



Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
March 16, 2017

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, March 16, 2017 at 6:00p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. HMS PROPERTIES OF WHEATLAND LLC - TEMPORARY USE PERMIT APPLICATION - TOWN OF WHEATLAND

HMS PROPERTIES OF WHEATLAND LLC, 29 E. Sedgemoor St. #B, Elkhorn, WI 53121-4227 (Owner), Dolan Pomrening, 2049 S. 72nd St., West Allis, WI 53129 (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 allow the placement of two 8' x 40' steel storage containers in relation to a commercial fireworks retail sales operation in the B-3 Highway Business Dist. on Tax Parcels #95-4-119-013-0320 & 95-4-119-013-0330, Town of Wheatland.

Documents:

[SUBMITTED APPLICATION.PDF](#)
[EXHIBIT MAP.PDF](#)

2. CLEM STEIN III - TEMPORARY USE PERMIT APPLICATION - TOWN OF WHEATLAND

CLEM STEIN III, 5700 312th Ave., 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 temporarily allow the operation of a commercial event barn in the A-2 General Agricultural Dist. on Tax Parcel #95-4-219-364-0107, Town of Wheatland.

Documents:

[SUBMITTED APPLICATION.PDF](#)
[EXHIBIT MAP.PDF](#)

3. STANLEY J. JEZIOR JR. & BERNICE C. JEZIOR JT TENANCY TRUST - TEMPORARY USE PERMIT APPLICATION - TOWN OF SOMERS

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.

Documents:

4. **CITIZEN COMMENTS**
5. **APPROVAL OF MINUTES**
6. **OTHER BUSINESS ALLOWED BY LAW**
7. **ADJOURNMENT**

NOTICE TO PETITIONERS

The petitioners: HMS Properties of Wheatland LLC, Clem Stein LLC and Stanley J. Jezior Jr. & Bernice C. Jezior Jt. Tenancy Trust shall be present at the hearing on Thursday, March 16, 2017 at 6:00p.m. at the Kenosha County Center, Conference Room A, 19600 75th Street, Bristol, Wisconsin. You should also meet with your Town Planning Commission and/or Town Board before the date of this hearing. Petitioners in the Town of Somers will meet with the Town Board of Appeals.

NOTICE TO TOWNS

The Towns of Wheatland and Somers are requested to be represented at the hearing on Thursday, March 16, 2017 at 6:00p.m. at the Kenosha County Center, Conference Room A, 19600 75th Street, Bristol, Wisconsin. You are requested to either attend or send in your recommendation to the Board.



COUNTY OF KENOSHA

Department of Public Works & Development Services

January 2013

TEMPORARY USE APPLICATION

RECEIVED

FEB 03 2017

Kenosha County
Planning and Development

Owner: HMS PROPERTIES LLC (PAUL + CATHY STEPP)

Mailing Address: 298 E Sedgemoor St
Elkhorn, WI 53121

Phone Number(s): PAUL STEPP (262) - 770-8697

To the Kenosha County Board of Adjustment:

The Kenosha County Board of Adjustments is required to hear and grant temporary uses by the language set forth in section 12.36-5(a)5 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The owner or assigned agent seeks approval of a temporary use permit.

Parcel Number: 95-4-119-013-0320

Zoning District: B-3

Property Address: 32135 GENEVA RD. SALEM

Shoreland: _____

Subdivision: RIVER BEND

Lot(s): 1-3 Block: 2

Current Use: RETAIL FIREWORK SALES

REQUIRED BY ORDINANCE

Section: VII. B. 12.36-5(a)5 - SEE ATTACHED

Temporary Use being requested:

(Note: petitioner must attach a separate site plan drawing showing the layout of the intended use (stand(s), trailer(s), tent(s), container(s), signage, building(s), etc...) along with a business write-up describing dates of operation, hours of operation, parking, sanitation, employment, safety etc...)

TEMPORARY USE APPLICATION

The Kenosha County Board of Adjustments is authorized to hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses and the Department of Planning and Development has made a review and recommendation. The permit shall be temporary, revocable, subject to any conditions required by the Board of Adjustment, and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.

The burden will be on you as property owner to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the Board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing. The Board will not act on your request unless you or your agent is present.

- (1) What would be the effect on this property, the community or neighborhood and the public interest if the temporary use was granted? How can these impacts be mitigated.

These interests are listed as objectives in the purpose statement of an ordinance and may include: drainage, visual impact, parking and fire safety and building code requirements.

THIS POSES NO ADDITIONAL IMPACT ON THE AREA.

The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the temporary use request made herein, during reasonable daylight hours.

Owner's Signature: 

Agent: DOLAN POMRENING

Signature: 

Agents Address: 2049 S 72ND ST. WESTALLIS WI 53219

Phone Number(s): 414-704-5391

American Fireworks and Novelties L.L.C.
1330 Edwards St. Brookfield, WI 53005 262-662-0300
Retail and Wholesale Distributors of Fireworks and Novelties
www.WisconsinPyro.com

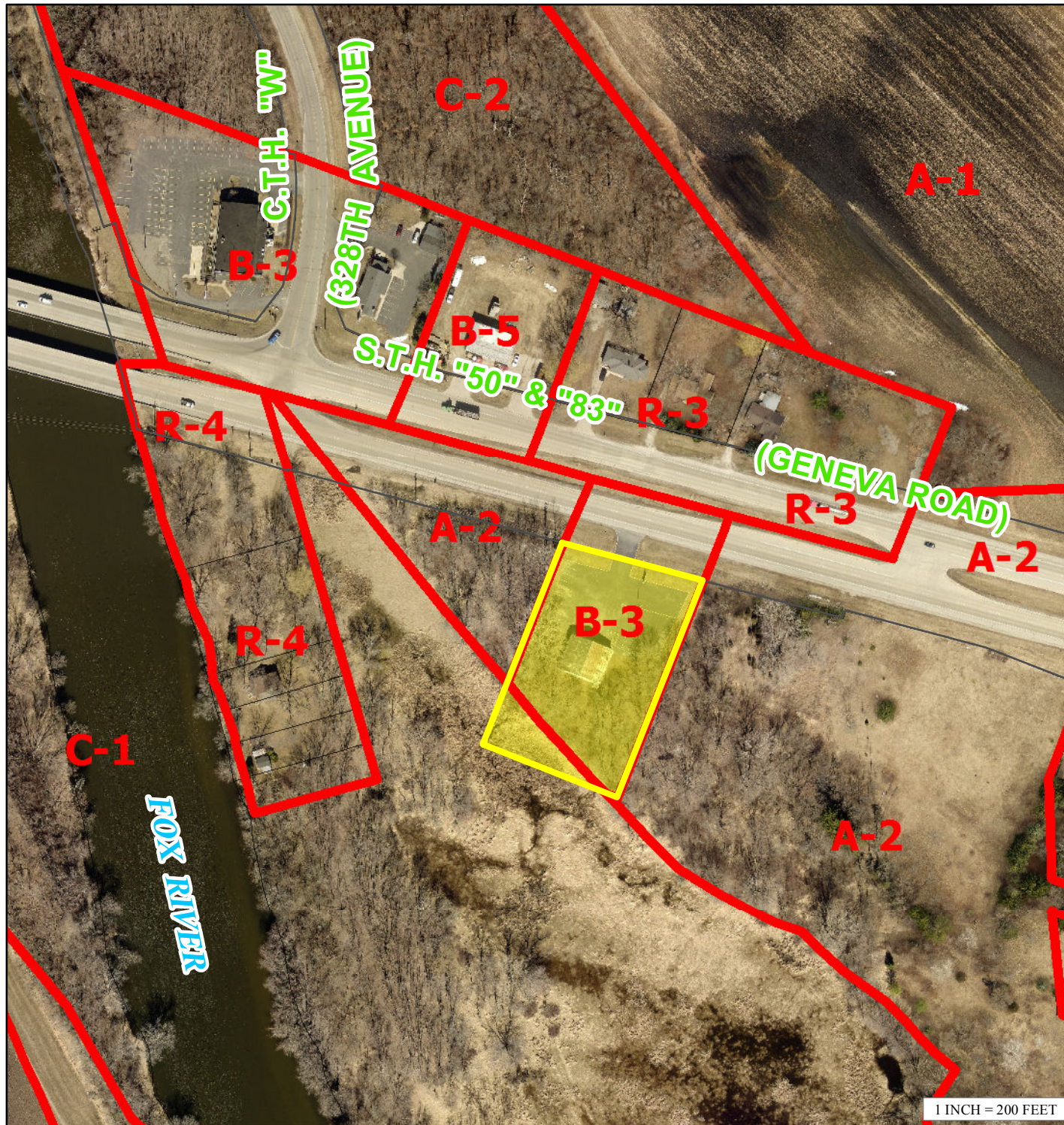
Plan of Operation for the County of Kenosha

