



Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
October 6, 2016

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

1. DOUGLAS J. & DAWN M. MCELMURY - TEMPORARY USE PERMIT APPLICATION - TOWN OF PARIS

DOUGLAS J. & DAWN M. MCELMURY, 9913 Wilmot Rd., Pleasant Prairie, WI 53158 (Owner), requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: that all temporary uses require the Board of Adjustments to hear and grant an application in any district) to temporarily use space within an accessory structure as a dwelling unit in the C-2 Upland Resource Conservancy Dist. on Tax Parcel #45-4-221-111-0320, NE 1/4 Section 11, T2 N, R21 E, Town of Paris. FYI - W side of CTH MB (136th Ave.) appx. 0.3 miles S of the intersection with CTH A (7th St.).

Documents:

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

- 2. CITIZEN COMMENTS**
- 3. APPROVAL OF MINUTES**
- 4. OTHER BUSINESS ALLOWED BY LAW**
- 5. ADJOURNMENT**

NOTICE TO PETITIONERS

The petitioners: Douglas J. & Dawn M. McElmury shall be present at the hearing on Thursday, October 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 Town of Paris is requested to be represented at the hearing on Thursday, October 6, 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.



TEMPORARY USE APPLICATION

RECEIVED

Owner: Douglas J. & Dawn M. McElmury

AUG 31 2016

Mailing Address: 9913 Wilmot Road

Kenosha County
Planning and Development

Pleasant Prairie WI 53158

Phone Number(s): 262-909-5435

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: 45-4-221-111-0320 Zoning District: C-2

Property Address: 136th Avenue Shoreland: No

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

Current Use: Vacant Property

REQUIRED BY ORDINANCE

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

Temporary use to utilize a proposed accessory structure (pole barn) as a dwelling unit until the single-family residence can be constructed on the property. Upon completion of the single-family residence, the dwelling unit would be removed from the accessory structure.

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

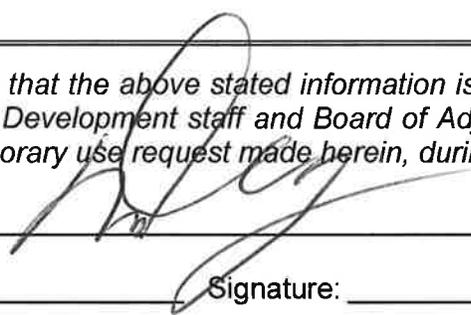
The Kenosha County Board of Adjustments is authorized to hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses and the Department of Planning 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: N/A Signature: _____

