



Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
April 7, 2016

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, April 7, 2016 at 6:00p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. IRVING ONE LLC - TEMPORARY USE PERMIT APPLICATION - TOWN OF RANDALL

IRVING ONE LLC, 6999 E. Business I-20, Odessa TX 79762 (Owner), Peter Schau, Ton 80 Realty Services, Inc., PO Box 578790, Chicago IL 60657 (Agent), requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district) to deploy a Cell on Light Truck (COLT), Tower on Wheels (TOW) and Portable Generator in the A-2 General Agricultural Dist. on Tax Parcel #60-4-119-304-0405, S 1/2 Section 30, T1 N, R19 E, Town of Randall. FYI - W side of CTH P (Richmond Rd.) at the intersection with Musial Rd..

Documents: [SUBMITTED APPLICATION.PDF](#), [EXHIBIT MAP.PDF](#)

2. JASON HERZ - VARIANCE APPLICATION - TOWN OF RANDALL

JOSH HERZ, 33 W Ontario St., #14B, Chicago IL 60654 (Owner), Alma Hall, 12500 344th Ave., Twin Lakes WI 53181 (Agent), requesting a variance (Section V. A. 12.27-6(e): that all accessory buildings shall be located in the side or rear yard only in the R-3 Urban Single-Family Residential Dist.) to construct a 23.9' x 24.9' detached accessory structure in the street yard (required side or rear yard only) on Tax Parcel #60-4-119-192-1290, NW 1/4 Section 19, T1 N, R19 E, Town of Randall. FYI – W side of 402nd Ave. appx. 300 ft. S of intersection with 93rd St..

Documents: [SUBMITTED APPLICATION.PDF](#), [EXHIBIT MAP.PDF](#)

3. CITIZEN COMMENTS

4. APPROVAL OF MINUTES

5. OTHER BUSINESS ALLOWED BY LAW

6. ADJOURNMENT

NOTICE TO PETITIONERS

The petitioners: Irving One LLC and Jason Herz shall be present at the hearing on Thursday, April 7, 2016 at 6:00p.m. at the Kenosha County Center, Conference Room A, 19600 75th Street, Bristol, Wisconsin. You should also meet with your Town Planning Commission and/or Town Board before the date of this hearing. Petitioners in the Town of Somers will meet with the Town Board of Appeals.

NOTICE TO TOWNS

The Town of Randall is requested to be represented at the hearing on Thursday, April 7, 2016 at 6:00p.m. at the Kenosha County Center, Conference Room A, 19600 75th Street, Bristol, Wisconsin. You are requested to either attend or send in your recommendation to the Board.



COUNTY OF KENOSHA

January 2013

Department of Public Works & Development Services

TEMPORARY USE APPLICATION

RECEIVED

FEB 19 2016

Kenosha County
Deputy County Clerk

Owner: Verizon Wireless c/o: Ton 80 Realty Services, Inc.

Mailing Address: P.O. Box 578790

Chicago, IL 60657

Phone Number(s): c/o Peter Schau (773) 919-5112

To the Kenosha County Board of Adjustment:

The Kenosha County Board of Adjustments is required to hear and grant temporary uses by the language set forth in section 12.36-5(a)5 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The owner or assigned agent seeks approval of a temporary use permit.

Parcel Number: 60-4-119-304-0405 Zoning District: A-2

Property Address: 11514 Richmond Road, Twin Lakes, WI 53181 Shoreland: Yes

Subdivision: N/A Lot(s): N/A Block: N/A

Current Use: Musical Festival Venue

REQUIRED BY ORDINANCE

Section: VII. B. 12.36-5(a)5 -

Deployment of Cell on Light Truck ("COLT"), Tower on Wheels ("TOW"), and portable generator to support mobile service during the Country Thunder Music Festival.

Temporary Use being requested:

(Note: petitioner must attach a separate site plan drawing showing the layout of the intended use (stand(s), trailer(s), tent(s), container(s), signage, building(s), etc...) along with a business write-up describing dates of operation, hours of operation, parking, sanitation, employment, safety etc...)

TEMPORARY USE APPLICATION

The Kenosha County Board of Adjustments is authorized to hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses and the Department of Planning and Development has made a review and recommendation. The permit shall be temporary, revocable, subject to any conditions required by the Board of Adjustment, and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.

The burden will be on you as property owner to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the Board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing. The Board will not act on your request unless you or your agent is present.

(1) What would be the effect on this property, the community or neighborhood and the public interest if the temporary use was granted? How can these impacts be mitigated.

These interests are listed as objectives in the purpose statement of an ordinance and may include: drainage, visual impact, parking and fire safety and building code requirements.

The deployment of the proposed Cell on Light Truck ("COLT"), Tower on Wheels ("TOW"), and portable generator by Verizon Wireless will not have a detrimental effect on this property, the community, neighborhood, or the public interest in any way. As the the COLT, TOW, and ancillary equipment is both portable and temporary, they would be deployed to the site without the need for excavation for subterranean foundations, or any other substantial ground disturbance which could result in a permanent alteration or damage to the underlying property. Also, as the temporary tower mast would only extend to an approximate height of 40' AGL, it's visual impact to the surrounding view shed will be negligible from its proposed location within the festival grounds. Furthermore, none of the equipment that Verizon Wireless is proposing to operate will generate any substantial noise or emit any odors when on site.

Finally, the temporary facilities such as the one proposed by Verizon Wireless are considered harmonious with the underlying festival/concert use they support in that they allow Verizon Wireless to meet the extensive increase in the local network demand created by the large concentration of visitors to the event and venue.

The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the temporary use request made herein, during reasonable daylight hours.

Owner's Signature:  _____

Agent: Peter Schau, agent for Verizon Wire Signature:  _____

Agents Address: Ton 80 Realty Services, Inc., PO Box 578790, Chicago, IL 60657 _____

Phone Number(s): (773) 919-5112 _____

BOARD OF ADJUSTMENTS SCHEDULE FOR 2016 PUBLIC HEARINGS

*First and Third Thursday of each month at 6:00 p.m.
Kenosha County Center, 19600 75th Street, Bristol, Wisconsin*

HEARING DATES

JANUARY 7	Filing Date: December 7 Published: Dec. 24 & Dec. 30	JULY 7	Filing Date: June 7 Published: June 24 & June 29
JANUARY 21	Filing Date: December 21 Published: Jan. 8 & Jan. 13	JULY 21	Filing Date: June 21 Published: July 8 & July 13
FEBRUARY 4	Filing Date: January 4 Published: Jan. 22 & Jan. 27	AUGUST 4	Filing Date: July 1 Published: July 22 & July 27
FEBRUARY 18	Filing Date: January 18 Published: Feb. 5 & Feb. 10	AUGUST 18	Filing Date: July 18 Published: Aug. 5 & Aug. 10
MARCH 3	Filing Date: February 3 Published: Feb. 19 & Feb. 24	SEPTEMBER 1	Filing Date: August 1 Published: Aug. 19 & Aug. 24
MARCH 17	Filing Date: February 17 Published: March 4 & March 9	SEPTEMBER 15	Filing Date: August 15 Published: Sept. 2 & Sept. 7
APRIL 7	Filing Date: March 7 Published: March 25 & March 30	OCTOBER 6	Filing Date: September 6 Published: Sept. 23 & Sept. 28
APRIL 21	Filing Date: March 21 Published: April 8 & April 13	OCTOBER 20	Filing Date: September 20 Published: Oct. 7 & Oct. 12
MAY 5	Filing Date: April 5 Published: April 22 & April 27	NOVEMBER 3	Filing Date: October 3 Published: Oct. 21 & Oct. 26
MAY 19	Filing Date: April 19 Published: May 6 & May 11	NOVEMBER 17	Filing Date: October 17 Published: Nov. 4 & Nov. 9
JUNE 2	Filing Date: May 2 Published: May 20 & May 25	DECEMBER 1	Filing Date: November 1 Published: Nov. 18 & Nov. 23
JUNE 16	Filing Date: May 16 Published: June 3 & June 8	DECEMBER 15	Filing Date: November 15 Published: Dec. 2 & Dec. 7
		JANUARY 5	Filing Date: December 5 Published: Dec. 23 & Dec. 28

THERE SHALL BE NO EXCEPTIONS TO DEADLINES AS STATED HEREIN

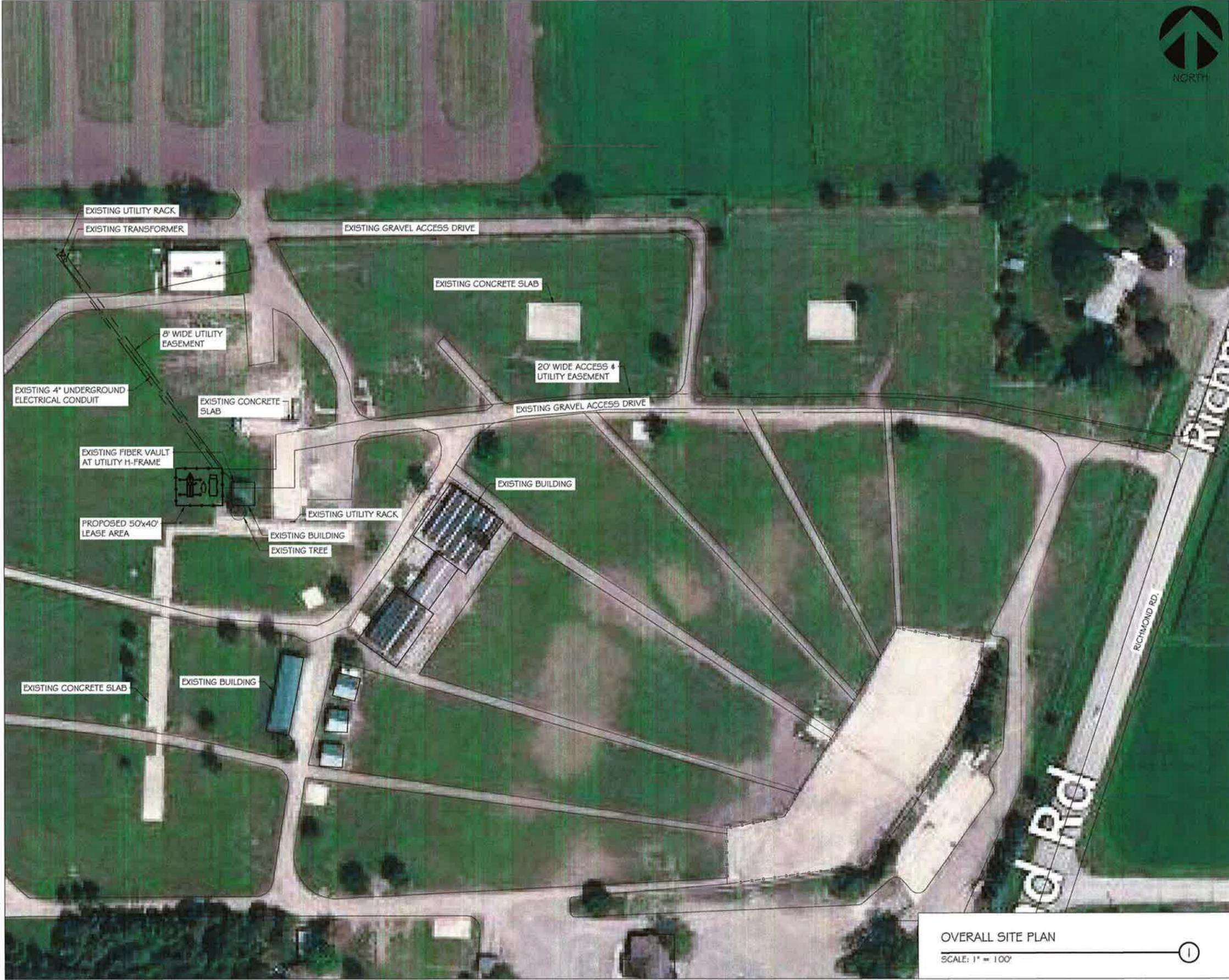
CHAPTER 12, KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE STATES:

