Kenosha County

Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
June 2, 2016

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, June 2, 2016 at 6:00p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. **TABLED REQUEST OF ARTHUR A. NABER & PAUL J. NABER - TEMPORARY USE PERMIT APPLICATION - TOWN OF WHEATLAND**

   ARTHUR A. NABER & PAUL J. NABER, 3405 S. Brown Lake Dr. #3, Burlington, WI 53105 (Owner), Phillip Kirsch, 33130 73rd St., Burlington, WI 53105 (Owner/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 temporarily operate an agricultural tourism/event barn in the A-2 General Agricultural Dist. & C-2 Upland Resource Conservancy Dist. on Tax Parcel # 95-4-119-024-0300 & 95-4-119-023-0200, S ½ Section 2 T1 N, R19 E, Town of Wheatland. FYI – N side of 73rd St. at intersection with 332nd Ave..

   Documents: SUBMITTED APPLICATION.PDF, EXHIBIT MAP.PDF

2. **TABLED REQUEST OF OMAR CALZADA - TEMPORARY USE PERMIT APPLICATION - TOWN OF BRIGHTON**

   OMAR CALZADA, 28343 41st Street, Salem, WI 53168 (Owner), 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 operate temporary commercial bull riding/rodeo events in the A-2 General Agricultural Dist. on Tax Parcel #30-4-220-294-0300, SE 1/4 Section 29, T2 N, R20 E, Town of Brighton. FYI - S side of 41st St. approximately 1/4 mile east of the intersection with 288th Ave..

   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: Arthur A. Naber & Paul J. Naber and Omar Calzada shall be present at the hearing on Thursday, June 6, 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 Towns of Wheatland and Brighton are requested to be represented at the hearing on Thursday, June 2, 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

Department of Public Works & Development Services

January 2013

TEMPORARY USE APPLICATION

RECEIVED

APR 19 2016

Kenosha County
Planning and Development

Owner: Arthur A. Naber & Paul J. Naber

Mailing Address: 3405 S. Brown Lake Drive, #3
Burlington WI 53105

Phone Number(s): 262-206-9910

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: 95-4-119-024-0300 Zoning District: A-2

Property Address: 33202 73rd Street Shoreland: Yes

Subdivision: - Lot(s): - Block: -

Current Use: Ag., Residential, Undeveloped

REQUIRED BY ORDINANCE

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

Temporary Agricultural Tourism / Event Barn

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 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: _____