Agents Address: _____

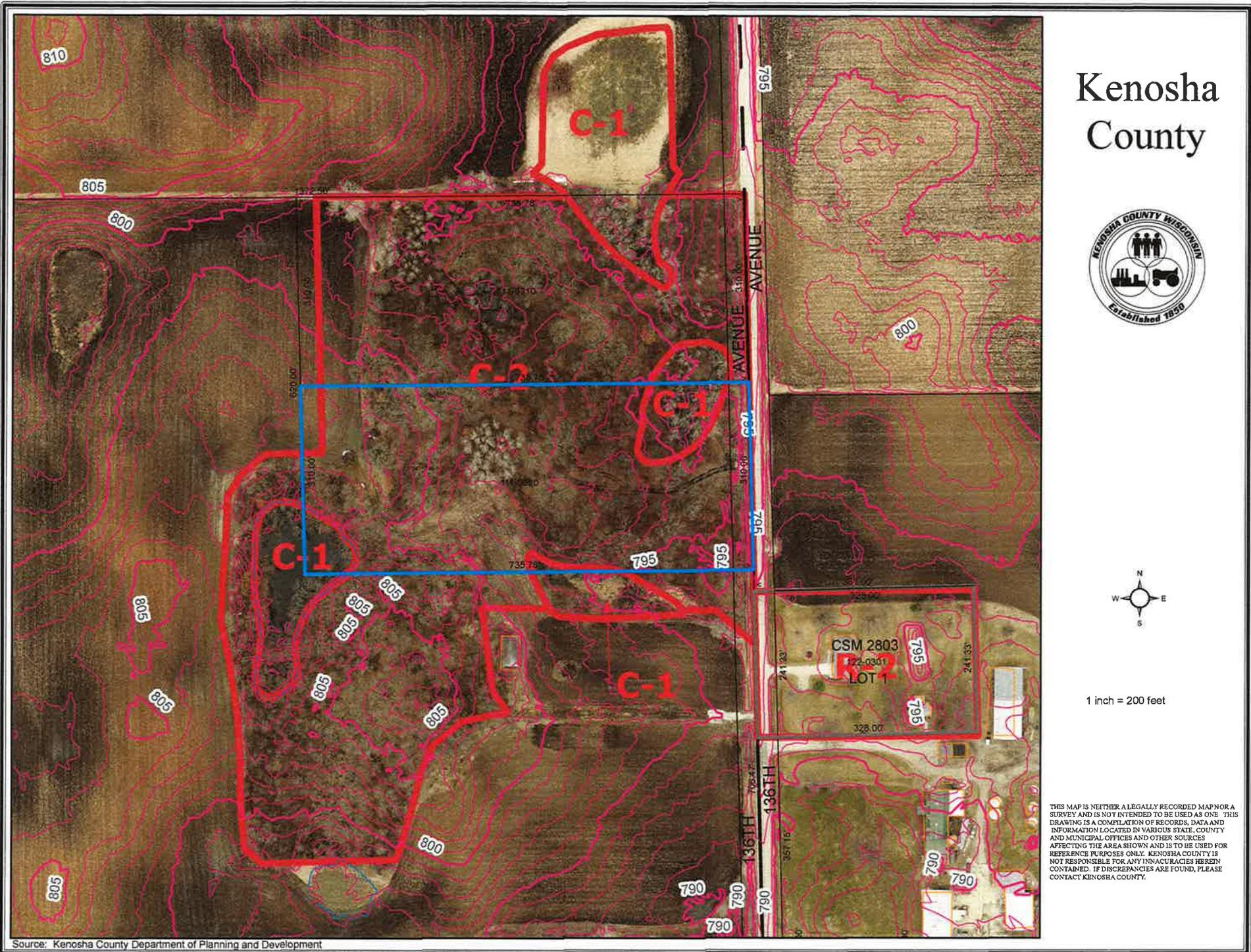
Phone Number(s): _____

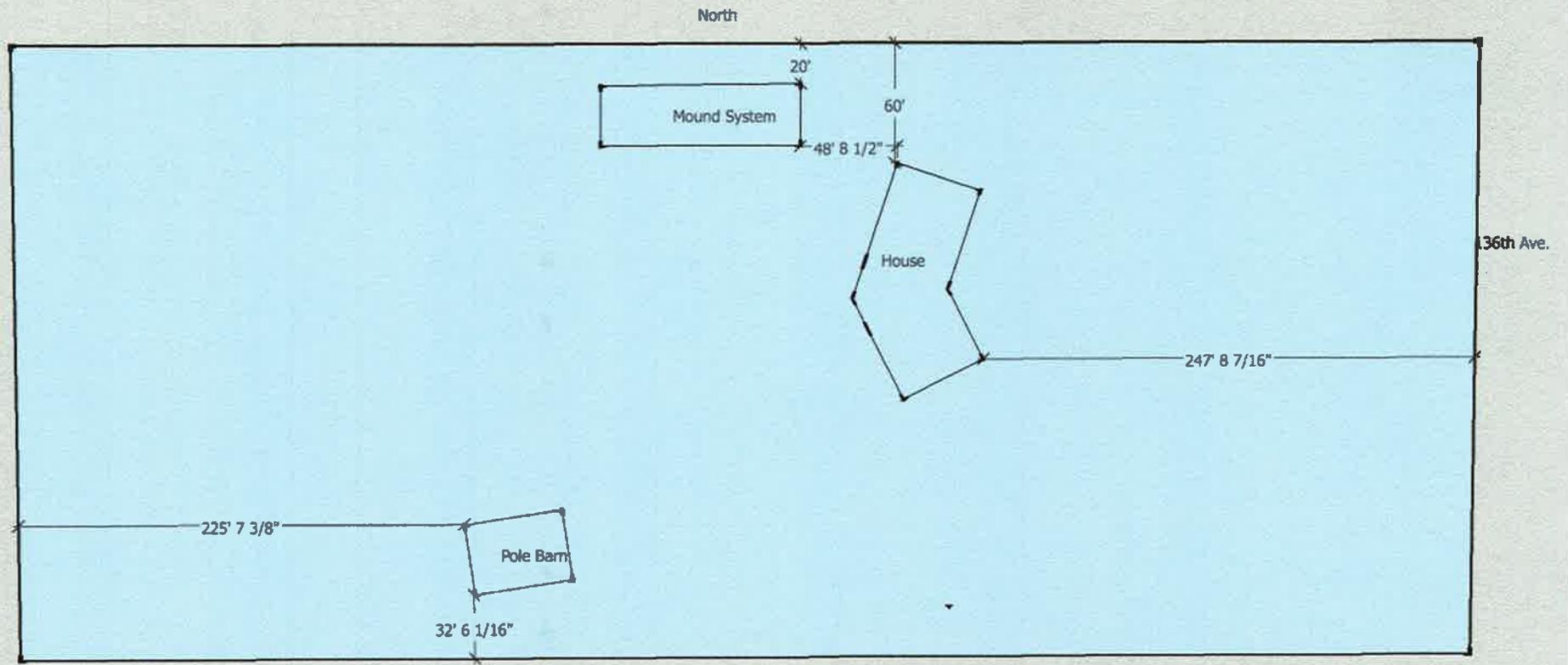
Kenosha County



1 inch = 200 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.





We are building two structures in the Town of Paris on Parcel # 45-4-221-111-0320 located just north of 842 136th Ave. The structures consist of an approximately 3000 square foot two story home (see photo below) with an attached three car garage and an 1800 square foot Morton Pole Barn. We are proposing to build the pole barn prior to the two story home. The pole barn will have a temporary apartment built within so that we will be able to live on site during the construction of the home. We understand that there can only be one residential unit on the site and we will sign an agreement that states once the home is complete, the pole barn apartment will be removed as to assure that the zoning restrictions are met. We want to live on site during the construction for several reasons:

1. There will be on-site utilities in place for construction such as power, water and restroom facilities.
2. The placement of the mound system requires that it be constructed prior to the construction of the home.
3. Improved site security due to our round-the-clock presence.
4. We currently live in a log home in Pleasant Prairie. Log homes have a limited number of interested and financially capable buyers, so we want to sell the home prior to beginning construction of the new home in Paris. We do not want to be saddled with the expense of two homes in the event it takes a while to sell the log home. We also do not want the added expense of renting on a short term or month-to-month lease during the construction of our new home when we are able to live on the site.
5. The apartment will be partially disassembled once we are able to move into the new home. The bedroom will be completely removed, the bathroom will remain, the kitchen will become a personal office and the living room will become a finishing room for my woodshop which is the end use of the pole barn. The attached 3D drawings show the pole barn with and without the apartment.
