



Zoning Board of Adjustment Agenda  
Kenosha County Center, Conference Room A  
September 1, 2016

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, September 1, 2016 at 6:00p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

**1. DANIEL C. MADRIGRANO - VARIANCE APPLICATION - TOWN OF PARIS**

DANIEL C. MADRIGRANO, 1627 216th Ave., Union Grove, WI 53182 (Owner), requesting a variance (Section V. A. 12.27-6(c): that all accessory buildings shall be located in the side or rear yard only and that there shall be a maximum of two large detached accessory buildings limited to a total of 1,800 square feet in area that shall not exceed 20 feet in height in the in the C-2 Upland Resource Conservancy Dist.) to construct in the street yard (required side or rear yard only) one large 50' x 72' pole barn totaling 3,100 sq. ft. in area (required 1,800 sq. ft. in total area) to be 27' high (required 20' high) on Tax Parcel #45-4-221-183-0123, SW 1/4 Section 18, T2 N, R21 E, Town of Paris. FYI – E side of 216th Ave. appx. 0.2 miles S of intersection with STH "142" (Burlington Rd.).

Documents:

[SUBMITTED APPLICATION.PDF](#)  
[EXHIBIT MAP.PDF](#)

**2. MICHAEL THOMAS MOREFIELD TRUSTEE - VARIANCE APPLICATION - TOWN OF RANDALL**

MICHAEL THOMAS MOREFIELD TRUSTEE, Bantry Ct., Darien, IL 60561 (Owner), Josh Hagen, Hagen Homes, 5595 312th Ave., Salem WI 53168 (Agent), requesting a variance (Section IV. C. 12.21-5(g)3: that all structures shall be located at least 10 feet from a side property line in the R-5 Urban Single-Family Residential District) to construct a single-family residence to be located 5.15' from both side property lines (required setback 10') on Tax Parcel #60-4-119-183-0510, SW 1/4 Section 18, T1 N, R19 E, Town of Randall. FYI – N side of 92nd St. appx. 150 ft. W of intersection with 406th Ave..

Documents:

[SUBMITTED APPLICATION.PDF](#)  
[EXHIBIT MAP.PDF](#)

**3. 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](#)

4. **CITIZEN COMMENTS**
5. **APPROVAL OF MINUTES**
6. **OTHER BUSINESS ALLOWED BY LAW**
7. **ADJOURNMENT**

#### NOTICE TO PETITIONERS

The petitioners: Daniel C. Madrigano, Michael Thomas Morefield Trustee and Arthur A. Naber & Paul J. Naber shall be present at the hearing on Thursday, September 1, 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 Paris, Randall and Wheatland are requested to be represented at the hearing on Thursday, September 1, 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

Owner: Daniel C. Madrigrano

Mailing Address: 1627 216th Avenue

Union Grove WI 53182

Phone Number(s): 262-878-6133

RECEIVED  
JUL 22 2016  
Kenosha County  
Planning and Development

*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: 45-4-221-183-0123 Zoning District: C-2

Property Address: 1627 216th Avenue Shoreland: No

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

Current Use: Single-Family Residence (2003)

Proposal: To construct a pole barn.

REQUIRED BY ORDINANCE	VARIANCE REQUESTED
Section: <u>V.A.12.27-6(c)</u> - Detached accessory buildings in the C-2 Upland Resource Conservancy District are permitted provided that all accessory buildings are located in the side or rear yard only. One accessory building shall be limited to a maximum of 150 square feet in area and a maximum of 15 feet in height. The other two buildings shall be limited to a total of 1,800 square feet in area and shall not exceed 20 feet in height.	<u>Street-Yard Placement</u>  <u>3,100 Sq.ft.</u>  <u>27' height</u>

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.

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

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(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.*

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(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.*

Topography of the land north and east of the residence. The existing berm and vegetation along the road right-of-way will remain in-tact and will screen the proposed building from public view.

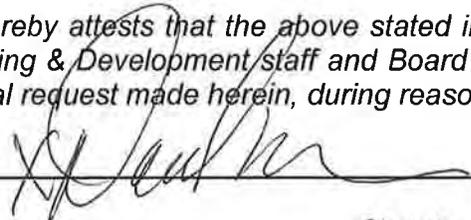
(4) What would be the effect on this property, the community or neighborhood and the public interest if the variance was granted? How can these impacts be mitigated.

*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.*

Impact is negligent to surrounding properties given no horizontal setbacks are being deviated from.

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*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: \_\_\_\_\_ Signature: \_\_\_\_\_

Agents Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

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# 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*

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### HEARING DATES

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

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## Department of Planning and Development

### VARIANCE PROCEDURES BEFORE THE BOARD OF ADJUSTMENTS

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- 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 <sup>th</sup> Street, Post Office Box 520	
Bristol, Wisconsin 53104-0520	
Division of County Development (including Sanitation & Land Conservation) .....	<b>857-1895</b>
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

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- ❑ 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.

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### **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 -

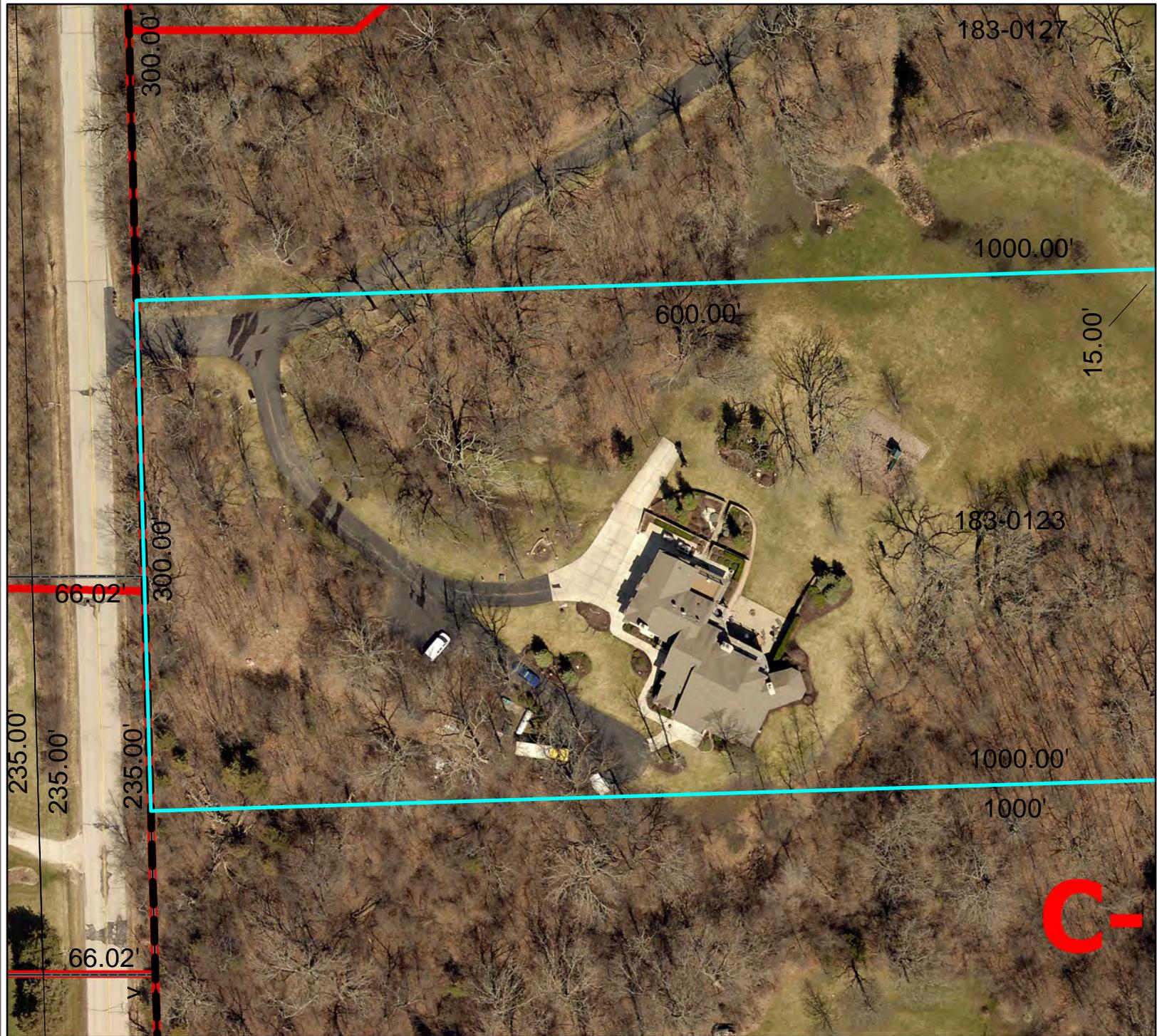


# Kenosha County

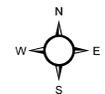


1 inch = 80 feet

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.

