



**CITY OF WAUKESHA**

**Administration**

201 Delafield Street, Waukesha, WI 53188  
 Tel: 262.524.3701 fax: 262.524.3899  
 www.waukesha-wi.gov

<b>Committee:</b> Plan Commission	<b>Date:</b> 9/23/2020
<b>Item Number:</b> ID#20-1148	<b>Date:</b> 9/23/2020
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Bridget Souffrant, Finance Director	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> Howell Oaks Homeowners Association, Inc. c/o Howell Oaks Development, LLC - Sign Appeal	

**Details:** The applicant is seeking approval of a Sign Variance to allow two 3' x 3' subdivision identification signs on different lots at the entrances to the Howell Oaks subdivision. Howell Oaks, including the locations of the proposed signs, is zoned RS-2 Single Family Residential. No permanent signs are permitted in RS and RD districts. This restriction is in place since no businesses or commercial uses are permitted in these districts which would need or would be allowed to use a sign. It has been in place for years but previously there was an exemption to allow for subdivision identification signs. That exemption was removed in the 2019 Sign Ordinance update, since it is content-based, and therefore is unlikely to meet the standards identified by the U.S. Supreme Court.

The applicant is the developer of the Howell Oaks subdivision as well as several other residential subdivisions in the surrounding area. All have subdivision identification signs, which were approved by the Sign Review Board prior to 2019. They believe the signs assist with wayfinding and help provide cohesiveness to the neighborhood. Their intention is to combine Howell Oaks with the Welsh Oaks and Oakmont subdivisions into a larger, cohesive "Oaks Neighborhood." Many other subdivisions throughout the city have similar signs as well, also approved before 2019. They have stated that they believe it will be unfair to the residents of Howell Oaks to deny them the same wayfinding and identification that was allowed to their neighbors in the surrounding area. They have also noted that the decorative pillars for the signs would be permitted without any review if they did not have signs on them.

**Options & Alternatives:**

**Financial Remarks:**



**Staff Recommendation:** If the applicant proves that strict application of the Sign Ordinance would be unjust, inequitable, unfair, or unreasonable, the Plan Commission may grant a variance to allow subdivision identification signs for Howell Oaks.