6. The pole barn meets all existing zoning requirements for accessory structures including square footage, height and setbacks.

While we want to limit our time living in the pole barn to the shortest time possible, the unknown factor is the time that it will take to sell our existing home (photo below). My wife is being very accommodating by agreeing to this temporary living arrangement, but as you can imagine that will not be a lasting situation! Frankly, I don't want to live in tight quarters either any longer than physically necessary and I want the square footage in the pole barn for my woodshop and storage. It is possible that we will need to renew the Temporary Use Permit for one additional year in the event it takes longer to sell our home. I have confirmed with Morton Buildings that we could begin construction as early

as November 2016 of the pole barn which would mean we could have the building ready to occupy in the spring of 2017.

This project would not have any negative impact on the area. The Morton pole barn is a very attractive building and will be built on the site at some point anyway. The pole barn is set back off the road approximately 400' on a heavily wooded lot, so it would be very difficult to even see the structure. The two neighboring properties to the south have pole barns without residential structures as a result of their A-1 zoning, so our pole barn would not look out of place in any way. We understand that a major concern of both the Town of Paris and Kenosha County is that there is only one residential living unit on the parcel. We fully understand that concern and agree with the importance of the zoning requirement. We will gladly invite the Town and County officials to inspect the pole barn to assure that there is no residential unit within once we are able to take occupancy of the home to assure full compliance with the zoning ordinances.

