

MINUTES
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING
Thursday, May 19, 2016

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, May 19, 2016, at 6:00 p.m. in Conference Room A, Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Barbara Ford, Robert Stoll, Dean Troyer & Chris Brown

Excused: Dave Devito

Also Present: Benjamin Fiebelkorn, Senior Land Use Planner

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

1. **DARRELL L. MARCINIAK & JOSEPH GIOMETTI-MARCINIAK**, 8890 368th Ave., Burlington WI 53105 (Owner), requesting a variance (Section V. A. 12.27-6(d): there shall be a maximum of two detached accessory buildings, excluding gazebos and pool houses not more than 150 square feet in area and 15 feet in height. One accessory building shall be limited to a maximum of 1,500 square feet in area and a maximum of 20 feet in height. The second building shall be limited to a maximum of 150 square feet in area and a maximum height of 15 feet. The two buildings shall not exceed a total of 1,650 square feet in area) to construct a proposed 18' x 26' (468-square foot) accessory building for a total combined accessory building area of 2,118 square feet (1,650 square maximum allowed) in the R-2 Suburban Single-Family Residential District on Tax Parcel #60-4-119-162-1161, NW 1/4 Section 16, T1 N, R19 E, Town of Randall. FYI – E side of 368th Ave. appx. 150 ft. N of intersection with 89th St..

Mr. Fiebelkorn read into the record written correspondence dated May 12, 2016 from Adam & Lisa Regnier, 1943 Sunset Drive, Twin Lakes, WI 53181 and received by Planning & Development May 17, 2016.

- Mr. Troyer made a motion to **deny** the variance request of Darrell L. & Marciniak & Joseph Giometti-Marciniak to construct a proposed 18' x 26' (468-square foot) accessory building for a total combined accessory building area of 2,118 square feet in the R-2 Suburban Single-Family Residential District on Tax Parcel #60-4-119-162-1161, NW 1/4 Section 16, T1 N, R19 E, Town of Randall for the following reasons:

1. There is no hardship the Board can identify to allow the variance.

The motion was seconded by Ms. Ford and passed with a vote of 4-0. (Motion #38:00 / digital)

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

Barbara Ford	May 18, 2016
Robert Stoll	May 19, 2016

Dean Troyer May 15, 2016
Chris Brown May 19, 2016

2. **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..

➤ Ms. Ford made a motion to **table** the temporary use permit request of Arthur A. Naber & Paul J. Naber 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.

The motion was seconded by Mr. Troyer and passed with a vote of 4-0. (Motion #39:07 / digital)

3. **KENOSHA COUNTY FAIR ASSOCIATION INC.**, PO Box 96, Wilmot, WI 53192-0096 (Owner), Ray Forgianni, Kenosha Common Markets, Inc., PO Box 643, Kenosha, WI 53141-0643 (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 a farmers market in the PR-1 Park-Recreational Dist. on Tax Parcel # 67-4-120-303-1261, W ½ Section 30 T1 N, R19 E, Town of Salem. FYI – W side of CTH “W” (Fox River Rd.) appx. 0.2 miles north of intersection with 111th St..

➤ Mr. Troyer made a motion to **approve** the temporary use permit request of Kenosha County Fair Association Inc. to temporarily operate a farmers market in the PR-1 Park-Recreational Dist. on Tax Parcel # 67-4-120-303-1261, W ½ Section 30 T1 N, R19 E, Town of Salem subject to the following conditions:

1. Subject to approval of an amended closing time of 7:00 p.m.

The motion was seconded by Mr. Brown and passed with a vote of 4-0. (Motion #50:50 / digital)

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

Barbara Ford May 18, 2016
Robert Stoll May 19, 2016
Dean Troyer May 19, 2016
Chris Brown May 19, 2016

4. **OMAR CALZADA**, 28343 41st Street, Salem, WI 53168 (Owner), requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district) to **operate temporary commercial bull riding/rodeo events** in the A-2 General Agricultural Dist. on

Tax Parcel #30-4-220-294-0300, SE 1/4 Section 29, T2 N, R20 E, Town of Brighton. FYI - S side of 41st St. approximately 1/4 mile east of the intersection with 288th Ave..

The Board failed to formally table this item at the meeting. The petitioner was not present and the petitioner had yet to gain a recommendation from the Town Board. Ben Fiebelkorn had spoken with the petitioner a week earlier and agreed/informed the petitioner that their item would be tabled at this meeting to allow more time to receive a recommendation from the Brighton Town Board.

5. **Citizens Comments - NONE**

6. **Approval of Minutes**

- Ms. Ford made a motion to approve the minutes from May 5, 2016. The motion was seconded by Mr. Brown and passed with a vote of 3-0. Mr. Troyer abstained due to not being present at the May 5, 2016 meeting.

7. **Other Business Allowed by Law**

Mr. Fiebelkorn informed the board that the next meeting scheduled for June 2, 2016 has no new items and the two tabled items from tonight. The next meeting scheduled after that is for June 16, 2016 which currently has no new items.

8. **Adjournment**

- Mr. Troyer made a motion to adjourn the meeting. The motion was seconded by Mr. Brown and passed with a vote of 4-0.

The meeting adjourned at 6:55 p.m.