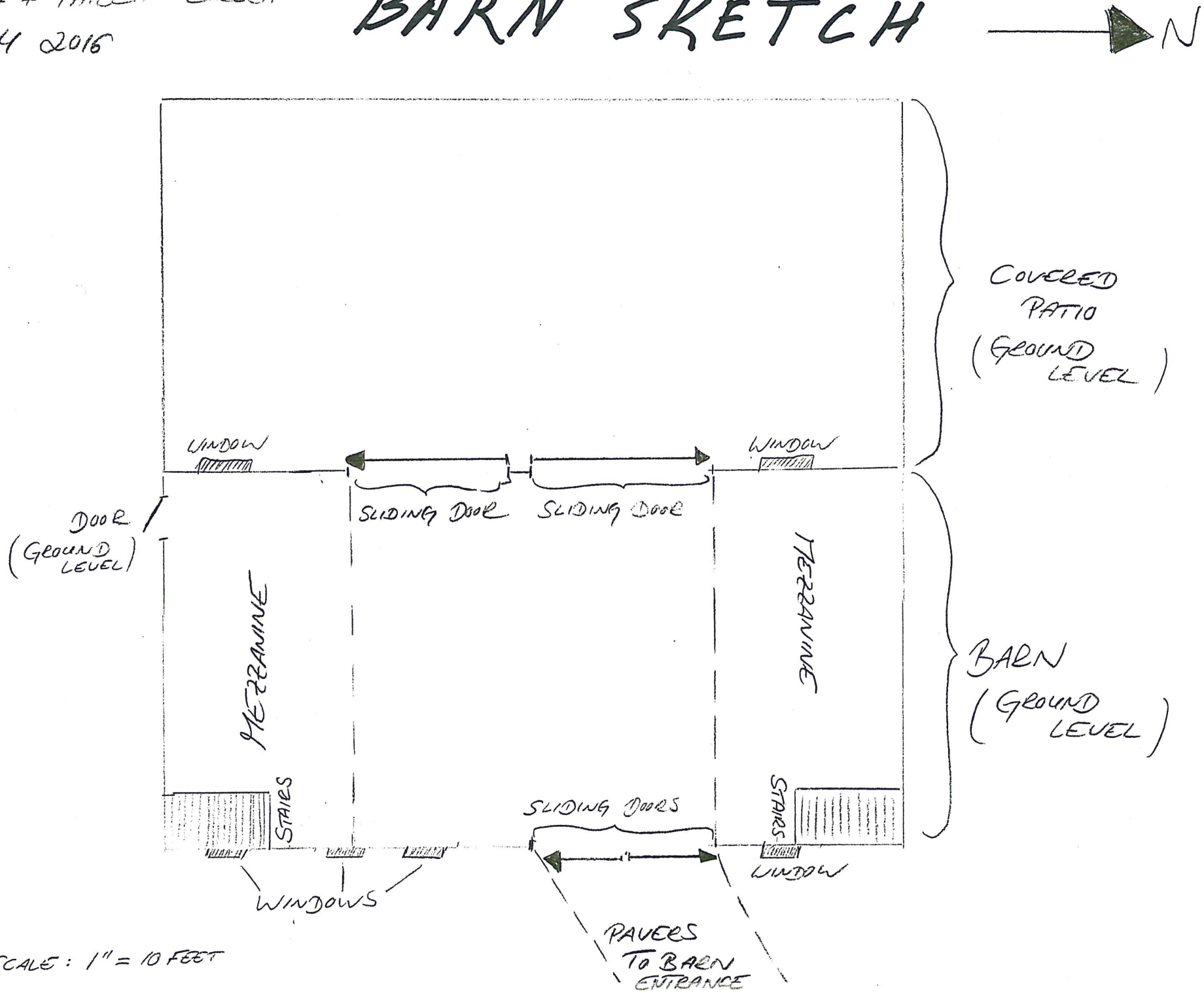
Agent: Phillip Kirsch Signature: P. Kirsch 4-19-16

Agents Address: 33130 73rd Street, Burlington WI 53105

Phone Number(s): HM: 262-537-2600 C: 847-721-9120

33202 73RD ST WHEATLAND
JOANNA + PHILLIP KIRSCH
APRIL 4 2016

BARN SKETCH



APPROX. SCALE: 1" = 10 FEET

Temporary Use Permit Narrative
Spring Valley Farmstead, LLC
April, 2016

Spring Valley Farmstead is a planned 61 acre farm located in the town of Wheatland on the east side of New Munster Wildlife Area and north side of 75th Street and 73rd Street. The farm consists of a continuous block of land with two addresses: approximately 22.8 acres at 33202 73rd Street where the barn, fields, and woods exist and 38.39 acres at 33130 73rd Street where the owner's home and additional cropland and woods are located. The farm is owned and operated by Phillip and Joanna Kirsch (after close of accepted offer to purchase 33202 73rd St). The farm is made up of approximately 40 forested acres and 12 to 18 tillable acres. The farm produces Christmas trees, corn and soybeans, along with an assortment of produce such as pumpkins, squash and gourds. The purpose of Spring Valley Farmstead (SVF) is to share an agricultural, educational, and recreational experience with the community and public. SVF will utilize existing farm buildings and land in conjunction with new projects. SVF will strive to provide the safest environment as possible for its users. None of the land will be taken out of agriculture production.

Zoning: The farm is zoned A-2 General Agricultural, C-1 Lowland Resource Conservancy, and C-2 Upland Resource Conservancy.

Hours of operation: For the year 2016, the anticipated hours of operation will be from 10:00 a.m. to 6:00 p.m. Certain nighttime activities may be desirable to the public and could be implemented as well. Nighttime activities would be extended until 11:00 p.m. Examples of nighttime activities are bonfires, a haunted corn maze, or a wedding reception.