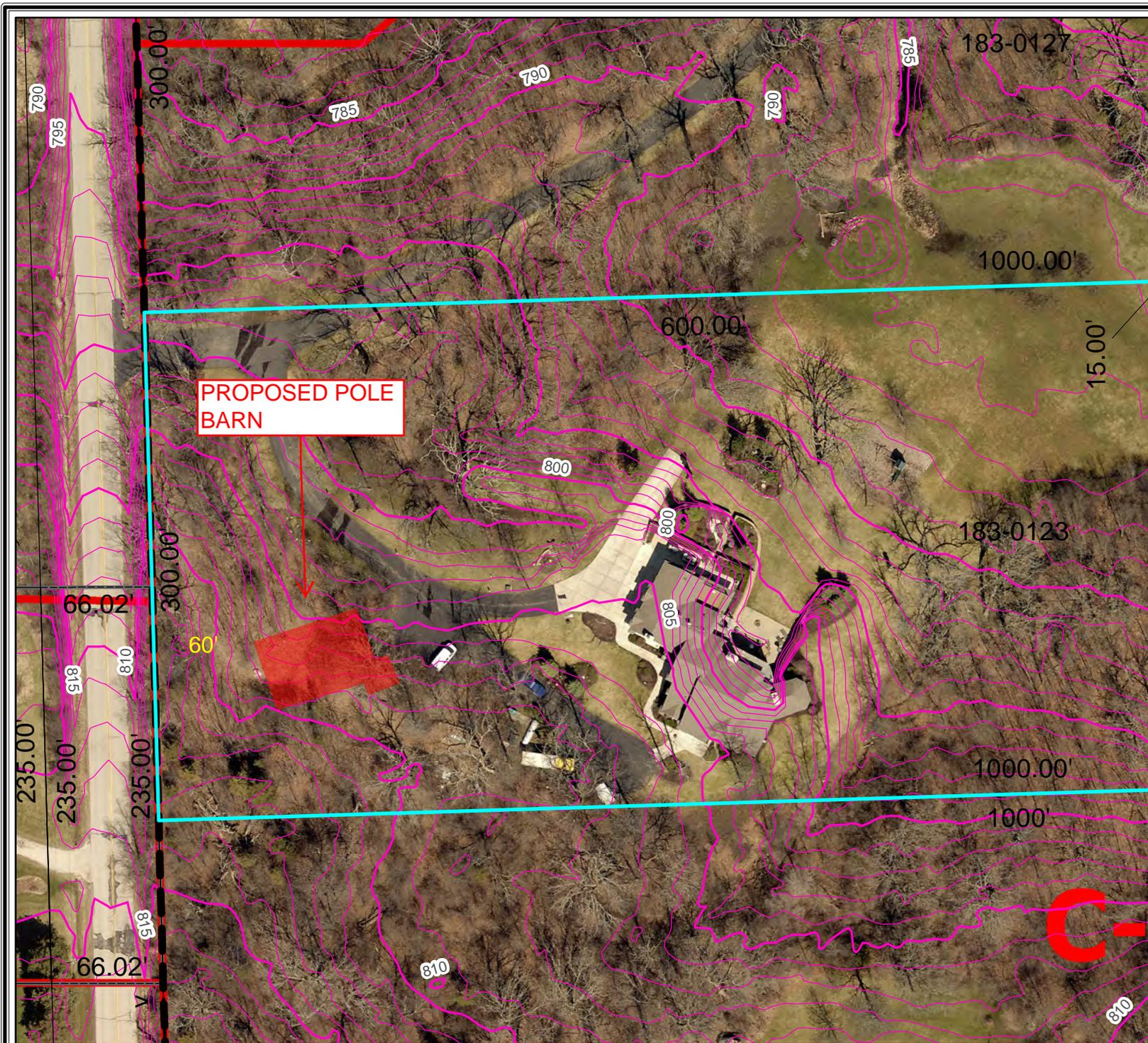


# Kenosha County

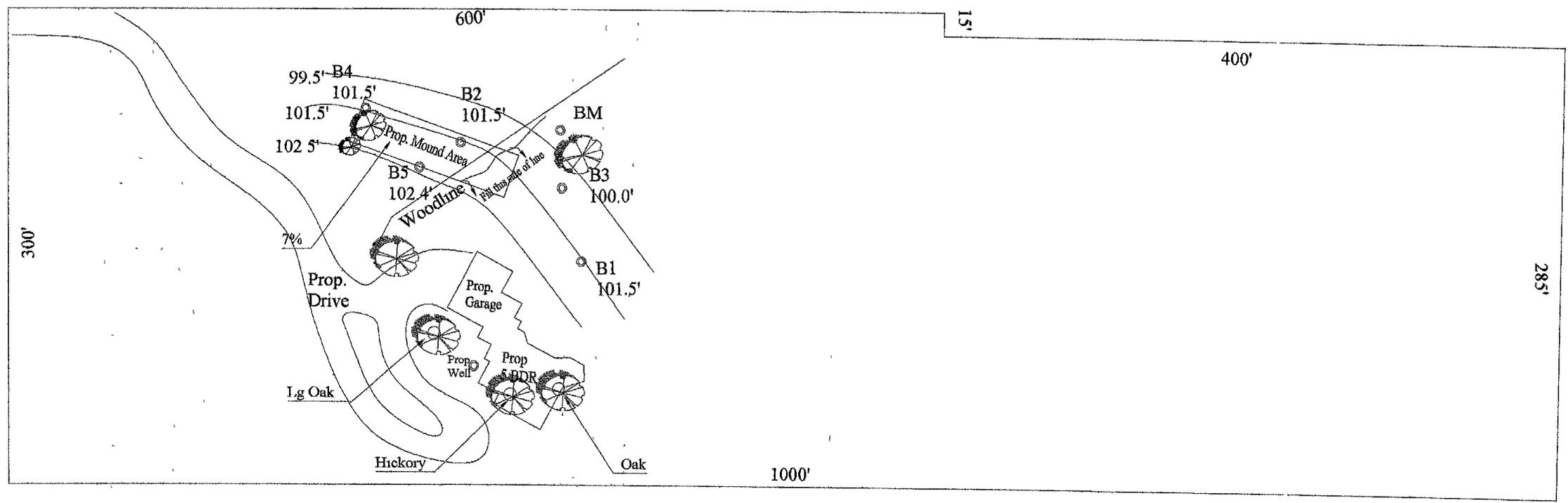


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216TH STREET

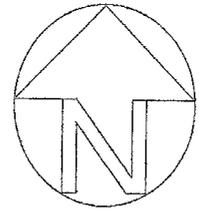


**PROPERTY OWNER**  
 Dan Madrigano  
 8420 47TH Ave.  
 Kenosha, WI 53142

**SCALE**  
 1" = 80'

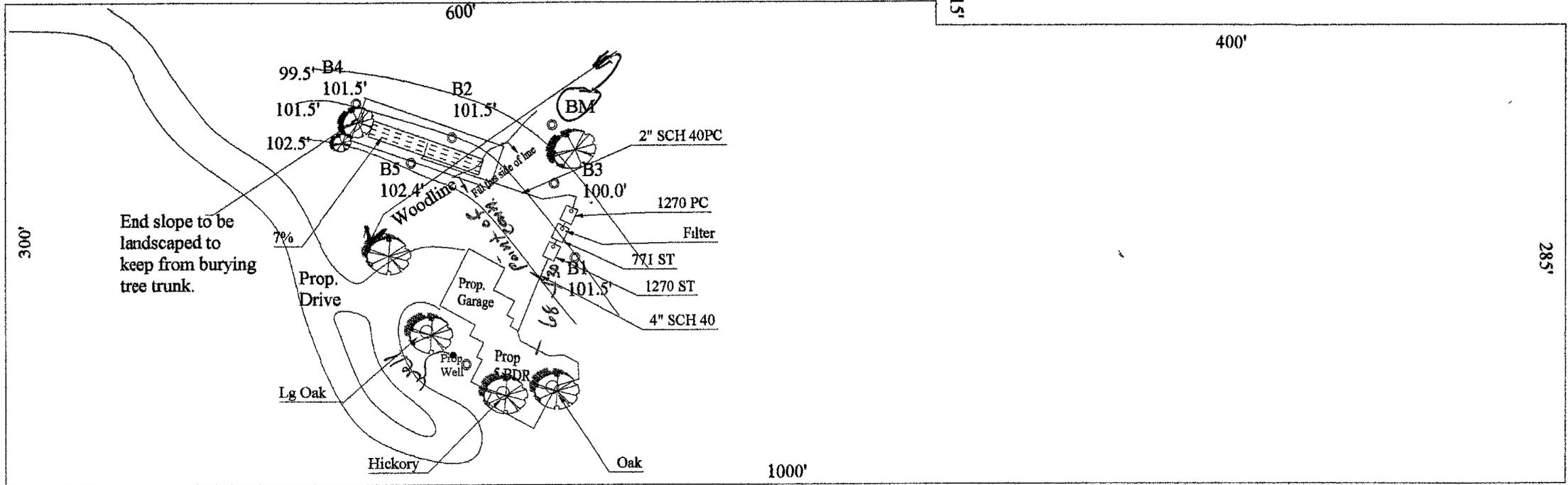
**LOCATION**  
 ID-45-4-221-183-0123  
 NW1/4 SW1/4 18-2-21E  
 Town of Paris  
 Kenosha County

**BENCHMARK = 100'**  
 Top of 4 nails 1' up  
 on N side of Lg Oak



Lance Petrasek  
 224315

216TH STREET

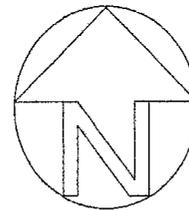


**PROPERTY OWNER**  
 Dan Madrigano  
 8420 47TH Ave.  
 Kenosha, WI 53142

**SCALE**  
 1" = 80'

**LOCATION**  
 ID-45-4-221-183-0123  
 NW1/4 SW1/4 18-2-21E  
 Town of Paris  
 Kenosha County

**BENCHMARK = 100'**  
 Top of 4 nails 1' up  
 on N side of Lg Oak



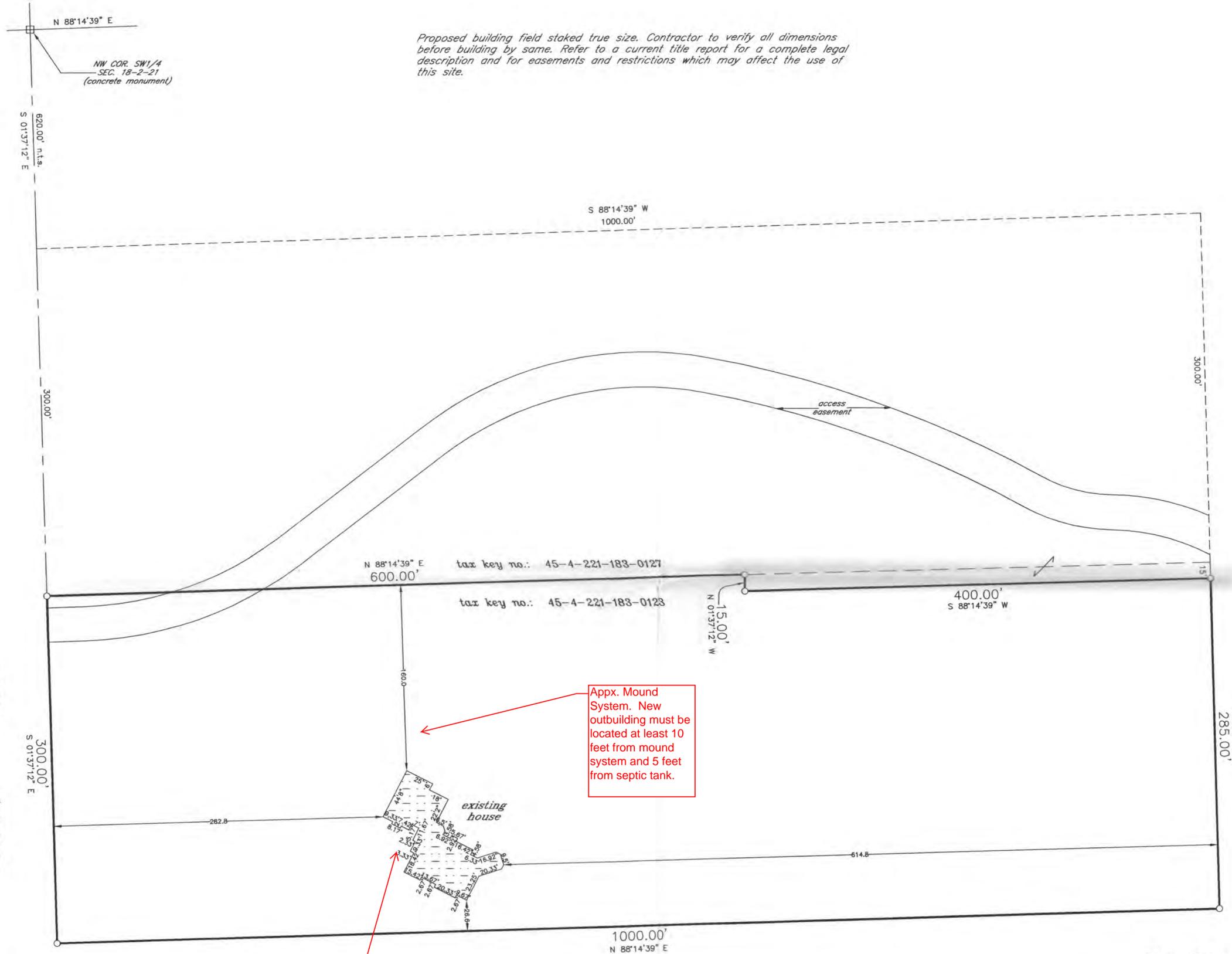
F/S APPROVED

Scale 1" = 60'



F/S APPROVED

Proposed building field staked true size. Contractor to verify all dimensions before building by same. Refer to a current title report for a complete legal description and for easements and restrictions which may affect the use of this site.



Appx. Mound System. New outbuilding must be located at least 10 feet from mound system and 5 feet from septic tank.

Appx. Well Location

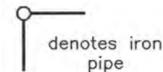
J.K.R. SURVEYING, INC.  
8121 22ND AVENUE  
KENOSHA, WI 53143



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

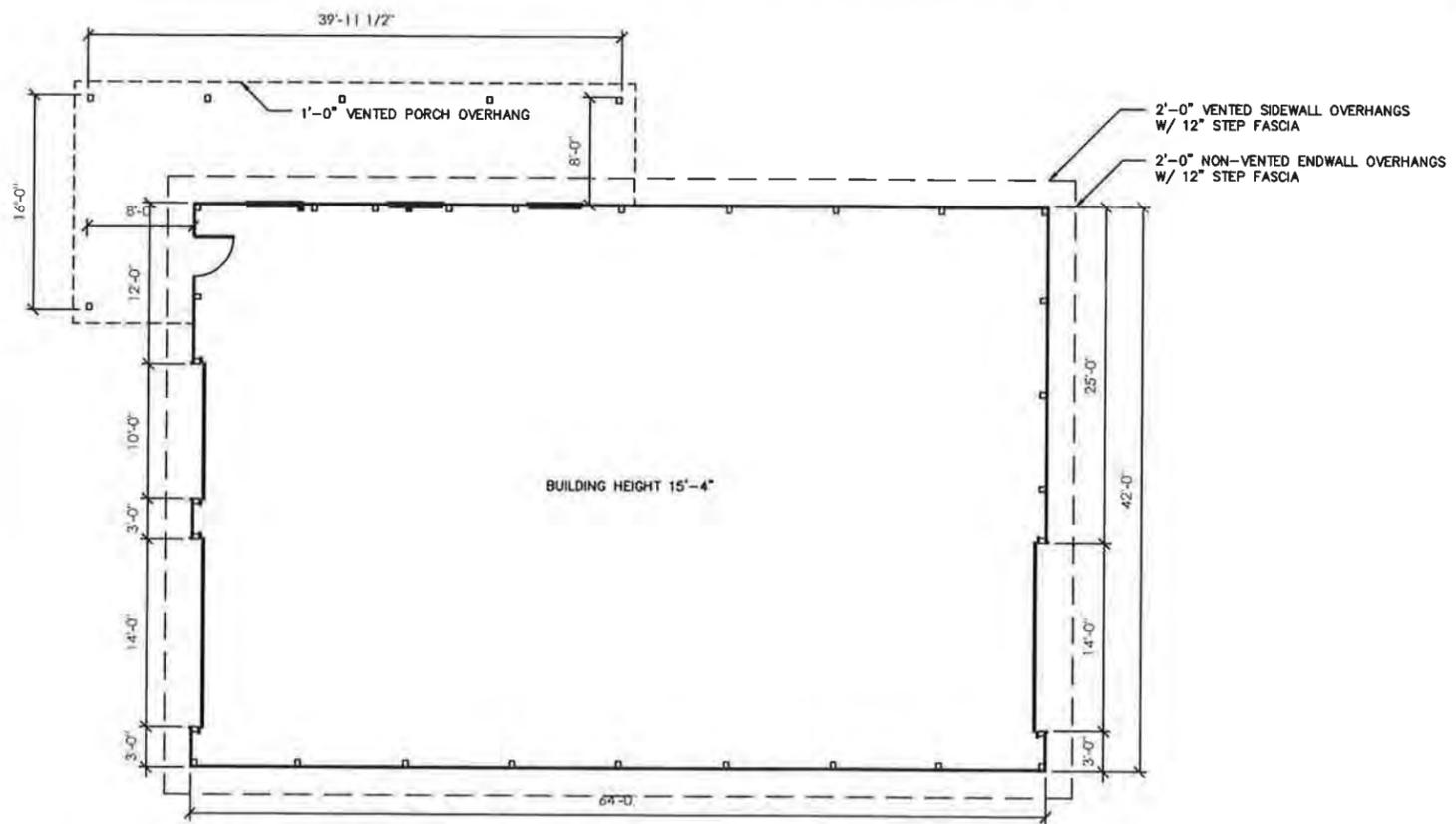
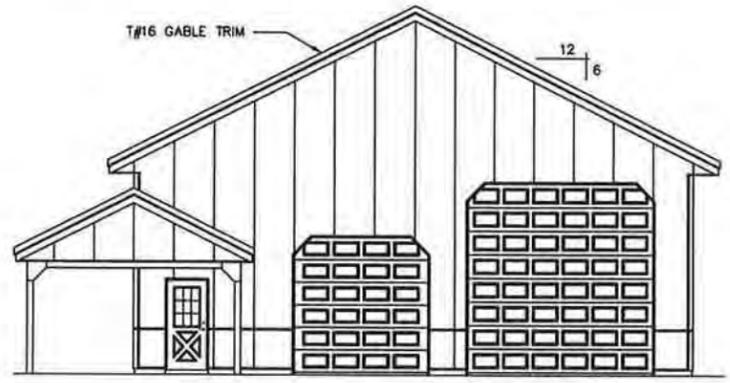
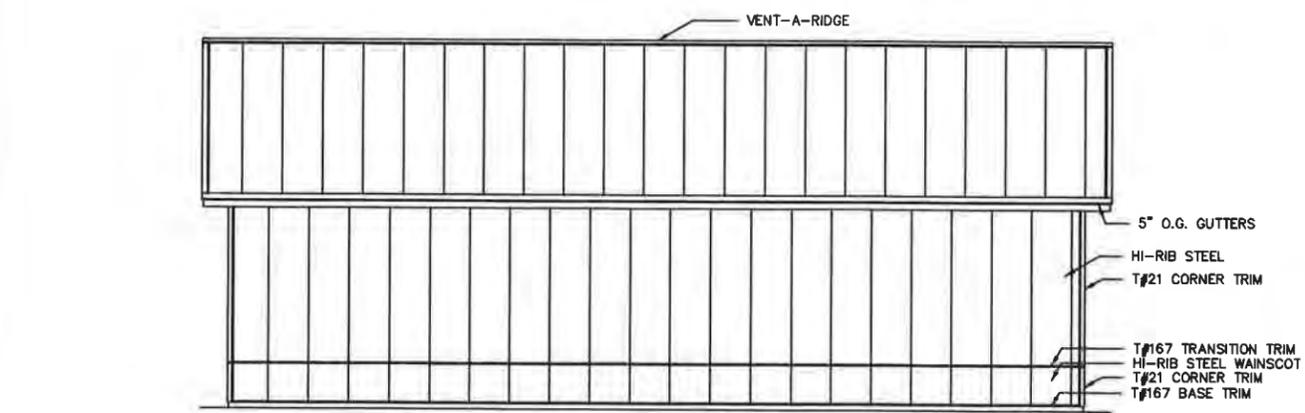
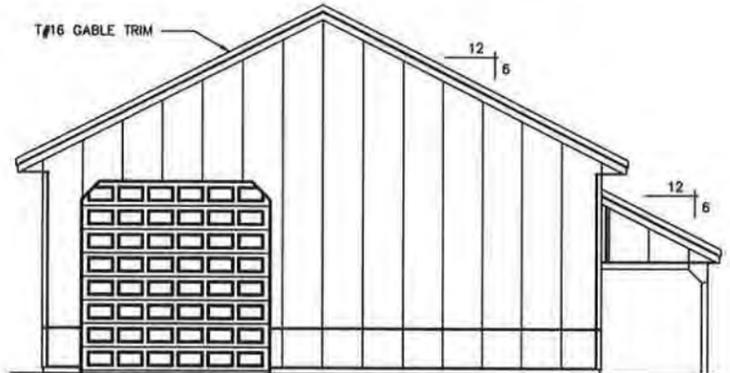
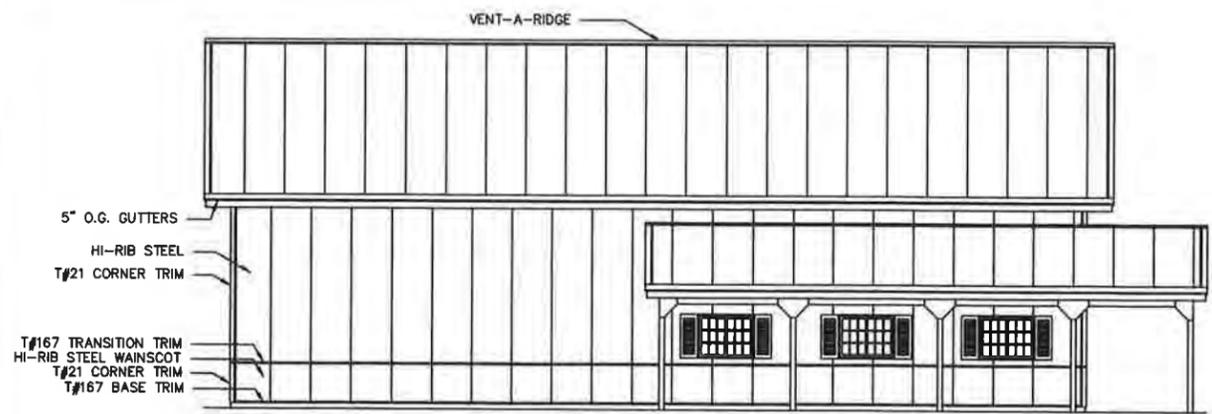
Reg. Land Surveyor  
November 12, 2008  
Revised 9/06/06

Bearings refer to grid north, state plane coordinate system south zone.