- A. Name of business operation and owner: American Fireworks and Novelties L.L.C., Vince and Heather Siegel
- B. Location of property and owner: HMS Properties L.L.C., Paul and Cathy Stepp, 32135 Geneva Rd. Salem, WI
- C. Description of operation: Currently, year round retail sales of consumer grade fireworks in a 3000ft² building.
- D. Dates of Operation: Yearly January 1 – December 31, 2017.
- E. Signage/Decoration: Previously approved.
- F. Storage: Requesting permission to add seasonal storage from February 1st through July 31st. Specifically two 8'X40' steel storage containers / shipping containers like those used at Target. See attached site plan.
- G. Restroom: One unisex restroom on site.
- H. Trash: No outdoor waste storage.
- I. Legal Description: UNIT 1 (OFFICE AREA) RIVER BEND CONDO PLAT #6045
DOC #1169109 PT LOTS 1 THRU 3 BLK 2 RIVER BEND SUB PT NE 1/4 OF SW 1/4
SEC 1 T 1 R 19 V 924 P 159 V 1426 P 567 1.43 AC TOTAL V 1465 P 291 DOC
#1066453 DEED IN ERROR DOC #1075659 CORRECTION (1998 COMB 95-4-119-
014-0300,-013-0300 & 013-0440 THRU -0660) DOC #1169108 DOC #1169109 (2000
SPLIT 95-4-119-013-0310, -0110, -0105 & -0100 INTO 95-4-119-013-0315, -0320, & -
0330) DOC #1169487 DOC #1169488 DOC #1171826 DOC #1403030

American Fireworks
32135 Geneva Rd. Salem WI



Two 8' X 40' storage containers



TEMPORARY USE SITE MAP

PETITIONER(S):

HMS Properties of Wheatland LLC (Owner),
Dolan Pomrening (Agent)

LOCATION: SW 1/4 of Section 01,
Town of Wheatland

TAX PARCEL(S): #95-4-119-013-0320
#95-4-119-013-0330

REQUEST:

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 allow the placement of two 8' x 40' steel storage containers in relation to a commercial fireworks retail sales operation in the B-3 Highway Business District.





COUNTY OF KENOSHA

January 2013

Department of Public Works & Development Services

TEMPORARY USE APPLICATION

RECEIVED

FEB 10 2017

Kenosha County
Planning and Development

Owner: Clem Stein III

Mailing Address: 5700 312th Avenue

Salem WI 53168

Phone Number(s): 312-371-1155

To the Kenosha County Board of Adjustment:

The Kenosha County Board of Adjustments is required to hear and grant temporary uses by the language set forth in section 12.36-5(a)5 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The owner or assigned agent seeks approval of a temporary use permit.

Parcel Number: 95-4-219-364-0107 Zoning District: A-2

Property Address: 5700 312th Avenue Shoreland: No

Subdivision: CSM 2743 Lot(s): 2 Block: -

Current Use: Single-Family Residence & Two Outbuildings

REQUIRED BY ORDINANCE

Section: VII. B. 12.36-5(a)5 -

Commercial Event Barn

Temporary Use being requested:

(Note: petitioner must attach a separate site plan drawing showing the layout of the intended use (stand(s), trailer(s), tent(s), container(s), signage, building(s), etc...) along with a business write-up describing dates of operation, hours of operation, parking, sanitation, employment, safety etc...)

TEMPORARY USE APPLICATION

The Kenosha County Board of Adjustments is authorized to hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses and the Department of Planning and Development has made a review and recommendation. The permit shall be temporary, revocable, subject to any conditions required by the Board of Adjustment, and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.

The burden will be on you as property owner to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the Board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing. The Board will not act on your request unless you or your agent is present.

- (1) What would be the effect on this property, the community or neighborhood and the public interest if the temporary use was granted? How can these impacts be mitigated.

These interests are listed as objectives in the purpose statement of an ordinance and may include: drainage, visual impact, parking and fire safety and building code requirements.

See attached write-up.

The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the temporary use request made herein, during reasonable daylight hours.

Owner's Signature: 

Agent: _____ Signature: _____

Agents Address: _____

Phone Number(s): _____

Temporary Use Permit
For Stein Farms 11-22-16

Stein Farms is a family farm located in Wheatland, WI. on highway NN & Highway K. Stein Farms has been operating since 1973 as a tree nursery, and owned and operated by Clem Stein. The 2 buildings located on the farm are known as the "barn" and the "lodge". The barn is a 2500 sqft. steel wall and ceiling with a concrete floor. In the past the lodge was a tavern called the "Pit Tavern" and was built back in the early 60's and was in operation for 4 years from 1964 - 1969. This building is 2280 sqft and has 2 bathrooms (womens and mens) with 2 stalls & sink in both. The lodge has kitchen, walk-in cooler, stage, bar & fireplace. We have been using this space since 1980 for many events including weddings, fundraisers, graduation parties, family reunions, etc... The lodge has an existing parking lot with area lighting.

Zoning: The farm is zoned A-2

Operating hours: General business hours - 9:00 a.m. - 8:00 p.m. Event hours and different for each event, but are generally between 9:00 a.m. & 11:30 p.m.

Sanitation: The lodge bathroom toilets lead to leach field that is located 50 feet from the building. Hand sanitizers are available in the bathrooms and well water is and equipped with iron filter. Beer lines are cleaned between events and a schedule is available upon request.

Employees: Depending on the size of the event, we normally have 3 - 5 part-time employees.

Parking Lot: The parking lot is located on the north side of the lodge. See site plan for exact location & area light location.

Traffic: Traffic will arrive from highway K and highway NN

Buildings: Lodge is 2280 sqft. cinder block structure and the barn is 2500 sqft steel ceiling & wall with concrete floor.

