



Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
April 21, 2016

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, April 21, 2016 at 6:00p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. ROBERT L. & DEANNA M. VLACH - VARIANCE APPLICATION - TOWN OF WHEATLAND

ROBERT L. & DEANNA M. VLACH, 6615 375th Ave., Burlington WI 53105-7415 (Owner), requesting a variance (Section V. A. 12.27-6(e): that there shall be a maximum of two detached accessory building, excluding gazebos and pool houses not more than 150 sq. ft. in area and 15 feet in height and that one accessory building shall be limited to a maximum of 1,000 sq. ft. in area and the second building shall be limited to a maximum of 150 sq. ft. in height in the R-3 Urban Single-Family Residential Dist.) to construct a second detached accessory structure greater than 150 sq. ft. in area (required 150 sq. ft. or less) on Tax Parcel #95-4-119-042-0530, NW 1/4 Section 4, T1 N, R19 E, Town of Wheatland. FYI – SE terminus of 375th Ave. appx. 500 ft. S of intersection with 65th St..

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

2. CITIZEN COMMENTS

3. APPROVAL OF MINUTES

4. OTHER BUSINESS ALLOWED BY LAW

5. ADJOURNMENT

NOTICE TO PETITIONERS

The petitioners: Robert L. & Deanna M. Vlach shall be present at the hearing on Thursday, April 21, 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 Wheatland is requested to be represented at the hearing on Thursday, April 21, 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

December 2012

Department of Planning and Development

VARIANCE APPLICATION

RECEIVED

MAR 09 2016

Kenosha County
Planning and Development

Owner: Robert & Deanna Vlach

Mailing Address: 6615 375th AVE

Burlington, WI 53105

Phone Number(s): CELL# 630-721-0297
HOME# 262-537-2557

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: 95-4-119-042-0530 Zoning District: R-3

Property Address: 6615 375th AVE Shoreland: NO

Subdivision: Koch's Rollingbrooke Manor Lot(s): 37 Block: _____

Current Use: Residential

Proposal: To Construct a 26 x 28 detached garage on the South Side of
our residence. Ordinance only allows a 150 sq ft and up to a 1000 sq ft
detached out building

REQUIRED BY ORDINANCE	VARIANCE REQUESTED
Section: <u>V.A. 12.27-6 (c) - IN THE R-3 DIST. THERE SHALL BE (1) LARGE DET. STRUCTURE UP TO 1,000 SQ. FT. AND (1) SMALL</u>	<u>TO ALLOW FOR (1) DET. GAR. AT 72' AND A POOLHOUSE AT 240'</u>
Section: _____ - <u>SHED UP TO 150 SQ. FT.</u>	_____
Section: _____ - _____	_____

VARIANCE APPLICATION

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.

We currently have a Screened in pool house which is located back in the Northeast corner of the property. The Pool house covers 240 sq ft.

To move forward with the construction of a detached 26x28 garage on the South side of the home, we would have to remove 90 sq ft of pool house to bring into compliance.

The garage which we are looking to have built would cover 728 sq ft. with the two out buildings this would cover a total of 968 sq ft. which would fall under the total amount of 1150 sq ft allowed

(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.

The Screened Pool house would have to be dismantled by 90 sq ft
Along with slab.



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 Robert & Deanna Vlach Date _____

Mailing Address 6615 375th Ave Phone # 262-537-2551

Burlington WI 53105

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. 95-4-119-042-0530 Zoning District(s) R-3

Property Address 6615 375th Ave

Subdivision Name Koch's Rollingbrooke Mnr CSM # _____ Lot 37 Block _____ Unit _____

STRUCTURE DESCRIPTION	TYPE OF CONSTRUCTION	SIZE (L' @ H')	SIZE (L' x W')	AREA (sq feet)	HEIGHT (feet)	# OF STORIES
Other Building Addition <input type="checkbox"/>	Wood Frame <input type="checkbox"/>		28X26	728	16	
Residential Single-Family Principal Structure <input type="checkbox"/>	Other <input type="checkbox"/>					
Residential Single-Family Principal Structure <input type="checkbox"/>	Other <input type="checkbox"/>					
Residential Single-Family Principal Structure <input type="checkbox"/>	Other <input type="checkbox"/>					

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/localing.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 _____

NO SIGNATURE NEEDED ON APPLICATION - APPLICANT WILL SIGN ISSUED PERMIT

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.