12.06-4 LEGAL NOTICE REQUIREMENTS AND TIME LIMITS: Any petition or other matter requiring the publication of a legal notice must be submitted at least one month prior to the requested hearing date as scheduled by the Planning, Development & Extension Education Committee or Board of Adjustments. For purposes on this section, "one month prior to the requested hearing date" shall be defined to mean not later than 4:30 p.m. on the same calendar date of the month preceding the scheduled hearing, or the last day county offices are open prior to the aforementioned deadline. For purposes of the Open Meetings Law, the Director of the Department of Planning and Development shall be delegated the responsibility of informing the County Clerk of both scheduled open and closed meetings so that proper notices may be given.

**ATTACH TO-SCALE SITE
PLAN HERE**

© Copyright 2014 - Ramaker & Associates, Inc. - All Rights Reserved
 DRAWN BY: ABS CHECKED BY: SEW

C:\Users\asimon\appdata\local\temp\AcPublish_5728\Country Thunder_COI.dwg Printed by: asimon on Jan 19, 2016 - 3:03pm



RAMAKER & ASSOCIATES, INC.
 855 Community Drive, Sauk City, WI 53583
 Phone: 608-643-4100 Fax: 608-643-7999
 www.Ramaker.com

verizon
 1515 E. WOODFIELD RD. #1400
 SCHAUMBURG, IL 60173

Continuation & Scale:

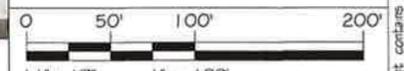
MARK	DATE	DESCRIPTION
ISSUE PHASE	REV. A	DATE ISSUED 01/19/2016

PROJECT TITLE:
COUNTRY THUNDER
 PROJECT INFORMATION:
 11514 RICHMOND RD.
 TWIN LAKES, WI 53181

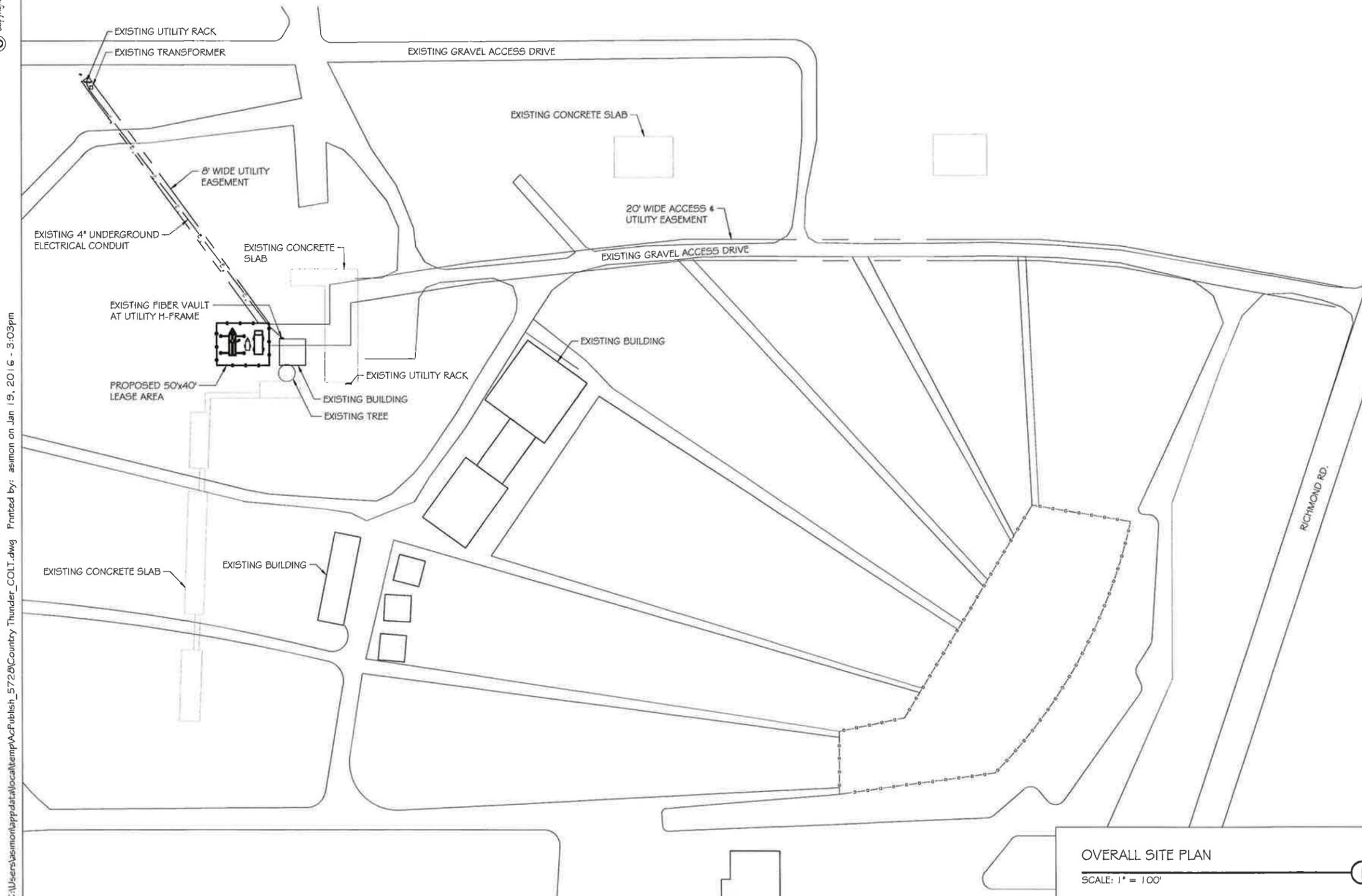
SHEET TITLE:
OVERALL SITE PLAN

PROJECT NUMBER	28661
SHEET NUMBER	A-1

OVERALL SITE PLAN
 SCALE: 1" = 100'



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Continuation & Scale:

MARK	DATE	DESCRIPTION
ISSUE PHASE	REV. A	DATE ISSUED 01/19/2016

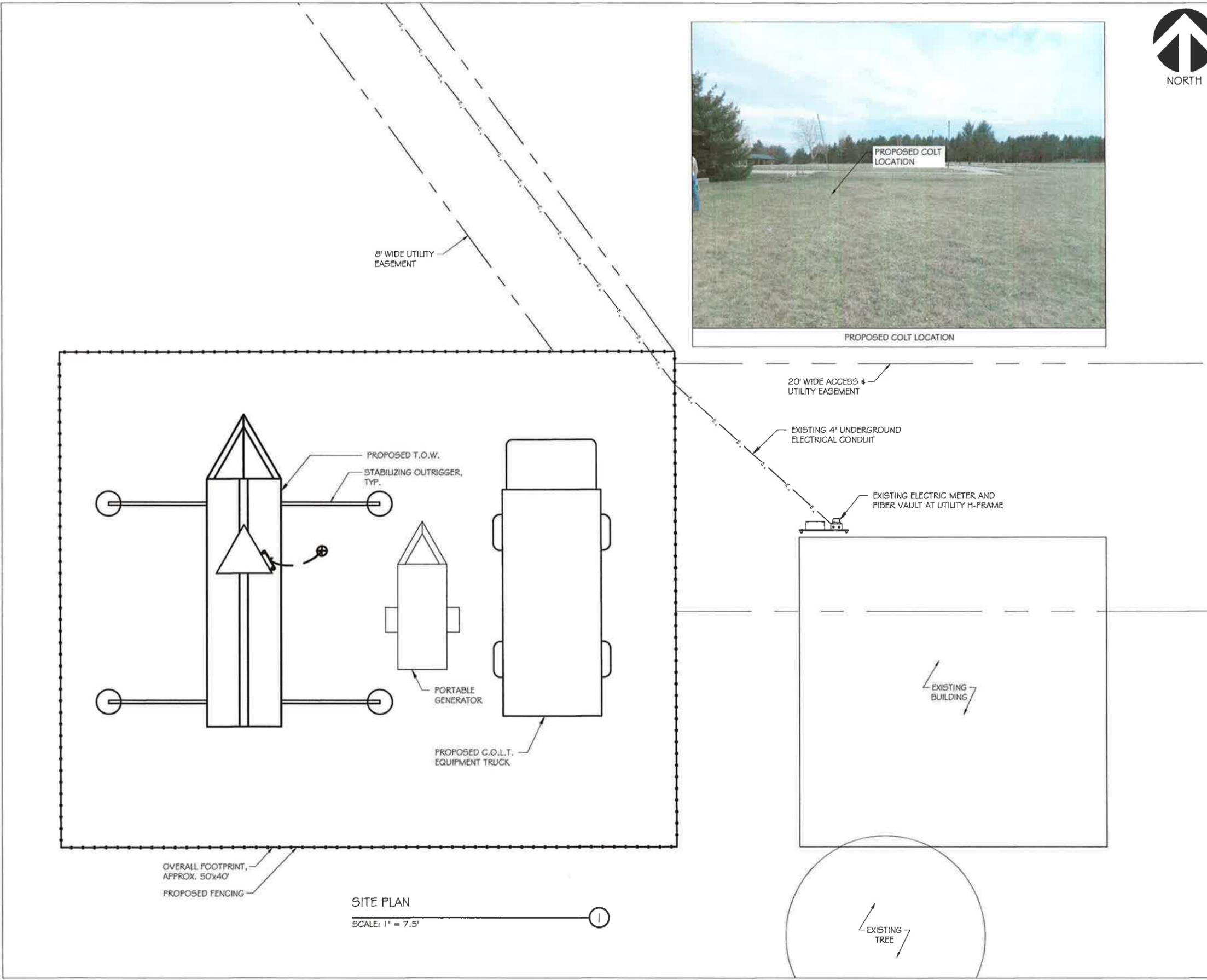
PROJECT TITLE:
COUNTRY THUNDER

PROJECT INFORMATION:
 11514 RICHMOND RD.
 TWIN LAKES, WI 53181

SHEET TITLE:
OVERALL SITE PLAN

0 50' 100' 200'	
1 1/8" x 17"	1" = 100'
22 1/4" x 34"	1" = 50'
PROJECT NUMBER	28661
SHEET NUMBER	A-2

OVERALL SITE PLAN
 SCALE: 1" = 100'