Signage: Stein Farms sign is located on the corner of highway K & highway NN, located on the north-west corner, and has been in place since 1980.

Outdoor Lighting: The lodge and barn have lighting on south and east side, and in between lodge and barn. The parking lot also has area lighting.

Trash Removal: A dumpster is located remote area from the event and is emptied when necessary.

Noise: The event space is located in the country and buildings do not face any homes so noise does not affect neighboring homes.

Public Safety: First aid kits and fire extinguishers are available on premise. Adequate insurance is in place and is through State Farm.

Public Services: Public services will not be needed except for emergencies.

PLAT OF SURVEY

- OF -

* LOT LINE ADJUSTMENT BETWEEN *

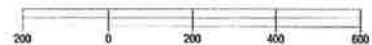
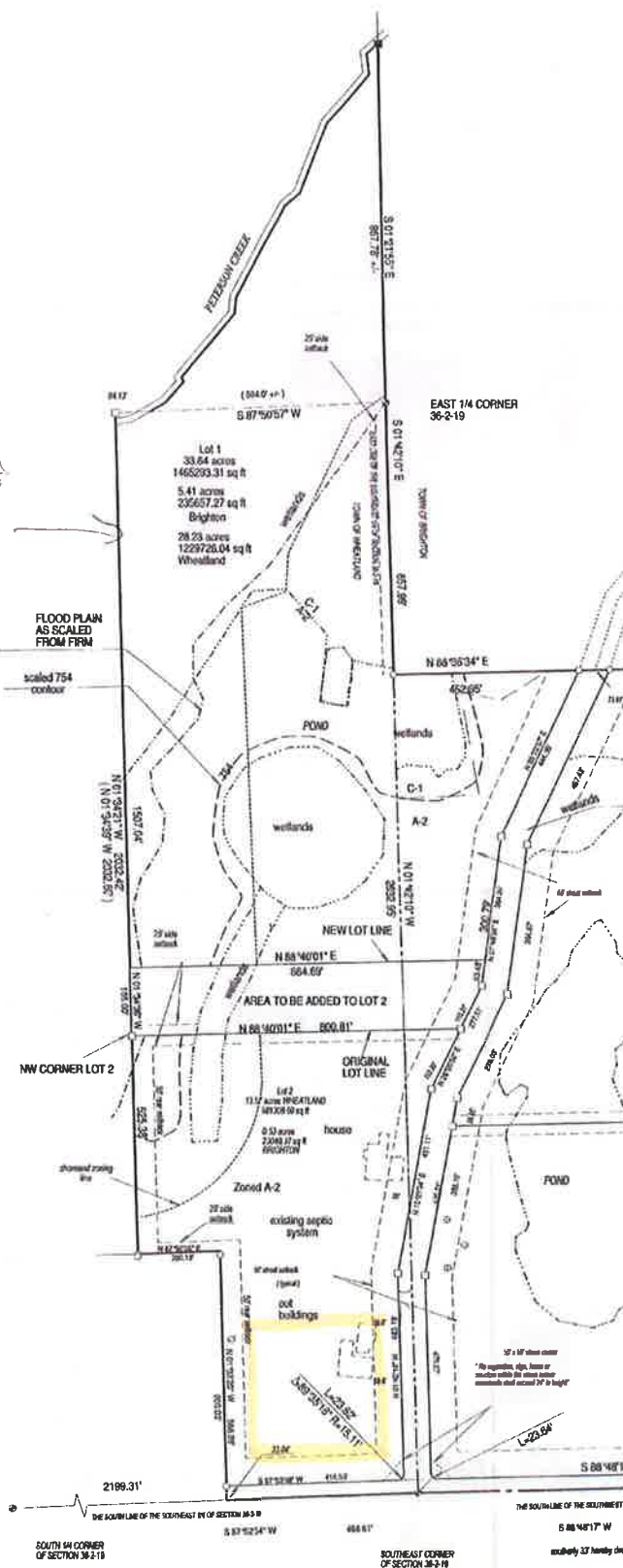
LOTS 1 AND 2 OF KENOSHA COUNTY CERTIFIED SURVEY MAP No. 2437, BEING PART OF THE SE 1/4 OF THE NE 1/4 AND PART OF THE SE 1/4 AND NE 1/4 OF THE SE 1/4 OF SECTION 35, TOWN 2 NORTH, RANGE 19 EAST, TOWN OF WHEATLAND AND PART OF THE SW 1/4 AND NW 1/4 OF OF THE SW 1/4 OF SECTION 31, TOWN 2 NORTH, RANGE 20 EAST, TOWN OF BRIGHTON, ALL IN KENOSHA COUNTY, WISCONSIN.

Description of area to be removed from lot 1 and added to lot 2.

Commencing at the northwest corner of lot 2 of said certified survey map 2437, said point being the POINT OF BEGINNING; thence N01°34'38"W, along the west line of lot 1 of said certified survey a distance of 165.00 feet; thence S88°40'01"E, a distance of 664.88 feet, to the west line of C.T.H. "N"; thence S07°46'52"W, along said west line a distance of 63.45 feet; thence S28°05'52"W, along said west line a distance of 115.31 feet; thence S88°40'01"W, a distance of 800.61 feet to the POINT OF BEGINNING; said described tract containing 3.2 Acres, more or less.

0.67 ACRES BRIGHTON
3.13 ACRES WHEATLAND

NW
29.94



BASIS OF BEARING OF THIS PLAT: THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE, GRID NORTH, NAD 83, WISCONSIN.



JEFFREY L. KAMPS S. 2438
Wisconsin Registered Land Surveyor
(original if signed in red)

- () = recorded as
- = found iron bar
- = found iron pipe
- = set iron pipe
- = set iron bar

SCALE 1" = 200'

JOB # 15-160b

TAX ID #

COUNTY TRUNK HIGHWAY "K"

