



Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
March 21, 2019

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, March 21, 2019 at 6:00 p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. BEDROCK LC LLC - TEMPORARY USE PERMIT APPLICATION - TOWN OF WHEATLAND

BEDROCK LC LLC, 33703 59th St., Burlington, WI 53105 (Owner), Timothy & Deanna Delimat, Black Bull Fireworks, 34231 High Drive, East Troy, WI 53120 (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 use an existing parking lot for the placement of a 30' x 60' sales tent, a 8' x 40' steel storage container and four banners to operate a temporary fireworks sales stand in the B-4 Planned Business Dist. on Tax Parcel # 95-4-219-353-0230, Town of Wheatland.

Documents:

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

- 2. CITIZEN COMMENTS**
- 3. APPROVAL OF MINUTES**
- 4. OTHER BUSINESS ALLOWED BY LAW**
- 5. ADJOURNMENT**

NOTICE TO PETITIONERS

The petitioners: Bedrock LC LLC shall be present at the hearing on Thursday, March 21, 2019 at 6:00 p.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 Town of Wheatland is requested to be represented at the hearing on Thursday, March 21, 2019 at 6:00 p.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

January 2013

Department of Public Works & Development Services

TEMPORARY USE APPLICATION

Owner: Bedrock LC, LLC

Mailing Address: 33703 59th Street

Burlington, WI. 53105

Phone Number(s): 262-537-2312

RECEIVED
FEB 21 2019
Kenosha County
Planning and Development

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: 95-4-219-353-0230 Zoning District: B-4

Property Address: 33073 59th Street Shoreland: NO

Subdivision: CSM # 2531 Lot(s): 1 Block:

Current Use: Parking lot at gas station

REQUIRED BY ORDINANCE

Section: VII. B. 12.36-5(a)5 - Retail Sale of fireworks

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...)

Black Bull Fireworks

34231 High Drive
East Troy, WI 53120
414-349-2463

February 18, 2019

To Whom It May Concern:

We would like permission to sell novelty fireworks in the Town of Wheatland, at the Wheatland Convenience Center located at 33703 59th Street, Burlington WI 53105. We would like to put a 30x60 tent and 8x40 steel storage container in the parking lot area. We would like two 4x20 ft. banners, one on the tent and the other on the container. We would also like two small 5x3 banners under each of the gas station signs.

The fireworks stand would be open from June 18th until July 8th, 2019. The operation would have hours from 10am to 9 pm, with the exception of July 1st to July 7th, 2019, where hours of operation will be from 8am to 9pm.

During open hours the fireworks will be displayed on tables. At night, the fireworks would be stored in a metal mobile mini storage unit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy Delimat', written over the word 'Sincerely,'.

Timothy Delimat
Owner

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.

The firework tent will increase traffic flow for Wheatland Convenience Center.

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: _____

De Anna Delimat

Signature: _____

[Handwritten Signature]

Agents Address: _____

34231 High Dr. East Troy, WI. 53120

Phone Number(s): _____

414-349-2463



Map13_BedrockLCCLCTempl(BO).mxd

TEMPORARY USE SITE MAP

PETITIONER(S):

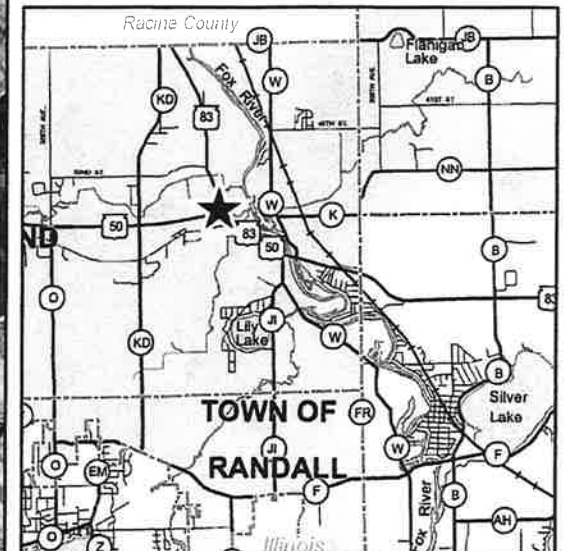
Bedrock LC LLC (Owner),
Timothy & Deanna Delimat.
Black Bull Fireworks (Agent)

LOCATION: SW 1/4 of Section 35,
Town of Wheatland

TAX PARCEL(S): #95-4-219-353-0230

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 use an existing parking lot for the placement of a 30' x 60' sales tent, a 8' x 40' steel storage container and four banners to operate a temporary fireworks sales stand in the B-4 Planned Business District.





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/26/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Ryder Rosacker McCue & Huston (MGD by Hull & Compa
509 W Koenig St
Grand Island NE 68802

CONTACT
NAME: Kristy Wolfe
PHONE (A/C, No, Ext): 308-382-2330
E-MAIL: kwolfe@ryderinsurance.com
FAX (A/C, No):
ADDRESS:

INSURED
Delimat Enterprises Inc
Black Bull Fireworks & Amish Kitchen
34231 High Dr.
East Troy WI 63210

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : SCOTTSDALE INS CO	41297
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 986234660

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			CPS2905255	4/16/2018	4/16/2019	EACH OCCURRENCE \$ 3,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 3,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.
Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.
Additional Insured: Bedrock Management, Inc.; Town of Wheatland
Location: 33703 59th, Burlington, WI 53105

CERTIFICATE HOLDER

Bedrock LC, LLC
33703 59th
Burlington WI 53105

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Jodi Haukenes

TEMPORARY USE SITE MAP

PETITIONER(S):

Bedrock LC LLC (Owner),
Timothy & Deanna Delimat,
Black Bull Fireworks (Agent)

LOCATION: SW 1/4 of Section 35,
Town of Wheatland

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