Kenosha County

Planning, Development & Extension Education Committee
Agenda
Kenosha County Center
Wednesday, June 13, 2018

NOTE: UNDER THE KENOSHA COUNTY BOARD RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SECTION 2 C OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE DISCUSSED AND ACTED UPON DURING THE COURSE OF THIS MEETING AND ANY NEW MATTER NOT GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN

Notice is hereby given that a meeting will be held by the Kenosha County Planning, Development & Extension Education Committee on **Wednesday, June 13, 2018 at 6:00p.m. in Conference Room B followed by a public hearing at 7:00 p.m. in the Public Hearing Room** at the Kenosha County Center, 19600 75th Street, Bristol, Wisconsin on the following requests:

6:00 p.m. - UW-EXTENSION ITEMS - CONFERENCE ROOM B

1. **CERTIFICATION OF COMPLIANCE WITH WISCONSIN OPEN MEETINGS LAW**
2. **REVIEW YOUTH IN GOVERNANCE PROGRAM POLICIES**
3. **POLICY REGARDING YIG MEMBERS AND CLOSED SESSIONS**
4. **FEATURE PROGRAM: "AGRICULTURE EDUCATION"**
5. **UW-EXTENSION EDUCATOR/PROGRAM UPDATES**
6. **UW-EXTENSION DIRECTOR UPDATES**

7:00 p.m. - LAND USE ITEMS HEARINGS - KCC PUBLIC HEARING ROOM

7. **JEFF A. BADTKE (OWNER) - COMPREHENSIVE PLAN AMENDMENT - PARIS**

   Jeff A. Badtke, 1520 136th Ave., Union Grove, WI 53182 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from “Farmland Protection”, “SEC” and “Non-Farmed Wetland” to “Farmland Protection”, “Rural-Density Residential”, “SEC” and “Non-Farmed Wetland” on Tax Parcel #45-4-221-111-0302 located in the NE ¼ of Section 11, T2N, R21E, Town of Paris

   Documents:

   0302 - SUBMITTED APP CPA.PDF
   0302 - EXHIBIT MAP CPA.PDF

8. **JEFF A. BADTKE (OWNER) - REZONING - PARIS**

   Jeff A. Badtke, 1520 136th Ave., Union Grove, WI 53182 (Owner), requesting a rezoning from A-1 Agricultural Preservation Dist., C-2 Upland Resource Conservancy Dist. & C-1

Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #45-4-221-111-0302 located in the NE ¼ of Section 11, T2N, R21E, Town of Paris

Documents:

0302 - SUBMITTED APP REZO.PDF
0302 - EXHIBIT MAP REZO.PDF

9. **ROBERT J. & KRISTI HOUIN (OWNER), NICOLE RYAN (AGENT) - CONDITIONAL USE PERMIT - BRIGHTON**

   Robert J. & Kristi Houin, 28005 41st Street, Salem, WI 53168 (Owner), Nicole Ryan, 4822 85th St., Kenosha, WI, 53142 (Agent), requesting a Conditional Use Permit to allow a kennel in the A-1 Agricultural Preservation Dist. on Tax Parcel #30-4-220-294-0360 located in the SE ¼ of Section 29, T2N, R20E, Town of Brighton

   Documents:

   0360 - SUBMITTED APP CUP.PDF
   0360 EXHIBIT MAP CUP.PDF

10. **CERTIFIED SURVEYS**

11. **APPROVAL OF MINUTES**

12. **CITIZEN COMMENTS**

13. **ANY OTHER BUSINESS ALLOWED BY LAW**

14. **ADJOURNMENT**

NOTICE TO PETITIONERS
The petitioners: Jeff A. Badtke (Owner); Robert J. & Kristi Houin (Owner), Nicole Ryan (Agent)

NOTICE TO TOWNS
The Towns of Brighton and Paris are asked to be represented at the hearing on Wednesday, June 13, 2018, at 7:00 p.m., at the Kenosha County Center Public Hearing Room, 19600 75th Street, Bristol, Wisconsin. You are requested to either attend or send in your recommendation to the committee.

January 2013

COUNTY OF KENOSHA
Department of Planning and Development

RECEIVED

MAR 16 2018

Kenosha County
Deputy County Clerk

A MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR KENOSHA COUNTY: 2035
MAP AMENDMENT APPLICATION

(a) Property Owner's Name:

Jeff A. Badtke x _____
Signature

Mailing Address:

1520 136th Avenue

City: Union Grove State: WI Zip: 53182

Phone Number: 262-206-4433 E-mail (optional): _____

Note: If the property owner's signature cannot be obtained in the above space, a "letter of agent status" signed by the property owner must be submitted if you are an applicant (tenant, leaseholder, or authorized agent representing the legal owner) acting on their behalf.

Applicant's Name (if applicable):

_____ x _____
Signature

Mailing Address:

_____

City: _____ State: _____ Zip: _____

Phone Number: _____ E-mail (optional): _____

(b) Existing planned land use category as shown on Map 65 of the Kenosha County comprehensive plan:

"Farmland Protection" and "SEC". & "Non-Farmed Wetland"

(c) Proposed land use category (must be a land use category included in the legend for Map 65 of the Kenosha County comprehensive plan):

"Farmland Protection", "SEC" and "Rural-Density Residential". & "Non-Farmed Wetland"

(d) Proposed use (a statement of intended use and/or the type, extent, area, etc. of any development project):

To combine the two subject parcels and create 2 appx. 5-acre lots with frontage on CTH "MB". The remnant farmland to the west will be combined with the farm acreage I own to the north which has frontage on CTH "A".

(e) Compatibility with the Kenosha County comprehensive plan (address the following questions in detail):

(e-1) Is the proposed amendment consistent with the goals, objectives, policies, and programs of this plan? Explain:

This proposal fits the goals of the pending town ordinance for new development. The new ordinance's goal is to create rural residential development between 2 and 5 acres. The two lots proposed are slightly larger than that, in order to keep the newly located rear lot line continuous with the lot located to the north.

(e-2) Is the proposed amendment compatible with surrounding land uses? Explain its compatibility with both existing and planned land uses:

There is residential to the north and across the road. The two lots to the north are 5+/- acres.

(e-3) Will the proposed amendment have any detrimental environmental effects? Explain:

No.

(e-4) Has a substantial public benefit been demonstrated by the proposed plan amendment? Explain:

No.

(e-5) Are public roads, services, and utilities available, or planned to be available in the near future, to serve the proposed development? Explain:

Yes. The two homesteads will be serviced by the existing highway. They will be on their own water well and private septic systems. Soil borings have been conducted.

(e-6) Are existing or planned facilities and services adequate to serve the type of development associated with the amendment? Explain:

Yes.

(e-7) Any additional data or information as requested by the Department of Planning and Development:

(f) Attach a legal description and provide the tax key number(s) below of property to be amended on the Kenosha County comprehensive plan:

45-4-221-111-0302

(g) Attach plot plan or survey plat of property to be amended on the comprehensive plan (showing location, dimensions, planned land use of adjacent properties, existing uses and buildings of adjacent properties—drawn to scale).

(h) The name of the County Supervisor of the district wherein the property is located:

Supervisory District Number: 19 County Board Supervisor: Michael J. Skalitzky

(i) Attach a copy (original newspaper clipping or certified copy from the Town) of the notice of public hearing (per section 66.1001(4)(d) of Wisconsin State Statutes) that is published by your Town at least 30 days before the public hearing is held. Include the date of publication with the copy of the notice of public hearing.

Note: Your application will not be processed by Kenosha County until a copy of the notice of public hearing and town approval letter is received by the Kenosha County Department of Planning and Development.

(j) Attach a copy of the enacted town resolution and ordinance (per section 66.1001(4)(c) of Wisconsin State Statutes) adopting the amendment to the Kenosha County comprehensive plan map.

Note: Your application will not be processed by Kenosha County until a copy of the enacted town resolution and ordinance adopting the amendment is received by the Kenosha County Department of Planning and Development.

(k) The fee specified in Section 12.05-8 of this ordinance.
Request for Land Use Plan Map Amendment ..... $250.00 payable to "Kenosha County"

(For other fees see the Fee Schedule)

IMPORTANT TELEPHONE NUMBERS

Kenosha County Center
Department of Planning & Development
19600 - 75th Street, Post Office Box 520
Bristol, Wisconsin 53104-0520

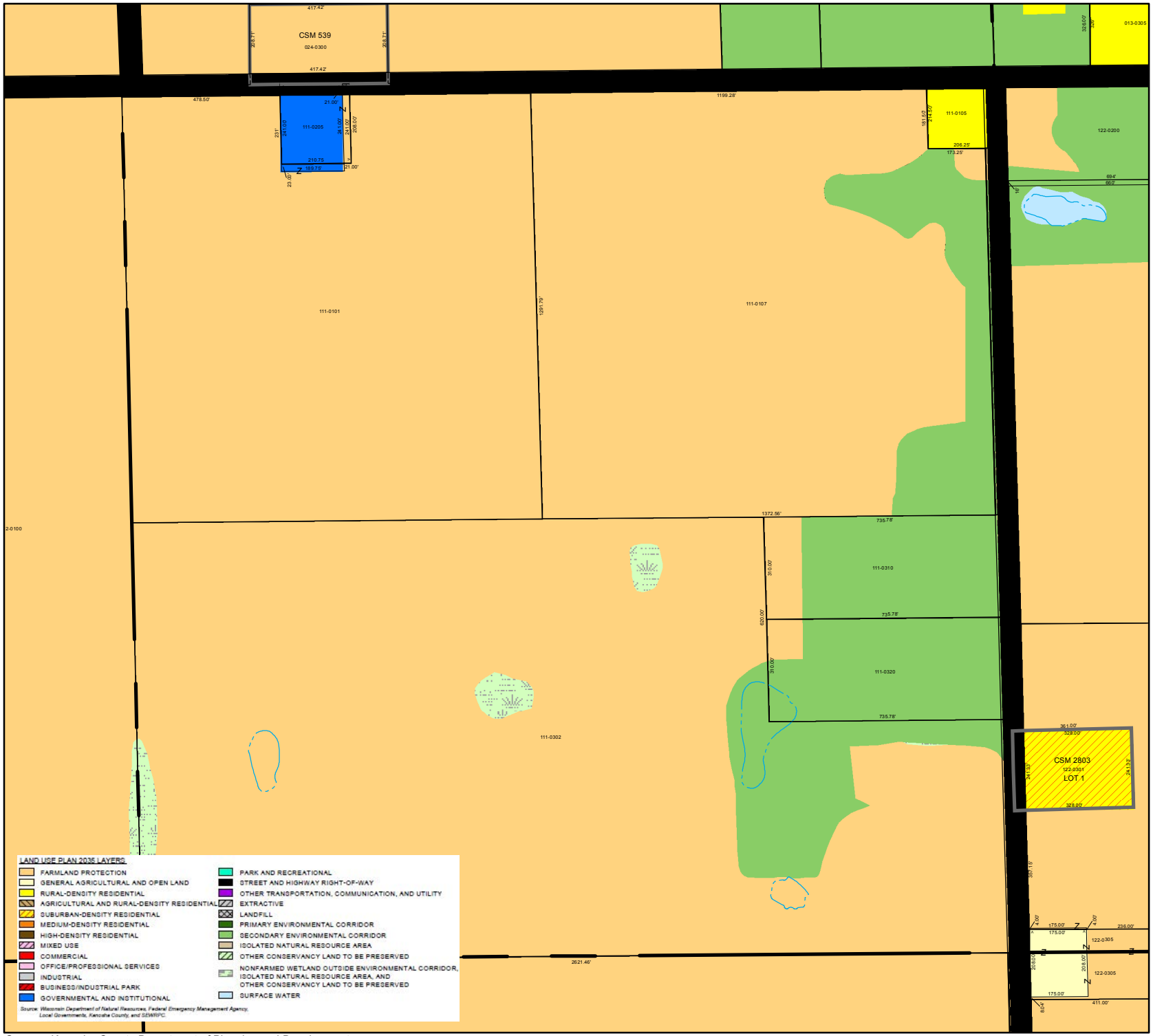
Division of County Development (including Sanitation & Land Conservation) **857-1895**
Facsimile #..... 857-1920