Plat of Survey of  
PREMISES KNOWN AS TAX KEY NO:  
45-4-221-183-0123  
in SW1/4 Section 18-2-21  
TOWN OF PARIS  
KENOSHA COUNTY, WIS.  
-for-  
Central Contractors

OFFICE: IXONIA, WI.  
 JOB NO. 9MADRIGRANO1



**SUPPLEMENT TO FORM 86**  
 Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

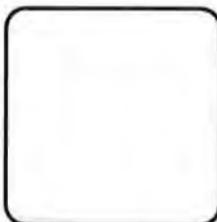
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DAN MADRIGRANO  
 UNION GROVE, WI.

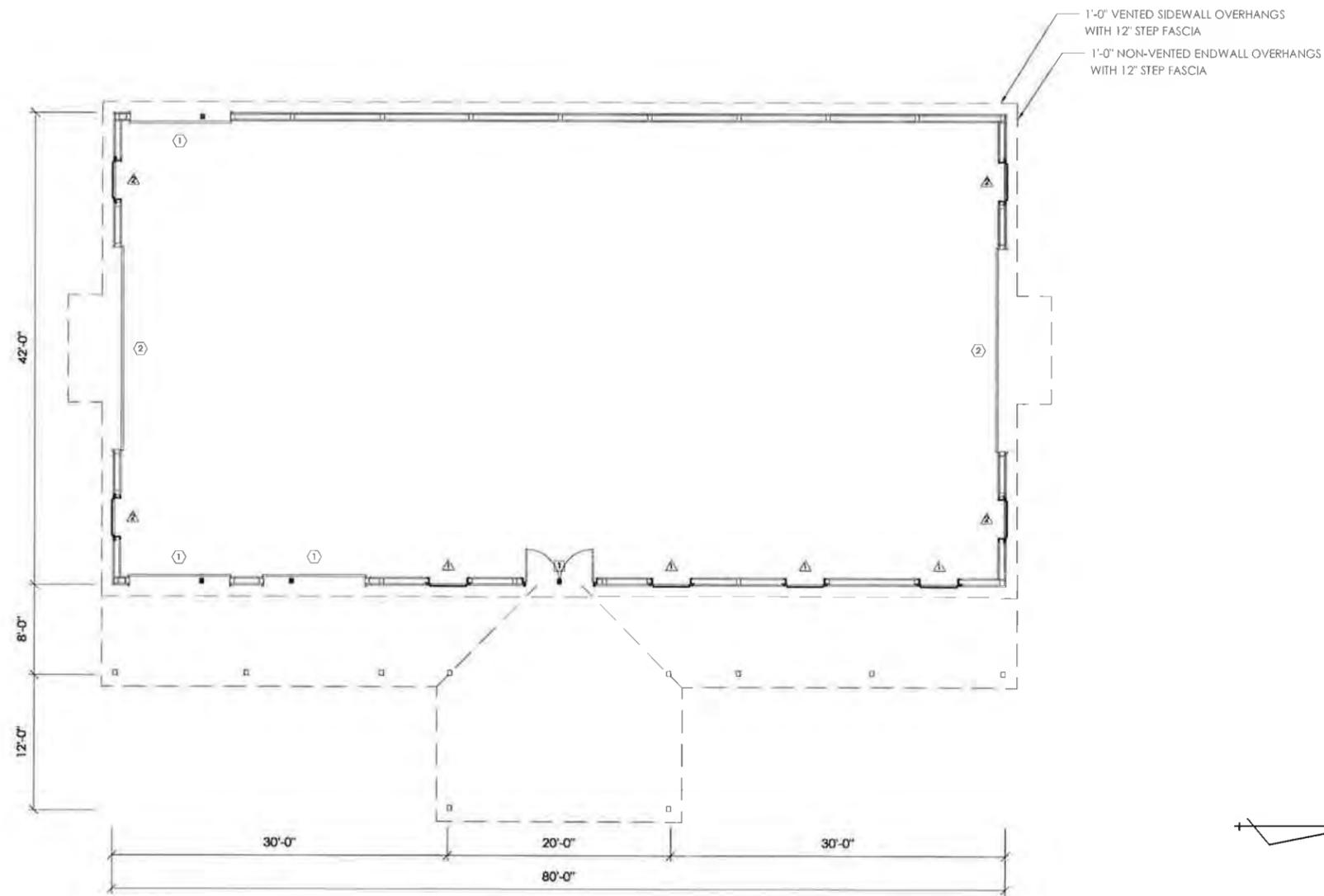
**MORTON BUILDINGS, INC.**

© MORTON BUILDINGS, INC. P.O. BOX 399 MORTON, IL 61550-0399 309-263-7474

DRAWN BY:	SCOTT K.
DATE:	6-27-16
CHECKED BY:	
DATE:	
REVISED DATE:	
REVISED DATE:	
REVISED DATE:	
REVISED DATE:	



SCALE:  
 1 SHEET NO. 1  
 OF 1



COLUMN PLAN

COLUMN PLAN LEGEND

- - 3-2x6 LAMINATED COLUMN LOCATION
- - HEADERED TRUSS LOCATION
- ① - 6068 9-LITE TEMPERED GLASS IN LEAF WITH EMBOSSED CROSSBUCK FIBERSTEEL WALKDOOR(S), IN SWING WITH LOCKSET
- △ - (4) 3440 MB SINGLE HUNG WINDOW(S) WITH GRIDS BETWEEN GLASS
- ① - (3) 9'-2" x 8'-1" OVERHEAD DOOR(S) WITH PREPARATION FOR E.P. LINER, PREPARE FOR HI-LIFT TRACK
- ② - (2) 18'-2" x 14'-1" OVERHEAD DOOR(S) WITH PREPARATION FOR E.P. LINER

PRELIMINARY DRAWING FOR OWNER'S APPROVAL

- DRAWING APPROVED AS SUBMITTED
- DRAWING APPROVED PENDING CHANGES NOTED
- REVISE DRAWING WITH NOTED CHANGES AND RESUBMIT

OWNERS SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

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MORTON BUILDINGS, INC.



DON BOXX  
KENOSHA, WI



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MORTON, IL 61550-0399  
309-263-7474

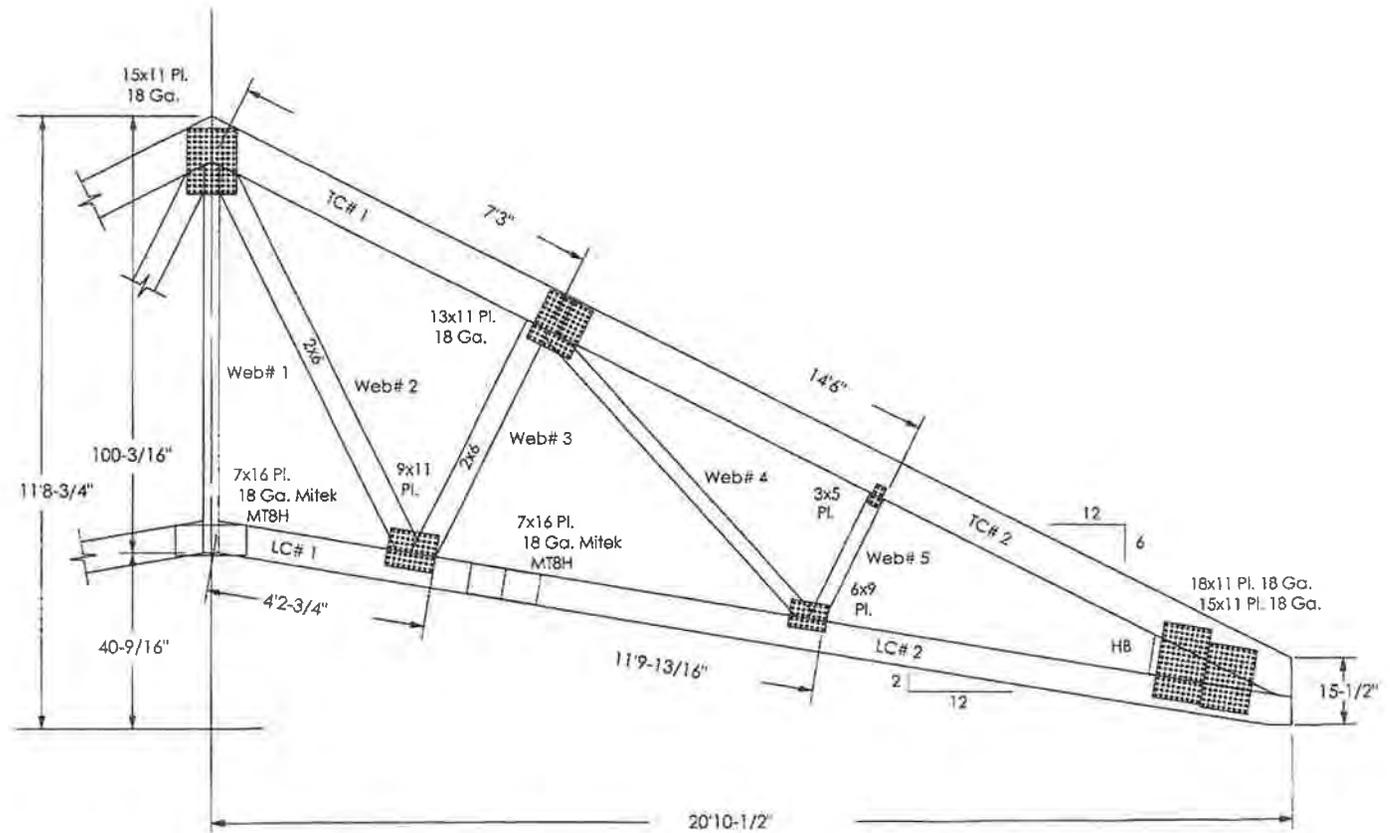


DRAWN BY:	MGM
DATE:	6/21/2016
CHECKED BY:	---
DATE:	---
REVISED DATE:	---
REVISED DATE:	---
REVISED DATE:	---
REVISED DATE:	---

SCALE: AS NOTED

SHEET NO.

S1 OF S3



**42' R.C. 4075 TRUSS**

**TRUSS DESIGN SPECIFICATION:**

Truss has been designed by computer using the Purdue Plane Structure Analyzer IAW current standards and specifications of recognized engineering principles. Trusses are manufactured by Morton Buildings, Inc.

**LUMBER SPECIFICATION (2005 NDS for Wood Construction):**

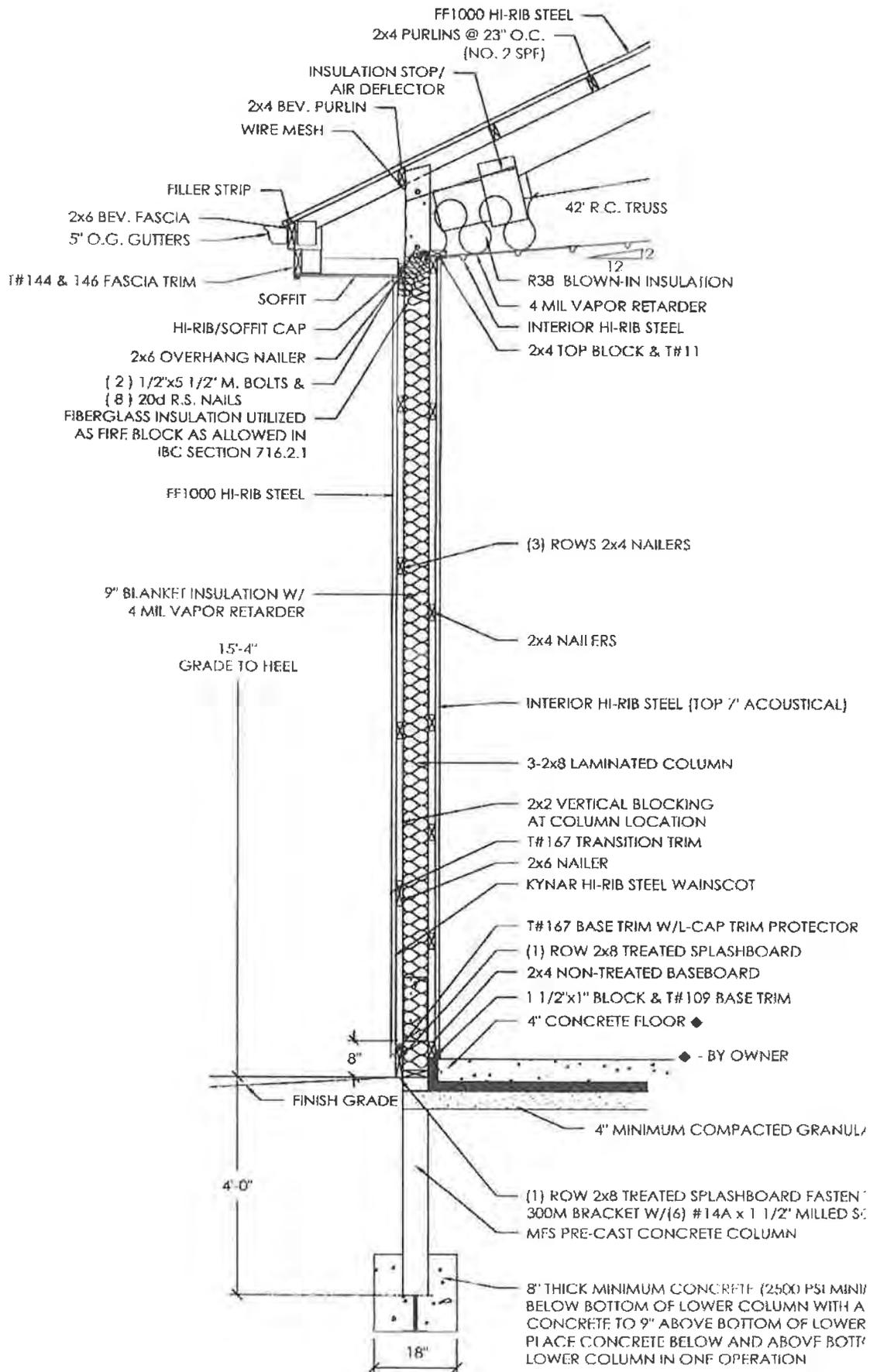
Lower Chord -- 1950F - 1.5E MSR Southern Pine  
 Top Chord -- No. 1 K.D. - 19 Southern Pine  
 Web Members -- No. 1 K.D. - 19 Southern Pine