Thank you for your consideration.

New home to be constructed on lot



Existing log home

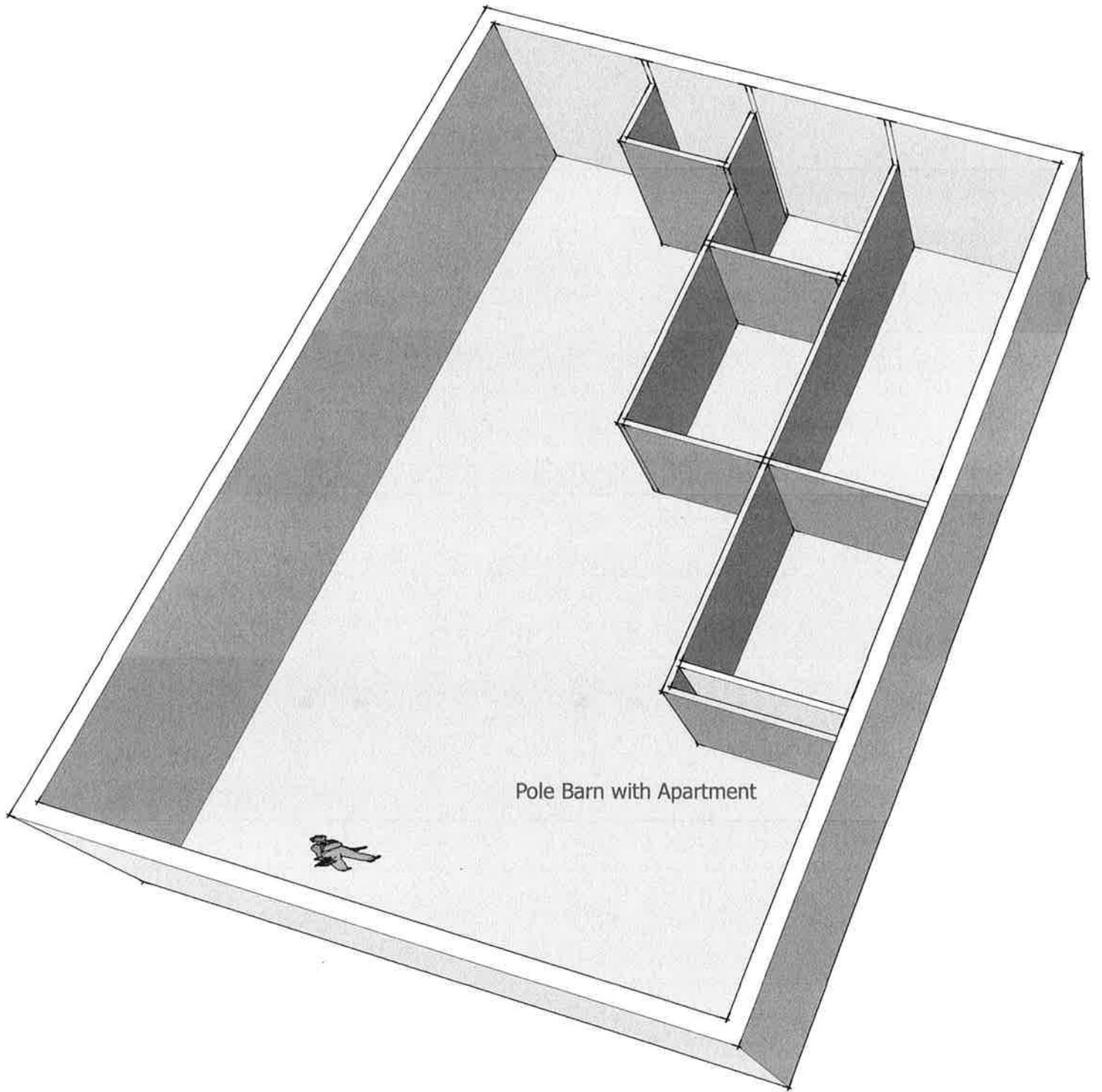