(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.

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. There would be no impact to the property, nor the community or neighborhood, the pool house has been in place for over 10 years, with no changes. We keep our property well maintained, and if granted approval, the garage to be built would fit on ~~top~~ the property with out any impact also. There is over 43,000 sq ft, not including flood plain. And 3/4 of the property is surrounded by woods.

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: Robert L Vlach

Agent: _____ Signature: _____

Agents Address: _____

Phone Number(s): _____

Vlach
6615-375AVE

Plat of Survey of

LOT 37 IN

FIRST ADDITION TO KOCH'S
ROLLINGBROOKE MANOR

in NW1/4 Section 4-1-19

TOWN OF WHEATLAND
KENOSHA COUNTY, WIS.

-for-
Willkomm Construction

project BENCHMARK - paint spot
in center of cut-de-sac = 100.00

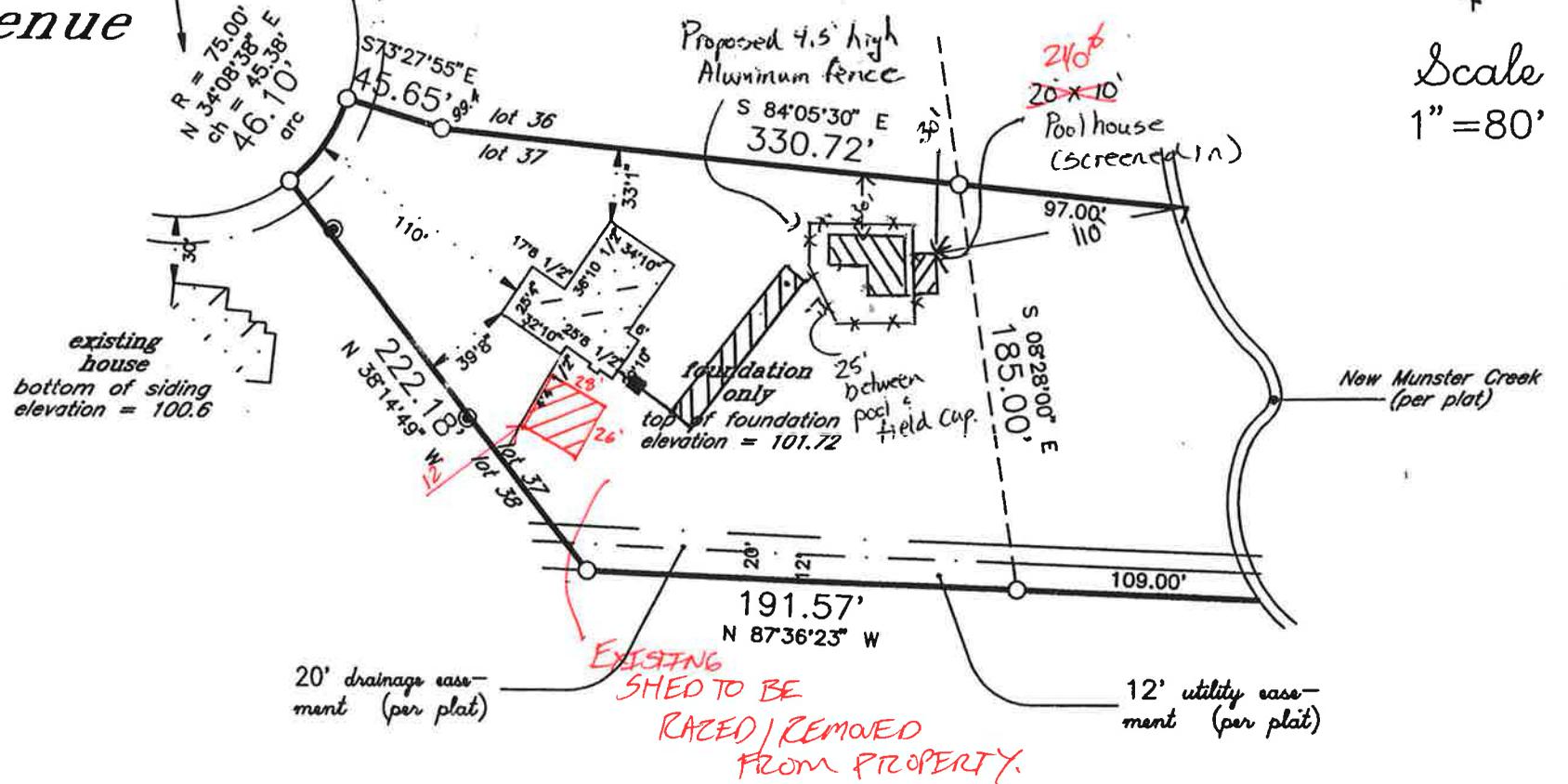
tax key no.: 95-4-119-042-0530

375th
Avenue

Scale
1" = 80'