**TRUSS PLATE SPECIFICATION (ICC Evaluation Report No. 3080):**

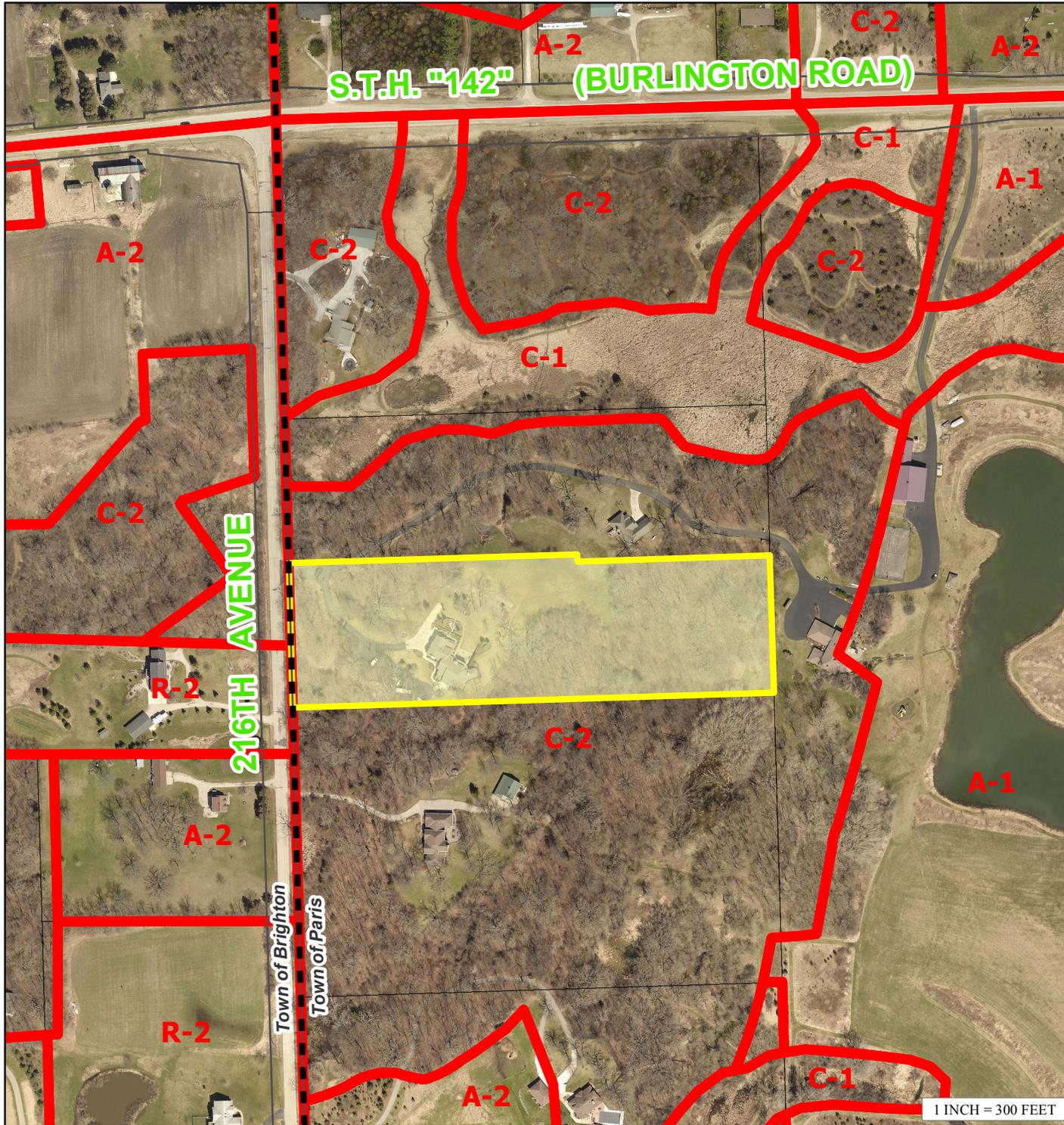
ASTM A-653, Grade A 20 Ga. and 18 Ga. where noted, galvanized steel Morton truss plates identified by a hexagon stamped every 1 1/4" along the center of the plate.

**RAFTER LENGTH 23'-4 1/16"**

Webbs are 2x4's except where noted



**SIDEWALL SECTION A**



VARIANCE SITE MAP

PETITIONER(S):

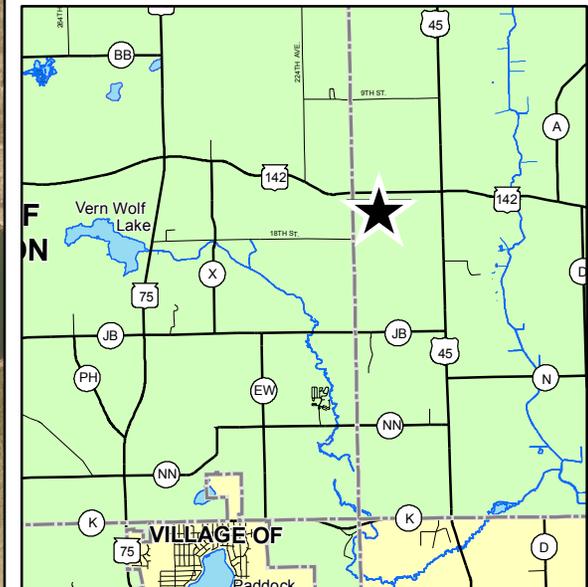
Daniel C. Madrigano (Owner)

LOCATION: SW 1/4 of Section 18,  
Town of Paris

TAX PARCEL(S): #45-4-221-183-0123

REQUEST:

Requesting a variance (Section V. A. 12.27-6(c)): that all accessory buildings shall be located in the side or rear yard only and that there shall be a maximum of two large detached accessory buildings limited to a total of 1,800 square feet in area that shall not exceed 20 feet in height in the C-2 Upland Resource Conservancy District) to construct in the street yard (required side or rear yard only) one large 50' x 72' pole barn totaling 3,100 sq. ft. in area (required 1,800 sq. ft. in total area) to be 27' high (required 20' high).



1 INCH = 300 FEET

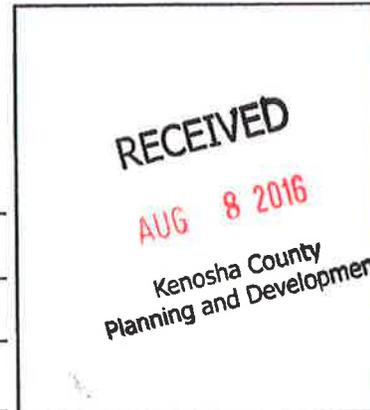


# COUNTY OF KENOSHA

December 2012

## Department of Planning and Development

### VARIANCE APPLICATION



Owner: Michael Thomas Morefield Trustee

Mailing Address: 6836 Bantry Court

Darien IL 60561

Phone Number(s): 630-215-4834

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: 60-4-119-183-0510 Zoning District: R-5

Property Address: 40612 92nd Street Shoreland: Yes

Subdivision: 1st Addition to Jefferson Island Sub. Lot(s): 5 Block: 5

Current Use: Single-Family Residence (1962)

Proposal: To re-construct a single-family residence on the property.

REQUIRED BY ORDINANCE	VARIANCE REQUESTED
Section: <u>IV.C.12.21-5(g)3</u> - Side yard - not less than 10 feet in width on each side of all structures.	<u>5.15' from each side lot line</u>
Section: _____ - _____	_____
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 reject compliant alternatives for the following reasons: 1. The rear topography of the land drops too much to build on if the front setbacks are enforced as well as the side setbacks 2. We are asking for the current houses side setbacks to remain as the house sits today. 3. The house will be moved back 11' to meet current zoning requirements for the front setback 4. The lot is too narrow with the current zoning rules. 5. We are trying to consider the neighbors and not block their view by creating a home that is pushed back past the rear of their homes. For this reason we are trying to build a two story home and keep the setbacks similar to that of the neighbors. 6. Very few houses in the area meet the current zoning requirements, especially side setbacks.

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

We have considered trimming the width of the garage by two feet as a compromise. If we did so the setbacks would be 6.15 on the left side and 6.16 on the right side. Any further loss on width would force the home to be longer to comply with current zoning rules which will then create an issue with the hill to the rear of the home as well as upset the immediate neighbors. All neighbors have been considered in this variance and we have their support to keep the existing side setbacks of 5'.

(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.*

**VARIANCE APPLICATION**

The zoning for this lot does create an unnessecary hardship because of the topography in the middle of the lot. The lot drops off nearly 16' in the rear 2/3 of the property. 20' elevation difference overall front to back.

(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.*

The lot elevation drops off severely from front to back. If the road were considered 100 for elevation sake. The front of the lot is at 99 and the rear of the lot is 79. That is a 20' difference in elevation from front to back with the majority of the drop in the rear two / thirds of the lot.

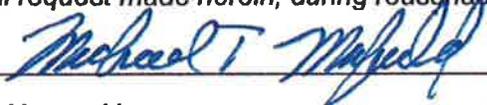
(4) What would be the effect on this property, the community or neighborhood and the public interest if the variance was granted? How can these impacts be mitigated.

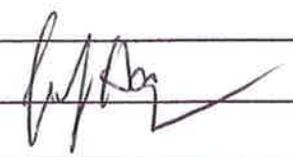
*These interests are listed as objectives in the purpose statement of an ordinance and may include: drainage, visual impact, and fire safety and building code requirements.*

If the variance was granted the homeowners and immediate neighbors believe it would be in everyones best interest. All parties have been consulted and everyone is in agreement. The placement of the proposed house keeps the rear of the house from protruding past the average line of nearby homes. The proposed home will look well placed with the proposed setbacks, not out of place or odd with the rest of the neighborhood. Drainage will flow well between the neighbors lots with the placement asked for. The proposed home would be a wonderful addition to the neighborhood and only increase values in the area.

---

*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: Josh Hagen, Hagen Homes Signature: 

Agents Address: Salem WI 53168

Phone Number(s): 262-930-1131

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# 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 Michael Thomas Morefield Trustee Date 08-03-2016  
Mailing Address 6836 Bantry Court Phone # 630-215-4834  
Darien IL 60561

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. 60-4-119-183-0510 Zoning District(s) R-5

Property Address 40612 92nd Street

Subdivision Name 1st Addition to Jefferson Island Sub. CSM # \_\_\_\_\_ Lot 5 Block 5 Unit \_\_\_\_\_

STRUCTURE DESCRIPTION	TYPE OF CONSTRUCTION	SIZE (L' @ H')	SIZE (L' x W')	AREA (sq feet)	HEIGHT (feet)	# OF STORIES
Residential Single-Family Principal Structure	Wood Frame		49'8" x 74'	6469	27.5	2

Contractor Josh Hagen, Hagen Homes  
Address 5595 312th Avenue  
Salem WI 53168  
Phone # 262-930-1131  
Agent Josh Hagen, Hagen Homes  
Address 5595 312th Avenue  
Salem WI 53168  
Phone # 262-930-1131

<b>For Office Use Only</b>	
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:
- ANY FEDERAL, STATE OR LOCAL RESTRICTIONS AND/OR DEED RESTRICTIONS.
  - 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.
  - THIS PERMIT SHALL EXPIRE EIGHTEEN (18) MONTHS FROM DATE OF ISSUANCE.
  - 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.wisconsin.gov/topic/wetlands/locating.html> OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER (262) 884-2300.**

Date Permit Issued \_\_\_\_\_  
\_\_\_\_\_  
Director of Planning Operations

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

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### HEARING DATES

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

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## Department of Planning and Development

### VARIANCE PROCEDURES BEFORE THE BOARD OF ADJUSTMENTS

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- 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 <sup>th</sup> Street, Post Office Box 520	
Bristol, Wisconsin 53104-0520	
Division of County Development (including Sanitation & Land Conservation) .....	<b>857-1895</b>
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

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- ❑ 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 -

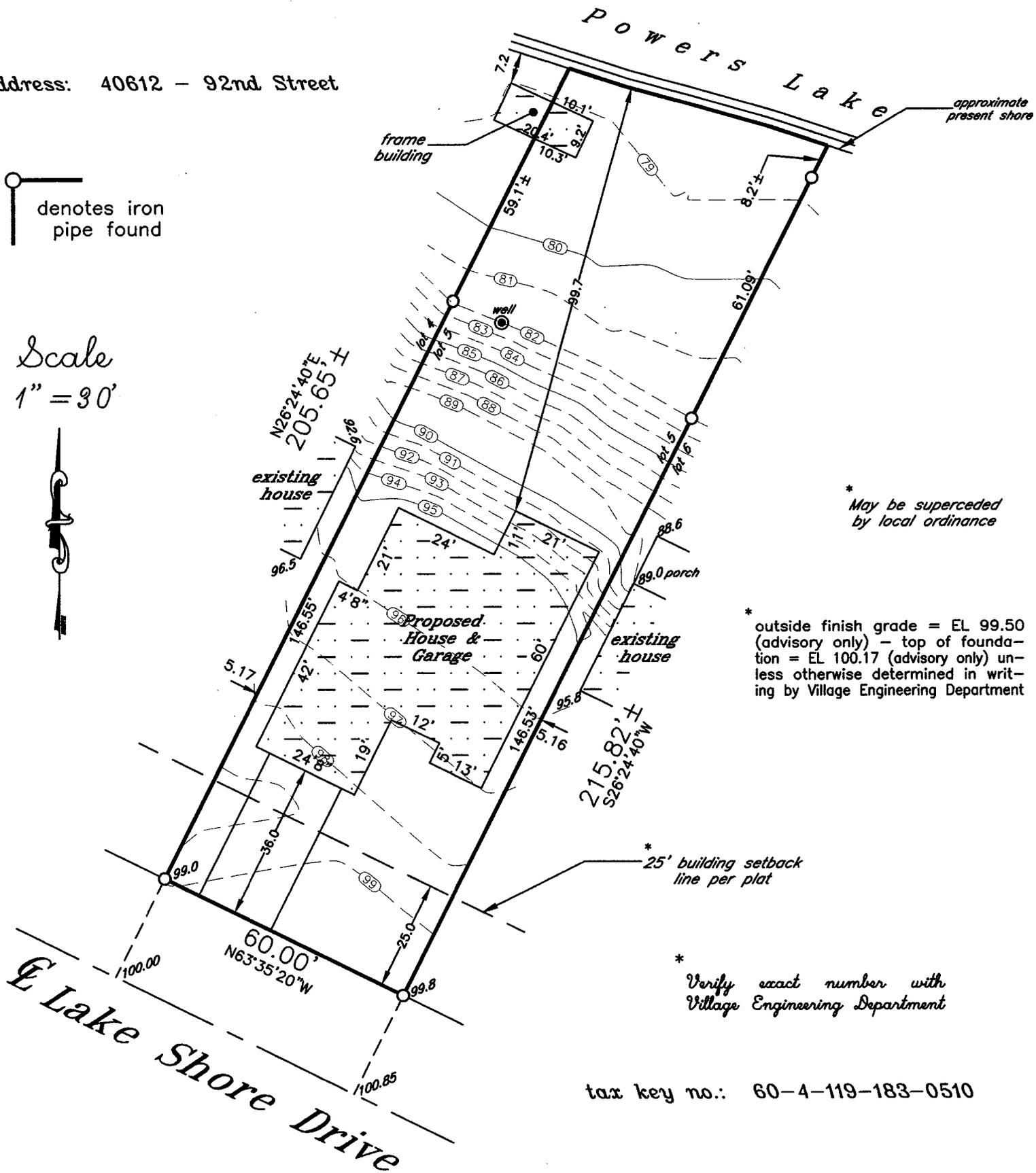
PROTECTION OF THE PUBLIC INTEREST -



address: 40612 - 92nd Street

denotes iron pipe found

Scale  
1" = 30'



\* May be superceded by local ordinance

\* outside finish grade = EL 99.50 (advisory only) - top of foundation = EL 100.17 (advisory only) unless otherwise determined in writing by Village Engineering Department

\* 25' building setback line per plat

\* Verify exact number with Village Engineering Department

tax key no.: 60-4-119-183-0510

Proposed building field staked true size. Contractor to verify all dimensions before building by same and adhere to drainage plan in effect for this subdivision. 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.