Days of operation for Seasonal Ag Recreation Activities: Starting in 2016, the days the operation will be open would be Friday through Sunday, beginning in September (September 2) through the last full weekend in October (October 30). This would be 27 days total. If customer demand is high, the days open for each week would be extended from Monday through Sunday.
Starting in 2017 the farm will be available from May through October for use in farm venue activities.

Days of operation for Christmas Trees: Starting in as early as 2020 "choose and cut" Christmas trees will be available in the outlined nursery area (in green outline). Days that SVF will be open for Christmas activities will begin the first Friday after Thanksgiving and continue from Friday through Sunday until Christmas.

Employees: It is anticipated that in 2016, 5-7 part-time employees will be needed for day to day operations of the farm. Depending on the success of the farm more employees will be added to better serve the customers.

Anticipated volume of customers: In 2016, it is anticipated that there will be less than 200 people per day. The success of the farm will create the potential for more customers per day in the future.

Parking/Driveways: Parking for the public will be located on the northwest side of the old farm house, and east of the old farm house through to the east driveway (see appendix A). Overflow for cars could be handled by parking on east corner of the southeast field. There will be a separate ingress and egress. Three driveways currently exist in the southeast of the farm on 73rd Street. There is an existing driveway (middle driveway) leading to the barn and old farm house (labeled driveway A), and another driveway located to the east of driveway A that runs along the east side of the property and going to the owners residence (labeled driveway B). The third driveway is to the west of driveway A and enters the southeast field (labeled driveway C). Driveway A will be the entrance for the public, and driveway B will be the exit. Driveway C is the exit if the overflow area is used. Parking will occur in grassy area/alfalfa field with room to be modified as needed. (Refer to the site map). This area will be farmed the rest of the season. Parking for employees will be adjacent to public parking. Handicap parking will be available closer to the farm (refer to the site map).

Traffic: Much of the anticipated traffic will be coming from JI onto 73rd Street and then entering the property.

Buildings: There is an old house on the farmstead that will not be occupied. We do not intend to live in it. It will be used for storage.

Outbuildings: There is a traditional Wisconsin red barn which will be used for our planned activities. There are two other wooden sheds, both of which will be used in the farm operation.

Outdoor storage: Wagons and farm produce will be outside as determined by the seasons.

Outdoor activities: Examples of outdoor activities within the outdoor activity area on the site map plan (in blue outline) are a corn maze, pumpkin patch, farm animals, educational displays, hay rides, and picnic area. The proposed activity area encompasses the approximate 2 acre farmstead and an additional 2-3 plus acres to the west and north of the farmstead as needed. The described area will be where the majority of activities take place but the whole property will be encompassed in the Use Permit. Please refer to the comprehensive list of potential fall activities on the attached appendices (B and C).

Indoor activities: Part of the barn will be used to display and market produce and related farm products. The barn will be available for agricultural entertainment activities from May through October.

Special Events: There is the potential to host special events on the farm. Examples would be weddings, barn dances, or corporate meetings. Most of these events would take place in the barn.

Outdoor lighting: The farm currently has a yard light on the north side on the barn and north west side of the house. Additional lighting will be added on the outside of the barn as needed. Temporary lighting may be added in the parking area for safety as needed. Any lighting that is added would be dark sky lighting.

Trash removal: A dumpster will be on site, as needed. Trash cans will be placed in appropriate areas such as picnic areas and activity areas. Trash items will be screened from the public as much as reasonable.

Public hygiene: Portable toilets and hand washing stations will be available to the public during the days of operation. Toilet facilities will be separated and screened from farm activities.