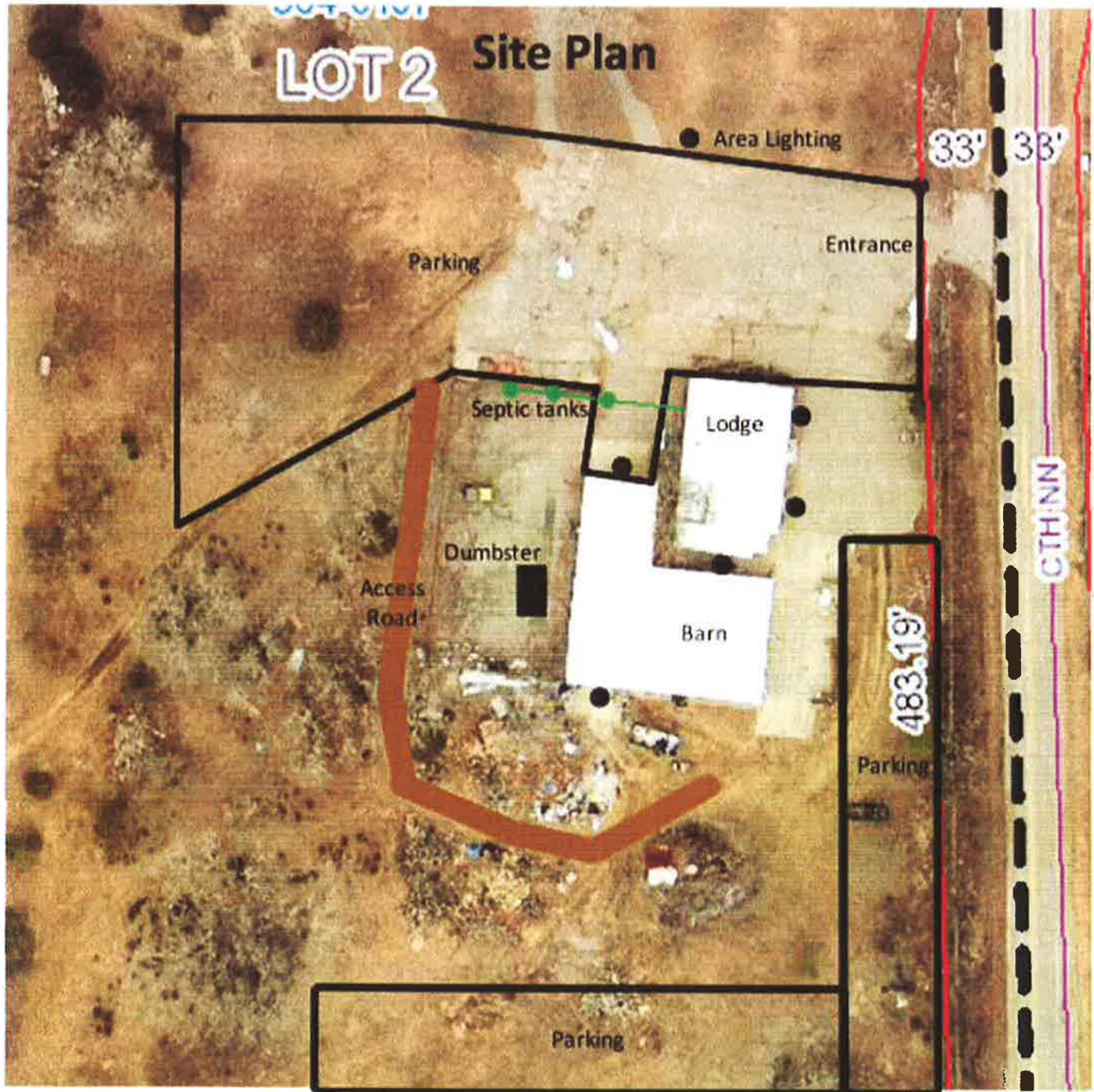
"I hereby certify that I have surveyed the above described property and that the above map, to the best of my knowledge and belief, is a true representation thereof and shows the size and location of all visible structures, apparent easements and encroachments, if any."
This survey is made for the present owners of the property, and those who purchase, mortgage, or guarantee the title hereon, within one year from the date hereof.

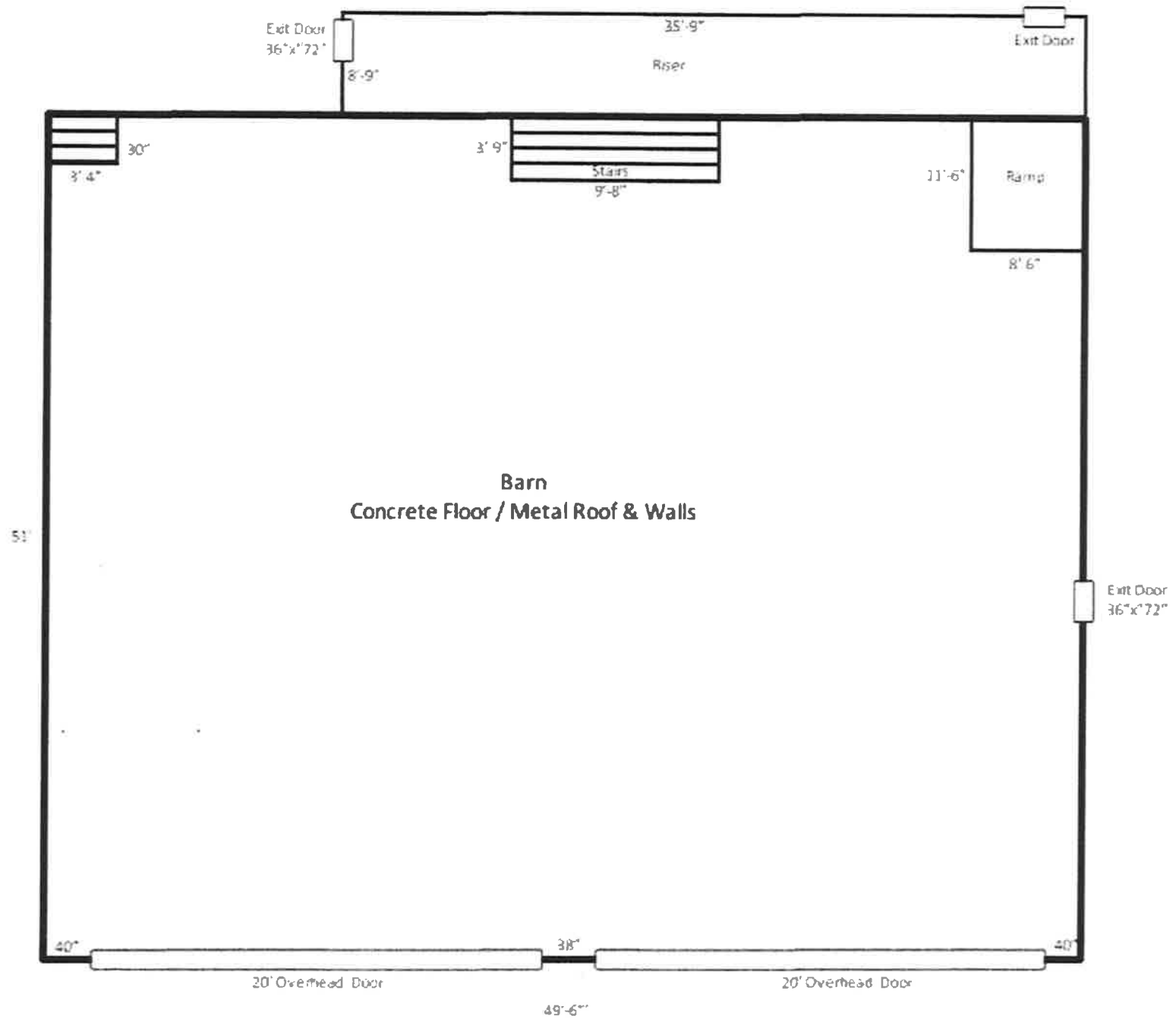
DATED THIS 14th day of June, 2015.