J.K.R. SURVEYING, INC.  
8121 22ND AVENUE  
KENOSHA, WI 53143



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

  
Reg. Land Surveyor  
August 1, 2016

Plat of Survey of  
LOT 5 BLOCK 5 IN  
PART TWO OF FIRST ADDITION TO  
JEFFERSON ISLAND SUBDIVISION  
in SW1/4 Section 18-1-19  
TOWN OF RANDALL  
KENOSHA COUNTY, WIS.  
-for-  
Hagen Homes

PLAN NOTES:



# MOREFIELD RESIDENCE

LAKE COUNTRY DESIGN STUDIO, LLC

N51W35831 HILLCREST COURT  
OCONOMOWOC, WI 53066  
PH|920.723.7005

WWW.LCDSDESIGN.COM



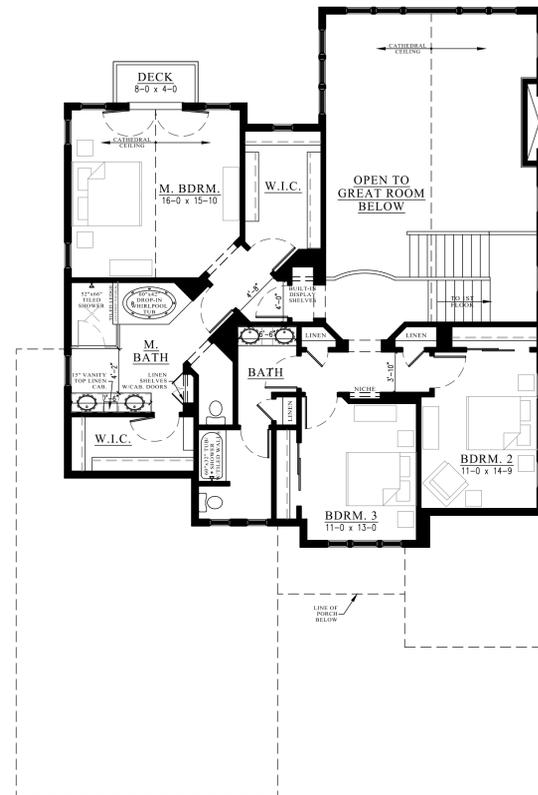
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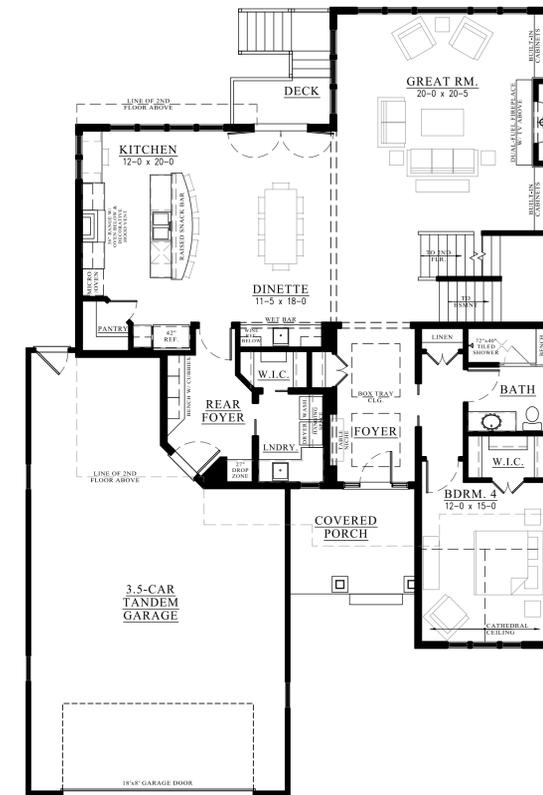
5595 312th Avenue  
Salem, WI 53168  
PH|262.930.1131

WWW.HAGENHOMES.COM

## ILLUSTRATIONS



SECOND FLOOR LAYOUT



FIRST FLOOR LAYOUT

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### PROJECT INFORMATION

MOREFIELD RESIDENCE

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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NO.	DATE:	DESCRIPTION:	BY:
	DRAWN BY:	DATE:	

### SQUARE FOOTAGES

LIVING AREAS	
FIRST FLOOR LIVING AREA	1855 SF
SECOND FLOOR LIVING AREA	1442 SF
FINSIHED BASEMENT AREA	1317 SF
TOTAL LIVING AREA	6469 SF

NON-LIVING AREAS	
GARAGE AREA	850 SF
UNFINISHED BASEMENT AREA	377 SF
COVERED PORCH AREA	120 SF

4614.00

### PROJECT INFORMATION

## MOREFIELD RESIDENCE

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

### INDEX OF DRAWINGS

Sheet Number	Sheet Title
Coversheet	Coversheet
CS	Coversheet
Architectural Drawings	
A1	Front & Rear Exterior Elevations - Roof Plan
A3	Foundation Plan
A2	Side Exterior Elevations
A4	First Floor Plan
A5	Second Floor Plan
A6	First & Second Floor Bracing Plans
Electrical Drawings	
E1	Foundation Electrical Plan
E2	First & Second Floor Electrical Plans
Section & Detail Drawings	
D1	Typical Wall Section & Building Details

SHEET TITLE

COVERSHEET

PROJECT TITLE

MOREFIELD

SHEET NUMBER

CS

SHT 1 OF 10





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PROJECT  
INFORMATION

**MOREFIELD  
RESIDENCE**

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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SHEET TITLE

**SIDE EXTERIOR  
ELEVATIONS**

PROJECT TITLE

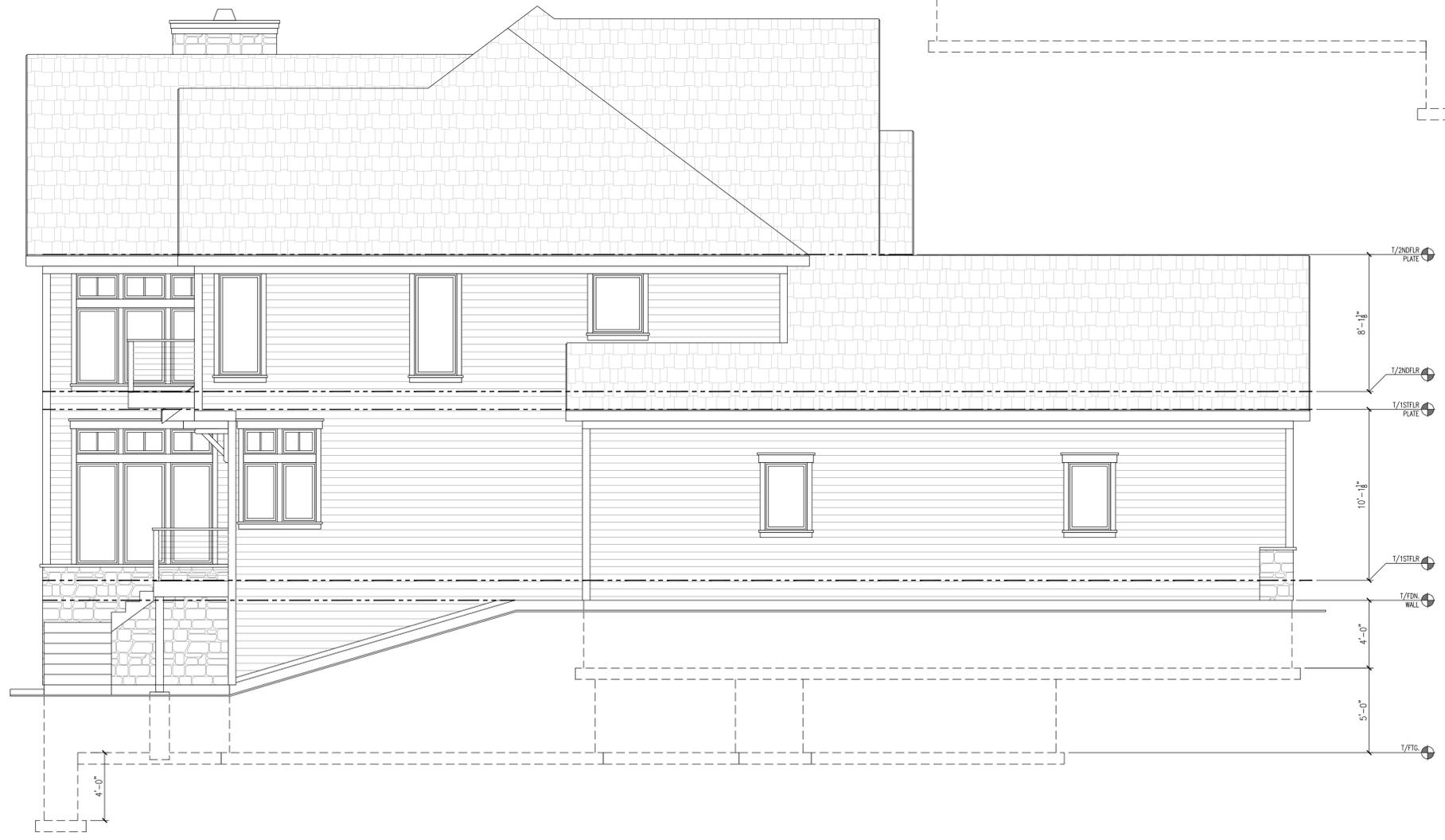
**MOREFIELD**

SHEET NUMBER

**A2**



MOREFIELD RESIDENCE  
**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



MOREFIELD RESIDENCE  
**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



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PROJECT  
INFORMATION

**MOREFIELD  
RESIDENCE**

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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SHEET TITLE

**FOUNDATION PLAN**

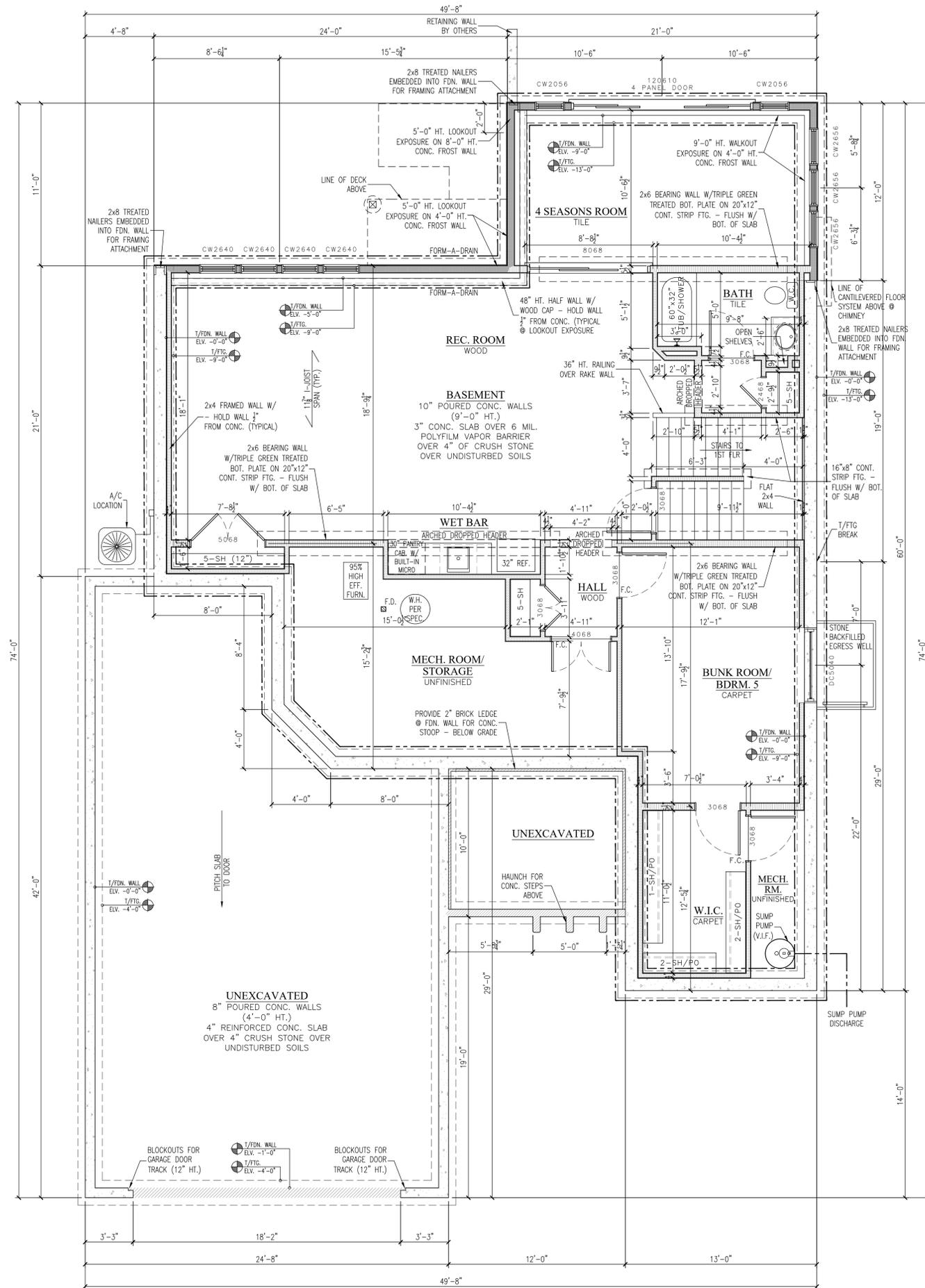
PROJECT TITLE

**MOREFIELD**

SHEET NUMBER

**A3**

SHT 4 OF 10



**FOUNDATION PLAN**

- NOTES:
- WALL INFORMATION**
  - MAIN HOUSE CONCRETE WALLS: 10" 3000psi POURED CONCRETE WALL @ 9'-0" (UNLESS NOTED).
  - GARAGE CONCRETE WALLS: 8" 3000psi POURED CONCRETE WALL @ 4'-0" (UNLESS NOTED).
  - STAIR INFORMATION**
  - REFER TO FIRST FLOOR PLAN FOR STAIR INFORMATION.
  - PLAN INFORMATION**
  - REFER TO TYPICAL WALL SECTION (SHT. D1) FOR ADDITIONAL FOUNDATION INFORMATION.
  - ALL PLAN DIMENSIONS ARE TO FACE OF STUD OR CONCRETE TO FACE OF STUD OR CONCRETE.
  - THE CONDITIONS LISTED HERE ARE STANDARD FOR THIS PLAN ELEVATION(S). EXCEPTIONS ARE NOTED ON THE PLAN.