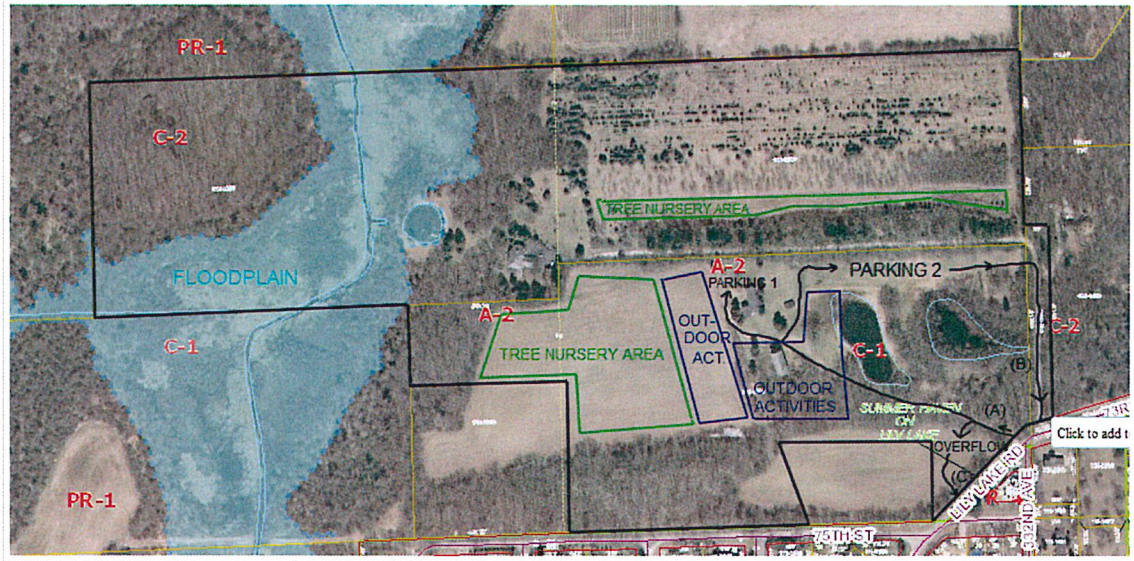
Proposed signs: An informational sign will be near the driveways along 73rd Street. Entrance/exit signs will be placed by appropriate driveways to control traffic to the parking area on the site plan. Any signs would be placed outside of the right-of-way and would not block any field of view to pose a safety concern.

Noise: The operation does not intend to use loud speakers or amplify noise in any way. The operation does not foresee the activities causing unreasonably loud noise levels. In the case of special events there may be extra noise enclosed within the barn. An example of such noise would be music for a wedding.

Public Safety: First aid kits and fire extinguishers will be on-site. An emergency plan will be in place prior to commencing activities. Emergency vehicles will use Driveway A to enter. Adequate insurance will be in place to protect the users and owners of Spring Valley Farmstead.

Public Services: Public services should not be needed except for in the case of an emergency.

Appendix A
Site Map Plan



Appendix B

Examples of potential 2016 Activities

Hayride to pumpkin patch

Corn sand box

Sand box/sand box with tire play set

Animal feeding/petting: farm animals to include goats, chickens, rabbits, pigs, sheep, cows, horses, additional animals

Swings / tire swings

Balance beam - a log close to the ground half-buried

Slides

Pedal carts/trikes and tracks

Bouncy horses / bouncy house

Straw stacks/forts

Play set

Farm yard games - Cornhole toss, bolotoss, etc.

Educational tour of the farm / educational displays

Refreshments / food items

Sale of farm's produced goods (pumpkins, gourds, squash, Indian corn, crafts, honey, jelly, etc)