ES Soil Test
- Chris Johnston

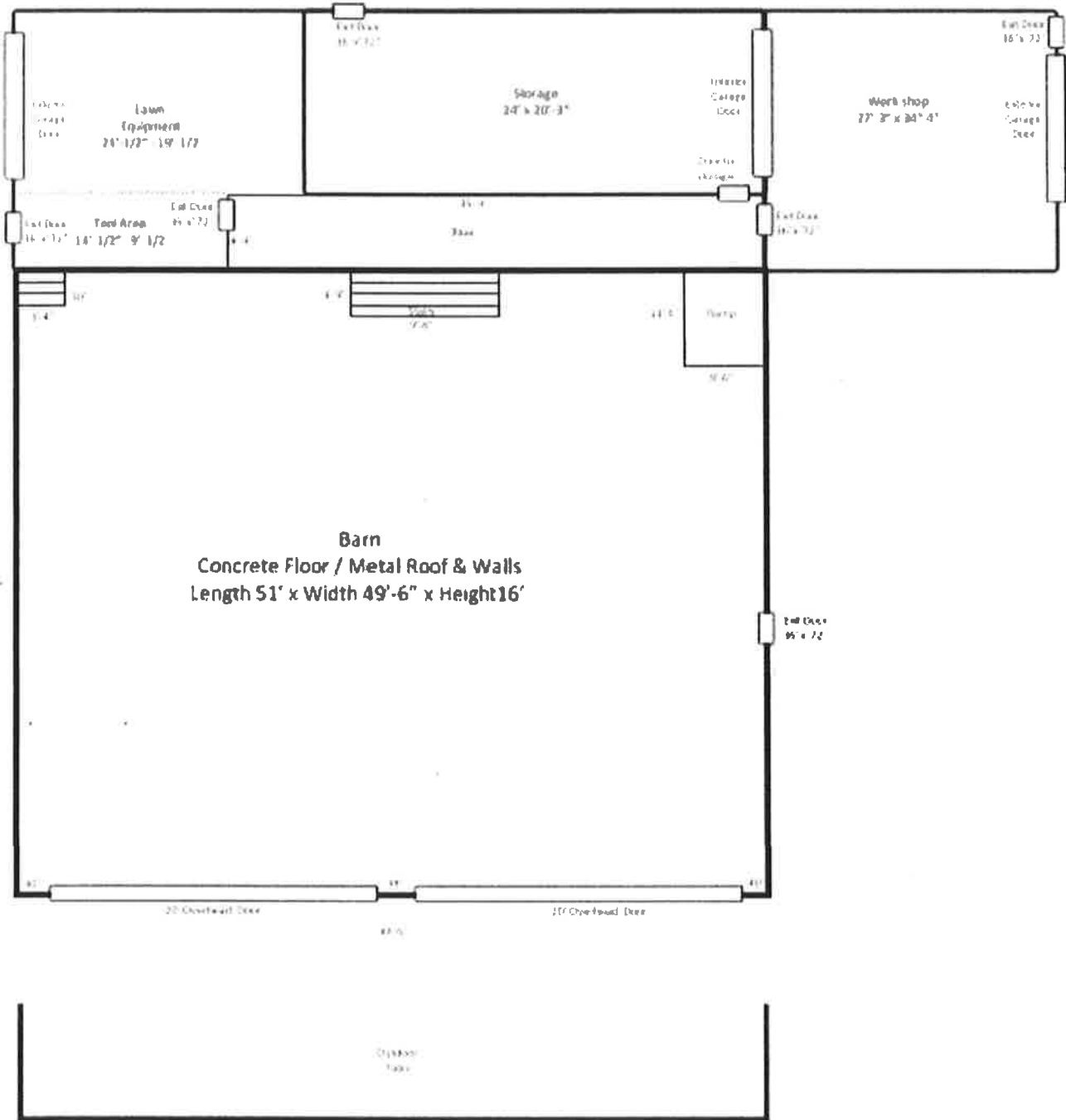
LOT 2

Site Plan

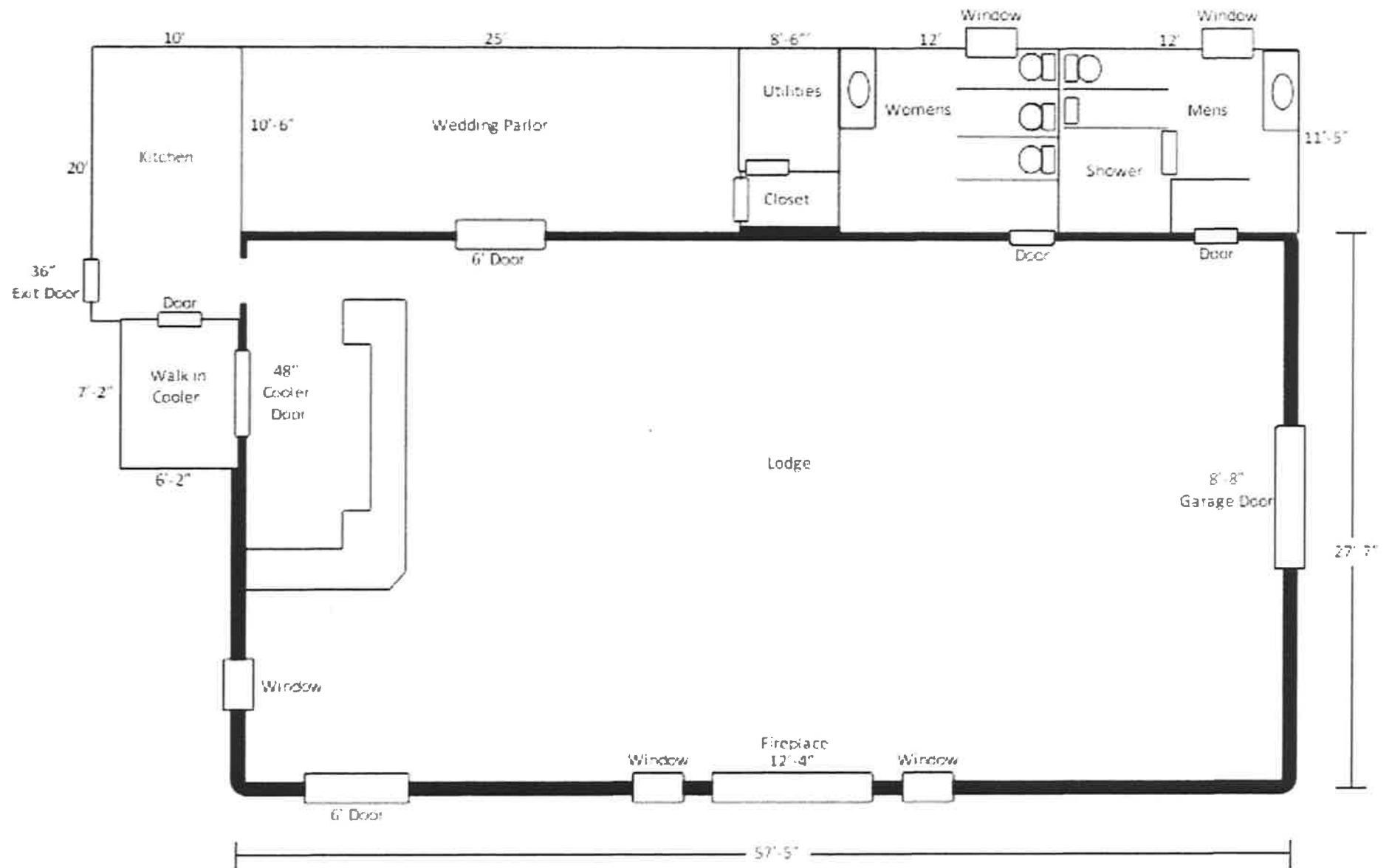


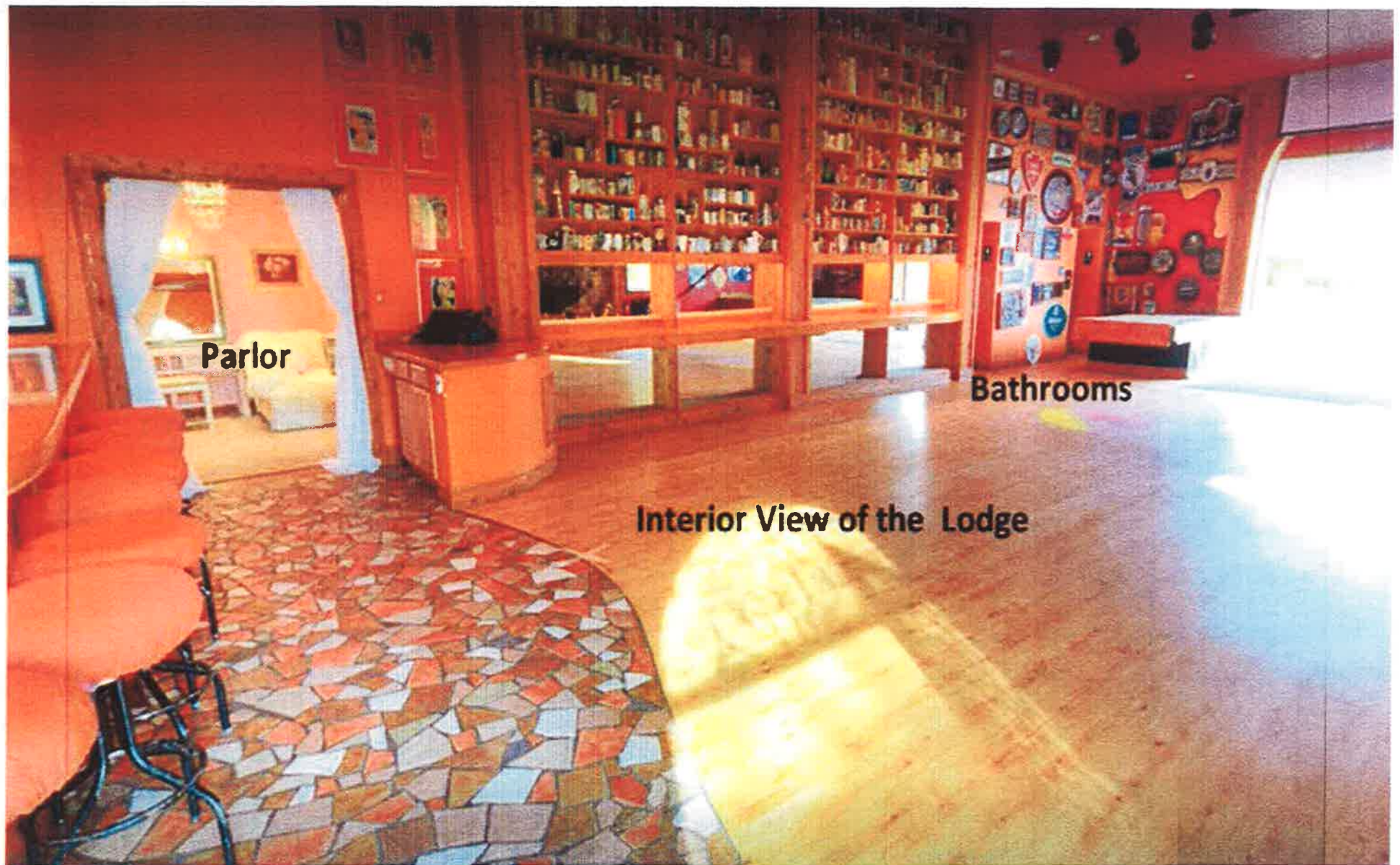


Barn



Lodge





Parlor

Bathrooms

Interior View of the Lodge





Interior view of Barn

BOARD OF ADJUSTMENTS SCHEDULE FOR 2017 PUBLIC HEARINGS

