan, Property Manager representing Centro Properties Group appeared before the board to present the case. He stated that Centro would like to replace the sign using existing columns and electrical infrastructure. A new sign will be installed and a drawing was presented. The contractor will be Badger Signs. This is the same company that installed the new Pick & Save sign. This is the most economical way to do this and given current economic times, they would like to leave and re-use the existing columns as requested. He stated that the mall is

approximately 75% occupied which also is a hardship for the company. He further stated that the proposed sign will be an enhancement to the property.

MOTION BY NEIL JENSEN, SECOND BY WILL KASZUBA to approve the variance as requested. Motion carried unanimously.

APPEAL NO. 2: To hear the appeal of Richard G. Krzywkowski of 3659 East Somers Avenue.
Type or Building Use: Single Family **Zoning:** RD-2 **Key No:** 632-0597
Lot Size: 30' x 120'.
Requested Variance: Building permit extension of time.

The reason for denial of approval/permit is as follows:

Cudahy Municipal Code Sec. 14.06(11)

Lapse of Permit

- (a) A building permit shall lapse and be void unless building operations are commenced within 4 months from the date of issue, or if the building or work authorized by such permit is suspended for 90 days at any time after work is commenced, except for delays caused by fire, strikes, acts of God or other causes beyond the control of the permittee. The 90 day period shall be cumulative. Construction on any building shall be completed within 24 months from the date of issue of building permit, unless the Board of Appeals grants an extension of time.
- (b) Before any work is commenced after a permit has lapsed, a new permit shall be obtained.

Owner has been issued two permits for the construction of a garage and has failed to complete both times. Most recently on July 19, 2010 a citation was issued for the storage of junk and building materials stored on site for more than 5 years.

Mr. Richard Krzywkowski, resident and owner, would like to build the garage, but has had problems. The walls were roughed in, but fell over. He has removed the shed and all the materials and yard items are in the yard. Some of the lumber is in his yard and some is in storage. He is requesting the variance as requested.

Building Inspector Greg Loferski explained to the Board that the garage has been an ongoing problem for five years. The first permit was taken on September 7, 2005 and Richard has been given citations from the City for junk in the yard.

MOTION BY JIM HOOPER, SECOND BY WILL KASZUBA to deny the appeal as written. Motion carried unanimously.

MOTION TO ADJOURN BY GLEN WALTERS, SECONDED BY KATHY WOJTYSIAK @ 7:47 PM. Motion carried.

Submitted by: Neil Jensen, Secretary