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Certification & Seal:

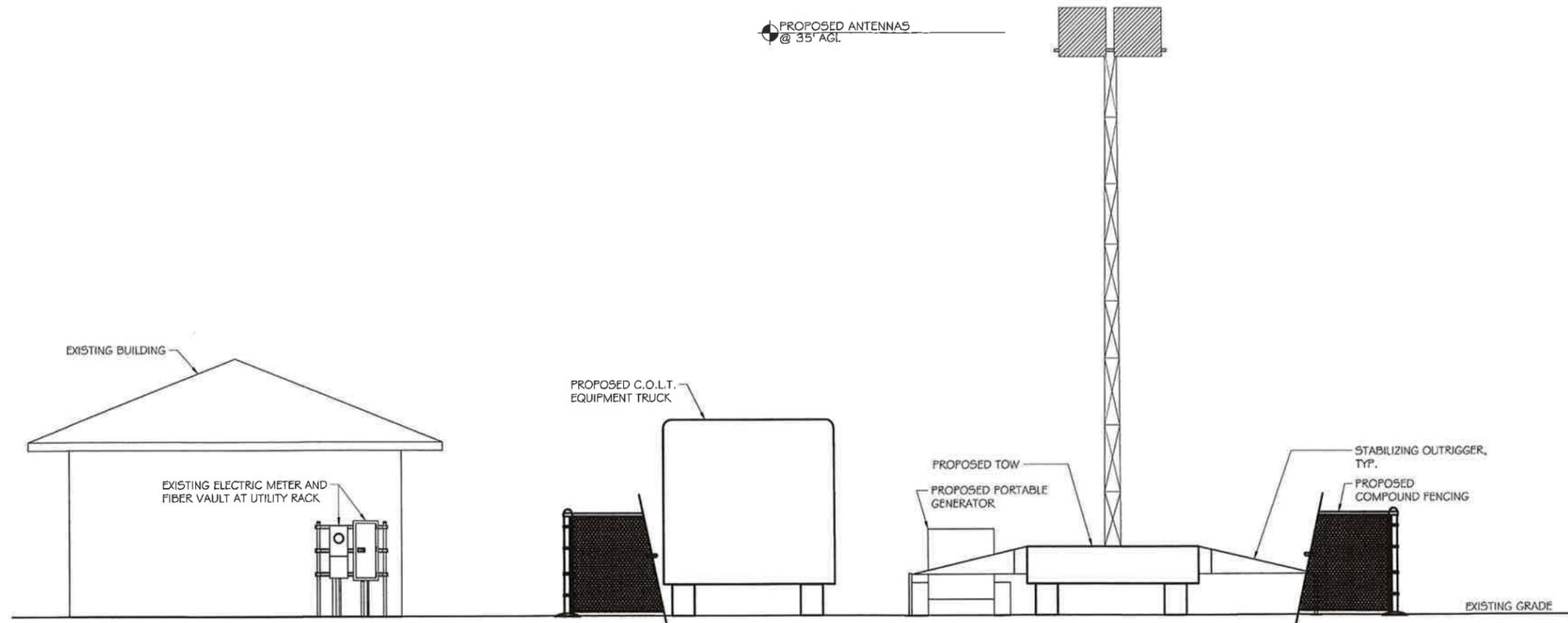
MARK	DATE	DESCRIPTION
ISSUE	REV. A	DATE ISSUED 01/19/2016

PROJECT TITLE:
COUNTRY THUNDER

PROJECT INFORMATION:
 11514 RICHMOND RD.
 TWIN LAKES, WI 53181

SHEET TITLE:
SITE PLAN

0 3.75' 7.5' 15'	
1" = 17'	1" = 7.5'
22" x 34"	1" = 3.75'
PROJECT NUMBER	28661
SHEET NUMBER	A-3



COLT ELEVATION
 SCALE: 1" = 7.5'

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 SCHAUMBURG, IL 60173

Revisions Table:

MARK	DATE	DESCRIPTION

ISSUE PHASE	REV. A	DATE ISSUED	01/19/2016
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PROJECT TITLE:
COUNTRY THUNDER

PROJECT INFORMATION:
 11514 RICHMOND RD.
 TWIN LAKES, WI 53181

SHEET TITLE:
COLT ELEVATION

PROJECT NUMBER	28661
SHEET NUMBER	A-4

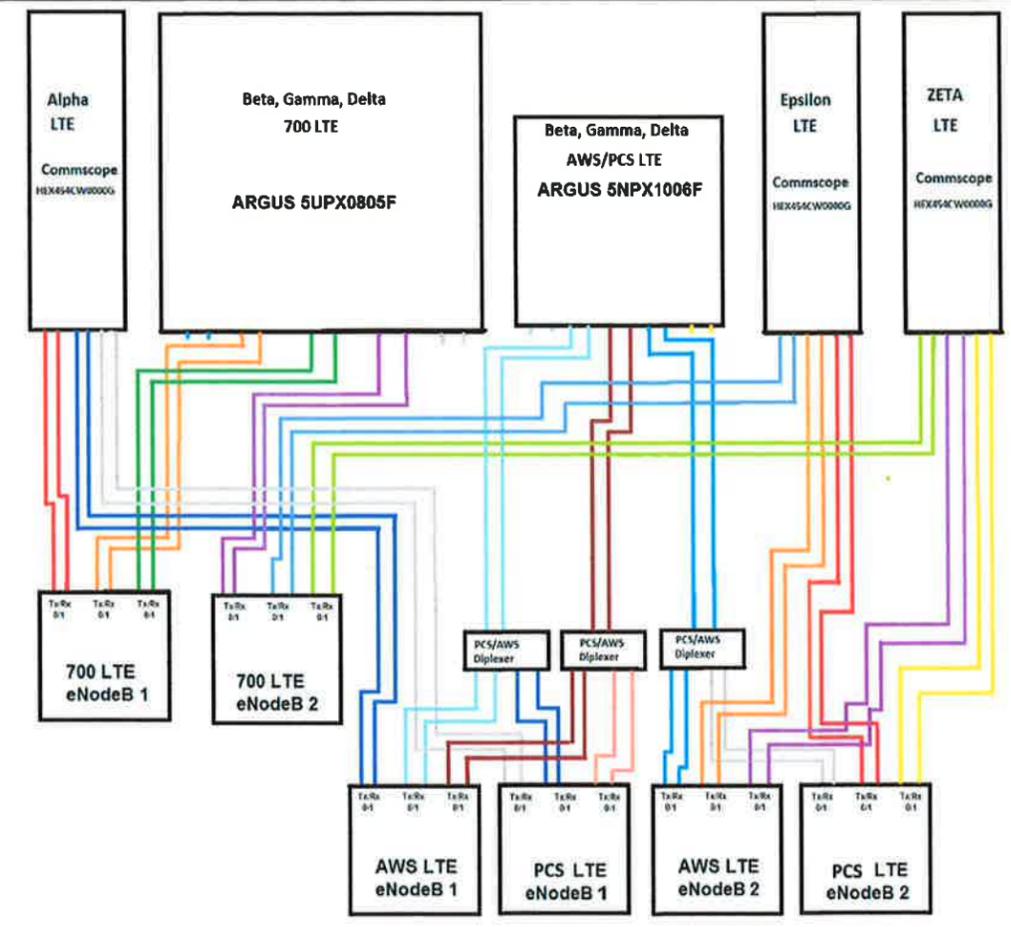
EQUIPMENT CHANGE REQUEST FORM- ECR

Cell Name Country Thunder	Country WI	RF Engineer Tim Baker	Address 2299 Richmond Rd Twin Lakes, WI
Location Number 0	Date of Request 1/15/2016	Call ID 201300/201700	