Cutout figures/photo opportunities

Culvert/hamster wheels

Bonfires

Archery shoots / archery practice

Weddings / wedding receptions

Deck of barn

Appendix C

Examples of potential 2017 and beyond activities

Lookout/telescope

Face painting

Pumpkin painting/carving

Teeter totter

Merry-go-round

Haunted woods/haunted corn maze

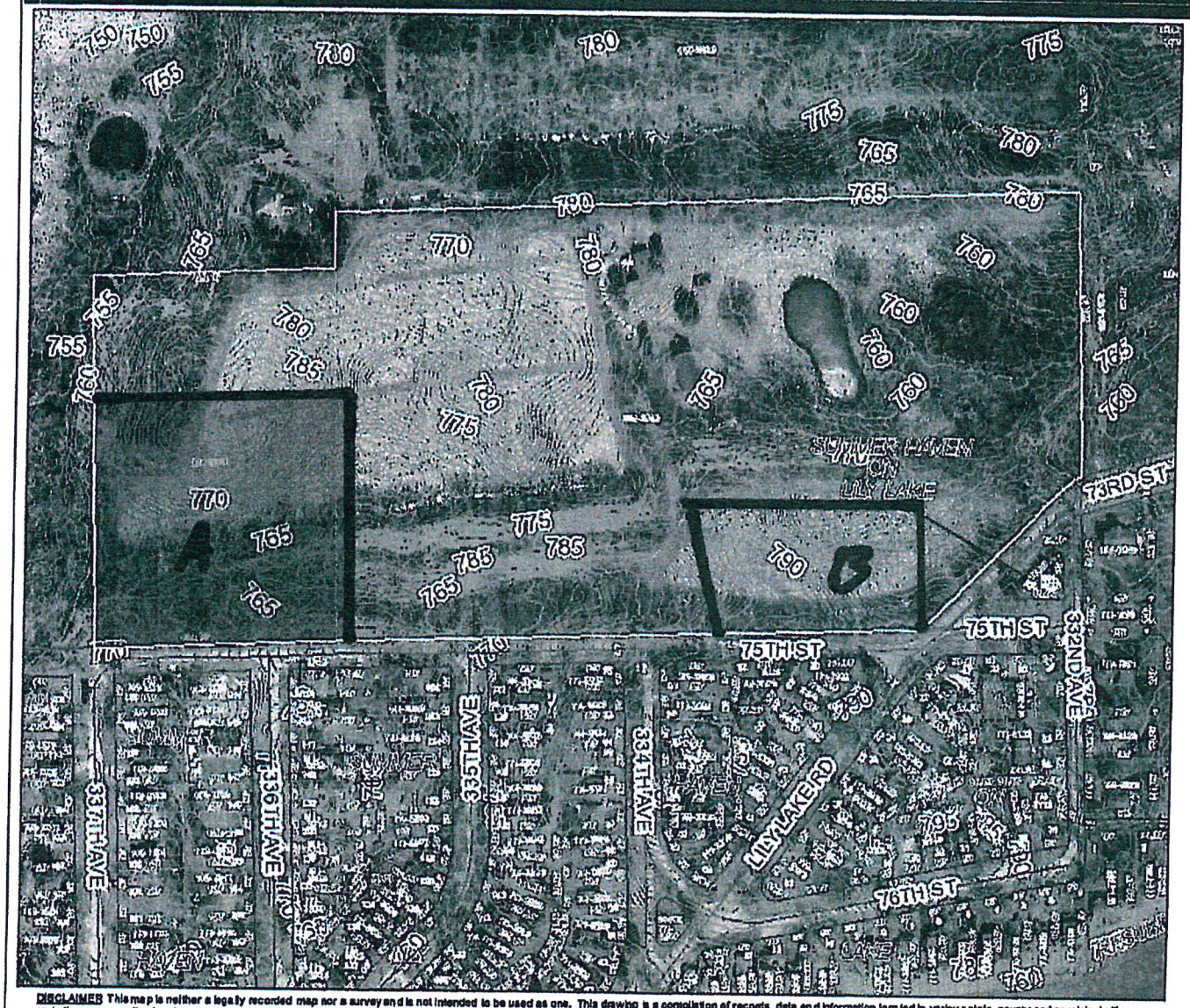
Tree house

Pumpkin cannon/corn cannon/pumpkin slingshot

Giant pillow

Hiking trails

ATTACHMENT B



KENOSHA COUNTY INTERACTIVE MAPPING

Legend

- Street Centerlines
- Right-of-Ways
- Water Features
- Parcels
- Certified Survey Maps
- Condominiums
- Subdivisions
- Municipal Boundaries

Contours

- Index Contour
- Intermediate Contour
- Index Depression
- Intermediate Depression

1 inch = 258 feet

Date Printed: 1/31/2016

DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

PV 2-17-16

AM 2-17-16

PK 2-15-16

JK 2/15/16

TEMPORARY USE SITE MAP

PETITIONER(S):