Public Works Division of Highways..... 857-1870

Administration Building
Division of Land Information 653-2622

Brighton, Town of..... 878-2218
Paris, Town of 859-3006
Randall, Town of 877-2165
Salem, Town of 843-2313
Utility District 862-2371
Somers Town of..... 859-2822
Wheatland, Town of 537-4340
Wisconsin Department of Natural Resources - Sturtevant Office 884-2300
Wisconsin Department of Transportation - Waukesha Office 548-8722

Kenosha County



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1 inch = 400 feet

CURRENT LAND USE PLAN MAP

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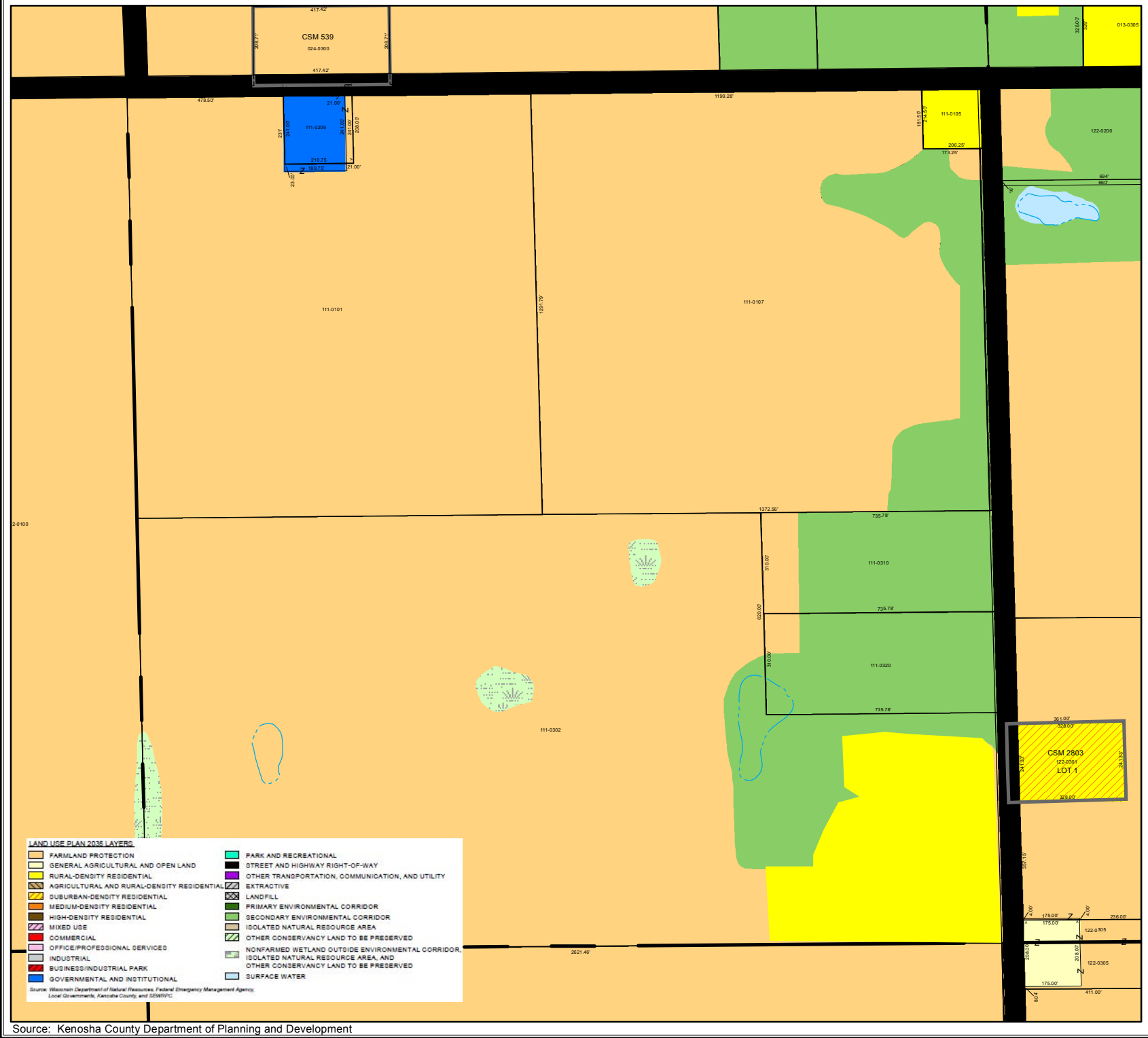
Source: Kenosha County Department of Planning and Development



Kenosha County

KENOSHA COUNTY WISCONSIN
Established 1850

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1 inch = 400 feet

PROPOSED LAND USE PLAN MAP

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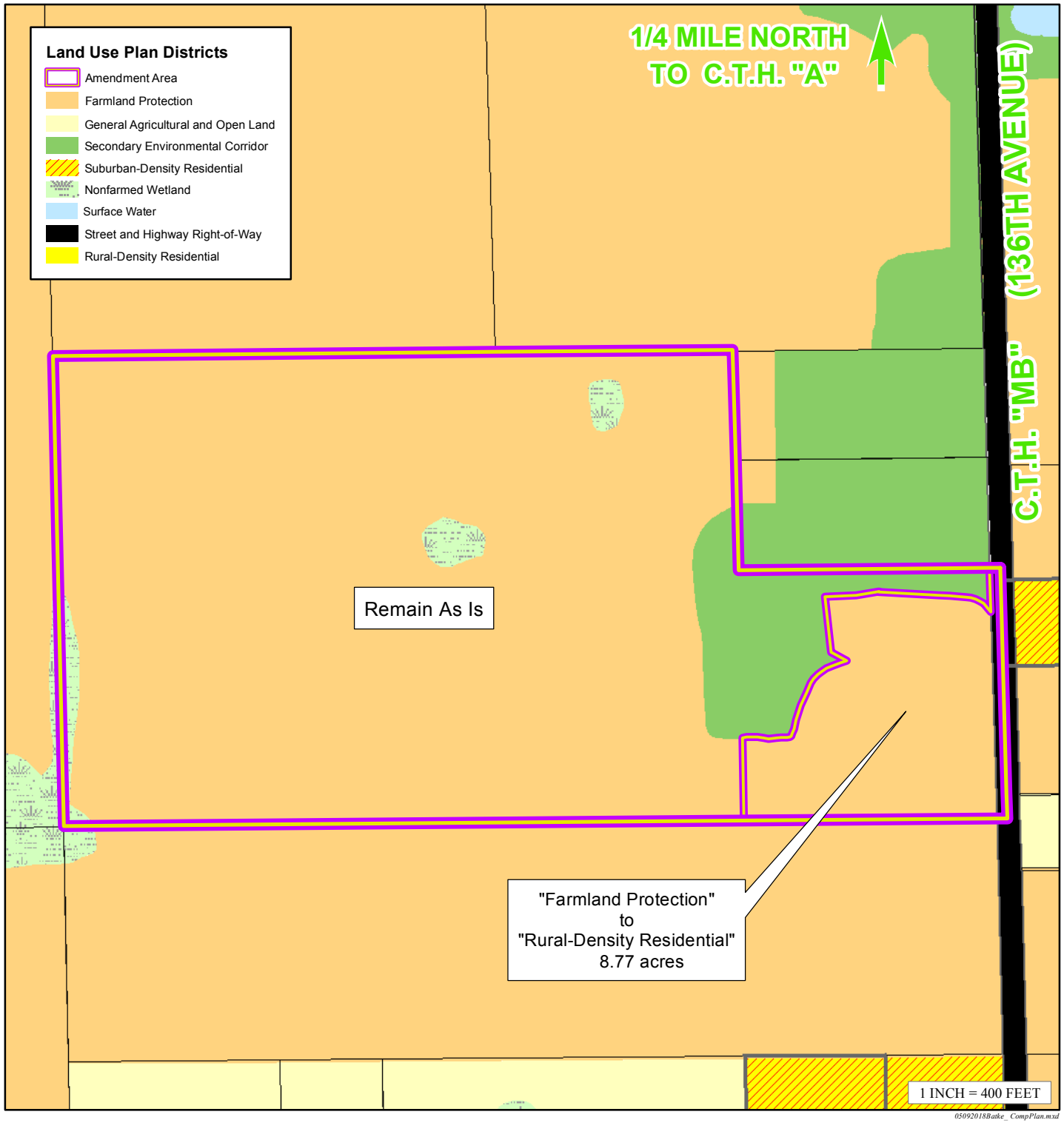
Source: Kenosha County Department of Planning and Development



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COMPREHENSIVE PLAN AMENDMENT SITE MAP

PETITIONER(S):

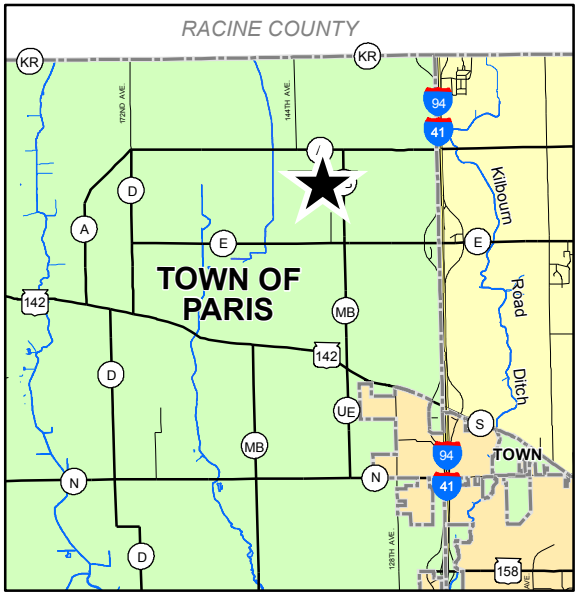
Jeff A. Badtke (Owner)

LOCATION: NE 1/4 of Section 11
Town of Paris

TAX PARCEL(S)#45-4-221-111-0302

REQUEST:

Requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection", "SEC" and "Non-Farmed Wetland" to "Farmland Protection", "Rural-Density Residential", "SEC" and "Non-Farmed Wetland"



KENOSHA COUNTY CONSERVATION · PLANNING · DEVELOPMENT

COUNTY OF KENOSHA
Department of Planning & Development

RECEIVED

MAR 16 2018

Kenosha County
Deputy County Clerk

KENOSHA COUNTY REZONING PROCEDURES

☐ **1.** Contact the Department of Public Works & Development Services and check with staff to determine if your proposed zoning change meets the requirements fo the Kenosha County General Zoning and Shorelnad/Floodplain Zoning Ordinance and the Kenosha County Subdivision Control Ordinance. Note: If the proposed rezoning is part of a proposed land division see the Certified Survey Map Information and Procedures.

☐ **2.** Contact the Department of Public Works & Development Services and schedule a pre-conference meeting, which is required for all rezoning requests.

Meeting Date: _____

☐ **3.** Contact your local Town to determine if your rezoning petition requires preliminary approval.

☐ **4.** Complete and submit the Kenosha County Rezoning Application by the filing deadline (see Planning, Development & Extension Education Committee Schedule handout).

☐ **6.** Submit a copy of the date-stamped application to your local township for placement on the agenda of the Town Planning Commission and Town Board, which recommends action to the County Planning, Development & Extension Education Committee. Keep a copy for your records.

☐ **7.** Attend the Town Planning Commission and the Town Board meetings. **NOTE:** You must attend or the Town will not be able to act on your request.

Town Planning Commission meeting date (tentative): _____

Town Board meeting date (tentative): _____

☐ **8.** Attend the Planning, Development & Extension Education Committee public hearing. **NOTE:** You must attend or the Planning, Development & Extension Education Committee will not be able to act on your request. At this meeting you will be asked to brief the Committee on your request.