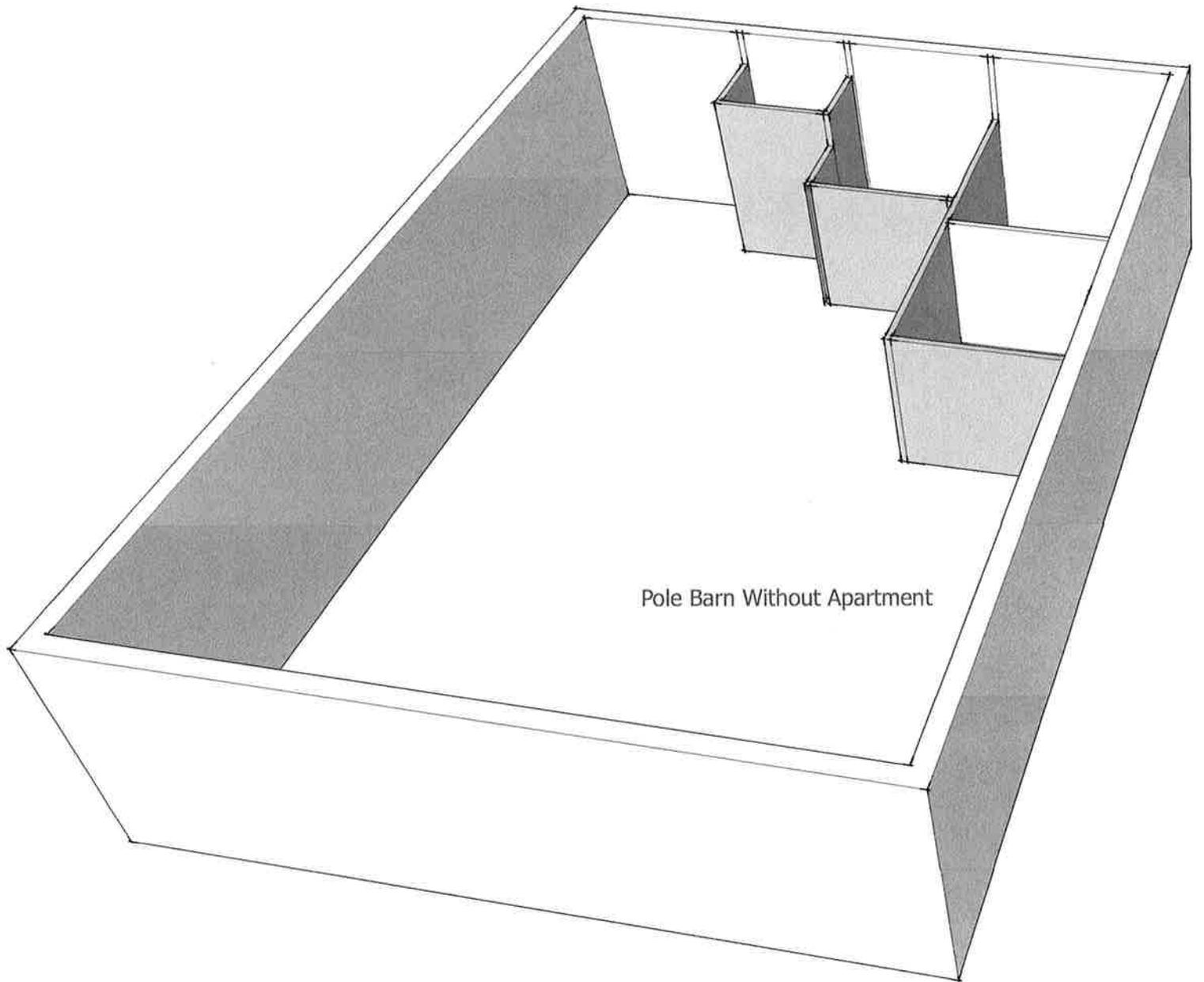
Building 306 36'x12' 4" x50' (#1) Perspective From The Northeast

