



Building Inspection Division

126 S. Hamilton St.
P.O. Box 2984
Madison, Wisconsin 53701-2984
Phone: (608) 266-4551
Fax (608) 266-6377
www.cityofmadison.com

June 26, 2017

Mr. Ryon Savasta
Adams Outdoor Advertising
102 E. Badger Rd.
Madison WI 53713

Subject: Permit request for advertising Sign Modification, 995 Applegate Road, Permit No: ZONGSN-2017-00327

Mr. Savasta:

You have requested a permit to remove and reconstruct a new sign at a similar location to an existing advertising sign. The changes requested to the sign would increase the height of the sign.

As you know, advertising signs have been prohibited in the City since 1990 and treated as "grandfathered signs" under ss. 31.05(2) and 31.11(1), Madison General Ordinances. MGO 31.05(2)(b) allows existing advertising signs in place since November 1, 1983 to be continued but the sign "...may not be relocated, replaced, expanded, enlarged, repositioned or raised in height, except under sub. (2)(c). Such existing advertising signs may not be restored or reconstructed for any reason..." (Note: sub. (2)(c) is for realignment which does not apply here.)

MGO 31.11(1) states "*Existing advertising signs are nonconforming and permitted to remain only in CC-T, CC, TE, SE, IL, IG Districts as regulated in this section, subject to the nonconforming advertising signs provisions of Sec. 31.05(2). Notwithstanding any other provision of these ordinances, new, relocated and replacement advertising signs are prohibited...*"

Note, the existing advertising sign at this location was originally permitted per a lawsuit settlement between the City and Adams in 1993. Per the terms of the 1993 settlement, all signs erected or relocated under the settlement must comply with all provisions for advertising signs in MGO Chapter 31, as amended from time to time, and once constructed shall be treated in the same manner as any other nonconforming advertising sign under MGO 31.05(2).

Your requested changes to this existing advertising sign would violate the provision of MGO 31.05(2)(b) by increasing the height and replacing the sign with a new sign to accomplish the requested change(s).

Although this sign cannot be altered per MGO 31.05(2)(b), for your information, the following provisions of Chapter 31 also do not allow what is being requested:

1. The proposed sign exceeds height maximum per Sec. 31.11(2)(f),
2. It is not clear what setback is proposed for the new sign faces. If the setback is less than 3' to the property line, the proposed sign does not meet setback requirements per Sec. 31.11(2)(g),

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The proposed sign / sign changes are not in compliance with MGO Chapter 31. Your permit request is hereby denied. Any appeal of this decision may be made to the Urban Design Commission within thirty (30) days, under sec. 31.043(1), Zoning Administrator Appeals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt Tucker", with a stylized, flowing script.

Matt Tucker
Zoning Administrator
City of Madison