

MINUTES
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING
Thursday, March 22, 2022

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, March 22, 2022, at 6:00 p.m. at the Kenosha County Center Planning & Development Conference Room, Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Robert Stoll & Chris Brown (alternate)

Excused: Barbara Ford & Dave Devito

Also Present: Benjamin Fiebelkorn, Senior Land Use Planner

The meeting was called to order at 6:00 p.m. by Robert Stoll.

1. **DEBRA L. PARTRIDGE DECLARATION OF TRUST**, 8745 406th Ave., Genoa City, WI 53128 (Owner), William Sturm, 24540 N. Elm Rd., Lake Forest, IL 60045 (Agent), requesting a variance (Section III. P. 12.18.4-5: that accessory buildings shall be located in the side or rear yard only, Section III. K. 12.17-5: that swimming pools shall only be installed in the rear yard of a premise and Section III. I. 12.15-3: that residential fences shall not be greater than 4 feet in the street yard) to construct a detached accessory building to be located in the street yard, to construct a swimming pool to be located in the street yard and to construct a 6-foot-high fence in the street yard on Tax Key Parcel # 60-4-119-182-0390, Town of Randall.

➤ Mr. Brown made a motion to approve the variance request of Debra L. Partridge Declaration of Trust to construct to construct a detached accessory building to be located in the street yard, to construct a swimming pool to be located in the street yard and to construct a 6-foot-high fence in the street yard on Tax Key Parcel #60-4-119-182-0390, Town of Randall for the following reasons and with the following stipulations:

1. Hardship is that present zoning doesn't take into account lake lots where the front yard is the back yard and the back yard is the front yard.
2. Subject to the second street address on the property being removed.
3. Subject to a deed restriction being recorded against the property title stating the proposed building will not be used as a dwelling unit.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #08:52 / digital)

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

Robert Stoll March 19, 2022

Chris Brown March 20, 2022

2. **STANLEY & BERNICE JT. TENANCY TRUST**, 8826 North Shermer Road, Morton Grove, IL 60053-2071 (Owner), Joe Smith, 7150 18th Street, Kenosha, WI 53144 (Agent), requesting approval of a temporary use (Section III. S. 12.18.7-4: which states that It shall

be unlawful to proceed with the operation, construction, installation, enlargement or alteration of a temporary use, as defined in this ordinance, without first obtaining approval from the Kenosha County Board of Adjustments) 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 & Bernice 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 with the following stipulations:

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, 2022 with the business to be opened thereafter.
3. All buildings, refrigeration units and trailers are to be removed by January 15, 2023 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 Mr. Stoll and passed with a vote of 2-0. (Motion #18:55 / digital)

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

Robert Stoll March 17, 2022
Chris Brown -

3. **JOHN & JEAN K. LIPSTREUER**, 40395 103rd St., Genoa City, WI 53128 (Owner), requesting a variance (Section III. K. 12.17-5: that swimming pools shall only be installed in the rear yard of a premise) to construct a swimming pool to be located in the street yard on Tax Key Parcel #60-4-119-193-1600, Town of Randall.

➤ Mr. Brown made a motion to table the variance request of John & Jean K. Lipstreuer to construct a swimming pool to be located in the street yard on Tax Key Parcel #60-4-119-193-1600, Town of Randall.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #23:32 / digital)

4. **TABLED REQUEST OF LUKAS H. BETZEN**, 31508 71st St., Salem, WI 53168 (Owner), requesting a variance (Section III. P. 12.18.4-5: which states that detached accessory buildings shall be located in the side or rear yard only and Section IV. C. 12.21-4(g) 1: which states that all structures shall be located at least 30 feet from any other road) to construct a detached garage to be located in the street yard and to be located 5 feet from the right-of-way of 71st Street on Tax Key Parcel #95-4-119-014-0650, Town of Wheatland.

- Mr. Brown made a motion to remove from the table the variance request of Lukas H. Betzen.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #26:26 / digital)

- Mr. Brown made a motion to dismiss the variance request Luka H. Betzen due to inaction by the applicant.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #26:43 / digital)

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

Barbara Ford October 20, 2021

5. **Citizens Comments - NONE**

6. **Approval of Minutes**

- Mr. Brown made a motion to approve the minutes from December 16, 2021. The motion was seconded by Mr. Stoll and passed with a vote of 2-0.

7. **Other Business Allowed by Law**

Mr. Fiebelkorn informed the board that the next meeting scheduled for April 21, 2022 has four new items. The next meeting scheduled after that is for May 19, 2022 which currently has no new petitions.

8. **Adjournment**

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

The meeting adjourned at 6:27 p.m.