LTE PROPOSED CONFIGURATION

Sector	Pos	Port	RF Path	Antenna Manufacturer	Antenna Model	Centerline	Altitude	Variable Tilt	Mechanical Tilt	Notes								
Alpha	A1	L1 (45)	LTE C - RaTx0-aN81	Commscope	HEX454CW0000G	35	330	3	0	Add-Install								
		L2 (45)	LTE C - RaTx1-aN81															
		H1 (45)	AWS - RaTx0															
		H2 (45)	AWS - RaTx1															
	A2	H3 (45)	PCS LTE - RaTx0															
		H4 (45)	PCS LTE - RaTx1															
		L1 (45)	Unused at this time															
		L2 (45)	Unused at this time															
	700 Beta/Gamma/Delta	P1	L1 (45)								Unused at this time	Andrew/Argus	SFPX0805F	35	110	6	0	Add-Install
			L2 (45)								Unused at this time							
			H1 (45)								Unused at this time							
			H2 (45)								Unused at this time							
P2		H3 (45)	Unused at this time															
		H4 (45)	Unused at this time															
		L1 (45)	LTE C - RaTx0-aN81															
		L2 (45)	LTE C - RaTx1-aN81															
P3		H1 (45)	Unused at this time															
		H2 (45)	Unused at this time															
		H3 (45)	Unused at this time															
		H4 (45)	Unused at this time															
P4	L1 (45)	LTE C - RaTx0-aN81																
	L2 (45)	LTE C - RaTx1-aN81																
	H1 (45)	Unused at this time																
	H2 (45)	Unused at this time																
P5	H3 (45)	Unused at this time																
	H4 (45)	Unused at this time																
	L1 (45)	Unused at this time																
	L2 (45)	Unused at this time																
AWS Beta/Gamma/Delta	P1	L1 (45)	Unused at this time	Andrew/Argus	SFPX1008F PA	35	110	6	0	Add-Install								
		L2 (45)	Unused at this time															
		H1 (45)	Unused at this time															
		H2 (45)	Unused at this time															
	P2	H3 (45)	Unused at this time															
		H4 (45)	Unused at this time															
		L1 (45)	AWS - RaTx0															
		L2 (45)	AWS - RaTx1															
	P3	H3 (45)	Unused at this time															
		H4 (45)	Unused at this time															
		L1 (45)	AWS - RaTx0															
		L2 (45)	AWS - RaTx1															
P4	H3 (45)	Unused at this time																
	H4 (45)	Unused at this time																
	L1 (45)	AWS - RaTx0																
	L2 (45)	AWS - RaTx1																
Epsilon	G1	L1 (45)	LTE C - RaTx0-aN81	Commscope	HEX454CW0000G	35	190	3	0	Add-Install								
		L2 (45)	LTE C - RaTx1-aN81															
		H1 (45)	AWS - RaTx0															
		H2 (45)	AWS - RaTx1															
	G2	H3 (45)	PCS LTE - RaTx0															
		H4 (45)	PCS LTE - RaTx1															
		L1 (45)	Unused at this time															
		L2 (45)	Unused at this time															
	Zeta	H3 (45)	Unused at this time															
		H4 (45)	Unused at this time															
		L1 (45)	Unused at this time															
		L2 (45)	Unused at this time															

ANTENNA LAYOUT
 SCALE: 1



ANTENNA LAYOUT
 SCALE: 2

Proposed					
	Location	Manufacturer	Component Model	Count	Action
Passive Components	Top (Platform)				
	Top (Platform)				
	Top (Platform)				
	Top (Platform)				
	Top (Platform)				
	Top (Platform)				
	Top (Platform)				
	Top (Platform)				
	Bottom (Shelter)	Commscope	CBC-1921DF	6	Install
	Bottom (Shelter)				
Coax	Sector	Coax Manufacturer	Type	Size	Count
	Alpha	ANDREW		1/2	6
	Beta, Gamma, Delta	ANDREW		1/2	6
	Epsilon	ANDREW		1/2	6
	Zeta	Andrew		1/2	6

PROPOSED COMBINERS
 SCALE: 3

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verizon
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 SCHAUMBURG, IL 60173

MARK	DATE	DESCRIPTION
ISSUE PHASE	REV. A	DATE ISSUED 01/19/2016

PROJECT TITLE:
COUNTRY THUNDER
 PROJECT INFORMATION:
 11514 RICHMOND RD.
 TWIN LAKES, WI 53181

SHEET TITLE:
ANTENNA LAYOUT

SCALE: NONE
 PROJECT NUMBER: 28661
 SHEET NUMBER: A-5

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**ATTACH BUSINESS
WRITE-UP HERE**



Via: USPS Priority Mail

February 19, 2016

Mr. Ben Fiebelkorn
Senior Land Use Planner
Kenosha County Department of Planning and Development
19600 75th Street, Suite 185-3
Bristol, WI 53104

Re: Temporary Use Permit Application / Temporary Mobile Service Facility and Support Structure / Country Thunder Music Festival-11514 Richmond Road, Twin Lakes, WI 53181. Parcel ID # 60-4-119-304-0405

Mr. Fiebelkorn:

On behalf of our client Verizon Wireless, enclosed please find a completed and signed Kenosha County Temporary Use Application form package including a copy of the project site plan and elevation drawings. Please accept this as the "Business Write-Up" requirement of the application.

As denoted in the application form, below please find the applicant contact information:

Applicant(s):

Verizon Wireless
Carrie Lindenberg
Engr III-Real Estate/Regulatory
1515 Woodfield Road
Schaumburg, IL 60173
Phone: (847) 706-2399

Contact Individual:

Peter Schau
Ton 80 Realty Services, Inc.
P.O. Box 578790
Chicago, IL 60657
Phone: (773) 919-5112

Project Description

As it does every year, Verizon Wireless is proposing to deploy a Cell on Light Truck ("COLT"), Tower on Wheels ("TOW"), and portable generator to the Country Thunder Music Festival to meet the extensive increase in the local network demand created by the large concentration of visitors to the event and venue.

As the plans depict, the Verizon Wireless COLT, TOW, and ancillary equipment are both portable and temporary, and would be deployed to the site without the need for excavation for subterranean foundations, or any other substantial ground disturbance which could result in a permanent alteration or damage to the underlying property. They would be stationed in the same location as years past, with same equipment configuration and height (+/-40 AGL) for the temporary tower mast.

Verizon Wireless anticipates that its equipment will occupy the site between July 7, 2016 and August 7, 2016. Excluding the Verizon Wireless technicians whom will set up the temporary equipment, and visit the site as needed to monitor its operations and security while the equipment is operational, these are



unmanned facilities which will run continuously throughout the event. Upon the conclusion of the music festival, Verizon Wireless expects to remove the facilities within two (2) weeks from the property.

I believe that the enclosed information satisfies the Kenosha County Temporary Use Permit application requirements, and I will be looking forward to the public hearing on this request. Of course, I will be in attendance to answer any questions that the Zoning Board of Adjustments or public may have of the proposed use of the site.

If you should you have any additional information needs or questions regarding the application, please contact me directly at (773) 919-5112.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Schau".

Peter Schau
Ton 80 Realty Services, Inc.,
on behalf of Verizon Wireless

Enclosures as described

TEMPORARY USE SITE MAP

PETITIONER(S):

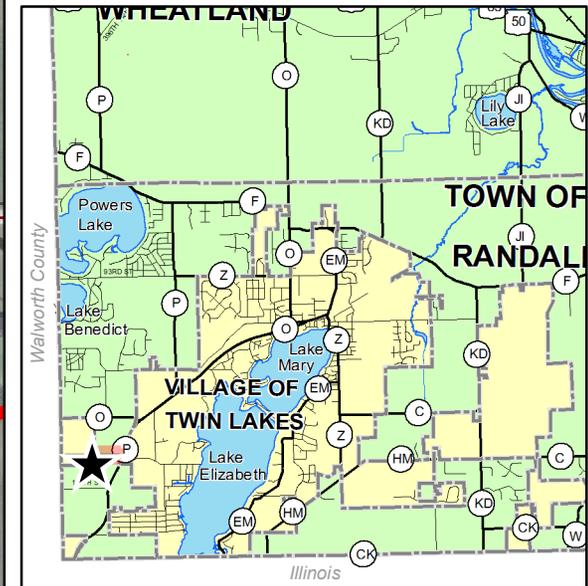
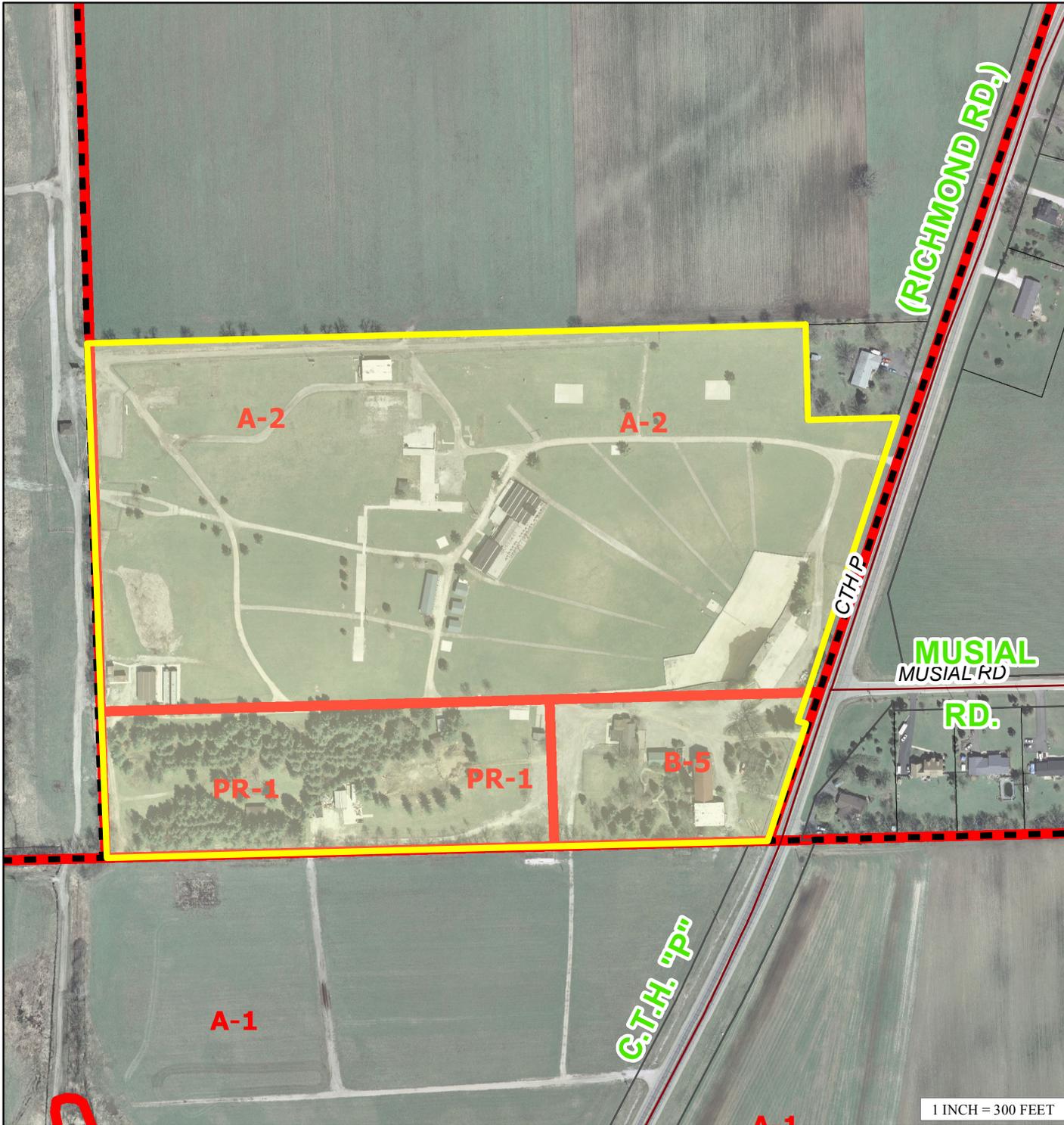
Irving One LLC (Owner), Peter Schau,
Ton 80 Realty Services Inc. (Agent)

LOCATION: S 1/2 of Section 30,
Town of Randall

TAX PARCEL(S): #60-4-119-304-0405

REQUEST:

Requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district) to deploy a Cell on Light Truck (COLT), Tower on Wheels (TOW) and Portable Generator in the A-2 General Agricultural District.