Kenosha County Planning, Development & Extension Education Committee meeting date: _____
(tentative)

☐ **9.** Planning, Development & Extension Education Committee recommends either approval and adopts a resolution or denial and transmits recommendation to the Kenosha County Board of Supervisors. No action is required from the applicant at this time.

If approved, County Board of Supervisors either approves or denies the amendment.

If denied by the Kenosha County Board of Supervisors you have thirty (30) days to file an appeal with circuit court if you so choose.

☐ **10.** After the County Executive has signed the official ordinance document amending the Kenosha County Zoning Map, you will be notified of your approval in writing. Upon notification of approval, you may proceed with recording any necessary deeds.

IMPORTANT TELEPHONE NUMBERS

Kenosha County Center
Department of Public Works & Development Services
19600 - 75th Street, Suite 185-3
Bristol, Wisconsin 53104-9772

Division of Planning & Development (including Sanitation & Land Conservation) **857-1895**
Facsimile # 857-1920

Public Works Division of Highways 857-1870

Administration Building
Division of Land Information 653-2622

Brighton, Town of 878-2218
Paris, Town of 859-3006
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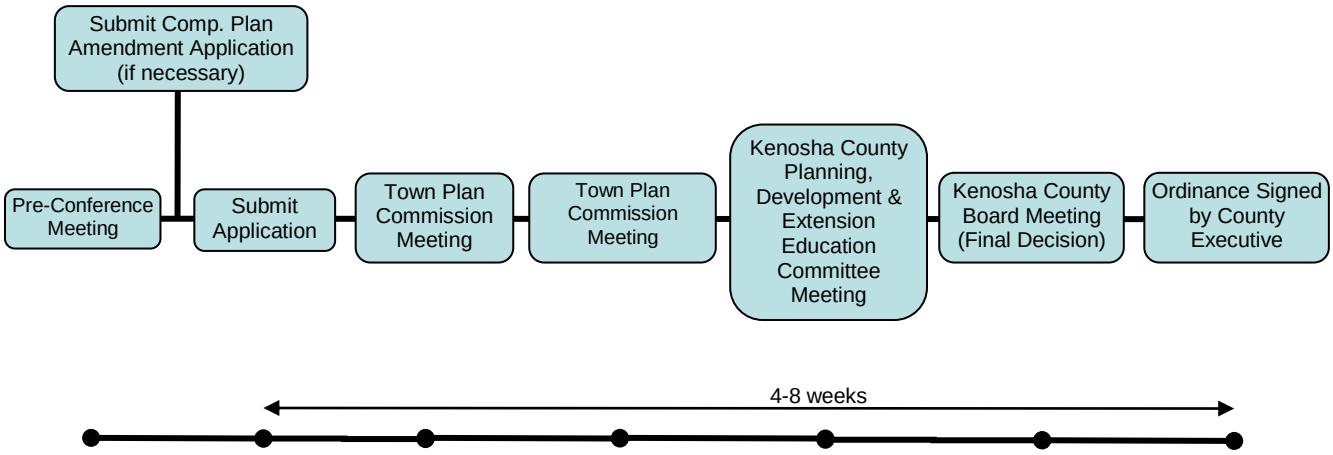
Somers Town of 859-2822
Wheatland, Town of 537-4340
Wisconsin Department of Natural Resources - Sturtevant Office 884-2300
Wisconsin Department of Transportation - Waukesha Office 548-8722

Rezoning Procedure Timeline



For Reference Purposes

COUNTY OF KENOSHA
Department of Planning and Development

REZONING APPLICATION

(a) Property Owner's Name:

Jeff A. Badtke

Print Name: Jeff A. Badtke Signature:

Mailing Address: 1520 136th Avenue

City: Union Grove State: WI Zip: 53182

Phone Number: 262-206-4433 E-mail (optional):

Note: **Unless the property owner's signature can be obtained in the above space, a** letter of agent status **signed** by the legal property owner **must** be submitted if you are a tenant, leaseholder, or authorized agent representing the legal owner, allowing you to act on their behalf.

(b) Agent's Name (if applicable):

Print Name: Signature:

Business Name:

Mailing Address:

City: State: Zip:

Phone Number: E-mail (optional):

(c) Tax key number(s) of property to be rezoned:

45-4-221-111-0302

Property Address of property to be rezoned:

842 136th Avenue

(d) Proposed use (a statement of the type, extent, area, etc. of any development project):

To combined both parcels and subdivide off two appx. 5-acres lots.

(e) Check the box next to any and all of the **existing** zoning district classifications present on the subject property:

☑ A-1 Agricultural Preservation District	☐ TCO Town Center Overlay District
☐ A-2 General Agricultural District	☐ B-1 Neighborhood Business District
☐ A-3 Agricultural Related Manufacturing, Warehousing and Marketing District	☐ B-2 Community Business District
☐ A-4 Agricultural Land Holding District	☐ B-3 Highway Business District
☐ AE-1 Agricultural Equestrian Cluster Single-Family District	☐ B-4 Planned Business District
☐ R-1 Rural Residential District	☐ B-5 Wholesale Trade and Warehousing District
☐ R-2 Suburban Single-Family Residential District	☐ BP-1 Business Park District
☐ R-3 Urban Single-Family Residential District	☐ B-94 Interstate Highway 94 Special Use Business District
☐ R-4 Urban Single-Family Residential District	☐ M-1 Limited Manufacturing District
☐ R-5 Urban Single-Family Residential District	☐ M-2 Heavy Manufacturing District
☐ R-6 Urban Single-Family Residential District	☐ M-3 Mineral Extraction District
☐ R-7 Suburban Two-Family and Three-Family Residential District	☐ M-4 Sanitary Landfill and Hazardous Waste Disposal District
☐ R-8 Urban Two-Family Residential District	☐ I-1 Institutional District
☐ R-9 Multiple-Family Residential District	☐ PR-1 Park-Recreational District
☐ R-10 Multiple-Family Residential District	☑ C-1 Lowland Resource Conservancy District
☐ R-11 Multiple-Family Residential District	☐ C-2 Upland Resource Conservancy District
☐ R-12 Mobile Home/Manufactured Home Park-Subdivision District	☐ FPO Floodplain Overlay District
☐ HO Historical Overlay District	☐ FWO Camp Lake/Center Lake Floodway Overlay District
☐ PUD Planned Unit Development Overlay District	☐ FFO Camp Lake/Center Lake Floodplain Fringe Overlay District
☐ AO Airport Overlay District	
☐ RC Rural Cluster Development Overlay District	

(f) Check the box next to any and all of the **proposed** zoning district classifications proposed for the subject property:

☑ A-1 Agricultural Preservation District	☐ TCO Town Center Overlay District
☐ A-2 General Agricultural District	☐ B-1 Neighborhood Business District
☐ A-3 Agricultural Related Manufacturing, Warehousing and Marketing District	☐ B-2 Community Business District
☐ A-4 Agricultural Land Holding District	☐ B-3 Highway Business District
☐ AE-1 Agricultural Equestrian Cluster Single-Family District	☐ B-4 Planned Business District
☑ R-1 Rural Residential District	☐ B-5 Wholesale Trade and Warehousing District
☐ R-2 Suburban Single-Family Residential District	☐ BP-1 Business Park District
☐ R-3 Urban Single-Family Residential District	☐ B-94 Interstate Highway 94 Special Use Business District
☐ R-4 Urban Single-Family Residential District	☐ M-1 Limited Manufacturing District
☐ R-5 Urban Single-Family Residential District	☐ M-2 Heavy Manufacturing District
☐ R-6 Urban Single-Family Residential District	M-3 Mineral Extraction District
☐ R-7 Suburban Two-Family and Three-Family Residential District	☐ M-4 Sanitary Landfill and Hazardous Waste Disposal District
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☐ R-12 Mobile Home/Manufactured Home Park-Subdivision District	☐ FPO Floodplain Overlay District
☐ HO Historical Overlay District	☐ FWO Camp Lake/Center Lake Floodway Overlay District
☐ PUD Planned Unit Development Overlay District	☐ FFO Camp Lake/Center Lake Floodplain Fringe Overlay District
☐ AO Airport Overlay District	
☐ RC Rural Cluster Development Overlay District	

(g) Your request must be consistent with the existing planned land use category as shown on Map 65 of the adopted "Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035".

* A LAND USE PLAN AMENDMENT IS PENDING *

The existing planned land use category for the subject property is:

☑ Farmland Protection	☐ Governmental and Institutional
☐ General Agricultural and Open Land	☐ Park and Recreational
☐ Rural-Density Residential	☐ Street and Highway Right-of-Way
☐ Agricultural and Rural Density Residential	☐ Other Transportation, Communication, and Utility
☐ Suburban-Density Residential	☐ Extractive
☐ Medium-Density Residential	☐ Landfill
☐ High-Density Residential	☐ Primary Environmental Corridor
☐ Mixed Use	☑ Secondary Environmental Corridor
☐ Commercial	☐ Isolated Natural Resource Area
☐ Office/Professional Services	☐ Other Conservancy Land to be Preserved
☐ Industrial	☑ Nonfarmed Wetland
☐ Business/Industrial Park	☐ Surface Water

(h) Attach a plot plan or survey plat of property to be rezoned (showing location, dimensions, zoning of adjacent properties, existing uses and buildings of adjacent properties, floodways and floodplains)—drawn to scale.

(i) The Kenosha County Department of Planning and Development may ask for additional information.

(1) Is this property located within the shoreland area?

Shoreland area is defined as the following: All land, water and air located within the following distances from the ordinary high water mark of navigable waters as defined in section 144.26(2)(d) of the Wisconsin Statutes: 1,000 feet from a lake, pond or flowage; 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater. If the navigable water is a glacial pothole lake, the distance shall be measured from the high water mark thereof.

☐ Yes ☑ No

(2) Is this property located within the City of Kenosha Airport affected area as defined in s. 62.23 (6) (am) 1. b.?

☐ Yes ☑ No

(j) The name of the County Supervisor of the district wherein the property is located (District Map):

Supervisory District Number: 19 County Board Supervisor: Michael J. Skalitzky

(k) The fee specified in Section 12.05-8 of this ordinance.