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Salem, WI 53168  
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PROJECT  
INFORMATION

**MOREFIELD  
RESIDENCE**

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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SHEET TITLE

**SECOND FLOOR  
PLAN**

PROJECT TITLE

**MOREFIELD**

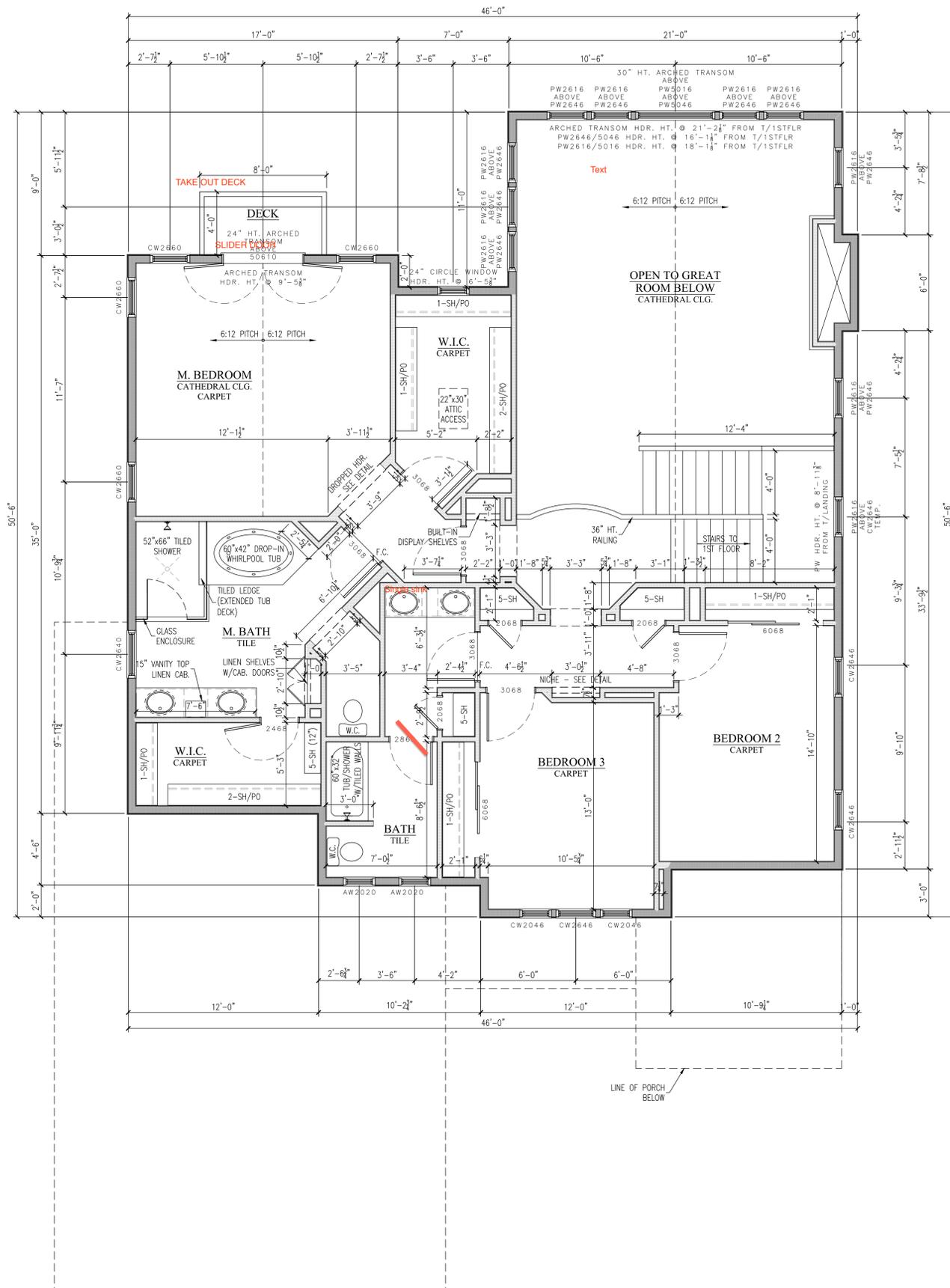
SHEET NUMBER

**A5**

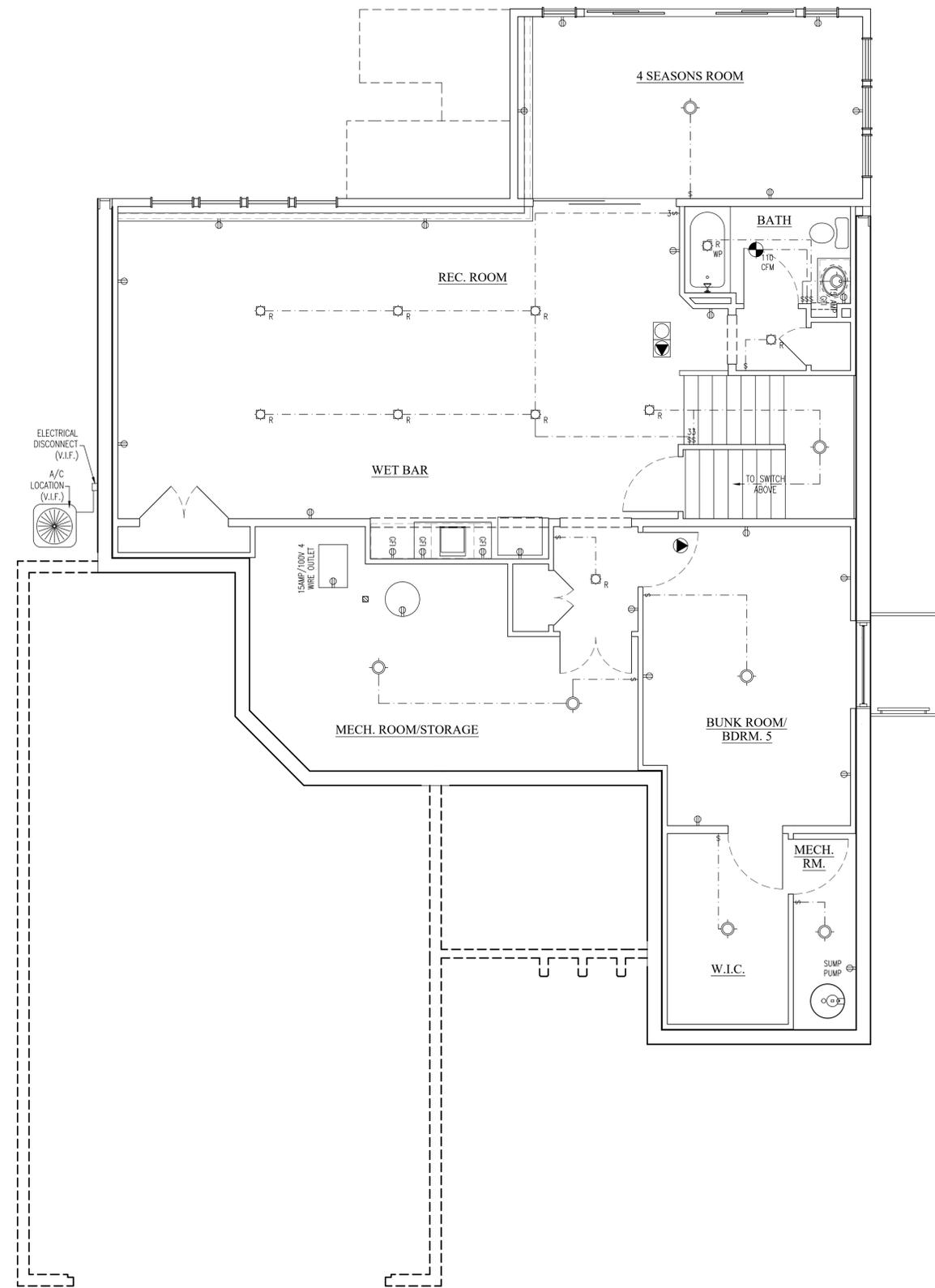
**SECOND FLOOR PLAN**

SCALE: 1/4" = 1'-0"

- NOTES:
- FLOOR SYSTEM INFORMATION**
    - FIRST FLOOR DECK: 11 1/2" ENGINEERED "I" JOIST 16" O.C. (SERIES/SPACING PER MANUFACTURER).
    - ANY PARALLEL JOIST TO RIM BOARD MUST BE SET A MINIMUM 7" OFF RIM BOARD
  - WALL INFORMATION**
    - EXTERIOR WALLS: 92 1/2" 2x6 #2SPF STUD GRADE OR BETTER @ 16" O.C.
    - INTERIOR BEARING WALLS: 92 1/2" 2x6 #2SPF STUD GRADE OR BETTER @ 16" O.C.
    - INTERIOR WALLS: 92 1/2" 2x4 #2SPF STUD GRADE OR BETTER @ 16" O.C.
  - WINDOW INFORMATION**
    - ALL WINDOW CALLOUTS IN GENERIC SIZES: FEET\_INCH(WIDTH)\_FEET\_INCH(HEIGHT).
    - ALL WINDOW HEADER HEIGHTS @ 6'-11 1/8" FROM T/SUBFLOOR (UNLESS NOTED).
  - STAIR INFORMATION**
    - REFER TO FIRST FLOOR PLAN FOR STAIR INFORMATION.
  - PLAN INFORMATION**
    - REFER TO TYPICAL WALL SECTION (SHT. D1) FOR ADDITIONAL INFORMATION.
    - ALL PLAN DIMENSIONS ARE TO FACE OF STUD OR TO FACE OF STUD.



ELECTRICAL SYMBOLS		
	FAN/LIGHT KIT	FAN/LIGHT
		FAN
		TV OUTLET
		PHONE OUTLET
		SINGLE POLE SWITCH
		THREE WAY SWITCH
		FOUR WAY SWITCH
		DIMMER SWITCH
		DUPLEX OUTLET (15-20 AMP)
	RECESSED LIGHT	
	RECESSED WATERPROOF LIGHT	
	CEILING FIXTURE	
	PENDANT LIGHT	
	WALL MOUNTED FIXTURE	
	THERMOSTAT	
	DEHUMIDISTAT	
	SMOKE DETECTOR	
	SMOKE DETECTOR / CARBON MONOXIDE SENSOR	
	GARAGE DOOR OPENER	
	DUPLEX OUTLET (15-20 AMP) ONE HALF SWITCHED	
	REINFORCED CEILING OUTLET (15-20 AMP) ONE HALF SWITCHED	
	INDICATES GROUND FAULT INTERRUPT	
	INDICATES WATERPROOF	
	DOOR CHIME	
	GARBAGE DISPOSAL	
	ELECTRICAL PANEL	



## FOUNDATION ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"

\*\*\*THE LOCATION OF OUTLETS SHOWN ARE TO BE VERIFIED IN THE FIELD & COMPLY WITH THE ELECTRICAL CODE\*\*\*

LAKE COUNTRY  
DESIGN STUDIO, LLC

N51W35831 HILLCREST COURT  
OCONOMOWOC, WI 53066  
PH|920.723.7005

WWW.LCDSDESIGN.COM



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PROJECT  
INFORMATION

**MOREFIELD  
RESIDENCE**

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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SHEET TITLE

**FOUNDATION  
ELECTRICAL PLAN**

PROJECT TITLE

**MOREFIELD**

SHEET NUMBER

**E1**

SHT 8 OF 10



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PROJECT  
INFORMATION

**MOREFIELD  
RESIDENCE**

MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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SHEET TITLE

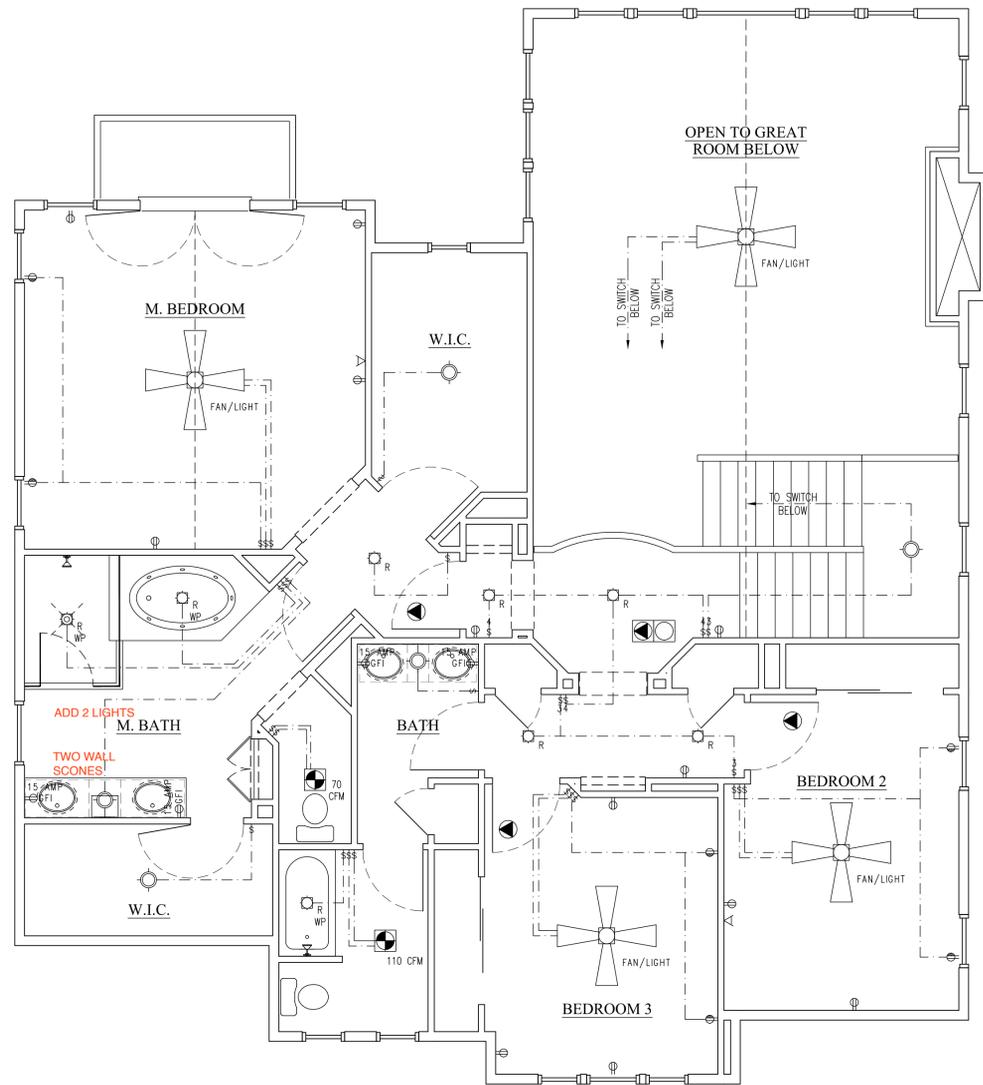
**FIRST & SECOND  
FLOOR  
ELECTRICAL  
PLANS**