COUNTY OF KENOSHA

December 2012

Department of Planning and Development

VARIANCE APPLICATION

RECEIVED

FEB 24 2016

Kenosha County
Planning and Development

Owner: Joshua Herz

Mailing Address: 33 W. Ontario St, #14B

Chicago IL 60654

Phone Number(s): 917-573-5334

To the Kenosha County Board of Adjustment:

Please take notice that the undersigned was refused a Zoning Permit by the Kenosha County Department of Planning and Development for lands described below for the reason that the application failed to comply with the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The owner or assigned agent herewith appeals said refusal and seeks a variance.

Parcel Number: 60-4-119-192-1290 Zoning District: R-3

Property Address: 9332 402nd Avenue Shoreland: Yes

Subdivision: Benedict Shores Sub. Lot(s): 5 & 6 Block: 2

Current Use: Single-Family Residence

Proposal: To construct a detached garage in the street yard.

REQUIRED BY ORDINANCE	<u>VARIANCE REQUESTED</u>
Section: <u>V.A.12.27-6(e) - Detached accessory structures shall be located in the side or rear yard only.</u>	Street-Yard Placement
Section: _____ - _____	_____
Section: _____ - _____	_____

An Area Variance is authorization by the Kenosha County Board of Adjustments to vary one or more of the dimensional or physical requirements of the applicable zoning law, code or ordinance in connection with some proposed construction.

The burden will be on you as property owner to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the zoning board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing. Unless you or your agent is present, the board may not have sufficient evidence to rule in your favor and must then deny your application.

(1) Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered in each category below:

(A) Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

(B) Alternatives you considered that require a lesser variance. If you reject such alternatives, provide the reasons you rejected them.

(2) Will there be an unnecessary hardship to the property owner to strictly comply with the ordinance?

Unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome.

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home or claiming that they need more outbuilding space than that permitted to store personal belongings). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

(3) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain.

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

(4) What would be the effect on this property, the community or neighborhood and the public interest if the variance was granted? How can these impacts be mitigated. *No impact*

These interests are listed as objectives in the purpose statement of an ordinance and may include: drainage, visual impact, and fire safety and building code requirements.

The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the Appeal request made herein, during reasonable daylight hours.

Owners Signature: *Joshua Berg*

Agent: *ALMA HALL* Signature: _____

Agents Address: *12500 344TH AVE, TWIN LAKES WI, 53181*

Phone Number(s): *847-514-0126-cell*

(3) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain.

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

Narrowness/shape of the platted lot.

(4) What would be the effect on this property, the community or neighborhood and the public interest if the variance was granted? How can these impacts be mitigated.

These interests are listed as objectives in the purpose statement of an ordinance and may include: drainage, visual impact, and fire safety and building code requirements.

Minimal. All horizontal yard setbacks will be respected (30 feet from both town road right-of-ways).

The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the Appeal request made herein, during reasonable daylight hours.

Owners Signature: _____

Agent: Alma Hall Signature: 

Agents Address: 12500 344th Avenue, Twink Lakes WI 53181

Phone Number(s): 847-514-0126 (cell)

(3) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain.

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

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Owners Signature: _____

Agent: _____ Signature: _____

Agents Address: _____

Phone Number(s): _____



COUNTY OF KENOSHA

Department of Public Works & Development Services

19600 - 75th Street, Suite 185-3

Bristol, Wisconsin 53104

Telephone: (262) 857-1895

Facsimile: (262) 857-1920

ZONING PERMIT APPLICATION

Owner _____ Date _____

Mailing Address _____ Phone # _____

THE UNDERSIGNED HEREBY APPLIES FOR A PERMIT TO DO THE WORK HEREIN DESCRIBED, AND AS SHOWN ON THE REQUIRED SITE PLAN FORM OR ATTACHED REGISTERED SURVEY HEREOF, AND HEREBY AGREES THAT ALL WORK WILL BE DONE IN ACCORDANCE WITH ALL THE LAWS OF THE STATE OF WISCONSIN AND ALL THE ORDINANCES OF THE COUNTY OF KENOSHA, APPLICABLE TO THE FOLLOWING DESCRIBED PREMISES:

Parcel No. _____ Zoning District(s) _____

Property Address _____

Subdivision Name _____ CSM # _____ Lot _____ Block _____ Unit _____

STRUCTURE DESCRIPTION	TYPE OF CONSTRUCTION	SIZE (L' @ H')	SIZE (L' x W')	AREA (sq feet)	HEIGHT (feet)	# OF STORIES

Contractor _____

Address _____

Phone # _____

Agent _____

Address _____

Phone # _____

For Office Use Only

Permit No. _____

Foundation Survey Due Date _____

Waiver of Liability Due Date _____

Board Of Adjustments Approval Date _____

Conditional Use Permit Approval Date _____

Sanitation Approval _____

Receipt # _____ Check # _____

Amount _____

THIS ZONING PERMIT IS ISSUED SUBJECT TO:

1. ANY FEDERAL, STATE OR LOCAL RESTRICTIONS AND/OR DEED RESTRICTIONS.
2. EACH APPLICANT FOR A ZONING PERMIT IS CHARGED WITH KNOWLEDGE OF THE COUNTY ZONING ORDINANCE. COPIES OF THE TEXT OF THIS OR PORTIONS THEREOF AND COPIES OF THE OFFICIAL ZONING MAPS ARE AVAILABLE FOR SALE, COPYING OR INSPECTION UPON REQUEST. ANY STATEMENT MADE, SITE PLAN SUBMITTED, ASSURANCE GIVEN OR PERMIT ERRONEOUSLY ISSUED CONTRARY TO THIS ORDINANCE IS NULL AND VOID.
3. THIS PERMIT SHALL EXPIRE EIGHTEEN (18) MONTHS FROM DATE OF ISSUANCE.

4. REMARKS: _____

NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE <http://dnr.wi.gov/topic/wetlands/locating.html> OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER (262) 884-2300.

Date Permit Issued _____

THE UNDERSIGNED HEREBY ATTESTS THAT THE ABOVE INFORMATION IS TRUE, ACCURATE AND HAS RECEIVED THE ABOVE NOTICE.

Director of Planning Operations

Owner/Agent

Date

BOARD OF ADJUSTMENTS SCHEDULE FOR 2016 PUBLIC HEARINGS

*First and Third Thursday of each month at 6:00 p.m.
Kenosha County Center, 19600 75th Street, Bristol, Wisconsin*

HEARING DATES

JANUARY 7	Filing Date: December 7 Published: Dec. 24 & Dec. 30	JULY 7	Filing Date: June 7 Published: June 24 & June 29
JANUARY 21	Filing Date: December 21 Published: Jan. 8 & Jan. 13	JULY 21	Filing Date: June 21 Published: July 8 & July 13
FEBRUARY 4	Filing Date: January 4 Published: Jan. 22 & Jan. 27	AUGUST 4	Filing Date: July 1 Published: July 22 & July 27
FEBRUARY 18	Filing Date: January 18 Published: Feb. 5 & Feb. 10	AUGUST 18	Filing Date: July 18 Published: Aug. 5 & Aug. 10
MARCH 3	Filing Date: February 3 Published: Feb. 19 & Feb. 24	SEPTEMBER 1	Filing Date: August 1 Published: Aug. 19 & Aug. 24
MARCH 17	Filing Date: February 17 Published: March 4 & March 9	SEPTEMBER 15	Filing Date: August 15 Published: Sept. 2 & Sept. 7
APRIL 7	Filing Date: March 7 Published: March 25 & March 30	OCTOBER 6	Filing Date: September 6 Published: Sept. 23 & Sept. 28
APRIL 21	Filing Date: March 21 Published: April 8 & April 13	OCTOBER 20	Filing Date: September 20 Published: Oct. 7 & Oct. 12
MAY 5	Filing Date: April 5 Published: April 22 & April 27	NOVEMBER 3	Filing Date: October 3 Published: Oct. 21 & Oct. 26
MAY 19	Filing Date: April 19 Published: May 6 & May 11	NOVEMBER 17	Filing Date: October 17 Published: Nov. 4 & Nov. 9
JUNE 2	Filing Date: May 2 Published: May 20 & May 25	DECEMBER 1	Filing Date: November 1 Published: Nov. 18 & Nov. 23
JUNE 16	Filing Date: May 16 Published: June 3 & June 8	DECEMBER 15	Filing Date: November 15 Published: Dec. 2 & Dec. 7
		JANUARY 5	Filing Date: December 5 Published: Dec. 23 & Dec. 28

THERE SHALL BE NO EXCEPTIONS TO DEADLINES AS STATED HEREIN

CHAPTER 12, KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE STATES:

12.06-4 LEGAL NOTICE REQUIREMENTS AND TIME LIMITS: Any petition or other matter requiring the publication of a legal notice must be submitted at least one month prior to the requested hearing date as scheduled by the Planning, Development & Extension Education Committee or Board of Adjustments. For purposes on this section, "one month prior to the requested hearing date" shall be defined to mean not later than 4:30 p.m. on the same calendar date of the month preceding the scheduled hearing, or the last day county offices are open prior to the aforementioned deadline. For purposes of the Open Meetings Law, the Director of the Department of Planning and Development shall be delegated the responsibility of informing the County Clerk of both scheduled open and closed meetings so that proper notices may be given.