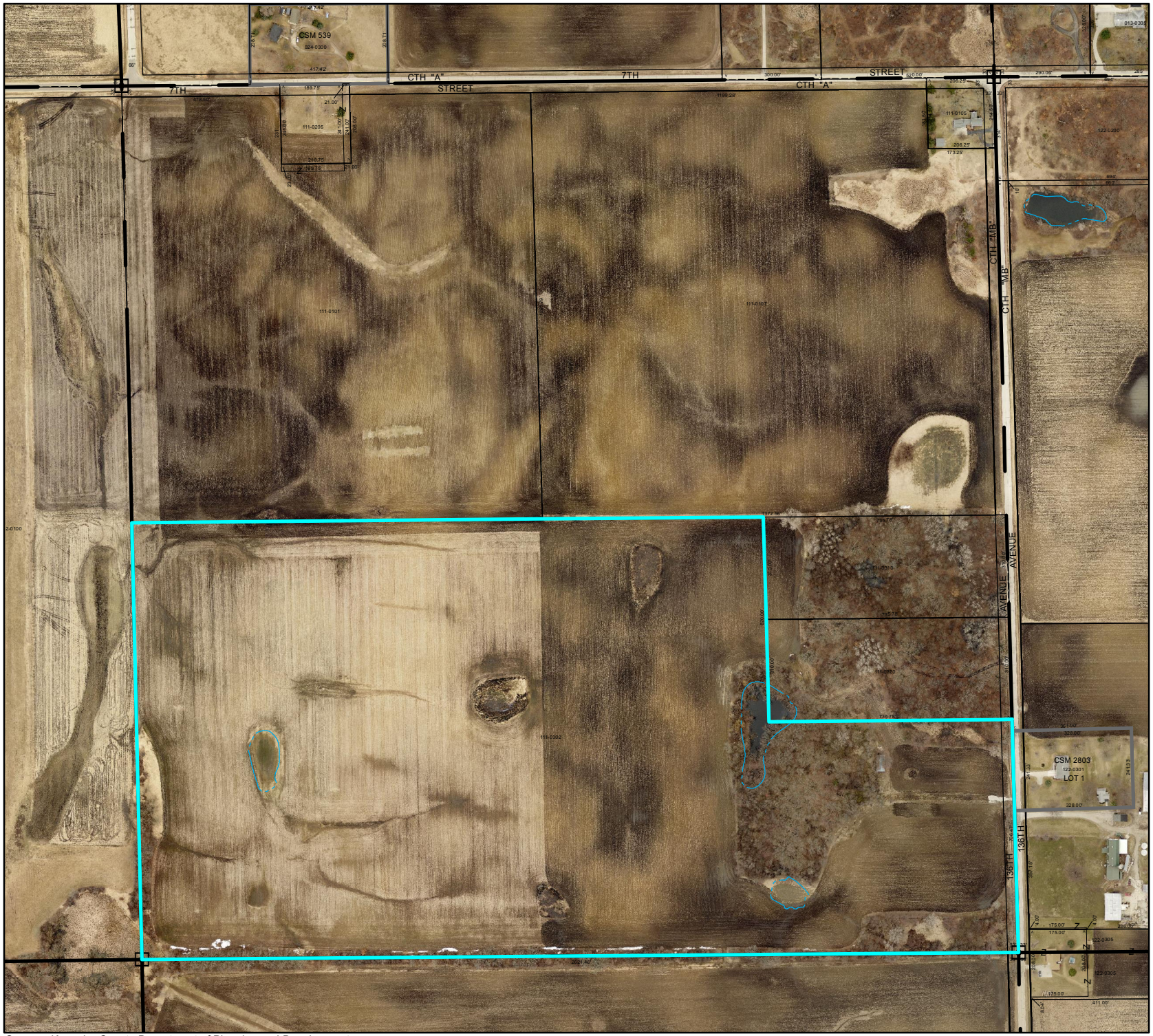
Request for Rezoning Petition $750.00

(For other fees see the Fee Schedule)

Note: Agricultural Use Conversion Charge

The use value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a non-agricultural use (e.g. residential or commercial development), that person may owe a conversion charge. To obtain more information about the use value law or conversion charge, contact the Wisconsin Department of Revenue's Equalization Section at 608-266-2149 or visit http://www.revenue.wi.gov/faqs/slf/useassmt.html.

Note that the act of rezoning property from an agricultural zoning district to a non-agricultural zoning district does not necessarily trigger the agricultural use conversion charge. It is when the use of the property changes from agricultural that the conversion charge is assessed.



Kenosha County

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1 inch = 400 feet

SUBJECT PROPERTY

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Source: Kenosha County Department of Planning and Development

Kenosha County

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CURRENT ZONING

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Kenosha County

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PROPOSED ZONING

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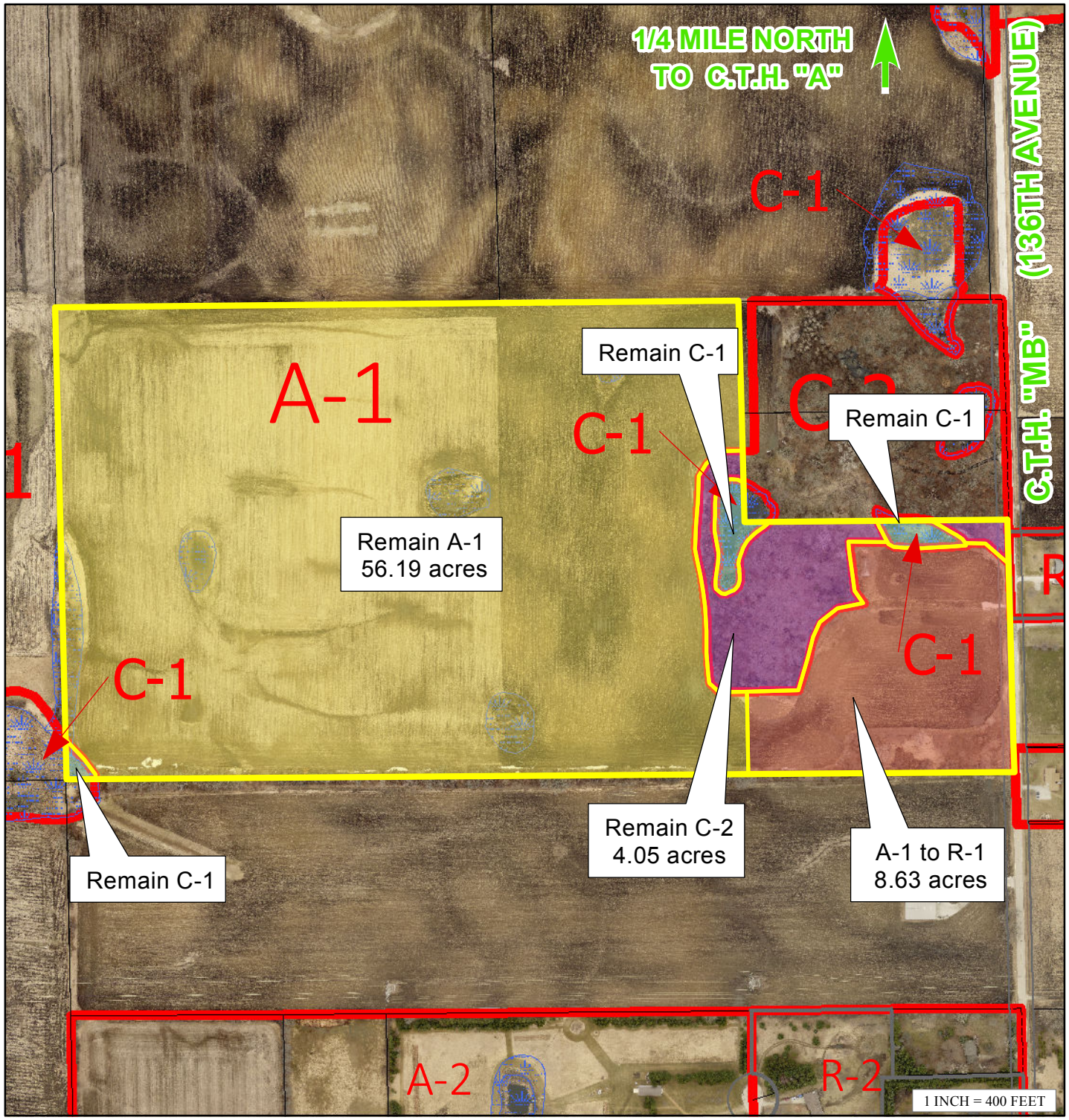

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REZONING SITE MAP

PETITIONER(S):

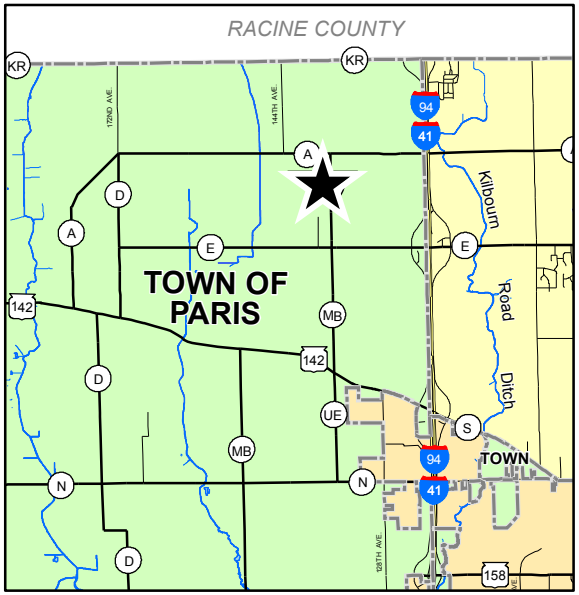
Jeff A Badtke (Owner)

LOCATION: NE 1/4 of Section 11, Town of Paris

TAX PARCEL(S): #45-4-221-111-0302

REQUEST:

Requesting a rezoning from A-1 Agricultural Preservation District, C-2 Upland Resource Conservancy District & C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, R-1 Rural Residential District, C-2 Upland Resource Conservancy District & C-1 Lowland Resource Conservancy District.



KENOSHA COUNTY
CONSERVATION · PLANNING · DEVELOPMENT

COUNTY OF KENOSHA

Department of Planning and Development

CONDITIONAL USE PERMIT PROCEDURES

KENOSHA COUNTY

DEPARTMENT OF PLANNING AND DEVELOPMENT

December 2012

COUNTY OF KENOSHA
Department of Planning and Development

CONDITIONAL USE PERMIT PROCEDURES

☐ **1.** Contact the Department of Planning and Development and check with staff to determine if your proposed use is a permitted use, an accessory use or a conditional use. If it is a conditional use, then a conditional use permit must be applied for and received prior to occupying or using the site for that use. Note: If the proposed conditional use is part of a proposed land division see the Certified Survey Map Information and Procedures. If the proposed conditional use is part of a proposed rezoning petition see the Rezoning Application Form.

☐ **2.** Contact the Department of Planning and Development and schedule a pre-conference meeting, which is required for all conditional use permit requests.

Meeting Date: MAY 8, 2018

☐ **3.** Complete and submit the Kenosha County Conditional Use Permit Application by the filing deadline (see Planning, Development & Extension Education Committee Schedule handout).

☐ **4.** Submit a copy of the date-stamped application to your local township for placement on the agenda of the Town Planning Commission and Town Board, which recommends action to the County Planning, Development & Extension Education Committee. Keep a copy for your records.

☐ **5.** Attend the Town Planning Commission and the Town Board meetings. **NOTE:** You must attend or the Town will not be able to act on your request.

Town Planning Commission meeting date (tentative): _____

Town Board meeting date (tentative): _____

☐ **6.** Attend the Planning, Development & Extension Education Committee public hearing. **NOTE:** You must attend or the Planning, Development & Extension Education Committee will not be able to act on your request. At this meeting you will be asked to brief the Committee on your request.

Kenosha County Planning, Development & Extension Education Committee meeting date: _____ (tentative)

☐ **7.** If denied by the Kenosha County Planning, Development & Extension Education Committee you have thirty (30) days to file an appeal with circuit court.

☐ **8.** If approved you may proceed with obtaining site plan approval (site plan layout, stormwater, landscaping, lighting, parking/paving etc…).

☐ **9.** Apply for and obtain any necessary zoning permit(s) for construction (i.e. new buildings, building additions, signage, fencing, etc…) with the Kenosha County Department of Planning and Development.

☐ **10.** Apply for any obtain any necessary building permit(s) for construction (i.e. new buildings, building additions, signage, fencing, etc…) with you respective township.

☐ **11.** Complete any obligations for foundation survey, waiver of liability of foundation survey, stormwater as-built requirement and/or certificate of occupancy.