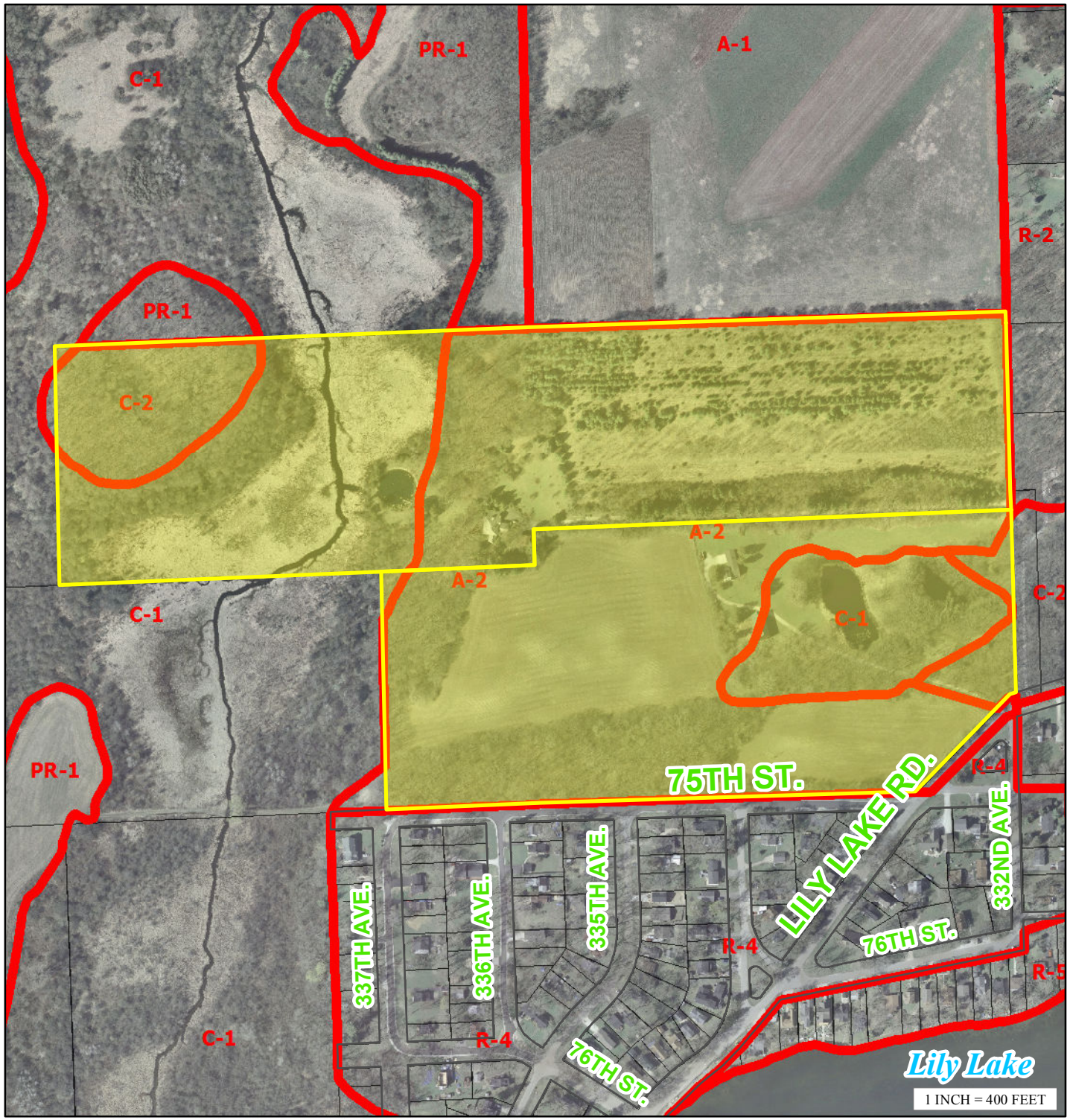
Arthur A. Naber & Paul J. Naber (Owner)
Philip Kirsch (Owner/Agent)