COUNTY OF KENOSHA

Department of Planning and Development

VARIANCE PROCEDURES BEFORE THE BOARD OF ADJUSTMENTS

- 1. Contact the Department of Planning & Development and set an appointment. Bring the following for your pre-application meeting.
- 2. Complete a Zoning Permit Application at the Department of Planning & Development.
- 3. Complete a Variance Application.
 - A. A copy of your Tax Bill or a copy of the recorded Deed of Transfer if you have owned the property for less than a month. (This is to provide proof of ownership) If you are in the process of purchasing the property you need to provide a signed and accepted purchase agreement or if you are a realtor or contractor, a letter from the current owner granting you agent status to act on their behalf.
 - B. A Survey of the property with the following information provided. **NOTE:** The Board of Adjustments strongly advises that for any new residential construction an area for a detached or attached garage should be shown for present or future construction.
 - ❖ Size and location of all existing structures on the property and their distances from property lines -- (street yard setback should be taken from the edge of the road right of way).
 - ❖ Location and dimensions of the proposed structure(s) or where the addition is to be placed on an existing structure.
 - ❖ Show what the resulting setbacks will be for proposed structure.
 - ❖ Location of the well and on-site waste disposal system -- (septic systems must show both the septic tank size and dimensions of the field).
 - C. A filing fee of \$550 (non-refundable) is required at application time to cover the costs of publishing.
- 4. Submit the above information by the filing deadline (see Board of Adjustment Schedule handout) with the Department of Planning and Development.
- 5. Submit the above information to your local Township for placement on the agenda of the Town Planning Commission and/or the Town Board.
- 6. Your first meeting will be with the Town Planning Commission, except for the Town of Wheatland. The Town of Somers has a Board of Appeals. **NOTE:** You must attend or the Commission/Board will not be able to act on your request.

**VARIANCE PROCEDURES &
PUBLIC HEARING VARIANCE STANDARDS**

- 7. Your second meeting will be with the Town Board. **NOTE:** You must attend or the Board will not be able to act on your request.

- 8. Your third meeting will be with the County Board of Adjustments. **NOTE:** You must attend or the Board of Adjustments will not be able to act on your request. At this meeting you will be asked to brief the Board on your request for a variance and state your reasons for hardship (see Public Hearing Variance Standards handout).

- 9. If the Board of Adjustments grants your variance request you may obtain your Zoning Permit from the Office of Planning and Development the day after the meeting. The permit will be issued if all requirements from this office have been addressed, including sanitation, if you are the current owner of the property, and subject to signing the Statement of Appeal Process (see attached handout). If you do not sign the Statement of Appeal Process you will need to wait 30 days from the date of approval before the zoning permit can be issued. PLEASE NOTE, THAT ACCORDING TO SECTION VII.B.12.36-15(c) VARIANCES GRANTED BY THE B.O.A. SHALL EXPIRE WITHIN SIX (6) MONTHS FROM THE DATE OF APPROVAL, UNLESS A ZONING PERMIT HAS BEEN ISSUED AND "SUBSTANTIAL CONSTRUCTION" – THE VALUE OF SUCH WORK THAT HAS COMMENDED EQUIVALENT TO 25% OF THE PROJECTED COST OF THE PROJECT AS NOTED ON THE APPLICATION FOR THE ZONING PERMIT, HAS COMMENCED.

- 10. Follow the Permitting Process for New Construction or for Additions to Existing Structures, Accessory Structures, Decks, Pools, and/or Fences (see handout).

- 11. If the Board of Adjustments denies your variance you have thirty (30) days to file an appeal with circuit court (see Statement of Appeal Process handout).

IMPORTANT TELEPHONE NUMBERS

Kenosha County Center	
Department of Planning & Development	
19600 - 75 th Street, Post Office Box 520	
Bristol, Wisconsin 53104-0520	
Division of County Development (including Sanitation & Land Conservation)	857-1895
Facsimile #.....	857-1920
Public Works Division of Highways.....	857-1870
Administration Building	
Division of Land Information	653-2622
Brighton, Town of.....	878-2218
Paris, Town of	859-3006
Randall, Town of	877-2165
Salem, Town of	843-2313
Utility District	862-2371
Somers Town of	859-2822
Wheatland, Town of	537-4340
Wisconsin Department of Natural Resources - Sturtevant Office	884-2300
Wisconsin Department of Transportation - Waukesha Office	548-8722

PUBLIC HEARING VARIANCE STANDARDS

- ❑ YOUR PUBLIC HEARING WILL BE BASED ON THE FOLLOWING STANDARDS FROM THE KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE.

CHAPTER 12.36-1 INTENT

- ❑ It is the intent of this section of the Ordinance to recognize that under certain conditions and circumstances, it may be necessary to obtain a variance from the terms of this Ordinance so long as said variance will not be contrary to the public interest, and where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship or practical difficulties and where the granting of such variance will uphold the spirit of this Ordinance and contribute to the justice of the particular case in question. Any variance granted under the terms of this ordinance shall, however, relate only to area requirements and not to use. Furthermore, it is the intent of this section to establish a Board of Adjustments for the purpose of reviewing applications for variances as well as reviewing orders and decisions made by the Office of Planning and Development.

CHAPTER 12.36-13 STANDARDS AND GUIDELINES

- ❑ In determining whether a variance is to be granted, the following standards and guidelines must be met in view of the evidence presented and in making its decision, these standards and guidelines shall be addressed by the board of adjustment:
 1. The existence of special conditions or exceptional circumstances on the land in question.
 2. The experiencing of unnecessary hardships or practical difficulties on the land in question either presently or in the future.
 3. That these hardships or difficulties are the result of the aforementioned special conditions existing on the land and are not self-inflicted.
 4. That the existence of these special conditions will restrict the use of the land if the Ordinance is applied literally so as to render the land useless.
 5. That the limitation on the use of the land does not apply generally to other properties in the district.
 6. That limiting the use of the property does not afford compensating gains to the public health, safety and welfare.
 7. That the variance(s) requested are the minimum variance(s) needed to alleviate difficulties or hardships.
 8. That the use of the parcel in question presently does conform to the ordinance.

9. That granting the variance applied for will not affect the public health, safety, morals and welfare of the community and other properties in the area.
10. That with respect to those areas located within the floodland districts, a variance would not permit filling and development contrary to the purpose and intent of the Camp Lake/Center Lake FWO Floodway Overlay District; would not permit a change in the boundaries of the FPO Floodplain Overlay District, FWO Camp Lake/Center Lake Floodway Overlay district or the FFO Camp Lake/Center Lake Floodplain Fringe Overlay District; would not permit a lower degree of flood protection in the floodland districts than the residential, commercial, institutional, or park basement or crawlway to be located below the 100-year recurrence interval flood elevation; would not allow a change or alteration of an historic structure, including its use, which would result in the structure; further, that the variance for the proposed action would not require amendment to the floodplain zoning ordinance' and furthermore, that the variance would not have the effect of granting or increasing a use property which is prohibited in the floodland districts or any action contrary to the provisions of Chapter NR 116 of the Wisconsin Administrative Code.

- Variances may be granted for example for reasons of topography, environmental protection or where permitted by state statute but in no event may a variance be granted where the primary reason for obtaining a variance is to obtain a more profitable use of the property, personal inconvenience, construction errors, economic reasons, self-created hardships, or where the property is presently a non-conforming use. Furthermore, variances may not be granted for the purpose of altering the sanitary requirements of this ordinance except for existing structures.
- The Board of Adjustments in considering the propriety of granting a variance shall not consider the number of persons for or against the granting of a variance but shall base their decision solely upon the equities of the situation involved.
- Variances may be granted in the form of an area or distance variance, however, use variances shall be specifically prohibited under this Ordinance.

Statutory Standards

- The applicant for a variance must clearly show the Board of Adjustments that three statutory standards that govern granting a variance will be met. These three standards require the existence of an unnecessary hardship, the presence of a unique property limitation, and the protection of the public interest.
- Unnecessary Hardship
 - ❖ A situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome.
 - ❖ The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not one which affects all parcels similarly.

**VARIANCE PROCEDURES &
PUBLIC HEARING VARIANCE STANDARDS**

- ❑ Unique Property Limitation
 - ❖ Unique physical characteristics of the property must prevent the applicant from developing in compliance with the zoning ordinance.

- ❑ Protection of the Public Interest
 - ❖ Granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The public interest includes the interests of the public at large, not just that of nearby property owners.
 - ❖ Conditions may be attached to a variance to protect adjoining properties and to preserve the essential character of the neighborhood.
 - ❖ A variance should include only the minimum relief necessary to allow reasonable use of a property.

NOTES

VARIANCE WORKSHEET

YOUR THREE STATUTORY STANDARDS TO PROVE BEFORE THE BOARD OF ADJUSTMENTS. (BE READY TO DISCUSS AT THE MEETING)