IMPORTANT TELEPHONE NUMBERS

Kenosha County Center
Department of Planning & Development
19600 - 75th Street, Post Office Box 520
Bristol, Wisconsin 53104-0520

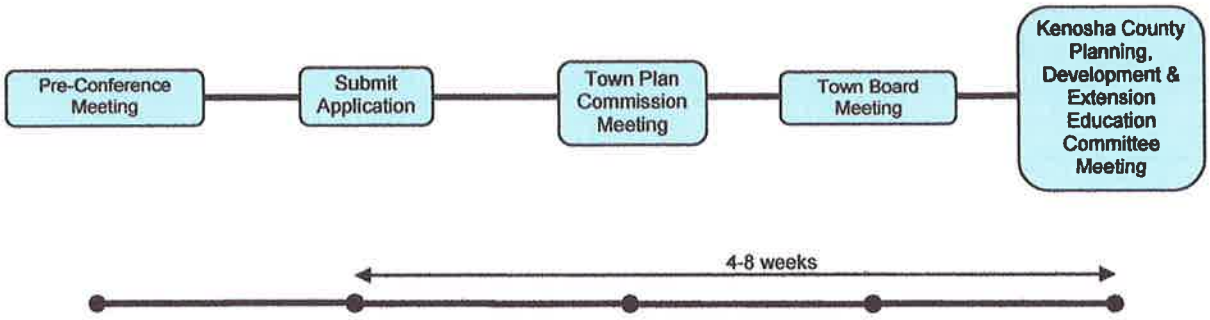
Division of County Development (including Sanitation & Land Conservation) **857-1895**
Facsimile # 857-1920

Public Works Division of Highways 857-1870

Administration Building
Division of Land Information 653-2622

Brighton, Town of 878-2218
Paris, Town of 859-3006
Randall, Town of 877-2165
Salem, Town of 843-2313
Utility District 862-2371
Somers Town of 859-2822
Wheatland, Town of 537-4340
Wisconsin Department of Natural Resources - Sturtevant Office 884-2300
Wisconsin Department of Transportation - Waukesha Office 548-8722

Conditional Use Permit Timeline



For Reference Purposes

December 2012

COUNTY OF KENOSHA
Department of Planning and Development

RECEIVED
MAY 10 2018
Kenosha County
Deputy County Clerk

CONDITIONAL USE PERMIT APPLICATION

(a) Property Owner's Name:
Robert J. Houin

Print Name: Robert J. Houin Signature: _____

Mailing Address: 28005 41st Street

City: Salem State: WI Zip: 53168

Phone Number: _____ E-mail (optional): _____

Note: Unless the property owner's signature can be obtained in the above space, a letter of agent status signed by the legal property owner must be submitted if you are a tenant, leaseholder, or authorized agent representing the legal owner, allowing you to act on their behalf.

(b) Agent's Name (if applicable):

Print Name: Nicole Ryan Signature: N Ryan

Business Name: N/A

Mailing Address: 4822 25th St

City: Kenosha State: WI Zip: 53142

Phone Number: 262-620-1859 E-mail (optional): nikki.mad@hotmail.com

(c) Architect's Name (if applicable):

Print Name: Jack Coshun Signature: _____

Business Name: Jack Built Homes

Mailing Address: 1541 N English Settlement Ave

City: Burlington State: WI Zip: 53105

Phone Number: 262-210-9661 E-mail (optional): _____

(d) Engineer's Name (if applicable):

Print Name: _____ Signature: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ E-mail (optional): _____

(e) Tax key number(s) of subject site:

30-4-220-294-0360

Address of the subject site:

28005 41st Street

(f) Plan of Operation (or attach separate plan of operation)

Type of structure:

Single-Family Residence, built 2010
1,305 sq. ft. barn, built 2005
1,200 sq. ft. farm building, built 2006

Proposed operation or use of the structure or site:

To operate a kennel.

Number of employees (by shift): n/a

Hours of Operation: n/a

Any outdoor entertainment? If so, please explain: no

Any outdoor storage? If so, please explain: no

Zoning district of the property: A-1

(g) Attach a plat of survey prepared by a land surveyor registered by the State of Wisconsin or site plan drawn to scale and approved by the Department of Planning and Development showing all of the information required under section 12.05-1(h)3 for a zoning permit. In addition, the plat of survey or site plan layout shall show the location, elevation and use of any abutting lands and the location and foundation elevations of structures within 50 feet of the subject site; soil mapping unit lines; ordinary high water mark, historic high water marks and floodlands on or within 50 feet of the subject premises, and existing and proposed landscaping.

For conditional use permit applications that are made within shoreland and floodland areas, such description shall also include information that is necessary for the County Planning, Development & Extension Education Committee to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human, animal or aquatic life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing existing and proposed elevations or contours of the ground; fill or storage elevation; basement and first floor elevations of structures; size, location, and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets water supply and sanitary facilities; aerial photographs, and photographs showing existing surrounding land uses and vegetation upstream and downstream; soil types and any other pertinent information required by either the Planning, Development & Extension Education Committee or the Office of Planning and Zoning Administration:

(h) The Kenosha County Department of Planning and Development may ask for additional information.

(i) The fee specified in Section 12.05-8 of this ordinance.
Request for Conditional Use Permit $750.00

(For other fees see the Fee Schedule)

Nicole Ryan
Plan/Statement of the nature of proposed kennel for 28005 41st St

My family and I are applying to have a small, hobby kennel in the town of Brighton. I currently own, show, and occasionally breed Golden Retrievers. I grew up with my mother doing this and now my children enjoy the dogs as well.

There is an existing building on the property that we would like to use for our kennel. The building itself meets the requirements set forth by the county regarding the minimum.

Our projected number of dogs on a regular basis would be 10-12 (at a maximum of 15 from time to time). We would plan to have our dogs in indoor/outdoor kennel runs. The indoor portion would be 25 square feet, this would be climate controlled. The outdoor portion would be 60 square feet, shaded and weather protected. On top of the indoor/outdoor portion of the kennel, I plan to have yards outside that are as big, or bigger than our building so that the dogs get adequate exercise and enjoy a necessary quality of life.

As this is not a business, but a hobby, there are no hours of operation. However, as a standard practice in good dog care, and being a friendly neighbor, my dogs would not be out before 6am or after 9pm.

The building will be fully insulated to deaden noise, it will have concrete floors, mechanical ventilation and heating and cooling systems.

Keeping things clean is an imperative part of owning animals. Our kennel would be cleaned daily with a proper disinfectant to keep the dog's living conditions sanitary and avoid smell of any kind. This leads me to waste removal. After speaking with another kennel owner in Kenosha County and doing some research of our own, we have decided that renting a large dumpster for waste removal is the most effective way to eliminate animal waste. It will be separately bagged, then put in the dumpster daily.

Although this is a hobby for my family, I do have professional experience in a kennel environment. I worked at a boarding/show kennel for almost 10 years. I did everything from dog care, kennel maintenance, and finally management while I was there. My experience and knowledge from that job is something I use every day in caring for my own animals. I feel my background is necessary to properly maintain a small hobby kennel.

5/9/2018

To Whom it may concern:

I, Thomas A. Madrigrano, as trustee of the Thomas a. Madrigrano Living trust, future owner of the 28005 41st St., Salem, WI 53168 appoint my daughter, Nicole A. Ryan, as my agent, for the purpose of applying for a kennel license. I am aware that she is applying for the kennel license and she will be the future occupant of the property.

Thank You

Thomas A. Madrigrano

Thomas A. Madrigrano
1357 Opal Valley St.
Henderson, NV 89052-3144
tmadrigrano@gmail.com
414-627-2337

Insurance

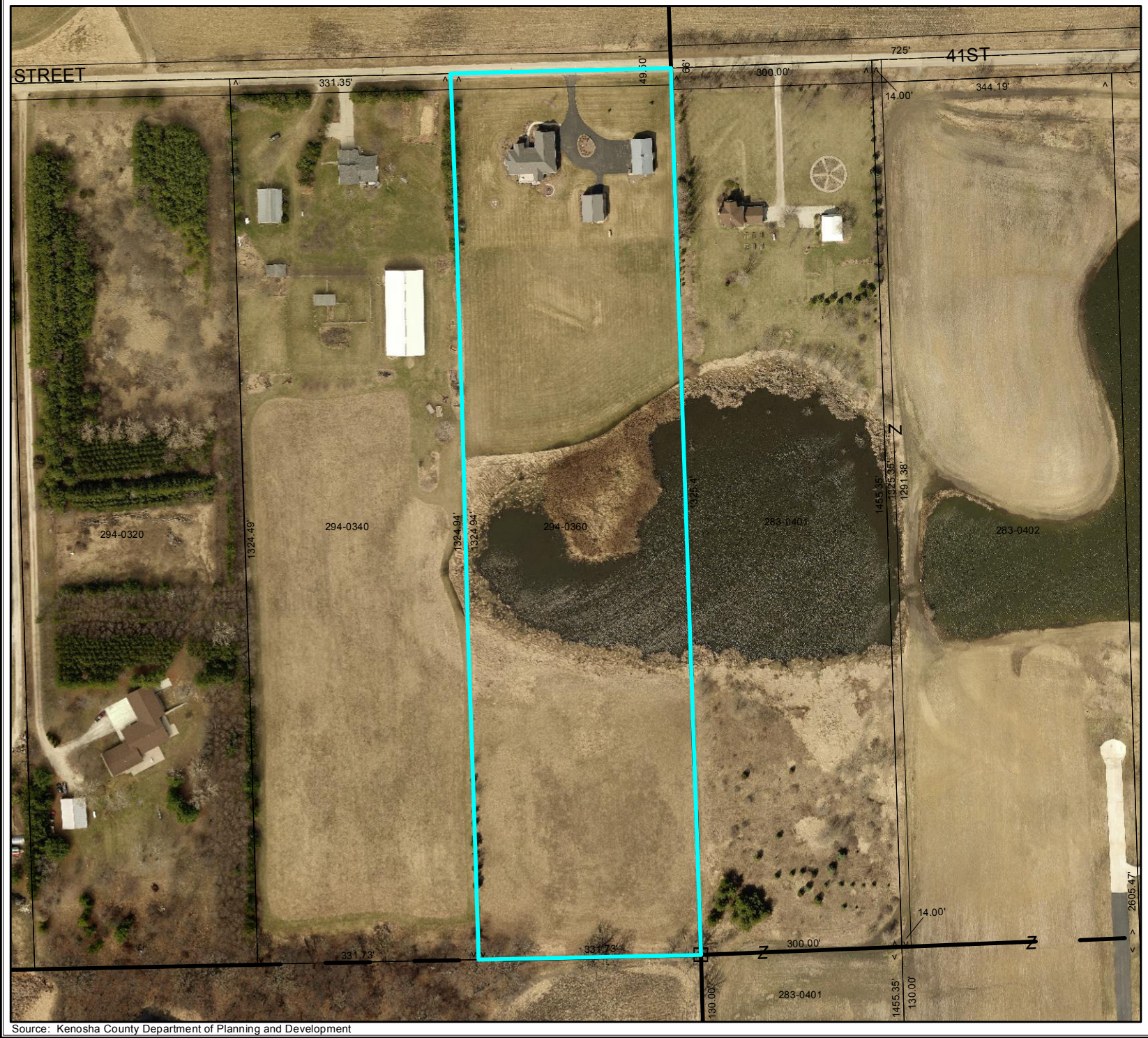
Regarding h. 7., in Brighton's Animals and Kennel Ordinances

5/10/18

As my insurance agent is out of town, I am addressing this now and will have a formal letter from him for our meeting.

I, Nicole Ryan, will carry liability insurance in the amount of at least, one million dollars.

As we do not own the property yet, we cannot have a policy with the home or kennel on that property. But, we plan on it once we close.