PROJECT TITLE

MOREFIELD

SHEET NUMBER

**E2**

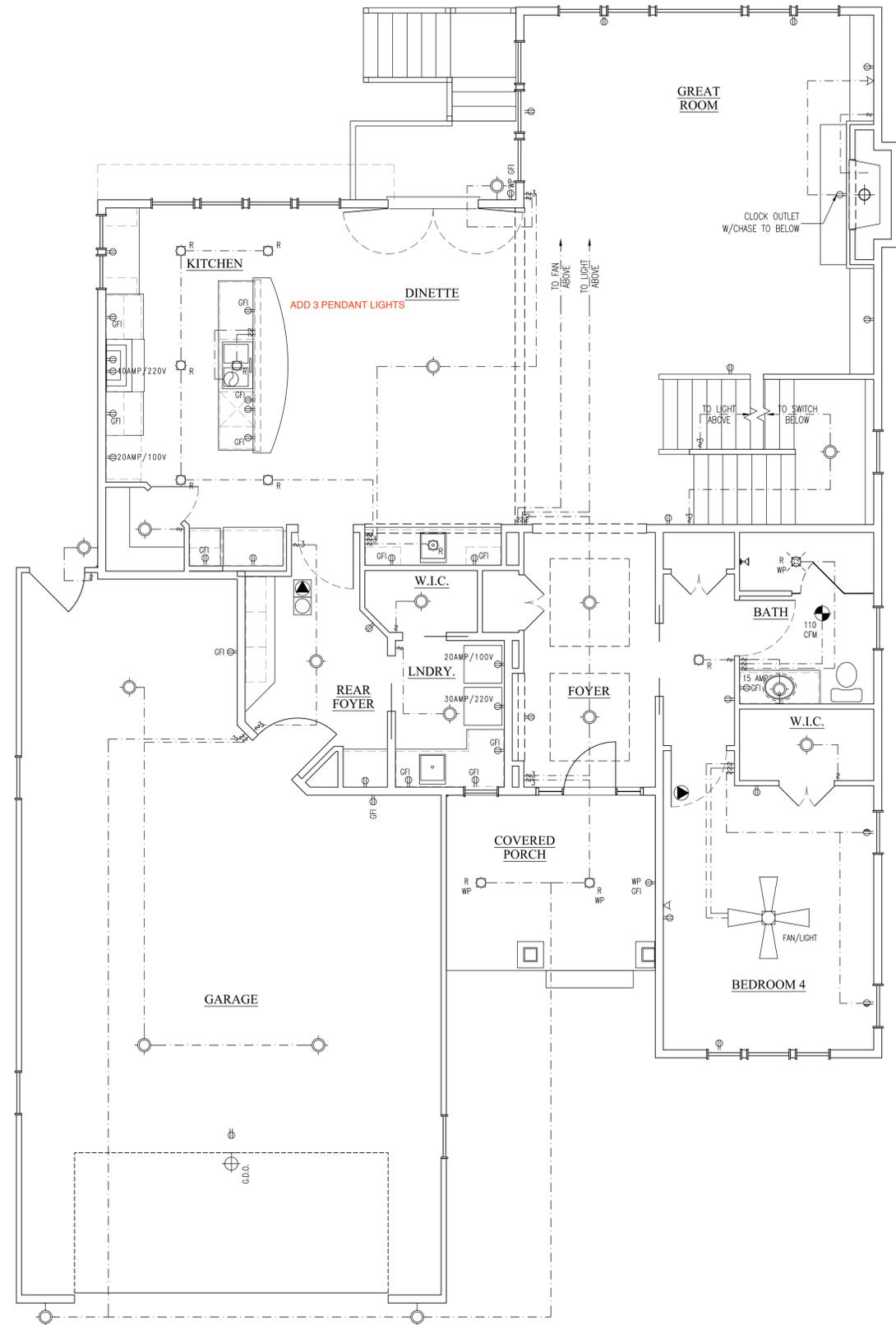


**SECOND FLOOR ELECTRICAL PLAN**

SCALE: 1/4" = 1'-0"

\*\*\*THE LOCATION OF OUTLETS SHOWN ARE TO BE VERIFIED IN THE FIELD & COMPLY WITH THE ELECTRICAL CODE\*\*\*

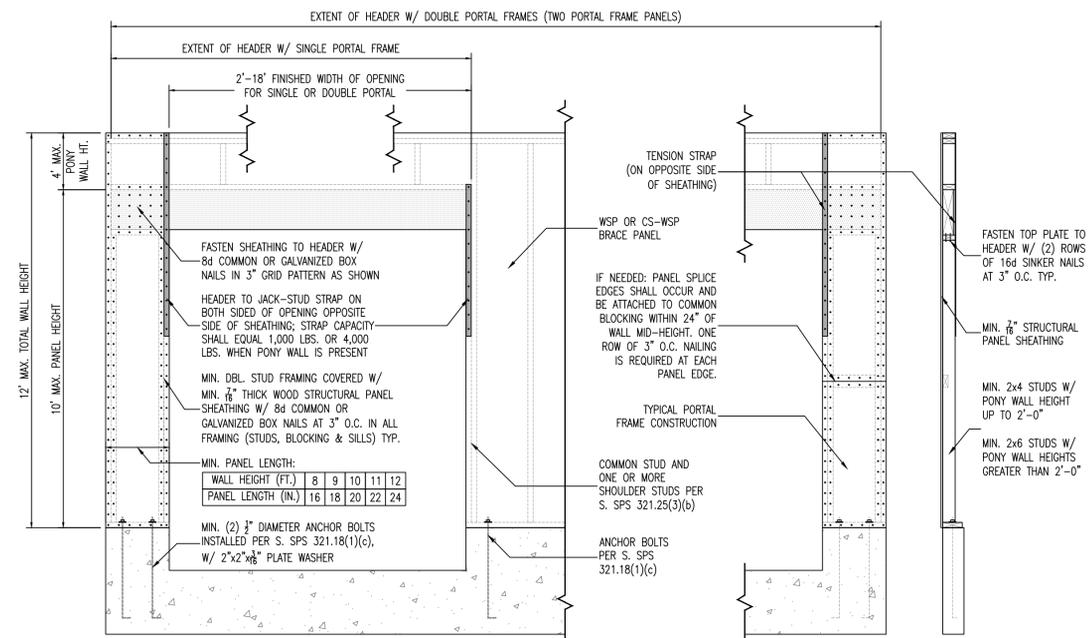
ELECTRICAL SYMBOLS	
	FAN/LIGHT KIT
	RECESSED LIGHT
	RECESSED WATERPROOF LIGHT
	CEILING FIXTURE
	PENDANT LIGHT
	WALL MOUNTED FIXTURE
	THERMOSTAT
	DEHUMIDISTAT
	SMOKE DETECTOR
	SMOKE DETECTOR/ CARBON MONOXIDE SENSOR
	GARAGE DOOR OPENER
	FAN/LIGHT
	FAN
	TV OUTLET
	PHONE OUTLET
	SINGLE POLE SWITCH
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	INDICATES GROUND FAULT INTERRUPT
	INDICATES WATERPROOF
	DOOR CHIME
	GARBAGE DISPOSAL
	ELECTRICAL PANEL



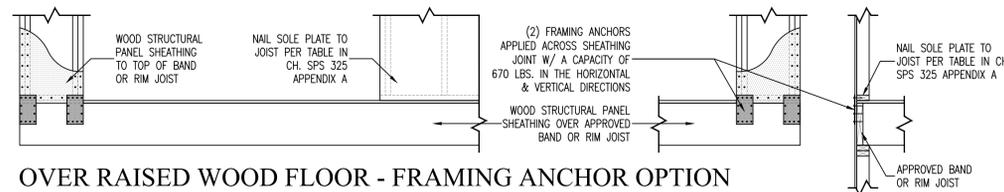
**FIRST FLOOR ELECTRICAL PLAN**

SCALE: 1/4" = 1'-0"

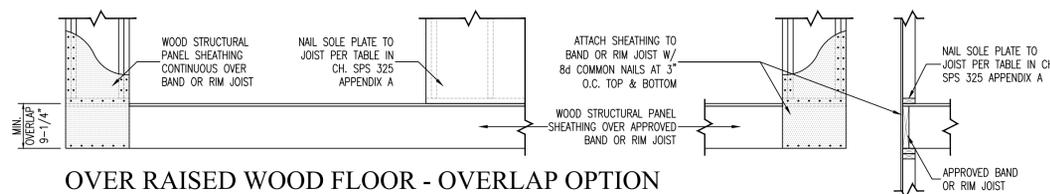
\*\*\*THE LOCATION OF OUTLETS SHOWN ARE TO BE VERIFIED IN THE FIELD & COMPLY WITH THE ELECTRICAL CODE\*\*\*



OVER CONCRETE OR MASONRY BLOCK FOUNDATION

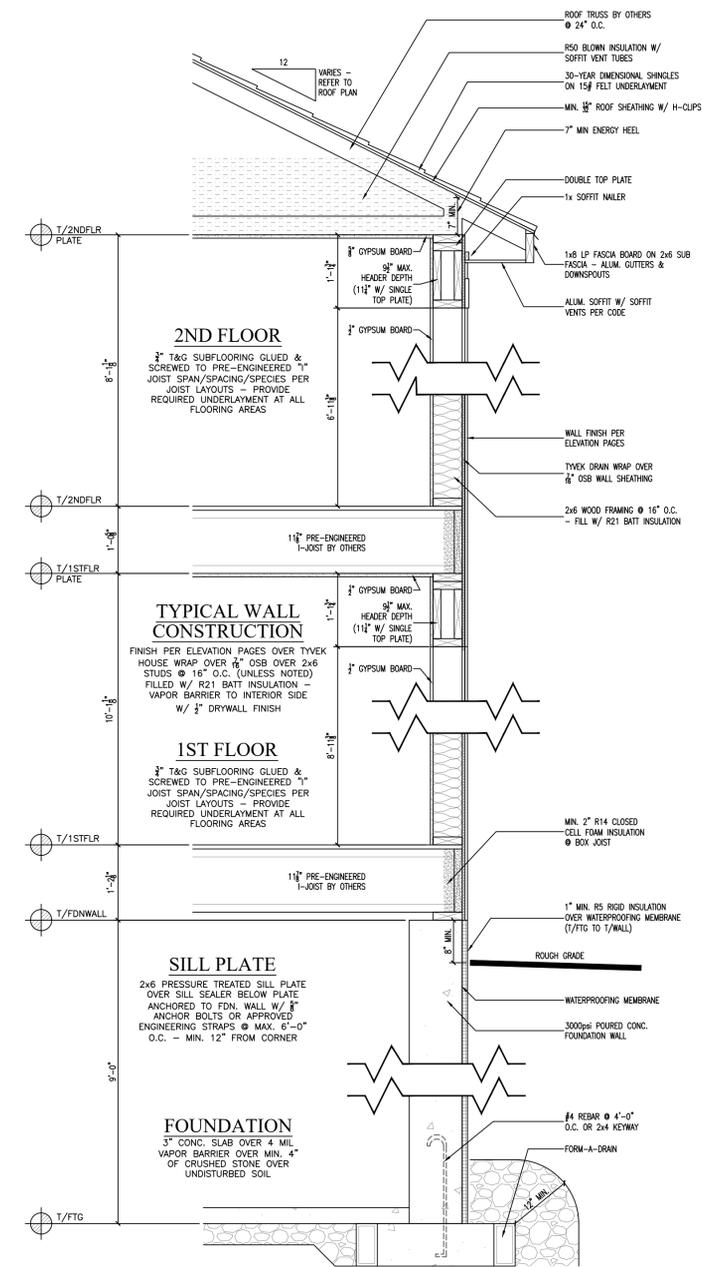


OVER RAISED WOOD FLOOR - FRAMING ANCHOR OPTION



OVER RAISED WOOD FLOOR - OVERLAP OPTION

**2** PORTAL FRAME (PF) DETAILS  
SCALE: 1/2" = 1'-0"



**1** TYPICAL WALL SECTION  
SCALE: 3/4" = 1'-0"

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PROJECT INFORMATION

**MOREFIELD RESIDENCE**  
MIKE & DIANE MOREFIELD  
40612 92ND STREET  
RANDALL, WI

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	DRAWN BY:	DATE:	

SHEET TITLE

**TYPICAL WALL SECTION & BUILDING DETAILS**

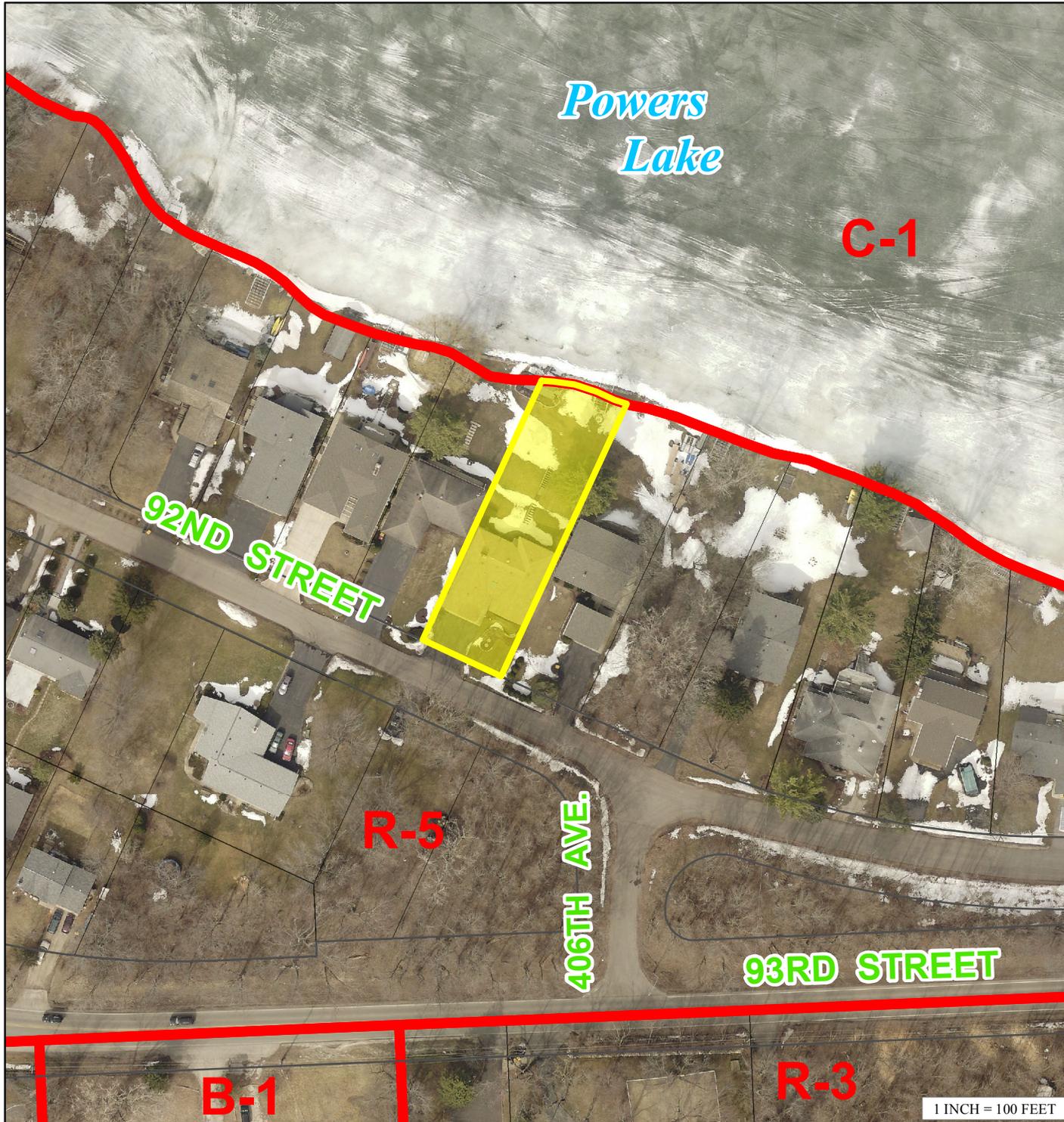
PROJECT TITLE

**MOREFIELD**

SHEET NUMBER

**D1**

SHT 10 OF 10



### VARIANCE SITE MAP

**PETITIONER(S):**

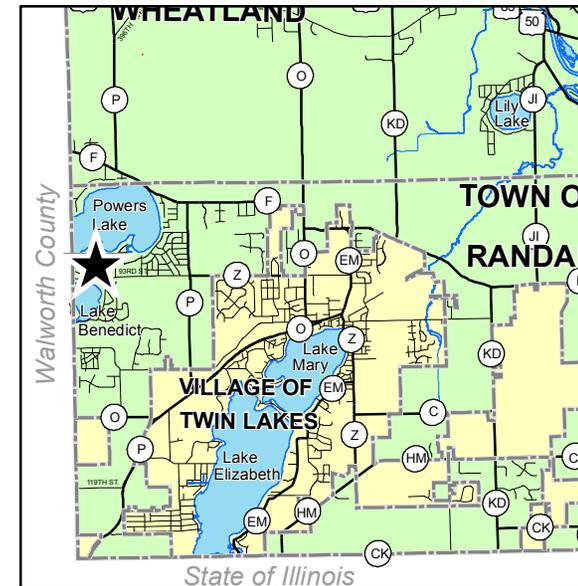
Michael Thomas Morefield Trustee (Owner)  
Josh Hagen, Hagen Homes (Agent)

**LOCATION:** SW 1/4 of Section 18,  
Town of Randall

**TAX PARCEL(S):** #60-4-119-183-0510

**REQUEST:**

Requesting a variance (Section IV. C. 12.21-5(g)3: that all structures shall be located at least 10 feet from a side property line in the R-5 Urban Single-Family Residential District) to construct a single-family residence to be located 5.15' from both side property lines (required setback 10').