existing house
bottom of siding
elevation = 100.6



J.K.R. SURVEYING, INC.
6100 75TH STREET SUITE 3
KENOSHA, WI 53142

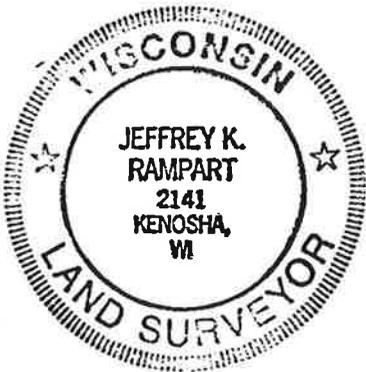
I hereby certify that
this property was
surveyed under my
direction and this
plat is a true re-
presentation thereof.

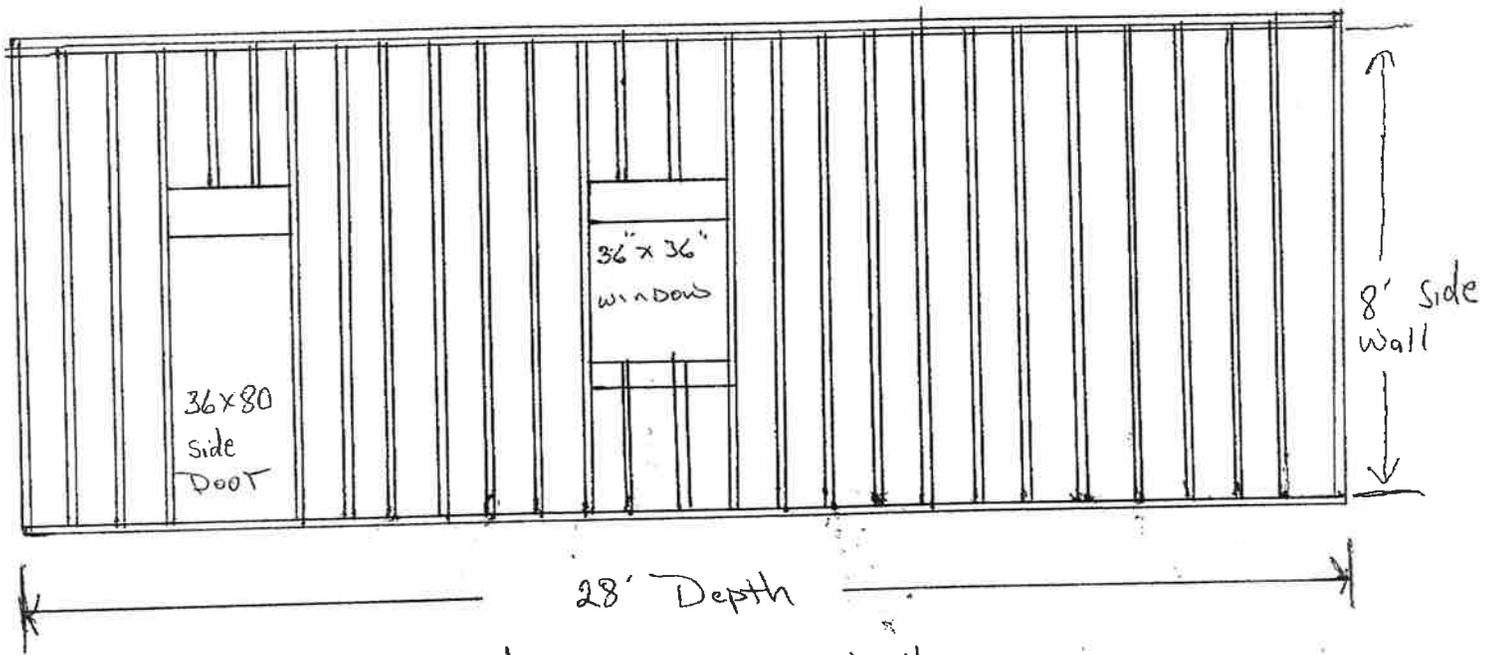
Jeffrey K. Rampart

Reg. Land Surveyor