Kenosha County

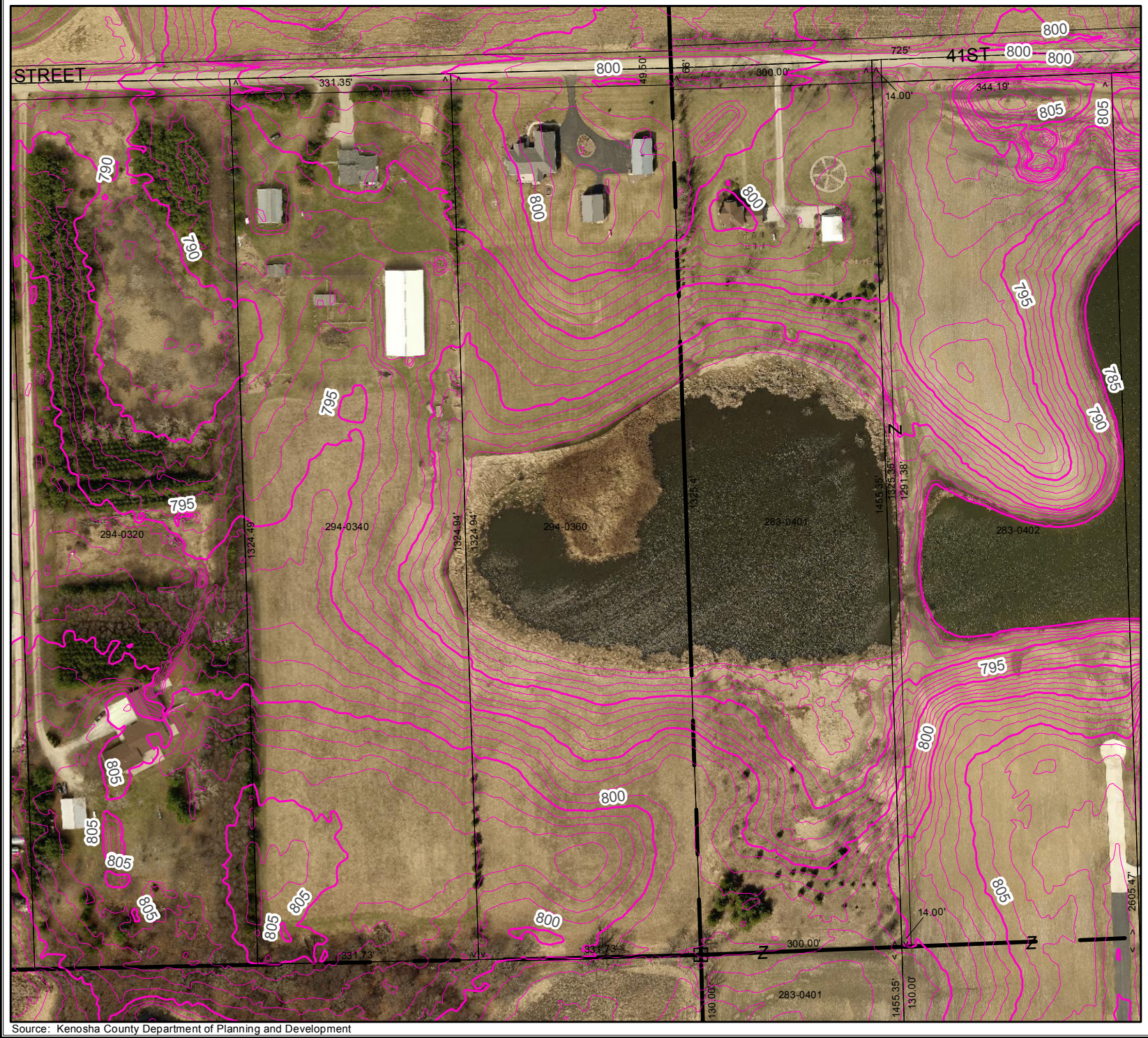
KENOSHA COUNTY WISCONSIN
Established 1850

N
W E
S

1 inch = 200 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.

Source: Kenosha County Department of Planning and Development



Kenosha County

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Source: Kenosha County Department of Planning and Development

Kenosha County

KENOSHA COUNTY WISCONSIN
Established 1850

N
W E
S

1 inch = 80 feet

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Source: Kenosha County Department of Planning and Development

Kenosha County

N
W E
S

1 inch = 80 feet

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Source: Kenosha County Department of Planning and Development

30-4-220-294-0360

PATHFINDER SURVEYING INC.
(formerly)
J.K. SURVEYING INC.
P.O BOX 322
LAKE GENEVA, WI. 53147
WWW.PATHFINDERSURVEYING.NET
262-248-8303

PREPARED FOR:
BOB HOUIN

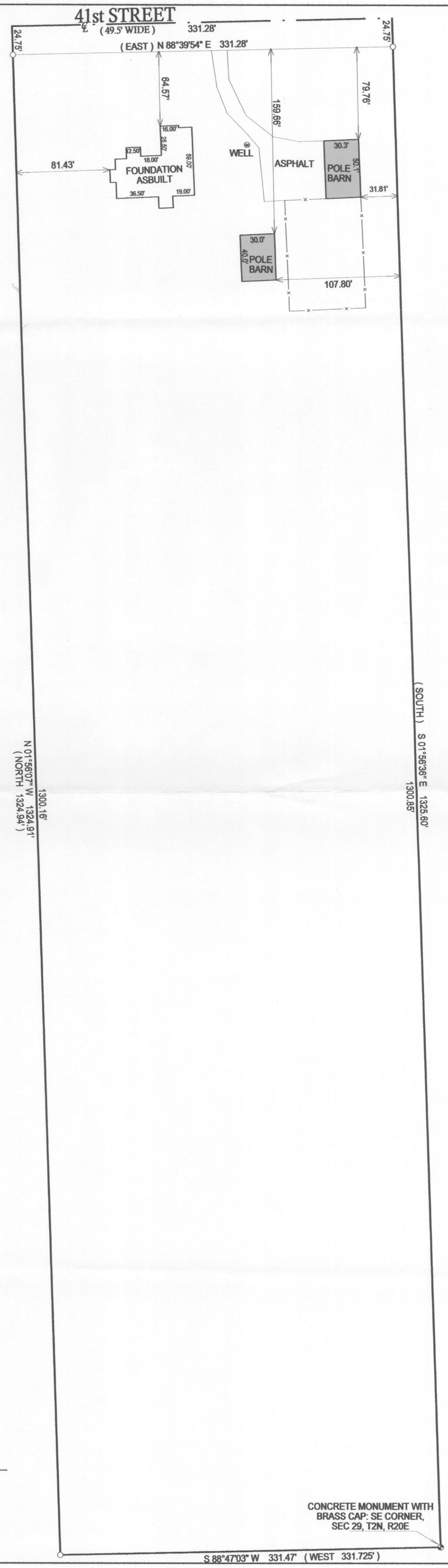
PLAT OF SURVEY

- OF -

A PARCEL OF LAND BEING THE EAST 1/2, OF THE EAST 1/2, OF THE SOUTHEAST 1/4, OF THE SOUTHEAST 1/4, OF SECTION 29, TOWN 2 NORTH, RANGE 20 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 29, THENCE WEST 331.725 FEET; THENCE NORTH 1324.94 FEET; THENCE EAST TO THE EAST LINE OF SAID 1/4 SECTION, THENCE SOUTH TO THE POINT OF BEGINNING, SAID PROPERTY BEING SUBJECT TO 41ST STREET ON THE NORTH AND EASEMENTS OF RECORD

RECEIVED
NOV 10 2010
Kenosha County
Planning and Development

F/S
APPROVED



CONCRETE MONUMENT WITH BRASS CAP: SE CORNER, SEC 29, T2N, R20E

60 0 60 120 180 240

( ) = RECORDED AS
□ = FOUND IRON BAR
○ = FOUND IRON PIPE
■ = SET IRON BAR
● = SET IRON PIPE

SCALE: 1" = 60'

JOB #: 09-100

TAX ID #: 30-4-220-294-0360

NOTE: BASIS OF BEARING IS RECORD DATA AS PROVIDED BY SEWRPC FOR SECTION 29, TOWN 2 NORTH, RANGE 20 EAST, THE EAST LINE IS ASSUMED TO BEAR "N 01°56'36" W"

COMPARE LEGAL DESCRIPTION ABOVE AND DRAWING WITH DEED. FOR BUILDING RESTRICTIONS AND EASEMENTS NOT SHOWN,REFER TO DEED, ABSTRACT SOURCES AND LOCAL MUNICIPAL CODES. NOTIFY THE SURVEYOR IMMEDIATELY OF ANY DISCREPANCY.

"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 guarentee the title thereto, within one year from the date hereof.

WISCONSIN JEFFREY L. KIMPS 2436 LAKE GENEVA. WIS. LAND SURVEYOR

JEFFREY L KIMPS S - 2436
Wisconsin Registered Land Surveyor
(original if signed in red)

REVISED 9/23/2010, FOUNDATION ASBUILT
DATED THIS 5th DAY OFOCTOBER, 2009.

30-4-220-294-0360

Plat of Survey of

PREMISES KNOWN AS:

TAX KEY NO.: 30-4-220-294-0360

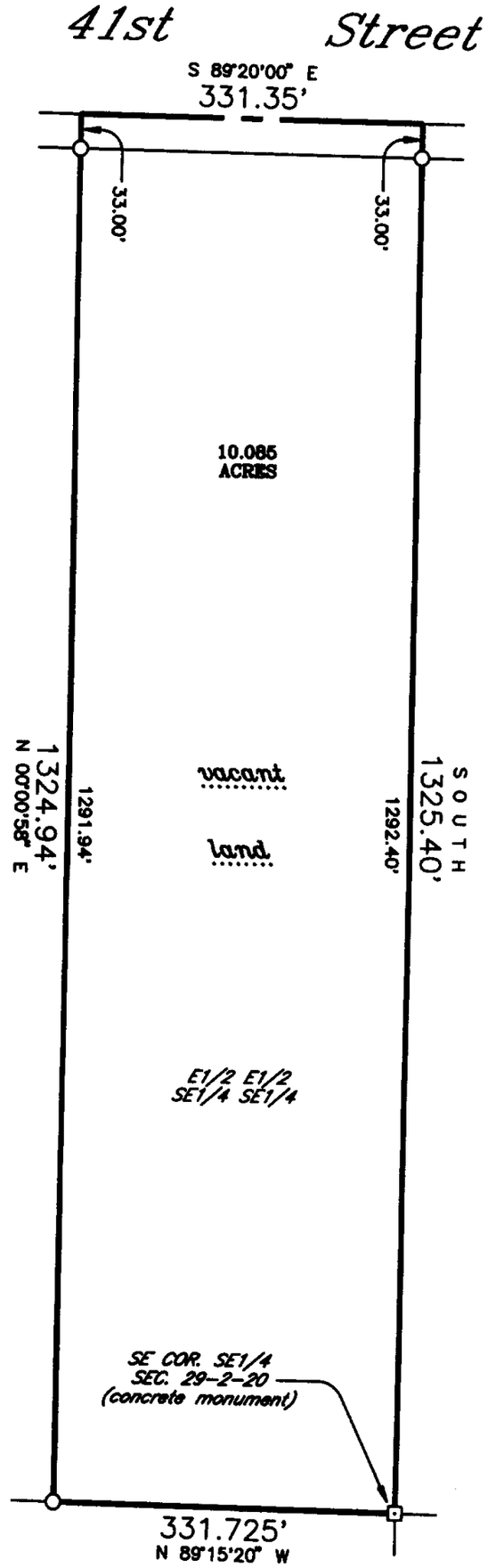
in SE1/4 Section 29-2-20

TOWN OF BRIGHTON
KENOSHA COUNTY, WIS.

-for-
Lori Kern

Scale
1"=150'

denotes iron pipe found



LEGAL DESCRIPTION (AS FURNISHED).....

The East Half (1/2) of the East Half (1/2) of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Twenty-nine (29), Township Two (2) North, Range Twenty (20) East of the Fourth Principal Meridian, more particularly described as follows: Beginning at the Southeast corner of said quarter section; thence North 89 degrees fifteen minutes 20 seconds West along the south line of said quarter section 331.725 feet; thence North 0 degrees 00 minutes 58 seconds West 1,324.94 feet; thence South 89 degrees 20 minutes East 331.35 feet; thence South along the east line of said quarter section 1,325.40 feet to the point of beginning, lying and being in the Town of Brighton, County of Kenosha and State of Wisconsin.
Subject to easements and restrictions of record.

J.K.R. SURVEYING, INC.
8121 - 22ND AVENUE, KENOSHA, WI. 53143

I hereby certify that the above described property was surveyed under my direction and that this plat is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property, and those who purchase, mortgage or guarantee the title thereto, within one (1) year from the date hereof.