# COUNTY OF KENOSHA

January 2013

Department of Public Works & Development Services

## TEMPORARY USE APPLICATION

RECEIVED

Owner: Arthur A. Naber & Paul J. Naber

APR 19 2016

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

Burlington WI 53105

Kenosha County  
Planning and Development

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

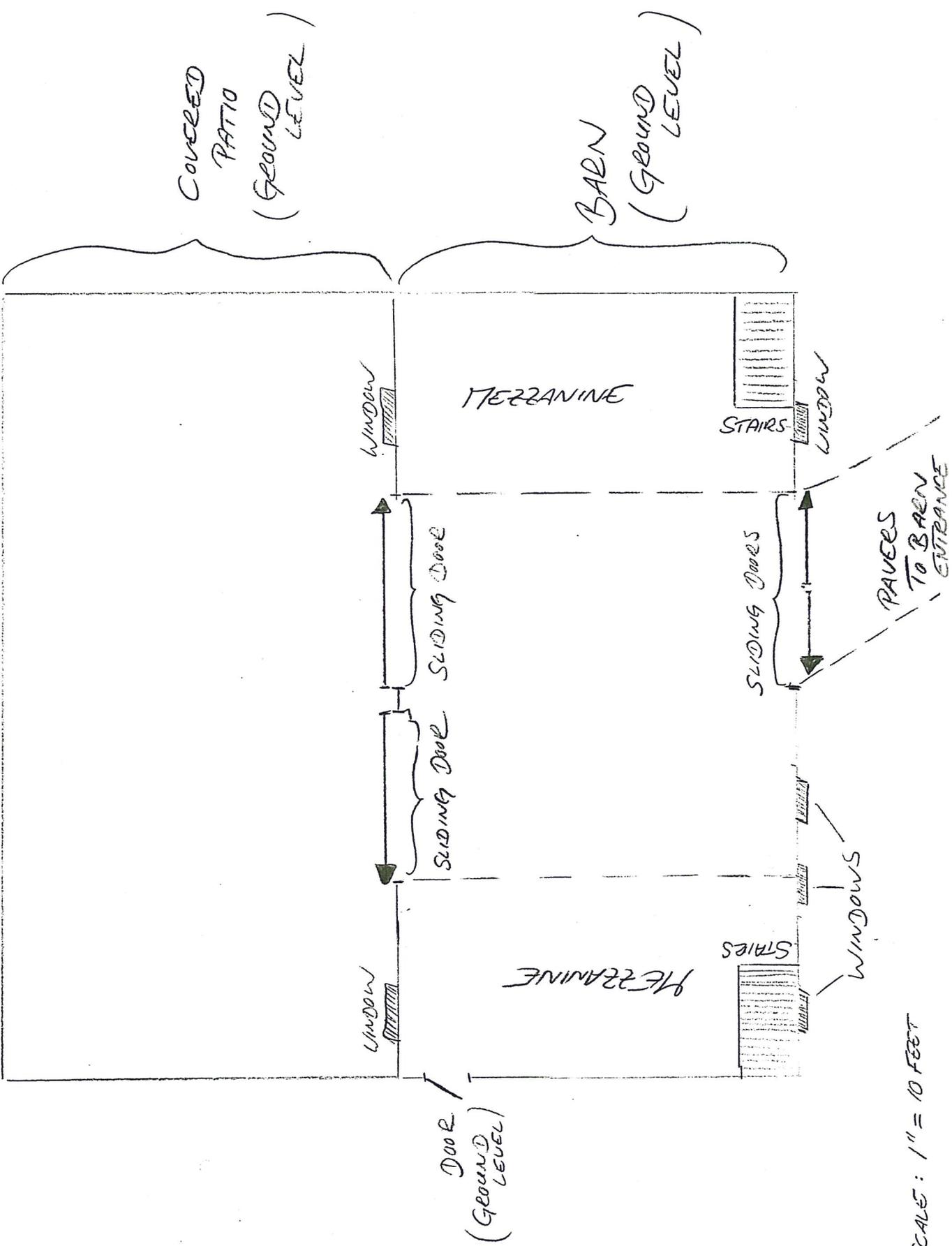
Phone Number(s): HM: 262-537-2600 C: 847-721-9120

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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 75<sup>th</sup> Street and 73<sup>rd</sup> Street. The farm consists of a continuous block of land with two addresses: approximately 22.8 acres at 33202 73<sup>rd</sup> Street where the barn, fields, and woods exist and 38.39 acres at 33130 73<sup>rd</sup> 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 73<sup>rd</sup> 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 73<sup>rd</sup> 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 73<sup>rd</sup> 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 73<sup>rd</sup> 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.

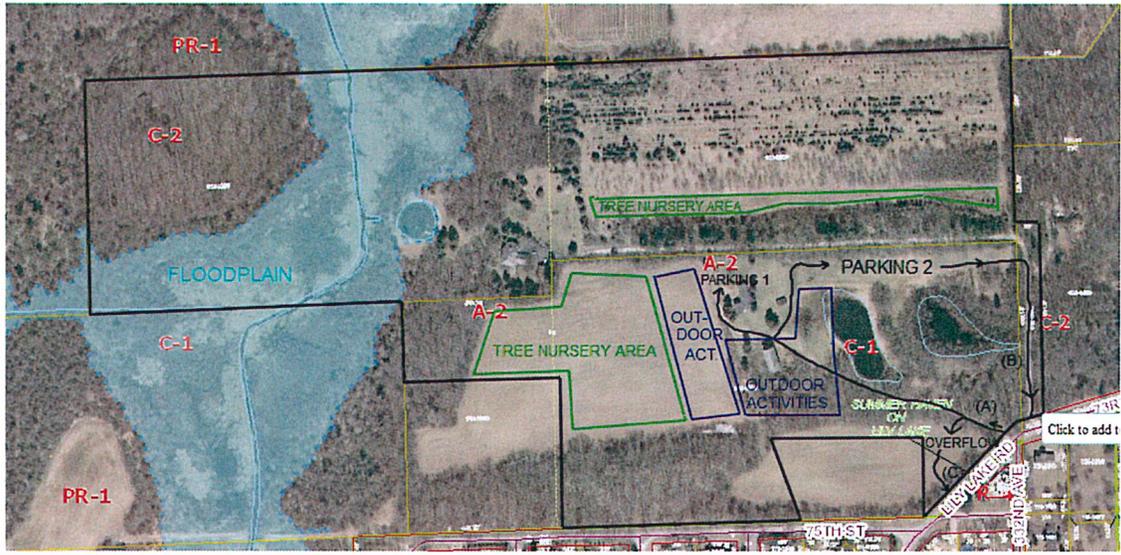
Noise: The operation does not intend to use loud speakers or amplify noise in any way. The operation does not foresee the activities causing unreasonably loud noise levels. In the case of special events there may be extra noise enclosed within the barn. An example of such noise would be music for a wedding.

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

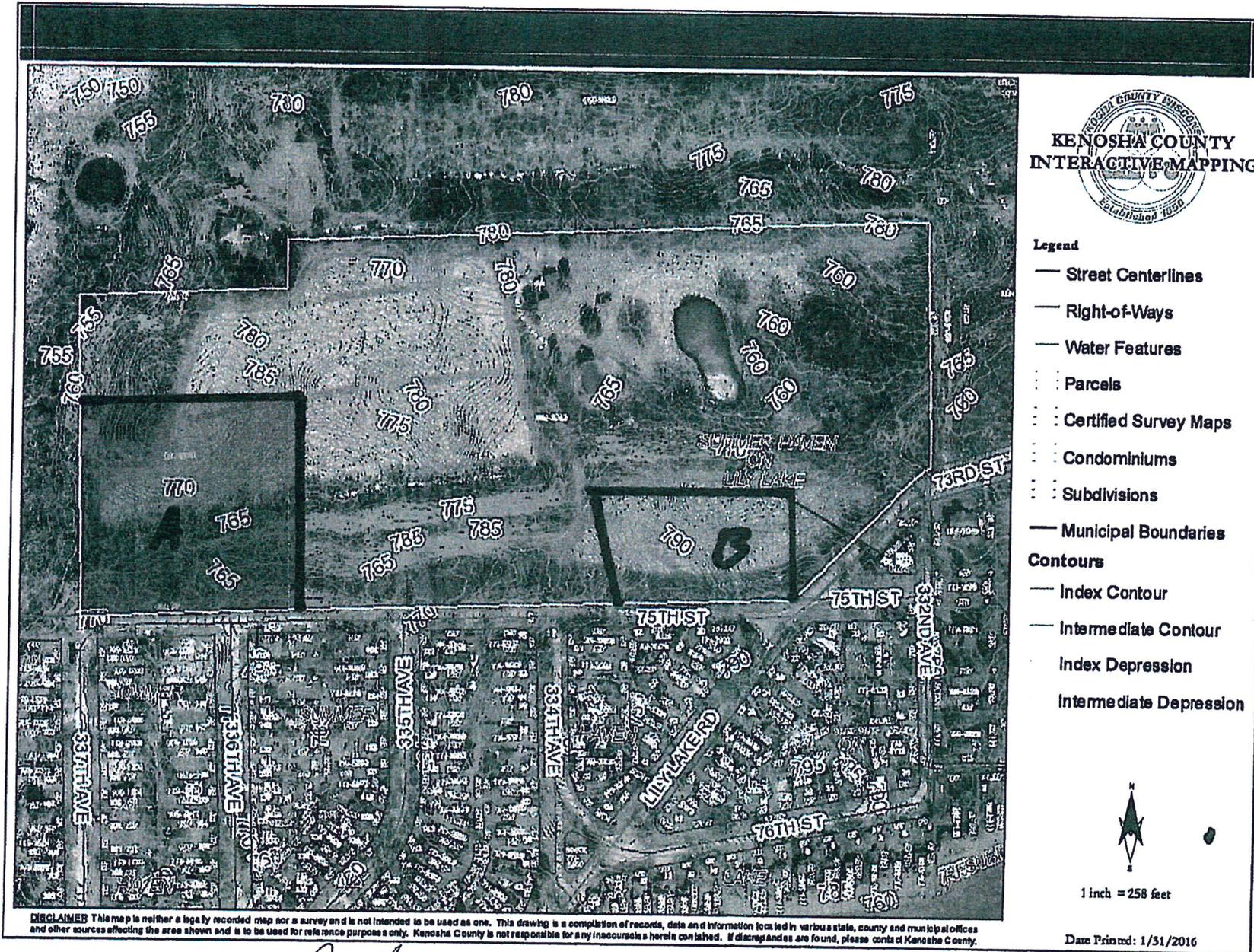
Tree house

Pumpkin cannon/corn cannon/pumpkin slingshot

Giant pillow

Hiking trails

# ATTACHMENT B

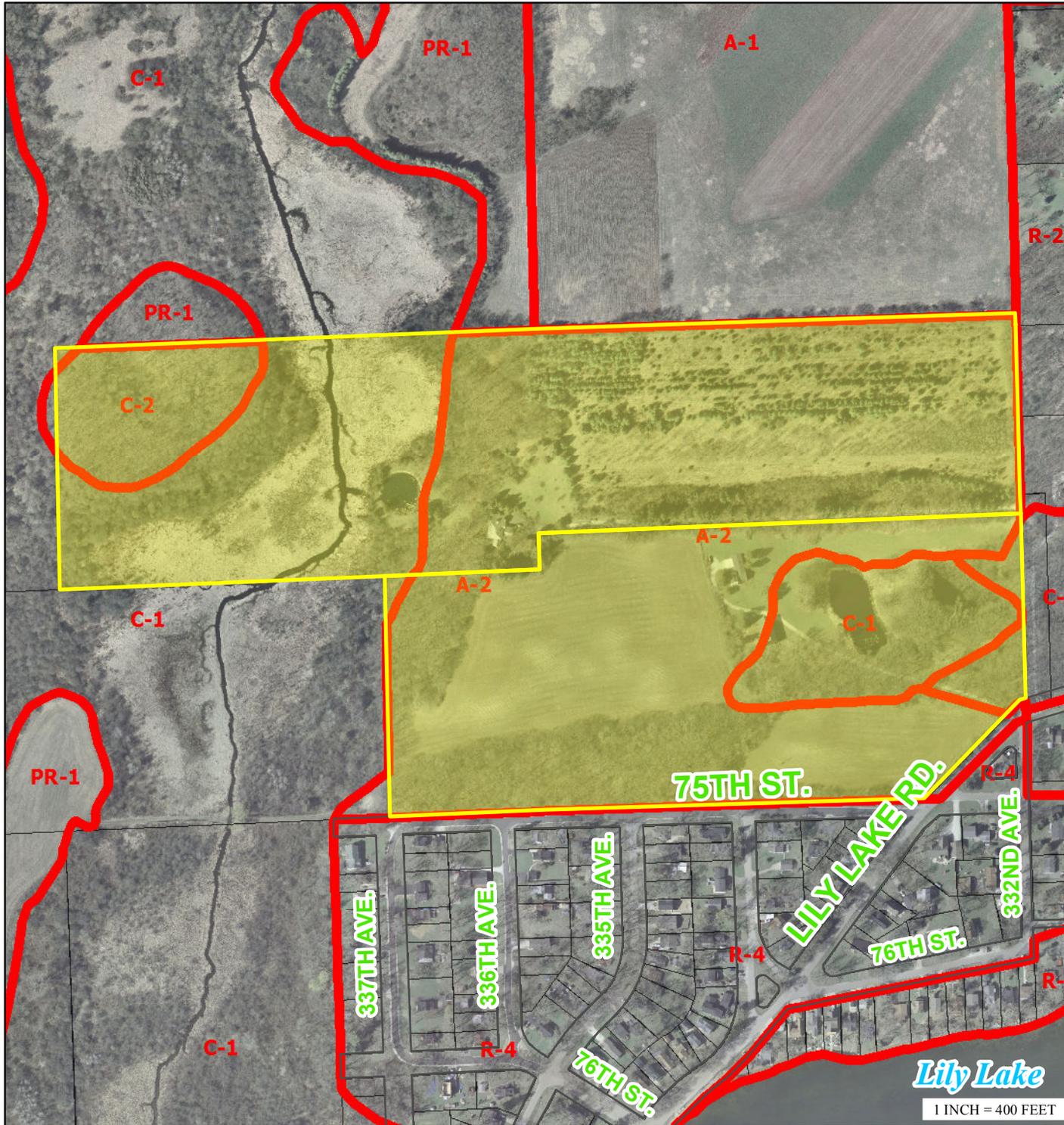


*PJ*  
2-17-16

*AM*  
2-17-16

*PK-15-16*

*OK 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 District & the C-2 Upland Resource Conservancy District.