April 5, 2000
Revised 6/19/00

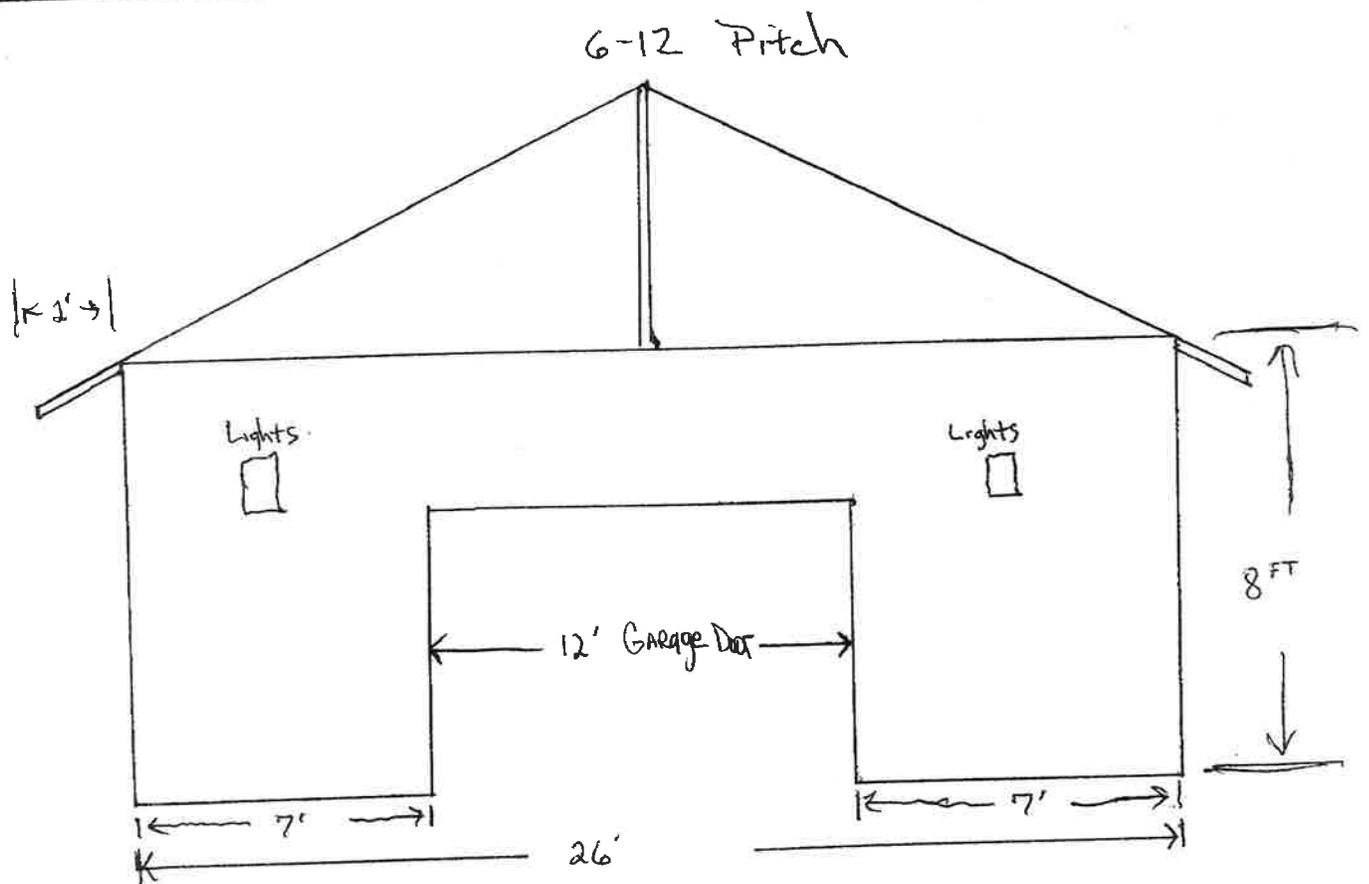
Robert L Vlach 8/18/04

Proposed building field staked true size. Contractor to verify all dimensions before building by same. Refer to a current title report for easements or restrictions which may affect the use of this site that are not shown on the recorded subdivision plat.