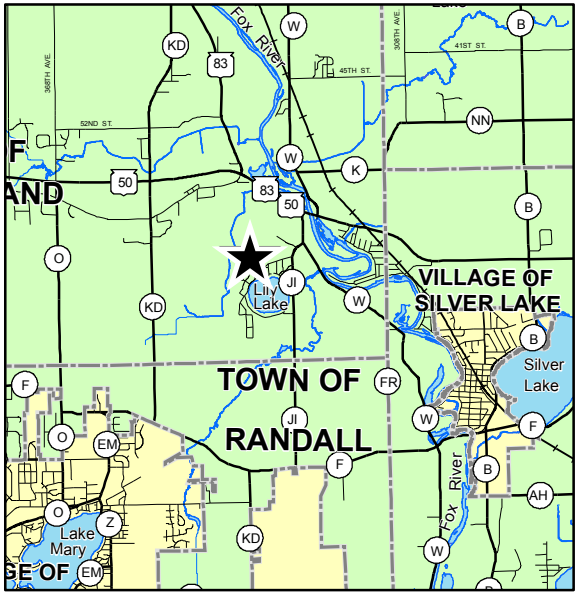
LOCATION: S 1/2 of Section 2, Town of Wheatland

TAX PARCEL(S): #95-4-119-024-0300 & #95-4-119-023-0200

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 temporarily operate an agricultural tourism/event barn in the A-2 General Agricultural Disrict & the C-2 Upland Resource Conservancy District.





May19NaberTempUseBOA.mxd

COUNTY OF KENOSHA

Department of Public Works & Development Services

January 2013

TEMPORARY USE APPLICATION

RECEIVED

APR 21 2016

Kenosha County
Planning and Development

Owner: Omar Calzada

Mailing Address: 28343 41st Street

Salem WI 53168

Phone Number(s): 847-652-5287

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: 30-4-220-294-0300 Zoning District: A-2

Property Address: 28353 41st Street Shoreland: No

Subdivision: - Lot(s): - Block: -

Current Use: Single-Family Residence w/ Att. Garege & One Outbuilding

REQUIRED BY ORDINANCE

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

To operate a temporary commercial bull riding/rodeo event.

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.

Maximum of seven events (the Memorial Day and Labor Day events would each be over the course of two days).

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: _____ Signature: _____

Agents Address: _____

Phone Number(s): _____

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

April 7, 2016

Addressed to:
Brighton Plan Commission
Brighton Town Board
Kenosha County Board of Adjustments

Said temporary use permit application is being made for a bull riding event/rodeo use for a twelve month period from the date of approval. The event will happen no more than 7 times over the course of the twelve month period. Each event will be a one-day event, however the Memorial Day event and the Labor Day Event would each be over the course of two days.

The events will be held mostly in the open fence arena located in the western central part of the 10-acre property.

We anticipate approximately 300-500 people in attendance.

Patrons will arrive on site at 11:00 a.m. and leave the site by 10:00 p.m.

No overnight camping will be permitted on the site.

Sanitation:
Sufficient port-o-lets will be provided for patrons on-site.

Food Servce:
Food will be served by the petitioners.

Parking:
All parking will be on-site. Parking will be accommodated so as to eliminate the potential for backups onto 41st Street.

Hours of Operation:
Saturdays and Sundays (no overnight camping of patrons)
11:00 a.m. to 10:00 p.m.

Music:
Music will not start until noon and will be done at 9:00 pm on all event dates.

Sincerely,

Omar Calzada

Kenosha County

APRIL 2015 AIR PHOTO

N
W E
S

1 inch = 300 feet

THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. KENOSHA COUNTY IS NOT RESPONSIBLE FOR ANY INNACURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT KENOSHA COUNTY.

Source: Kenosha County Department of Planning and Development

Source: Kenosha County Department of Planning and Development

Kenosha County

EXISTING CONDITIONS (APRIL 2015)

N
W E
S

1 inch = 200 feet

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Source: Kenosha County Department of Planning and Development