*Third Thursday of each month at 6:00 p.m.
Kenosha County Center, 19600 75th Street, Bristol, Wisconsin
Conference Room A (unless published otherwise)*

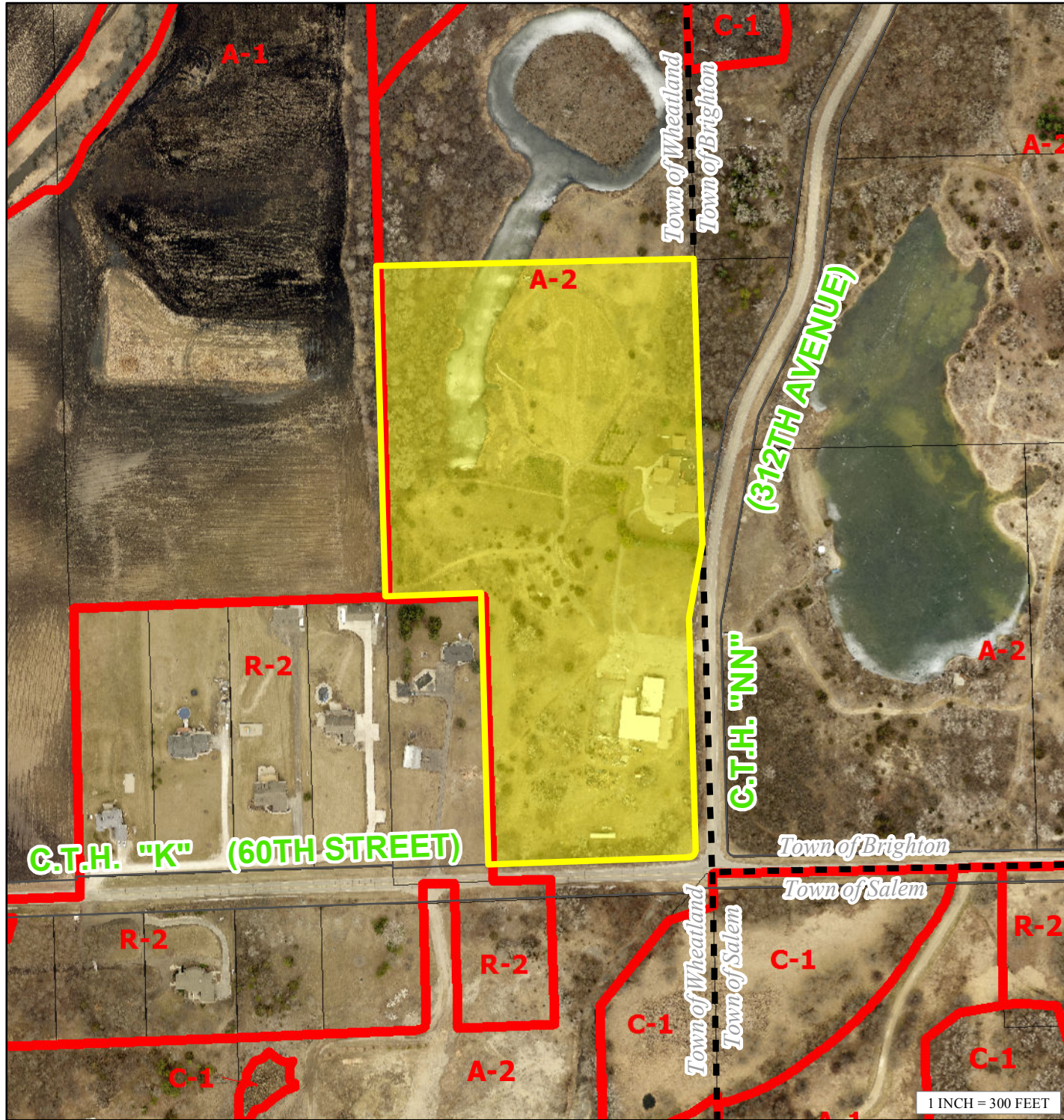
*This schedule includes all areas under general zoning regulations in the following townships:
BRIGHTON, PARIS, RANDALL, SALEM, SOMERS, WHEATLAND*