SURVEYOR

December 22, 1997

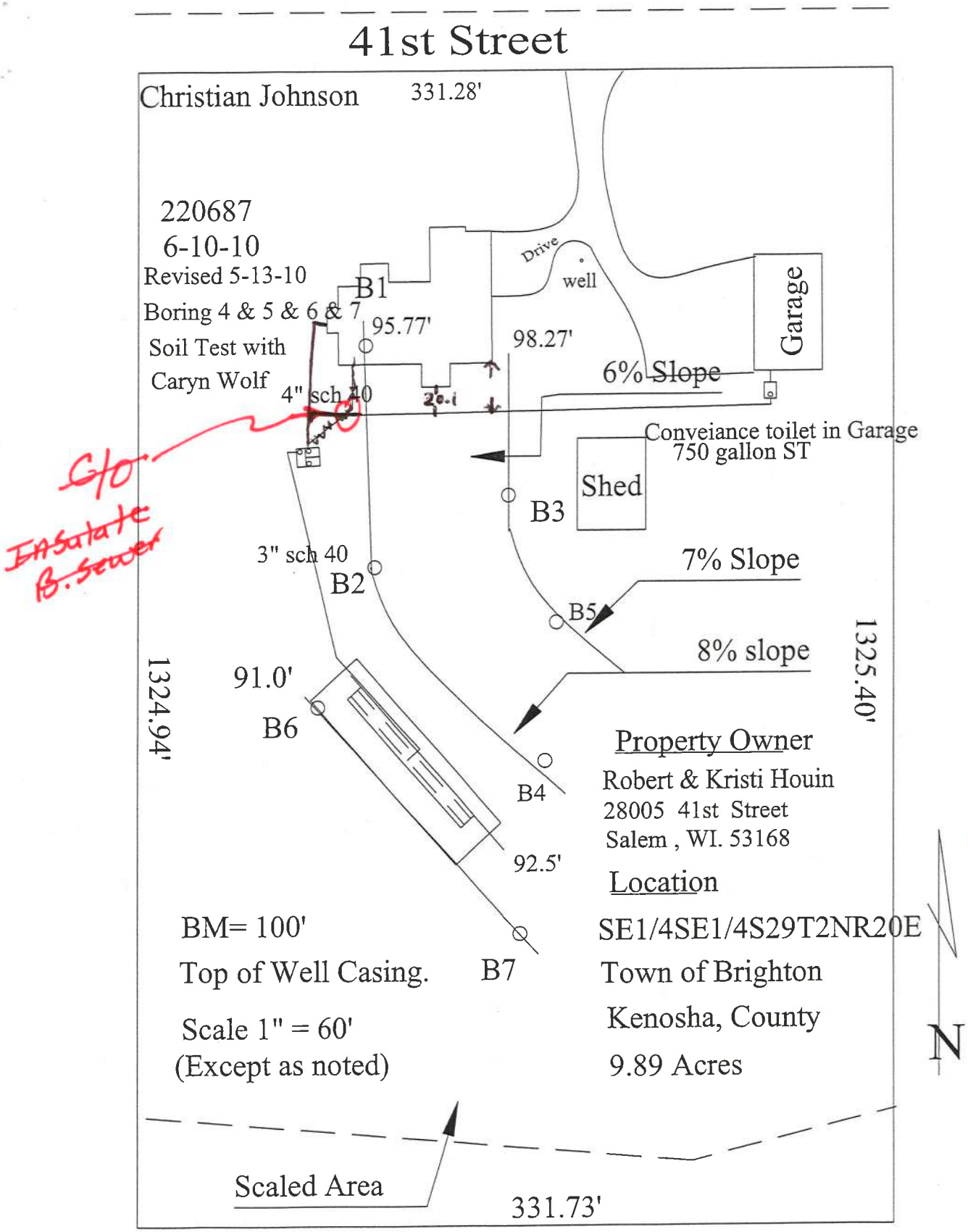
SELLER

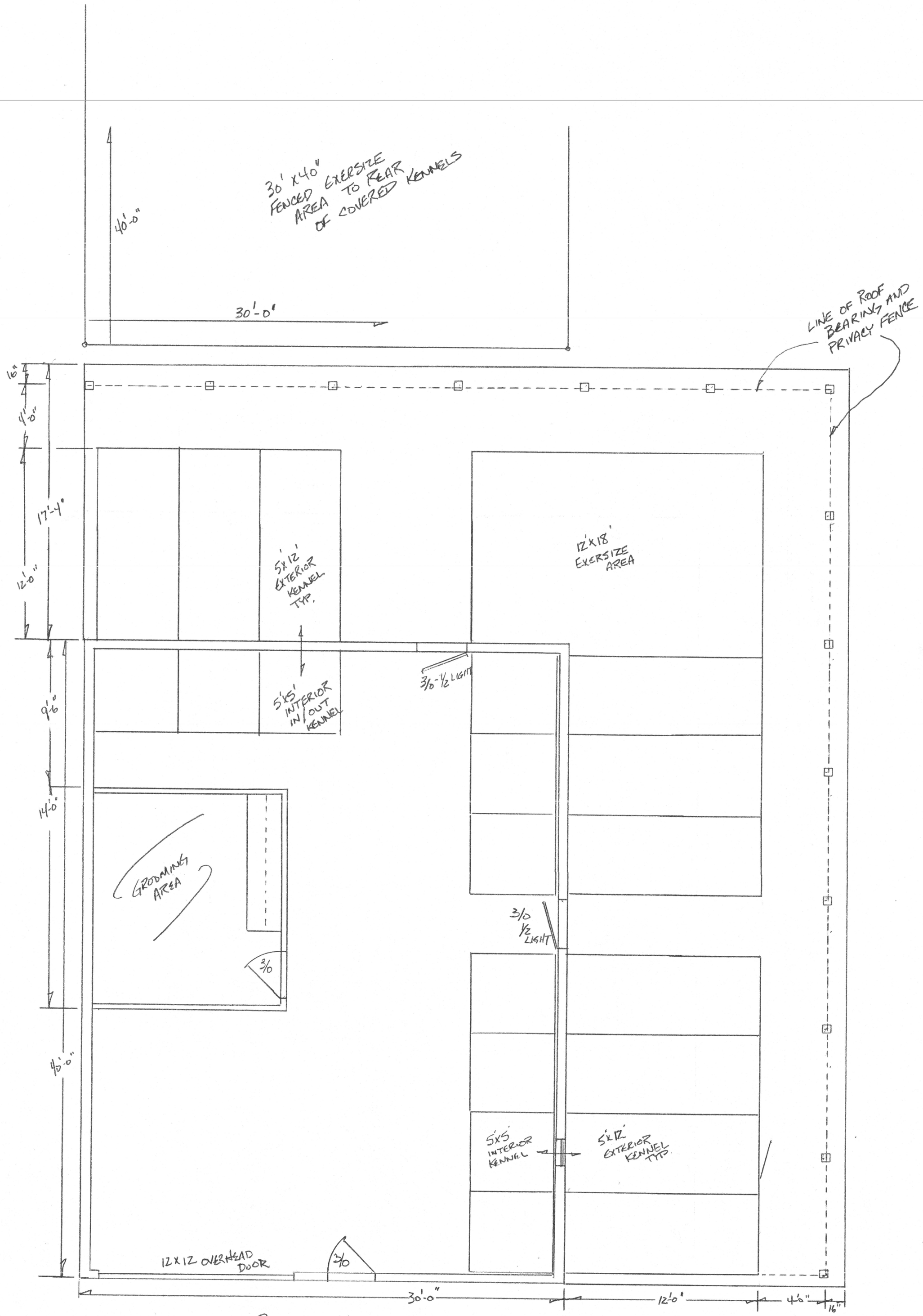
Michael and Kathleen Bloom

BUYER

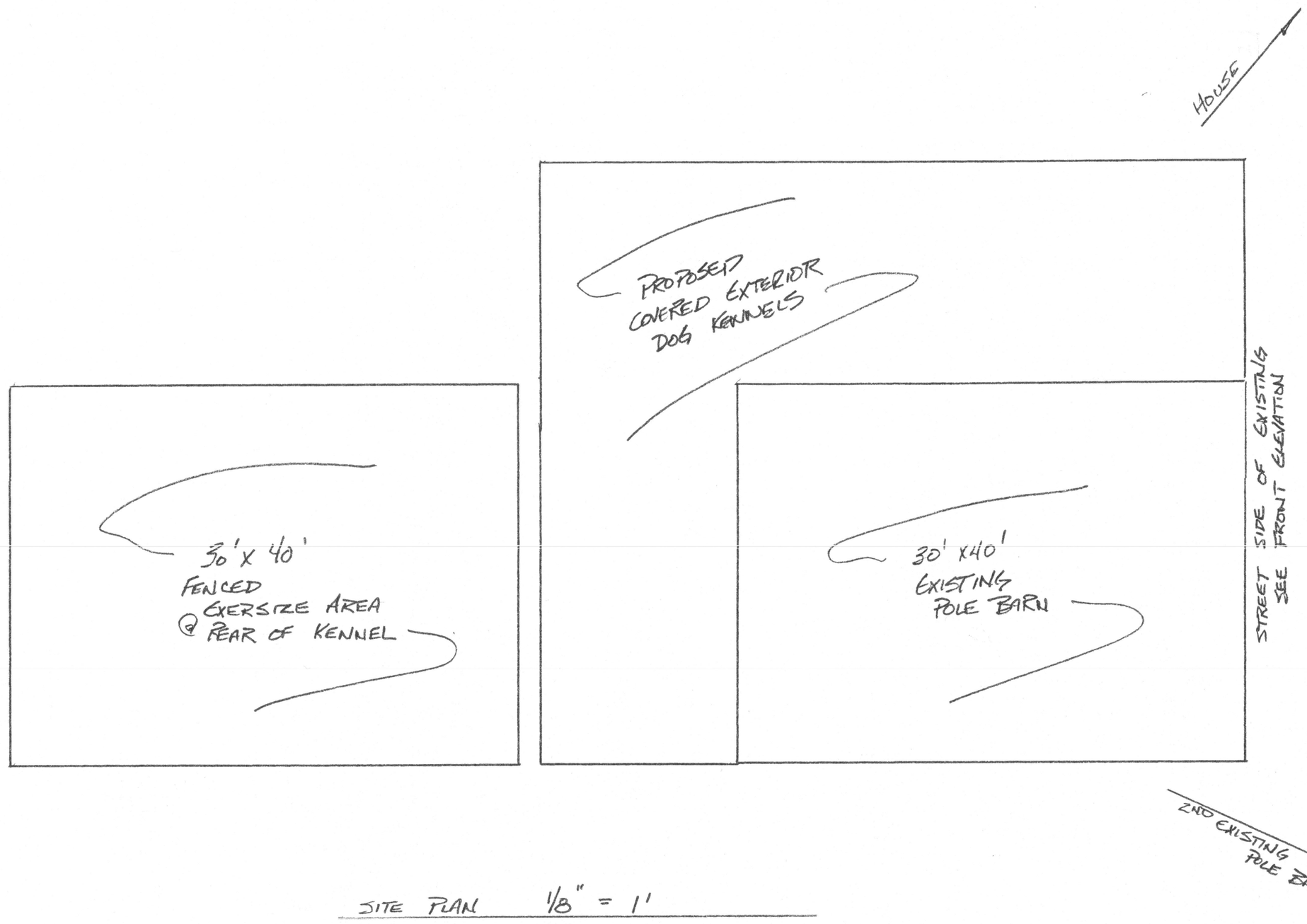
Gregory L. and Lori A. Kern

30-4-220-294-0360

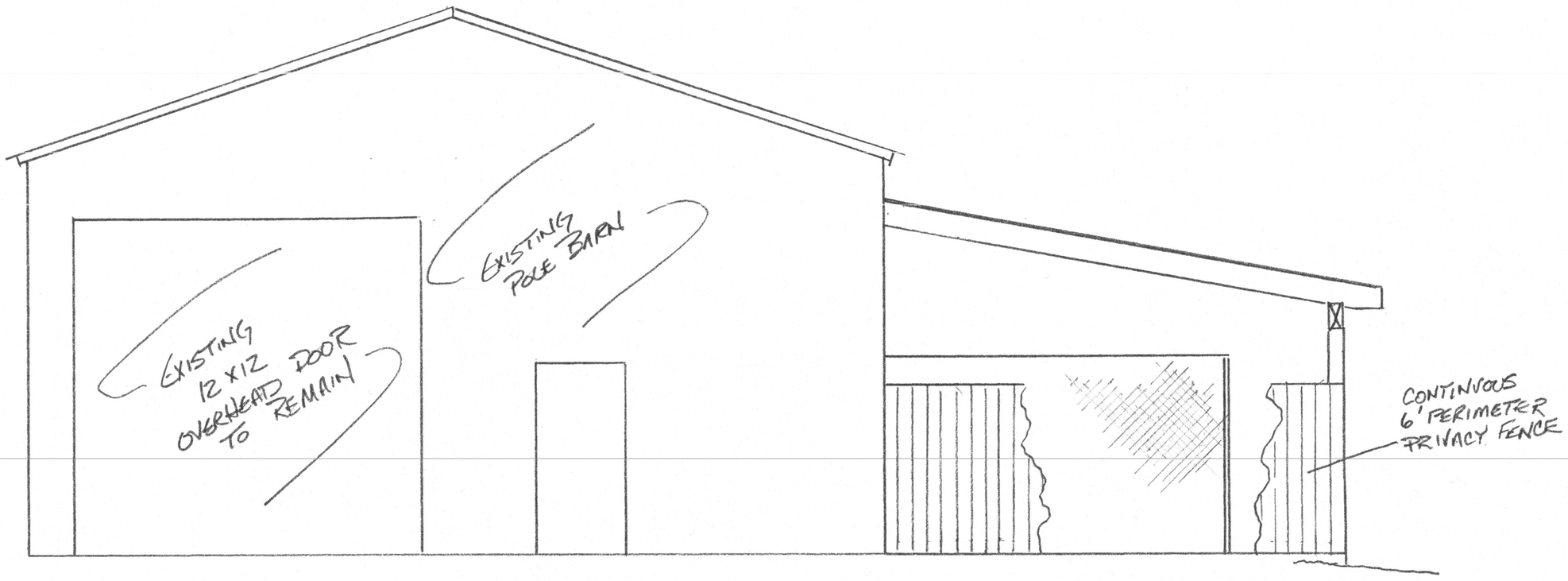

41st Street
Christian Johnson
331.28'
220687
6-10-10
Revised 5-13-10
Boring 4 & 5 & 6 & 7
Soil Test with
Caryn Wolf
B1
95.77'
98.27'
Drive
well
Garage
6% Slope
4" sch 40
Conveiance toilet in Garage
750 gallon ST
Shed
B3
C/O
Insulate
B. Sewer
3" sch 40
B2
7% Slope
B5
8% slope
1325.40'
1324.94'
91.0'
B6
B4
92.5'
Property Owner
Robert & Kristi Houin
28005 41st Street
Salem , WI. 53168
Location
SE1/4SE1/4S29T2NR20E
Town of Brighton
Kenosha, County
9.89 Acres
BM= 100'
Top of Well Casing.
B7
Scale 1" = 60'
(Except as noted)
N
Scaled Area
331.73'



PROPOSED KENNEL LAYOUT 1/4" = 1'



SITE PLAN 1/8" = 1'



FRONT ELEVATION 1/4" = 1'

B. AGRICULTURAL DISTRICTS

12.20-1 A-1 AGRICULTURAL PRESERVATION DISTRICT

(a) Primary Purpose and Characteristics.

The Kenosha County Board of Supervisors recognizes that the rapid conversion of farm land to urban use has led to increasing public concern over such conversion. This concern centers on the perceived loss of the local agriculture economic base, loss of agricultural land as a valuable natural resource with the attendant loss of the aesthetic and environmental values associated with that resource, and the loss of the rural lifestyle and the unique cultural heritage which emanates from that lifestyle, and the attendant high costs of providing urban services as well as resolving potential urban-rural conflicts which arise as a result of urban encroachment into rural areas. Therefore, the A-1 Agricultural Preservation District is intended to maintain, enhance, and preserve agricultural lands historically utilized for crop production and the raising of livestock. The preservation of such agricultural lands is intended to conserve energy, prevent urban sprawl, maintain open space, retain natural systems and natural processes, control public cost, preserve the local economic base, promote local self-sufficiency, preserve the rural life-style, and maintain regional, state and national agricultural reserves. The District is further intended to prevent the premature conversion of agricultural land to scattered residential, commercial and industrial uses.

It is recognized that it is neither possible nor practicable to list all of the principal and accessory uses that are compatible with those listed below and therefore, it is intended that the following list of principal and accessory uses only be illustrative. Any individual aggrieved by a failure to list a particular principal or accessory use in this subsection shall have the right to file a petition with the Kenosha County Department of Planning and Development pursuant to section 12.35 of this ordinance for a determination as to the similarity of the intended use with the principal and accessory uses listed below.

(b) Principal uses. (8/6/02)

1 Apiculture (Beekeeping)
2 Community living arrangements having a capacity of 8 or fewer persons and which shall be in conformance with all state statutory requirements
3 Contract sorting, grading and packaging of fruits and vegetables
4 Corn shelling
5 Dairy farming and general agriculture
6 Essential Services
7 One single-family dwelling (9/5/06)
8 General farm buildings including agricultural windmills, barns, silos, sheds and storage bins provided, however, that said structures are located at least 100 feet away from any off premise neighboring residential buildings (6/2/92)
9 Existing residential dwellings remaining after the consolidation of farms with said dwellings not to be considered a non-conforming use, provided that the remaining lot shall conform to the yard requirements of this district and the lot area and width requirements for a second single-family farm dwelling as set forth in section 12.29-8(b)(113) of this ordinance
10 Single-family residence on lots of record created prior to the adoption of this ordinance where said existing lot is less than 35 acres, (see section 12.28-5)
11 Floriculture (cultivation of ornamental flowering plants)
12 Forest and game management

13 Foster family homes having less than 4 foster children and not exceeding 8 total occupants and are in conformance with all state statutory requirements
14 Grazing or Pasturing
15 Greenhouses, not including retail sales of plants and flowers
16 Hay baling
17 Livestock raising, except commercial feed lot and fur farms
18 Orchards
19 Paddocks
20 Pea viners
21 Plant nurseries
22 Poultry raising, except commercial egg production and commercial poultry feed lots
23 Raising of grain, grass, mint and seed crops
24 Raising of tree fruits, nuts and berries
25 Riding stables and indoor riding arenas (private)
26 Sod farming
27 Threshing services
28 Vegetable raising
29 Viticulture (grape growing)

(c) Accessory Uses (8/6/02)
1 Feed lot (not commercial and only for permitted farm uses)
2 Accessory buildings, such as detached garages, sheds and gazebos, and boathouses (see also section 12.27-6)
3 Home occupations and professional home offices
4 Roadside stands (one such stand permitted only for selected farm products produced on the premises and not exceeding 300 square feet in floor area)
5 Storage, curing, drying, churning and packaging of products and crops produced on the land provided, however, such products are not processed on the land and provided further that such products are not commercially sold as part of a retail business conducted on the land
6 Swimming pools and spas (see also section 12.17)
7 Fences (see also section 12.15-2)

(d) Conditional Uses (see also section 12.29-8) (8/6/02)
1 Air strips, landing fields and hangars for personal or agricultural related uses
2 Community living arrangements having 9 but not more than 15 persons and in conformance with all state statutory requirements
3 Concrete and asphalt batch plants temporarily located on a parcel