Side View From North



Front View

Town of Wheatland
 Deborah K. Vos
 P.O. Box 797
 New Munster, WI 53152-0797

VLACH, ROBERT L, DEANNA M
 Parcel Number 95-4-119-042-0530

REAL STATE OF WISCONSIN
 PROPERTY TAX BILL FOR 2015
 Town of Wheatland
 KENOSHA COUNTY

FULL PAYMENT OF:	\$7,912.21
OR FIRST INSTALLMENT OF:	\$3,924.48
Make Check Payable To:	Town of Wheatland
DUE ON OR BEFORE JANUARY 31, 2016	Please Write In Amount Enclosed \$

Check For Billing Address Change

VLACH, ROBERT L, DEANNA M
 6615 375TH AVE
 BURLINGTON, WI 53105-7415



Parcel Number 95-4-119-042-0530

Assessed Value Land 44,600	Assessed Value Improvements 372,500	Total Assessed Value 417,100	Ave. Assmt. Ratio 99.96 %	Net Assessed Value Rate (Does NOT reflect Credits) .01932694
Est. Fair Mkt. Land 44,618	Est. Fair Mkt. Improvements 372,649	Total Est. Fair Mkt. 417,267	<input type="checkbox"/> A star in this box means unpaid prior year taxes	School taxes reduced by school levy tax credit \$1,057.50
	2014 Est. State Aids Allocated Tax Dist	2015 Est. State Aids Allocated Tax Dist	2014 Net Tax	2015 Net Tax % Tax Change
Taxing Jurisdiction				
State			69.51	70.77 1.8%
County	140,122	137,293	2,113.45	2,136.46 1.1%
Whtld 6412	1,963,686	2,048,589	3,866.85	3,814.15 -1.4%
Cntrl 5054	825,677	796,816	739.08	638.32 -13.6%
GTC	54,622	307,316	315.53	331.46 5.0%
Wheatland	129,404	120,717	942.62	933.04 -1.0%
Library			137.52	137.07 -.3%
Total	3,113,511	3,410,731	8,184.56	8,061.27 -1.5%
	First Dollar Credit		88.08-	85.86- -2.5%
	Lottery/Gaming Credit		149.06-	138.70- -7.0%
	Net Property Tax		7,947.42	7,836.71 -1.4%

Make Check Payable to: Town of Wheatland Deborah K. Vos P.O. Box 797 New Munster, WI 53152-0797	Full Payment Due On or Before January 31, 2016	OTHER Net Property Tax \$7,836.71 Whtld Refus 75.50
	\$7,912.21	
	Or First Installment Payment Due On or Before January 31	
And Second Installment Payment Payable To: Kenosha County Treasurer 1010 56th St. Kenosha, WI 53140	\$3,924.48	
	And Second Installment Payment Due On or Before July 31	
	\$3,987.73	

IMPORTANT: Correspondence should refer to parcel number. See reverse side for important information. Be sure this description covers your property. This description is for property tax bill only and may not be a full legal description.

354-I-2-37 LOT 37 FIRST
 ADDITION TO KOCH'S ROLLING-
 BROOKE MANOR PT OF THE W 1/2
 OF NW 1/4 SEC 4 T 1 R 19 1981
 VOL 1075 P 20