HEARING DATES

<u>JANUARY 19</u>	Filing Date: December 19 Published: Jan. 6 & Jan. 11	<u>JULY 20</u>	Filing Date: June 20 Published: July 7 & July 12
<u>FEBRUARY 16</u>	Filing Date: January 16 Published: Feb. 3 & Feb. 8	<u>AUGUST 17</u>	Filing Date: July 17 Published: Aug. 4 & Aug. 9
<u>MARCH 16</u>	Filing Date: February 16 Published: March 3 & March 8	<u>SEPTEMBER 21</u>	Filing Date: August 21 Published: Sept. 8 & Sept. 13
<u>APRIL 20</u>	Filing Date: March 20 Published: April 7 & April 12	<u>OCTOBER 19</u>	Filing Date: September 19 Published: Oct. 6 & Oct. 11
<u>MAY 18</u>	Filing Date: April 18 Published: May 5 & May 10	<u>NOVEMBER 16</u>	Filing Date: October 16 Published: Nov. 3 & Nov. 8
<u>JUNE 15</u>	Filing Date: May 15 Published: June 2 & June 7	<u>DECEMBER 14</u>	Filing Date: November 14 Published: Dec. 1 & Dec. 6

CHAPTER 12, KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE STATES:

12.06-4 LEGAL NOTICE REQUIREMENTS AND TIME LIMITS: Any petition or other matter requiring the publication of a legal notice must be submitted at least one month prior to the requested hearing date as scheduled by the Planning, Development & Extension Education Committee or Board of Adjustments. For purposes on this section, "one month prior to the requested hearing date" shall be defined to mean not later than 4:30 p.m. on the same calendar date of the month preceding the scheduled hearing, or the last day county offices are open prior to the aforementioned deadline. For purposes of the Open Meetings Law, the Director of the Department of Planning and Development shall be delegated the responsibility of informing the County Clerk of both scheduled open and closed meetings so that proper notices may be given.



TEMPORARY USE SITE MAP

PETITIONER(S):

Clem Stein III (Owner)

LOCATION: SE 1/4 of Section 36,
Town of Wheatland

TAX PARCEL(S): #95-4-219-364-0107

REQUEST:

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 allow the operation of a commercial event barn in the A-2 General Agricultural District.





COUNTY OF KENOSHA

January 2013

Department of Public Works & Development Services

TEMPORARY USE APPLICATION

RECEIVED

Owner: Stanley J. Jezior Jr. & Bernice C. Jezior Jt. Trust

FEB 10 2017

Mailing Address: 8826 North Shermer Rd.

Kenosha County
Planning and Development

Morton Grove IL 60053-2071

Phone Number(s): 262-654-1100

To the Kenosha County Board of Adjustment:

The Kenosha County Board of Adjustments is required to hear and grant temporary uses by the language set forth in section 12.36-5(a)5 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The owner or assigned agent seeks approval of a temporary use permit.

Parcel Number: 80-4-222-344-0320

Zoning District: B-3

Property Address: STH 31 & CTH "K"

Shoreland: No

Subdivision: -

Lot(s): - Block: -

Current Use: Vacant gravel lot w/ wood lattice structures

REQUIRED BY ORDINANCE

Section: VII. B. 12.36-5(a)5 -

To operate a seasonal fruit, vegetable and Christmas tree stand.

Temporary Use being requested:

(Note: petitioner must attach a separate site plan drawing showing the layout of the intended use (stand(s), trailer(s), tent(s), container(s), signage, building(s), etc...) along with a business write-up describing dates of operation, hours of operation, parking, sanitation, employment, safety etc...)

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The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the temporary use request made herein, during reasonable daylight hours.

Owner's Signature: _____

Agent: Joe Smith Signature:  _____

Agents Address: 8107 18th Stret, Kenosha WI 53144 _____

Phone Number(s): 262-620-0460 _____

BOARD OF ADJUSTMENTS SCHEDULE FOR 2017 PUBLIC HEARINGS

*Third Thursday of each month at 6:00 p.m.
Kenosha County Center, 19600 75th Street, Bristol, Wisconsin
Conference Room A (unless published otherwise)*

*This schedule includes all areas under general zoning regulations in the following townships:
BRIGHTON, PARIS, RANDALL, SALEM, SOMERS, WHEATLAND*

HEARING DATES

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<u>FEBRUARY 16</u>	Filing Date: Published:	January 16 Feb. 3 & Feb. 8	<u>AUGUST 17</u>	Filing Date: Published:	July 17 Aug. 4 & Aug. 9
<u>MARCH 16</u>	Filing Date: Published:	February 16 March 3 & March 8	<u>SEPTEMBER 21</u>	Filing Date: Published:	August 21 Sept. 8 & Sept. 13
<u>APRIL 20</u>	Filing Date: Published:	March 20 April 7 & April 12	<u>OCTOBER 19</u>	Filing Date: Published:	September 19 Oct. 6 & Oct. 11
<u>MAY 18</u>	Filing Date: Published:	April 18 May 5 & May 10	<u>NOVEMBER 16</u>	Filing Date: Published:	October 16 Nov. 3 & Nov. 8
<u>JUNE 15</u>	Filing Date: Published:	May 15 June 2 & June 7	<u>DECEMBER 14</u>	Filing Date: Published:	November 14 Dec. 1 & Dec. 6

CHAPTER 12, KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE STATES:

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01-24-2017

To whom it may concern:

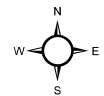
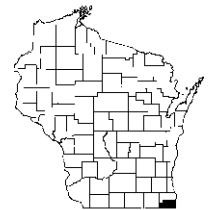
Joe Smith has our permission
to use the corner property at:

Northwest corner of Green Bay + 60TH ST.

From January 1ST to December 31ST 2017.

