

MINUTES
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING
Thursday, February 21, 2019

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, February 21, 2019, at 6:00 p.m. in Conference Room A, Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Barbara Ford, Robert Stoll, Chris Brown and Dave Devito

Also Present: Benjamin Fiebelkorn, Senior Land Use Planner

The meeting was called to order at 6:04 p.m. by Vice-Chairman Stoll.

1. **40100 91st ST LLC**, 1308 Ada Ln., Naperville, IL 60540 (Owner), Randy Thelen, Thelen Total Construction Inc., PO Box 17, Elkhorn, WI 53121 (Agent), requesting a variance (Section III. P. 12.18.4-5: that accessory buildings shall be located in the side or rear yard only) to construct a detached accessory building to be located in the street yard (side or rear yard required) on Tax Key Parcel #60-4-119-183-0121, Town of Randall.

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

1. George Weiler, 9111 400th Ct., Genoa City, WI 53128
2. George Melcher, 9050 400th Ct., Genoa City, WI 53128-1200

Mr. Fiebelkorn read into the record e-mail correspondence dated February 15, 2019 from Vince & Cheryl Maniscalco, 9100 400th Ct., Genoa City, WI 53128.

- Mr. Brown made a motion to **approve** the variance request of 40100 91st St. LLC to construct a detached accessory structure to be located in the street yard on Tax Parcel #60-4-119-183-0121, Town of Randall for the following reasons:

1. Due to the hardship of the location of the residence along the lakeshore and that the zoning code does not provide any change for a lakefront house.
2. Subject to no commercial business being operated out of the structure.

The motion was seconded by Ms. Ford and passed with a vote of 4-0. (Motion #16:33 / digital)

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

Robert Stoll	February 10, 2019
Barbara Ford	February 20, 2019
Chris Brown	February 21, 2019
Dave Devito	February 21, 2019

2. **TOWN OF RANDALL**, 34530 Bassett Rd., Burlington, WI 53105 (Owner), Bob Stoll, 34530 Bassett Rd., Burlington, WI 53105 (Agent), requesting a variance (Section IV. F.

12.24-1(g)1: which states that all structures shall be not less than 65 feet from the right-of-way of all County Trunk Highways in the I-1 Institutional Dist.) to allow the existence of a 20' x 13' deck to be located **7'** (required setback **65'**) from the right-of-way of CTH "F" (Bassett Rd.) on Tax Key Parcel #60-4-119-154-0420, Town of Randall.

- Mr. Devito made a motion to **approve** the variance request of Town of Randall to allow the existence of a 20' x 13' deck to be located **7'** from the right-of-way of CTH "F" (Bassett Rd.) on Tax Key Parcel #60-4-119-154-0420, Town of Randall.

The motion was seconded by Ms. Ford and passed with a vote of 3-0. Mr. Stoll abstained. (Motion #24:22 / digital)

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

Robert Stoll	February 21, 2019
Barbara Ford	February 20, 2019
Chris Brown	February 21, 2019
Dave Devito	February 21, 2019

3. **STANLEY J. JEZIOR JR. & BERNICE C. JEZIOR JT TENANCY TRUST**, 8826 North Shermer Road, Morton Grove, IL 60053-2071 (Owner), Joe Smith, 8107 18th Street, Kenosha, WI 53144 (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 use a 20' x 24' temporary (seasonal) fruit, vegetable, and Christmas tree stand with two 20' x 30' poly-hoop greenhouses, one 20' x 60' poly-hoop greenhouse, a 40' x 40' shade structure and signage in the B-3 Highway Business Dist. on Tax Parcel #80-4-222-344-0320, Town of Somers.

- Mr. Brown made a motion to **approve** the temporary use permit request of Stanley J. Jezior Jr. & Bernice C. Jezior Jt. Tenancy Trust to use a 20' x 24' temporary (seasonal) fruit, vegetable, and Christmas tree stand with two 20' x 30' poly-hoop greenhouses, one 20' x 60' poly-hoop greenhouse, a 40' x 40' shade structure and signage in the B-3 Highway Business Dist. on Tax Parcel #80-4-222-344-0320, Town of Somers subject to the following conditions:

1. The business hours shall be 9:00 a.m. until 7:00 p.m.
2. There will be an allowance for a setup date of April 15, 2019 with the business to be opened thereafter.
3. All buildings, refrigeration units and trailers are to be removed by January 15, 2020 weather permitting.
4. Portable sanitation to be restricted for employees only.
5. No semi-trailers parked running over night.
6. No mobile homes or living quarters.
7. Appropriate 24-hour lighting for the stand.
8. Allowance made for electrical refrigeration unit.
9. Only fruits, vegetables, flowers, plants and Christmas trees to be sold on premises.
10. The three (3) poly hoop greenhouses will be to the side or the rear of the vegetable stand, west of the driveway.
11. No trucks and trailers parked on the property in the off-season.
12. The lighting should not shine on either highway.

13. All structures meet the 65-foot setback requirement, as well as the vision triangle.

The motion was seconded by Ms. Ford and passed with a vote of 4-0. (Motion #29:15 / digital)

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

Robert Stoll	February 11, 2019
Barbara Ford	February 20, 2019
Chris Brown	February 16, 2019
Dave Devito	February 20, 2019

4. **Citizens Comments - NONE**

5. **Approval of Minutes**

- Mr. Brown made a motion to approve the minutes as amended from December 20, 2018. The motion was seconded by Mr. Devito and passed with a vote of 3-0. Ms. Ford abstained.

6. **Other Business Allowed by Law**

Mr. Fiebelkorn informed the board that the next meeting scheduled for March 21, 2019 has one new petition. The next meeting scheduled after that is for April 18, 2019 which currently has no new petitions.

7. **Adjournment**

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

The meeting adjourned at 6:33 p.m.