

MINUTES  
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING  
Thursday, September 1, 2016

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, September 1, 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 and 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. **DANIEL C. MADRIGRANO**, 1627 216<sup>th</sup> 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 216<sup>th</sup> Ave. appx. 0.2 miles S of intersection with STH "142" (Burlington Rd.).

➤ Mr. Troyer made a motion to **approve** the variance request of Daniel C. Madrigrano to construct in the street yard one large 50' x 72' pole barn totaling 3,100 sq. ft. in area to be 27' high on Tax Parcel #45-4-221-183-0123 for the following reasons and subject to the following stipulations:

1. The hardship being the layout of the lot.
2. Subject to the following conditions recommended by the Town of Paris:
  1. The Variance approval is limited to Daniel Madrigrano, parcel number 45-4-221-183-0123, approximately 6.76 acres.
  2. The Variance approval allows:
    - a) The pole barn shall be constructed in the street yard (required side or rear yard);
    - b) The pole barn shall not exceed 2,688 sq. ft.\* in size (required 1,800 sq. ft. in total area); and

*\*Note: it was verified that this number did not include the covered porch area and that the Town of Paris had no opposition to the covered porch area – therefore the total sq. ft. calculation is 3,100 sq. ft.*
    - c) The pole barn shall not exceed 27' in height (required 20' in height).

3. The pole barn shall be constructed in accordance with the site plan, plans and specifications, and documents presented to the Town of Paris Plan Commission on August 15, 2016. If the site plan, plans and specifications, and documents presented to the Town of Paris Plan Commission on August 15, 2016 are inaccurate or incomplete, prior to the issuance of a zoning and/or building permit, the Petitioner shall provide the Town of Paris Planner with a revised site plan, plans and specifications, and documents for the pole barn.
4. The pole barn shall comply with the requirements of Sec. 12.25-2 C-2 *Upland Resource Conservancy District* of the Kenosha County General Zoning and Shoreland / Floodplain Zoning Ordinance.
5. The Petitioner shall provide to the Town of Paris a plat of survey illustrating the physical location of the pole barn.

The motion was seconded by Ms. Ford and passed with a vote of 5-0. (Motion #16:05 / digital)

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

Barbara Ford	August 30, 2016
Robert Stoll	August 26, 2016
Dean Troyer	August 30, 2016
Chris Brown	August 31, 2016
Dave Devito	August 30, 2016

2. **MICHAEL THOMAS MOREFIELD TRUSTEE**, Bantry Ct., Darien, IL 60561 (Owner), Josh Hagen, Hagen Homes, 5595 312<sup>th</sup> 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 92<sup>nd</sup> St. appx. 150 ft. W of intersection with 406<sup>th</sup> Ave..

Mr. Fiebelkorn stated that two individual letters in support of the petition were received. One from Anthony and Cheryl DeGregorio, 40618 92<sup>nd</sup> Street, Genoa City, WI and one from Roberta Puntillo & Kurt Jorgensen, 40606 92<sup>nd</sup> Street, Genoa City, WI 53128.

The following people were present and voiced their support for the petition:

1. Kurt Jorgensen, 40606 92<sup>nd</sup> Street, Genoa City, WI 53128

- Mr. Brown made a motion to **approve** the variance request of Daniel C. Madrigrano to construct in the street yard one large 50' x 72' pole barn totaling 3,100 sq. ft. in area to be 27' high on Tax Parcel #45-4-221-183-0123 for the following reasons and subject to the following stipulations:

1. For the topography of the land and the consideration of the neighbors.
2. Hardship being this predates existing zoning.

The motion was seconded by Ms. Ford and passed with a vote of 5-0. (Motion #29:12 / digital)

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

Barbara Ford	August 30, 2016
Robert Stoll	August 31, 2016
Dean Troyer	August 24, 2016
Chris Brown	August 31, 2016
Dave Devito	September 1, 2016

3. **TABLED REQUEST OF ARTHUR A. NABER & PAUL J. NABER, 3405 S.** Brown Lake Dr. #3, Burlington, WI 53105 (Owner), Phillip Kirsch, 33130 73<sup>rd</sup> 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 73<sup>rd</sup> St. at intersection with 332<sup>nd</sup> Ave..

- Ms. Ford made a motion to **remove from the 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.

The motion was seconded by Mr. Brown and passed with a vote of 5-0. (Motion #32:29 / digital)

- Mr. Troyer made a motion to **withdraw** 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.

The motion was seconded by Ms. Ford and passed with a vote of 5-0. (Motion #32:59 / digital)

#### 4. **Citizens Comments - NONE**

Discussion took place between the Board and the following three people regarding the working relationship between the Kenosha County Board of Adjustments and the Town of Brighton:

John Kiel, Town of Brighton Chairman  
Ray Thomas, Town of Brighton Plan Commission Member  
Sue Crane, Town of Brighton Plan Commission Member

#### 5. **Approval of Minutes**

- Mr. Brown made a motion to approve the minutes from July 21, 2016. The motion was seconded by Mr. Devito and passed with a vote of 5-0.

**6. Other Business Allowed by Law**

Mr. Fiebelkorn informed the board that the next meeting scheduled for September 15, 2016 will have one new item. The next meeting scheduled after that is for October 6, 2016 which currently has two new items.

**7. Adjournment**

- Ms. Ford made a motion to adjourn the meeting. The motion was seconded by Mr. Brown and passed with a vote of 5-0.

The meeting adjourned at 6:54 p.m.