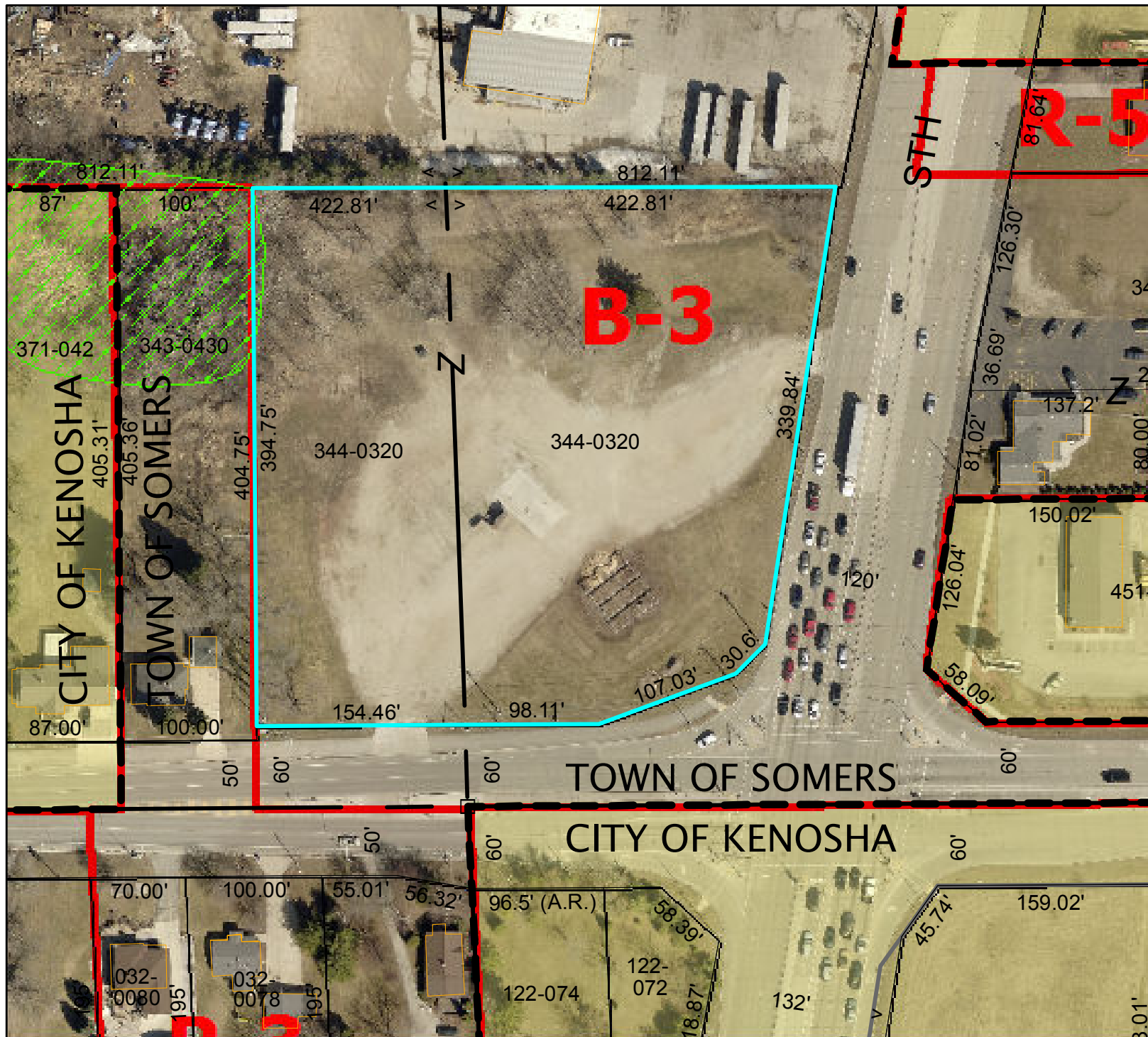
Owner: Stanley Jezior

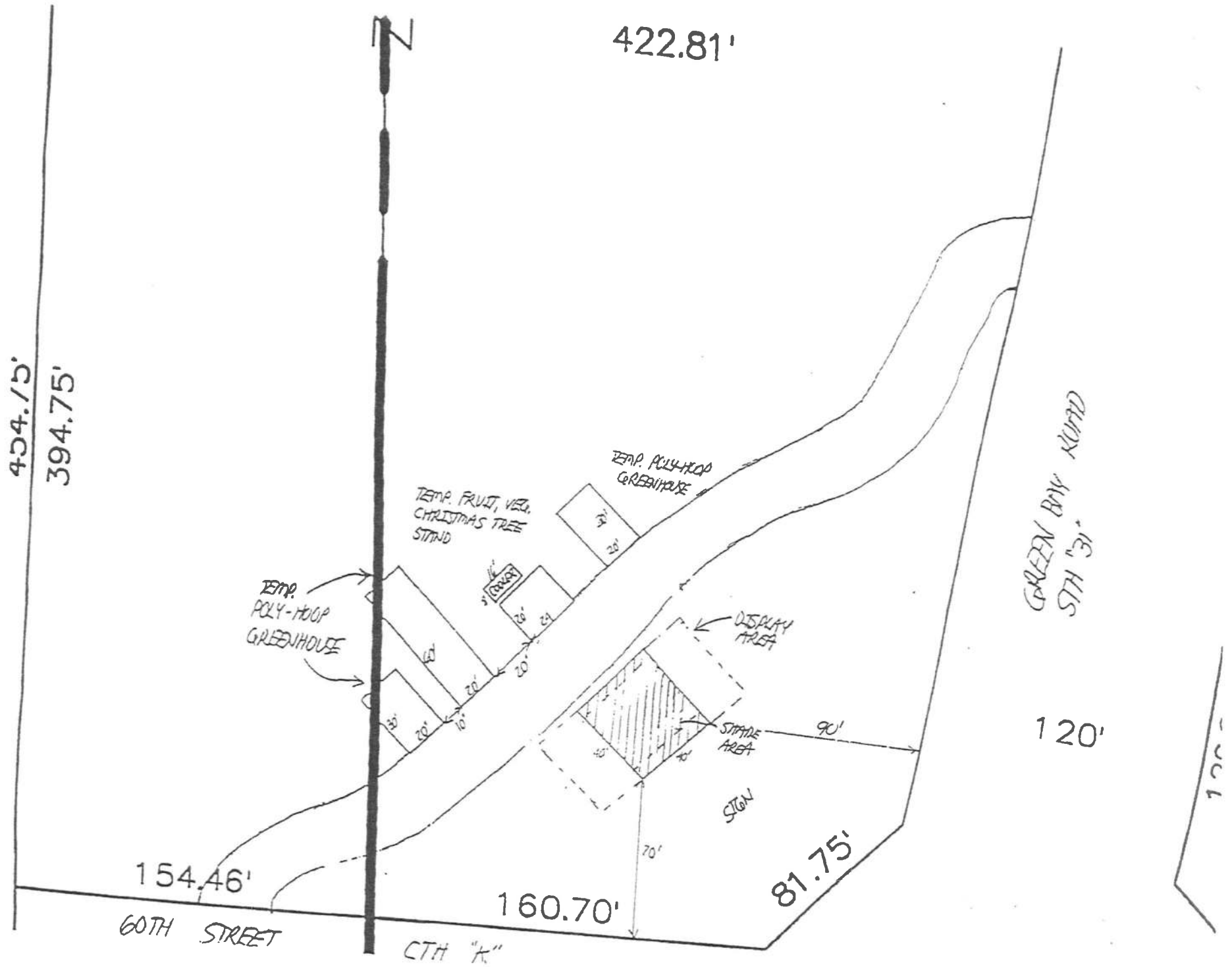
Kenosha County



1 inch = 100 feet

THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. KENOSHA COUNTY IS NOT RESPONSIBLE FOR ANY INNACURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT KENOSHA COUNTY.





1" = 50'

TEMPORARY USE SITE MAP

PETITIONER(S):

Stanley J. Jezior Jr. & Bernice C. Jezior
Joint Tenancy Trust (Owner),
Joe Smith (Agent)

LOCATION: SE 1/4 of Section 34,
Town of Somers

TAX PARCEL(S): #80-4-222-344-0320

REQUEST:

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 District.

