

**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**ORDINANCE NO. \_\_\_\_\_**

Subject: An Ordinance to Amend part of Chapter 12 of the Municipal Code of Kenosha County Entitled "Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance" related to Mineral Extraction and Conversion of a Resort Conditional Use and Definitions.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: February 15, 2022		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M Buehler, Director Division of Planning Operations		Signature:	

WHEREAS, Kenosha County proposes to amend Chapter 12 Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to Amend M-3 Mineral Extraction District 12.23-3(b) to correct language related to Principal Uses, and;

WHEREAS, Kenosha County proposes to amend Chapter 12 Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to Amend PR-1 Park-Recreational District 12.24-2(d)7 and the Conditional Use section 12.29-8(b)35 to modify language to reflect past historical practice, and;

WHEREAS, Kenosha County proposes to amend Chapter 12 Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to Amend Definitions in Appendix A to modify language to reflect past historical practice, and;

WHEREAS, the Kenosha County Planning, Development and Extension Education Committee held a public hearing on the request on February 9, 2022.

NOW, THEREFORE BE IT RESOLVED that pursuant to the authority granted by Sections 59.69 and 59.594(2)(a) of the Wisconsin State Statutes, the Kenosha County Board of Supervisors does hereby ordain that Chapter 12 of the Municipal Code of Kenosha County entitled "Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance" be and hereby is changed by the following additions, deletions and amendments and is amended to read as set forth in the attached Exhibit A, pertaining to text changes to Sections 12.23-3(b), 12.29-8(b)35 and Appendix A Definitions.

Ordinance – Mineral Extraction and Conversion of a Resort Conditional Use and Definitions  
Ordinance Amendment

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Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
_____ Daniel Gaschke, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Amy Maurer, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Sandra Beth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Gabe Nudo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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## EXHIBIT "A"

~~Red Strikethrough~~ = Text Removed

Green Underlined = Text Added

### **M-3 Mineral Extraction District** **12.23-3(b)**

Principal Uses. No principal uses shall be permitted in the M-3 Mineral Extraction District and all uses within this district shall be ~~principal~~ conditional uses

### **PR-1 Park-Recreational District** **12.24-2(d)7**

Conversion of a resort, existing or historical, into a residential condominium (8/15/89)

### **Standards For Conditional Uses** **12.29-8(b)35**

35. Conversion of a resort, existing or historical, into a residential condominium in the PR-1 District; provided, that: (8/15/89)

- a. Resort principal structures currently exist in habitable standing.
- b. Number of residential units permitted cannot exceed the number of residential units that currently exist at time of application.
- a.c. All structures shall comply with local building codes. (8/15/89)
- e.d. The condominium declaration shall be submitted with the conditional use permit application and shall be made part of the permanent review file. (8/15/89)
- d.e. The applicant shall submit a condominium plat showing how the property will be divided and identifying areas of common ownership. All relevant plat restrictions shall be shown on the face of the plat. Upon approval of the condominium plat, the plat shall be recorded with the Kenosha County Register of Deeds and a copy of the plat shall be made part of the permanent review file for the conditional use. (8/15/89)
- e.f. The Kenosha County Planning, Development & Extension Education Committee shall specify the permitted dwelling sizes, dwelling height, setback, side yards, rear yard, and shore yard of the resort/condominium conversion and shall make such determinations a part of the permanent file. (8/15/89)
- f.g. Additions and modifications to the converted condominium shall conform to the lot area bulk, and yard requirements of the R-10 District and shall be considered a new conditional use. (8/15/89)

### **Appendix A Definitions**

CONVERSION ~~Any modification or change to an existing dwelling which is intended to or actually does increase the number of dwelling or room units.~~ A change from one use to a different use of either land or a structure.

RESORT (8/6/02). A hotel or motel that serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. ~~A resort shall be self contained and provide personal services customarily furnished at hotels, including the serving of meals.~~