UNNECESSARY HARDSHIP -

UNIQUE PROPERTY LIMITATION -

PROTECTION OF THE PUBLIC INTEREST -

PLAT OF SURVEY

- OF -

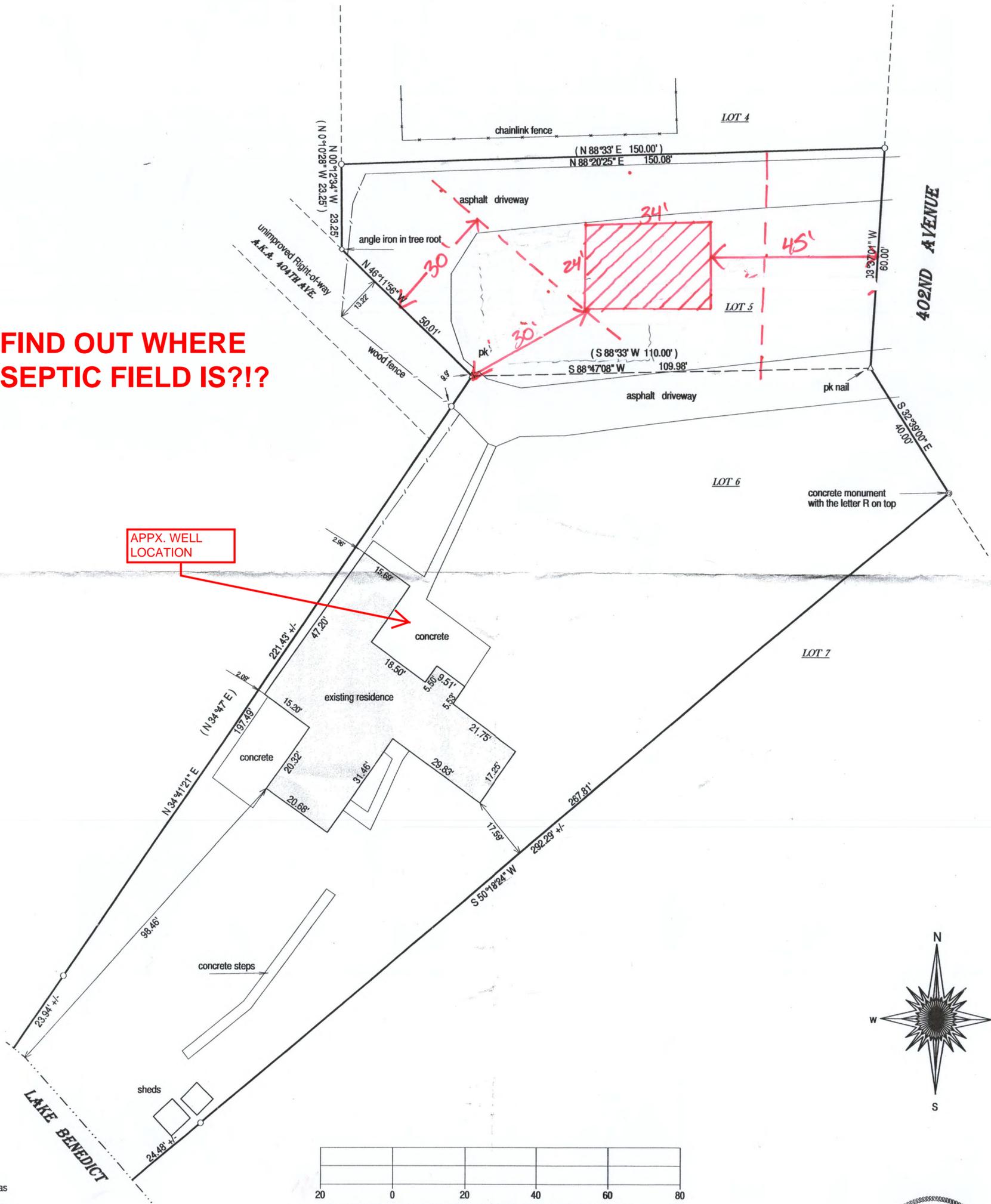
PREPARED FOR
ELAINE JOHNSON
KEEFE REAL ESTATE
LAKE GENEVA WI

PATHFINDER SURVEYING INC.
(formerly)
J.K. SURVEYING INC.
P.O. BOX 322
LAKE GENEVA, WI. 53147
WWW.PATHFINDERSURVEYING.NET
262-248-8303

LOTS 5 AND 6 IN BLOCK 2 IN BENEDICT SHORES, A SUBDIVISION OF PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 19, AND A RESUBDIVISION OF LOTS 12, 13 AND 14 OF BENEDICTS SUBDIVISION, ALL IN TOWNSHIP 1 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, TOWN OF RANDALL, KENOSHA COUNTY, WISCONSIN.

FIND OUT WHERE SEPTIC FIELD IS?!?

APPX. WELL LOCATION



- () = recorded as
- = found iron bar
- = found iron pipe
- = set iron pipe
- = set iron bar

SCALE 1" = 20'

JOB # 15-382

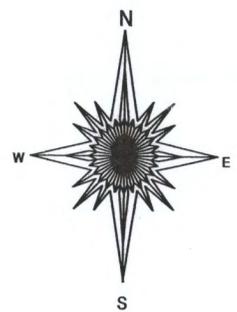
TAX ID # 60-4-119-192-1290

BASIS OF BEARING OF THIS PLAT: THE SUBDIVISION PLAT OF RECORD.

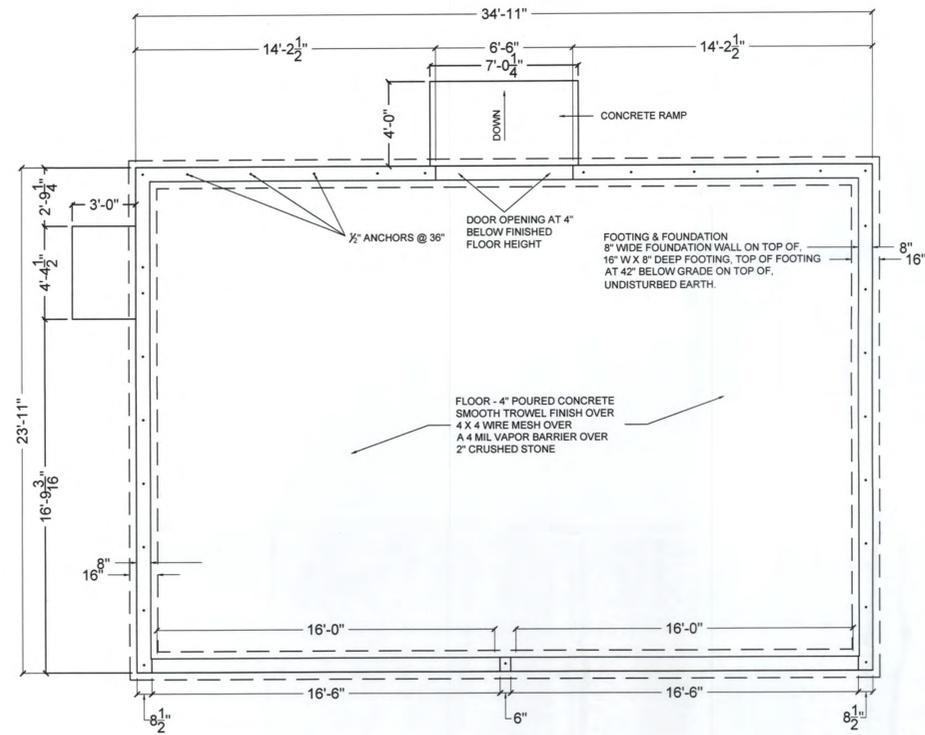
I hereby certify that I have surveyed the above-described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, appurtenant easements and roadways and visible encroachments if any.

This survey is made for the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof.

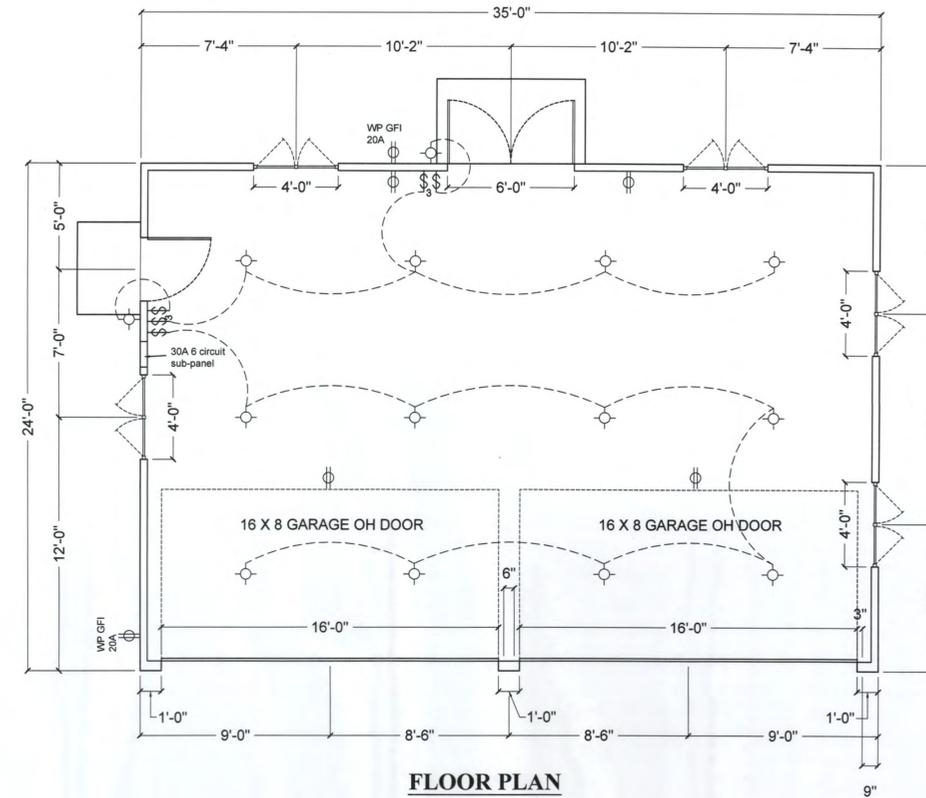
DATED THIS 18TH DAY OF DECEMBER, 2015.



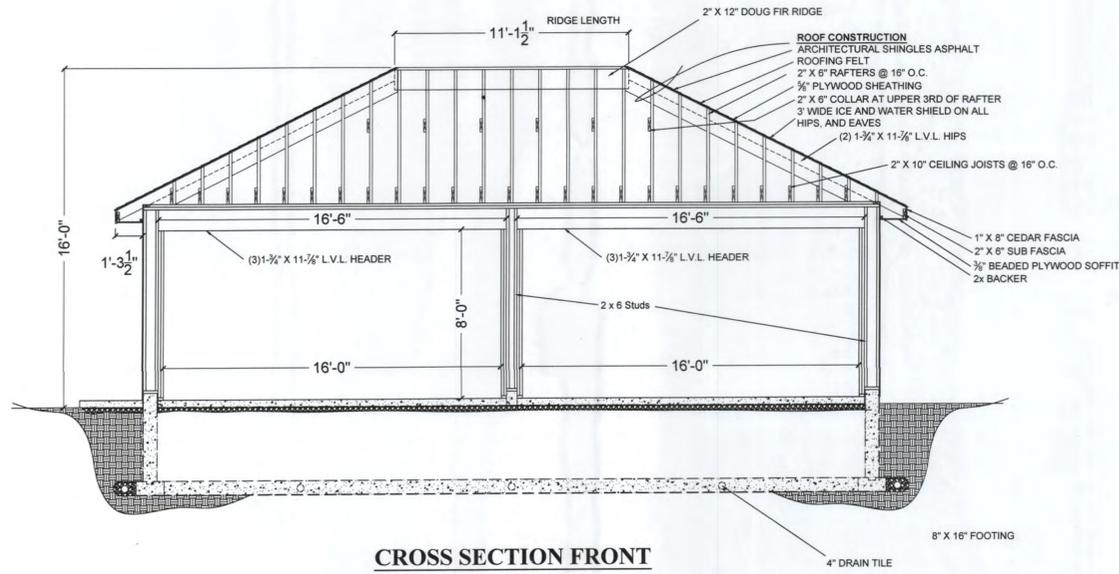
JEFFREY L. KIMPS, S-2436
Wisconsin Registered Land Surveyor
(original if signed in red)