Peak Height	19'10"
Soffit Height	13' 7.5"
Grade to Heel	12' 4"
Roof Pitch	4/12





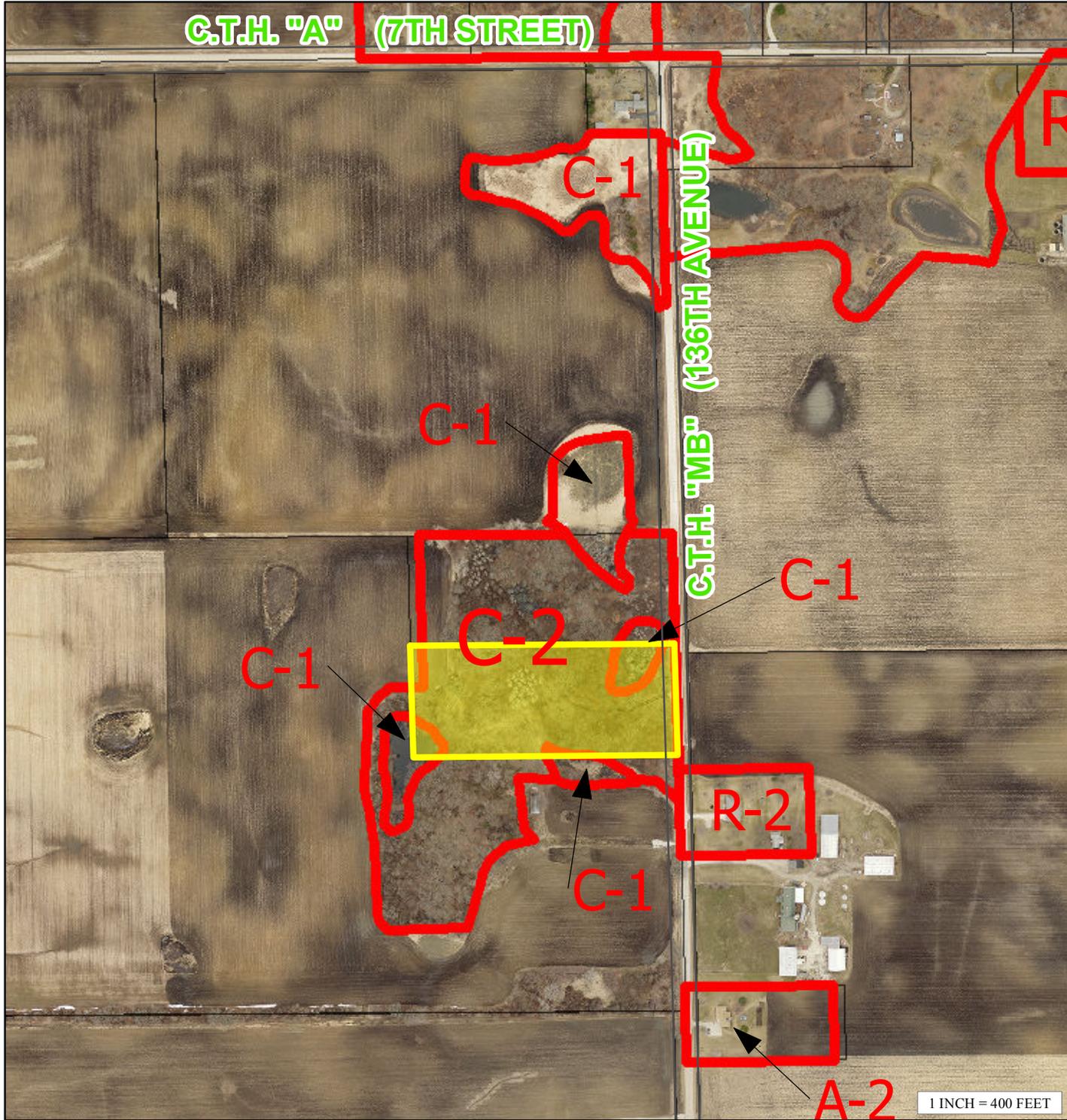
Pole Barn with Apartment



Pole Barn Without Apartment

C.T.H. "A" (7TH STREET)

C.T.H. "MB" (136TH AVENUE)



TEMPORARY USE SITE MAP

PETITIONER(S):

Douglas J. & Dawn M. Mcelmury (Owner)

LOCATION: NE 1/4 of Section 11, Town of Paris

TAX PARCEL(S): #45-4-221-111-0320

REQUEST:

Requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: that all temporary uses require the Board of Adjustments to hear and grant an application in any district) to temporarily use space within an accessory structure as a dwelling unit in the C-2 Upland Resource Conservancy District.

