

MINUTES
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING
Thursday, January 21, 2016

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, January 21, 2016, at 6:00 p.m. in Conference Room A, Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Barbara Ford, Robert Stoll and Dean Troyer

Also Present: Benjamin Fiebelkorn, Senior Land Use Planner

The meeting was called to order at 6:00 p.m. by Vice-Chairman Stoll.

1. **TABLED REQUEST OF JASON T. & TAMI L. PAUTZ**, 5021 Four Mile Rd., Racine WI 53402 (Owner), requesting a variance (Section IV. 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 and 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 60' x 64' pole barn totaling **3,840** sq. ft. in area (required **1,800** sq. ft. in total area) to be **25'** high (required **20'** high) on Tax Parcel #30-4-220-064-0300, SE 1/4 Section 6, T2 N, R20 E, Town of Brighton. FYI – N side of CTH "BB" (7th St.) appx. ¾ miles W of intersection with CTH "B" (288th Avenue).

Mr. Fiebelkorn informed the Board that this item would remain tabled, as a formal recommendation had yet to be received from the Town Board.

2. **TABLED REQUEST OF BRIAN P. ERNST & NICOLE M. ONYSIO**, 8806 226th Ct., Salem WI 53168 (Owner), requesting a variance (Section III. K. 12.17-5: that all swimming pools shall only be installed in the rear yard of a premise and Section IV. C. 12.21-3(g)1: that all structures shall be constructed not less than 65 feet from the right-of-way of any county trunk highway in the R-3 Urban Single-Family Residential Dist.) to construct a 34' x 18' in-ground pool and associated patio in the **street yard** (required **rear yard** placement) to be located **45'** (required setback **65'**) from the right-of-way of CTH "AH" (Salem Rd.) on Tax Parcel #65-4-120-132-1001, NE 1/4 Section 32, T1 N, R20 E, Town of Salem. FYI – SW corner of 88th St. & CTH "AH".

- Ms. Ford made a motion to **remove from the table** the variance request of Brian P. Ernst & Nicole M. Onysio to construct a 34' x 18' in-ground pool and associated patio in the street yard to be located 45' from the right-of-way of CTH "AH" (Salem Rd.) on Tax Parcel #65-4-120-132-1001, NE 1/4 Section 32, T1 N, R20 E, Town of Salem.

The motion was seconded by Mr. Troyer and passed with a vote of 3-0. (Motion #02:35 / digital)

- Mr. Troyer made a motion to **approve** the variance request of Brian P. Ernst & Nicole M. Onysio to construct a 34' x 18' in-ground pool and associated patio in the street yard to be located 45' from the right-of-way of CTH "AH" (Salem Rd.) on Tax Parcel #65-4-120-132-1001, NE 1/4 Section 32, T1 N, R20 E, Town of Salem for the following reasons:

1. The hardship being drainage issues and safety issues.

The motion was seconded by Ms. Ford and passed with a vote of 2-0. (Motion #09:03 / digital)

Site inspection by board members for the above item are as follows:

Barbara Ford	January 19, 2016
Robert Stoll	November 30, 2015
Dean Troyer	January 17, 2016

3. **LAWRENCE C. & BARBARA WELDON**, 65 E. Monroe, Unit 4414, Chicago IL 60603 (Owner), Jerry Sjoberg, Home Design Mfg., Po Box 527, Fontana WI 53125 (Agent), requesting a variance (Section IV. C. 12.21-4(f): that all residential dwellings shall have a roof pitch of not less than 5/12 and an eave extension of at least twelve inches, Section IV. C. 12.21-4(g)1: that all structures shall be constructed not less than 30 feet from the right-of-way of all other roads and Section IV. C. 12.21-4(g)2: that all structures shall be constructed not less than 75 feet from the ordinary high water mark of any navigable water in the R-4 Urban Single-Family Residential Dist.) to construct a 51' 8" x 37' single-family residence to have a flat roof pitch (minimum 5/12 required) and zero foot eave extensions (minimum twelve inches required) and to be located 20' (required setback 30') from the right-of-way of 117th St. and to be located 40' (required setback 75') from the ordinary high water mark of Lake Shangri-La and with associated decks to be located 16' (required setback 30') from the right-of-way of 117th St. and 36' (required setback 75') from the ordinary high water mark of Lake Shangri-La on Tax Parcel #67-4-120-361-2205, NE 1/4 Section 36, T1 N, R20 E, Town of Salem. FYI – S side of 117th St. appx. 233 ft. E of intersection with 221st Ave..

Mr. Fiebelkorn read into the record written correspondence dated January 11, 2016 from Mark L. Lesko & Janet S. Geller-Lesko, 22025 117th Street, Salem, WI 53168 and received by Planning & Development January 12, 2016.

- Mr. Troyer made a motion to **approve** the variance request of Lawrence C. & Barbara Weldon to construct a 51' 8" x 37' single-family residence to have a flat roof pitch (minimum 5/12 required) and zero foot eave extensions (minimum twelve inches required) and to be located 20' from the right-of-way of 117th St. and to be located 40' from the ordinary high water mark of Lake Shangri-La and with associated decks to be located 16' from the right-of-way of 117th St. and 36' from the ordinary high water mark of Lake Shangri-La on Tax Parcel #67-4-120-361-2205, NE 1/4 Section 36, T1 N, R20 E, Town of Salem for the following reasons:

1. Hardship being the characteristics of the lot.
2. Conforming to every one of the zoning code requirements would make the lot unbuildable.

The motion was seconded by Ms. Ford and passed with a vote of 2-0. (Motion #44:45 / digital)

Site inspection by board members for the above item are as follows:

Barbara Ford	January 19, 2016
Robert Stoll	January 21, 2016
Dean Troyer	January 20, 2016

2. Citizens Comments - NONE

3. Approval of Minutes

- Ms. Ford made a motion to approve the corrected minutes from January 7, 2016. The motion was seconded by Mr. Troyer and passed with a vote of 2-0.

4. Other Business Allowed by Law

Mr. Fiebelkorn informed the board that the next meeting scheduled for February 4, 2016 will be cancelled as there are no new petitions and the tabled petition (Pautz) will have yet to receive a recommendation from the Brighton Town Board. The next meeting scheduled after that is for February 18, 2016 which will have no new items and the tabled petition (Pautz).

5. Adjournment

- Mr. Troyer made a motion to adjourn the meeting. The motion was seconded by Ms. Ford and passed with a vote of 2-0.

The meeting adjourned at 6:55 p.m.