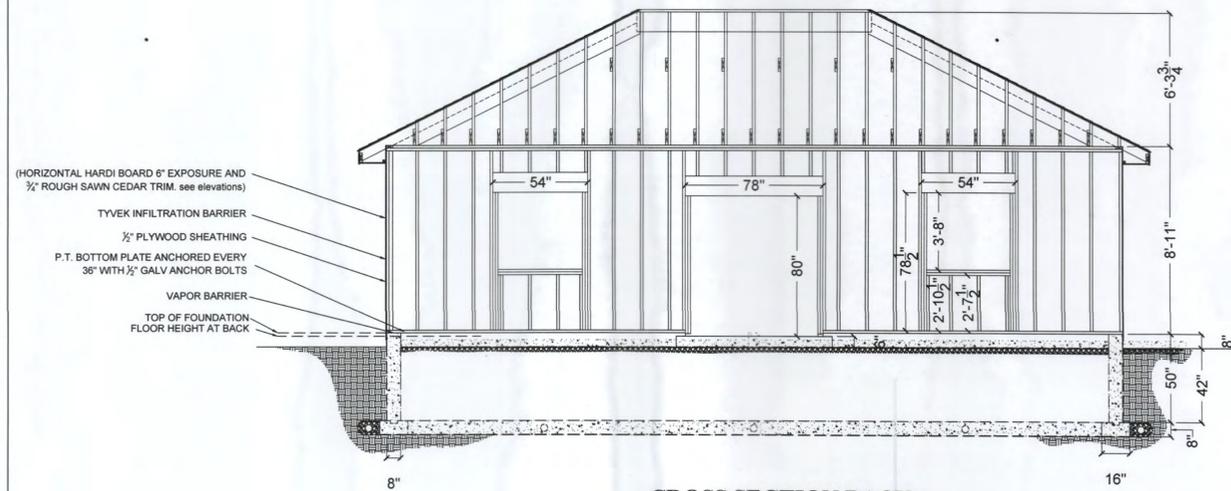
FOUNDATION PLAN



FLOOR PLAN



CROSS SECTION FRONT



CROSS SECTION BACK

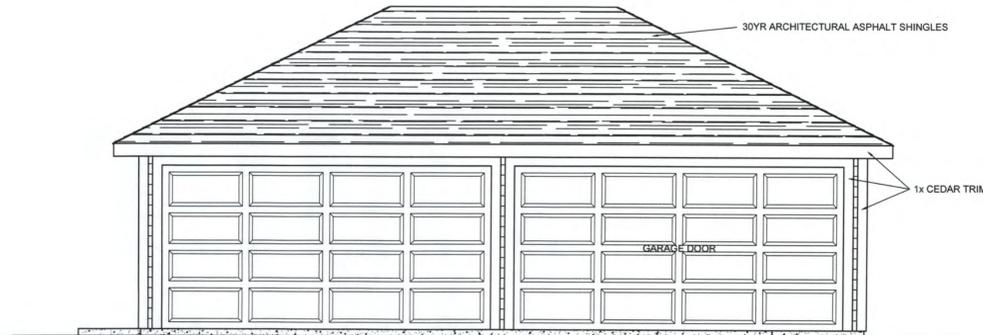
HEADER NOTE: ALL WINDOW AND MAN ENTRY DOOR HEADERS TO BE (2) 2" X 12" W.D. HEADER WITH 1/2" PLYWOOD IN BETWEEN.

16'-6" HEADERS ARE (3) 1-3/4" X 11-3/8" L.V.L.

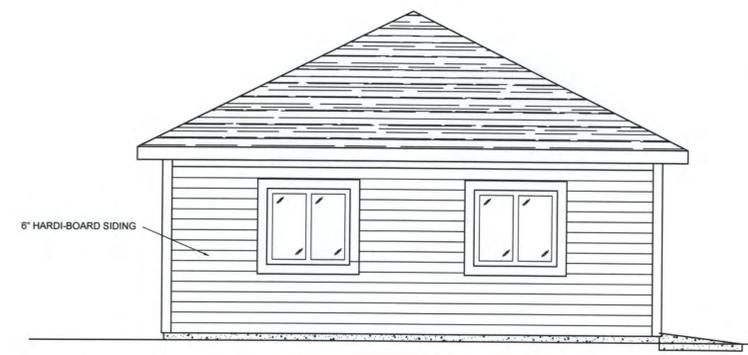
ORIGINAL	02-13-2016



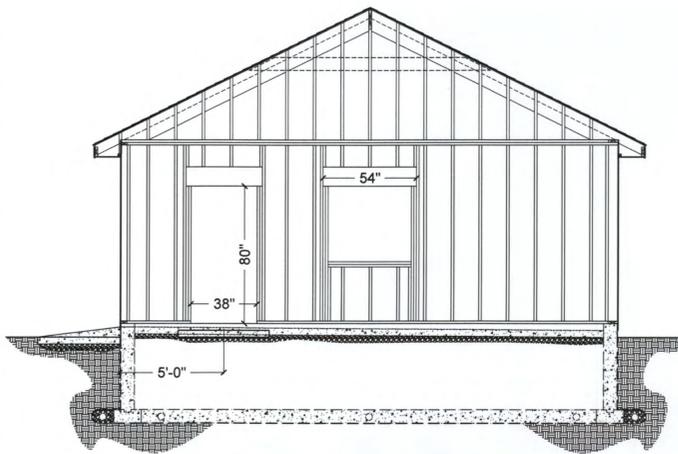
ELEVATION LEFT



ELEVATION FRONT



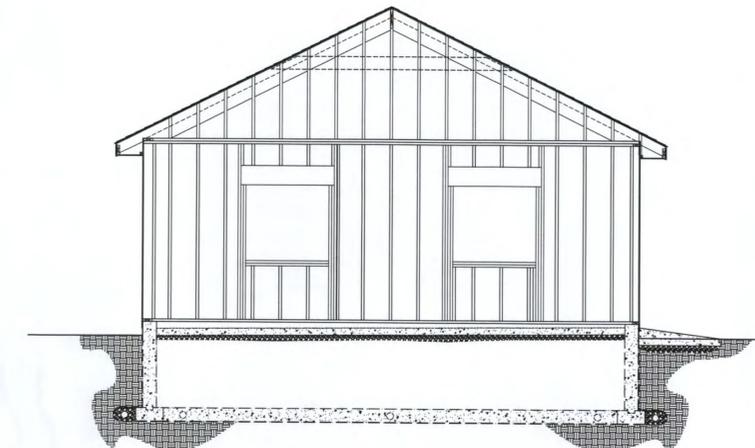
ELEVATION RIGHT



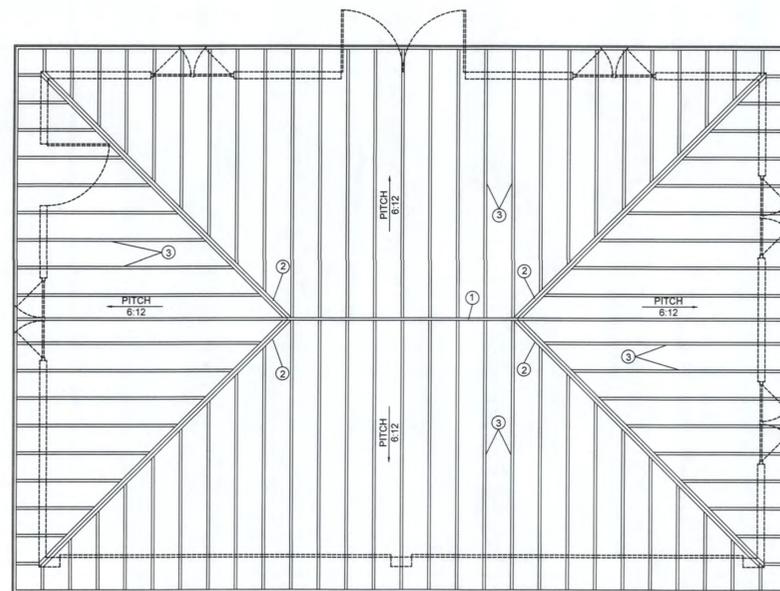
CROSS SECTION LEFT



ELEVATION BACK



CROSS SECTION RIGHT



ROOF FRAMING DIAGRAM

CONSTRUCTION NOTES:

1. Code enforcement governing this project. CODE IBC 2009, IMC 2009, IECC 2009, NEC 2011
2. All work is to be performed in compliance with all local, state, and federal ordinances and codes.
3. All materials are to be new of standard quality (no seconds or rejected material) and will have any required approval marks or labels of acceptance where required.
4. Concrete to be transit mix astm c-94 with a compressive strength equivalent to 3000# concrete in 28 days. Concrete construction to comply with the latest addition of "ACI" Building Code Requirements for Reinforced Concrete.
5. Use galvanized 5/8" anchor bolts on P.T. sole plate post anchors on the front porch.
6. Use Hurricane clips on all roof framing as required.
7. All headers above doors and windows to be 2" x 12" with 1/2" plywd core.

INTERIOR FINISH NOTES:

1. No interior insulation or finished wall or ceiling surfaces.

- ① 2" X 12" DOUG FIR RIDGE
- ② (2) 1-3/4" X 12" L.V.L. HIP
- ③ 2 X 6 RAFTERS

ORIGINAL	02-13-2016

ELEVATIONS CROSS SECTIONS
ROOF FRAMING DIAGRAM

NEW DETACHED 24' X 35' GARAGE
ON FOOTINGS AND 42" DEEP FOUNDATION
9332 402ND AVE. GENOA CITY, WI, 53128

SUPERIOR CARPENTRY CRAFTSMANSHIP
30+ YEARS CUSTOM BUILDING EXPERIENCE

IL • 847-514-0126 WI • 262-877-8448





VARIANCE SITE MAP

PETITIONER(S):

Josh Herz (Owner),
Alma Hall (Agent)

LOCATION: NW 1/4 of Section 19,
Town of Randall

TAX PARCEL(S): #60-4-119-192-1290

REQUEST:

Requesting a variance (Section V. A. 12.27-6(e): that all accessory buildings shall be located in the side or rear yard only in the R-3 Urban Single-Family Residential Dist.) to construct a 23.9' x 24.9' detached accessory structure in the street yard (required side or rear yard only)