Kenosha County

PROPOSED SITE PLAN OF OPERATION

N
W E
S

1 inch = 100 feet

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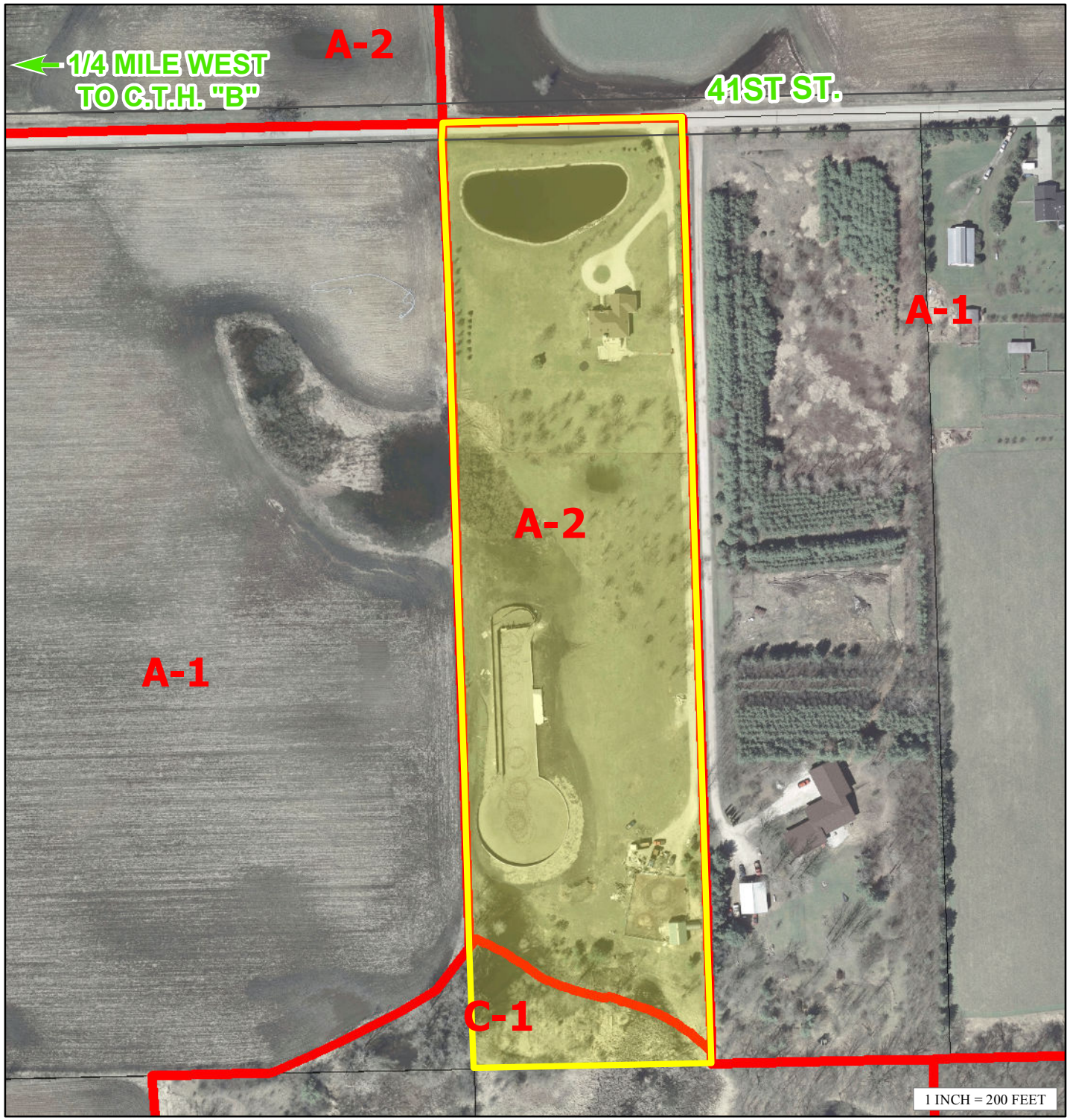

May19CalzadaTempUseBOA.mxd

TEMPORARY USE SITE MAP

PETITIONER(S):

Omar Calzada (Owner)

LOCATION: SE 1/4 of Section 29, Town of Brighton

TAX PARCEL(S): #30-4-220-294-0300

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 operate temporary commercial bull riding/rodeo events in the A-2 General Agricultural District.

KENOSHA COUNTY
CONSERVATION · PLANNING · DEVELOPMENT