6615 375TH AVE
 ROBERT L & DEANNA M VLACH

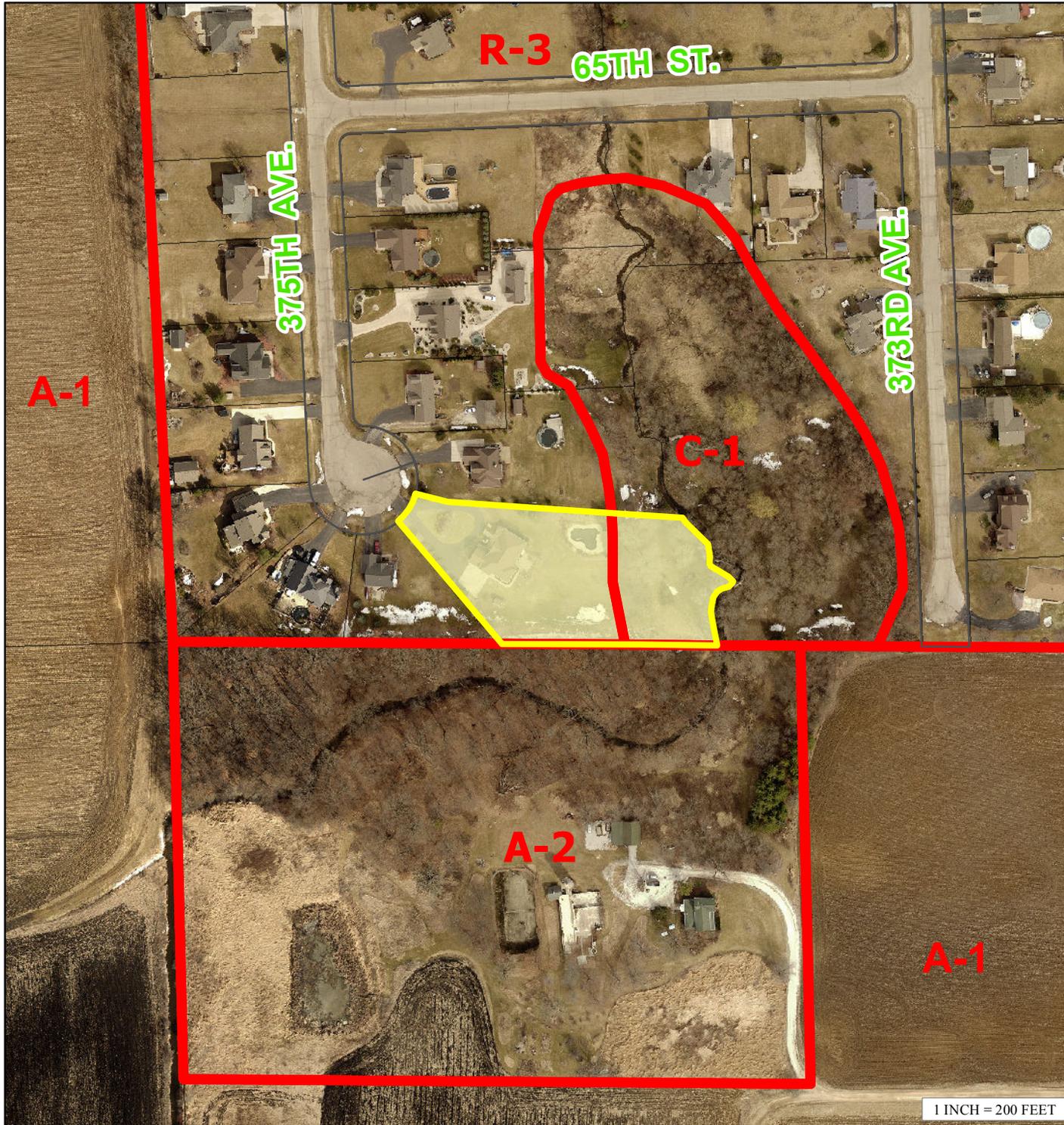
TOTAL DUE FOR FULL PAYMENT
 PAY BY JANUARY 31, 2016

\$7,912.21

Warning: If not paid by due dates, installment option is lost and total tax is delinquent & subject to interest & penalty.
 FAILURE TO PAY ON TIME SEE REVERSE

KCSRET4 Rev. 02/14/2012





VARIANCE SITE MAP

PETITIONER(S):

Robert L. & Deanna M. Vlach (Owner)

LOCATION: NW 1/4 of Section 4,
Town of Wheatland

TAX PARCEL(S): #95-4-119-042-0530

REQUEST:

Requesting a variance (Section V. A. 12.27-6(e)) that there shall be a maximum of two detached accessory buildings, excluding gazebos and pool houses not more than 150 sq. ft. in area and 15 feet in height and that one accessory building shall be limited to a maximum of 1,000 sq. ft. in area and the second building shall be limited to a maximum of 150 sq. ft. in height in the R-3 Urban Single-Family Residential District) to construct a second detached accessory structure greater than 150 sq. ft. in area (required 150 sq. ft. or less).