4 Gas and electric utility uses not requiring authorization under Wisconsin Statutes, section 196.491(3)
5 Housing for farm laborers or caretakers
6 Housing for seasonal or migratory farm workers
7 Kennels (Commercial or noncommercial)
8 A second single-family farm related residential dwelling
9 Storage of recreational vehicles, boats or snowmobiles
10 Utility substation
11 Wind energy conversion systems

12 Bed and breakfast establishments (8/9/94)
13 Riding stables and indoor riding arenas (public)
14 Borrow pits (temporary); stockpiling or filling of clean fill materials

(e) Parcel Area and Width

1 Farm structures hereafter erected, placed, moved or structurally altered and related farm activities shall provide a contiguous area of not less than thirty-five (35) acres and no farm shall have a frontage of less than 600 feet in width.

(f) Building Type, Separation, Number, Height and Area

1 No structure or improvement may be built on any land in the A-1, Agricultural Preservation District unless said structure or improvement is consistent with agricultural uses.
2 For purposes of farm consolidation, farm residences or structures which existed prior to the adoption of this ordinance may be separated from a larger farm parcel.
3 No farm buildings or parts of farm buildings shall exceed 100 feet in height
4 No residential dwelling or part thereof, shall exceed 35 feet in height
5 A total minimum floor area of a residential dwelling shall be a minimum of 1000 square feet with a minimum first floor area of 1000 square feet
6 All residential dwellings shall be attached to a permanent foundation, be properly connected to all required utilities, have a building footprint of which the dwelling unit is not less than 24-feet in width for at least fifty (50) percent of the length, have a roof pitch of not less than 5/12, and an eave extension of at least twelve (12) inches, except residences with an architectural style defined as Colonial or Greek Revival. (9/5/06)

(g) Yards

1 Street yard - not less than 65 feet from the right-of-way of all Federal, State and County Trunk highways and not less than 40 feet from the right-of-way of all other roads (8/6/02)
2 Shore yard - not less than 75 feet from the ordinary high water mark of any navigable water (11/5/86)
3 Side yard - not less than 25 feet in width on each side of all structures
4 Rear yard - not less than 50 feet

(h) Authorized Sanitary Sewer System

1 On-site sewage disposal absorption system
2 Public sanitary sewer

(i) Rezoning, Conditional Uses, and Enforcement

Any rezoning of any parcel of land in the A-1 Agricultural Preservation District shall be in accordance with Wisconsin Statute, section 91.48. Furthermore, the Department of Agriculture shall be notified of the approval of any conditional use permits in the A-1 District. Enforcement provisions necessary for the proper administration of the Farmland Preservation Act shall be as specified in Chapter 91 of the Wisconsin Statutes.

C. CONDITIONAL USES

12.29-1 PURPOSE

A conditional use, as used in this ordinance, is designed to be a flexibility device designed to cope with situations where a particular use, although not inherently inconsistent with the use classification of a particular district, could create special problems and hazards if allowed to develop and locate as a matter of right in a particular district and therefore is in need of special consideration. Often the effects of these uses on the surrounding environment cannot be foreseen until a specific site has been proposed. The nature, character or circumstances of these uses are so unique or so dependent upon specific contemporary conditions that predetermination of permissibility by right or the detailing in the ordinance of all of the specific standards, regulations or conditions necessary or appropriate to such permissibility is not practical, it being recognized that the county is faced with practical difficulties in defining with precision in advance the conditions under which a conditional use permit will be granted. Those conditional uses hereinafter designated as such are deemed to have one or more of the following characteristics when located within certain districts:

(a) Hazardous, dangerous or harmful to adjoining or nearby parcels, waters or the environment

(b) Noxious, offensive, a nuisance or otherwise adverse to adjoining or nearby parcels, water or the environment

(c) Inconsistent with or otherwise adverse to adjoining or nearby land or water uses in the absence of certain conditions

12.29-2 INTENT

It is the intent of the Kenosha County Board of Supervisors to allow the hereinafter designated conditional uses within the areas designated by this ordinance in accordance with section 12.29-5(g) of this ordinance and only when the conditions imposed thereon are met. Any conditions so imposed as a basis for granting the conditional use permit shall be binding on all grantees, assignees, heirs, legatees, donees, transferees and trustees of the petitioner.

12.29-3 PERMITS

The Kenosha County Planning, Development & Extension Education Committee may authorize the Department of Planning and Development to issue a conditional use permit for conditional uses as specified in each of the aforementioned districts set forth in sections 12.20 to 12.26 after review and a public hearing, as provided herein, provided that such conditional uses and structures are in accord with the provisions of this ordinance, its purpose and intent. (11/5/84)

12.29-4 APPLICATION (8/6/02)

(a) Prior to application, the petitioner shall set up a pre-application conference with Planning and Development staff. This conference is intended to inform the petitioner of the purpose and objectives of these regulations. In so doing, the petitioner and the planning staff may reach mutual conclusions regarding the possible effect of the project on abutting properties and the petitioner will gain a better understanding of subsequent required procedures.

(b) Applications for conditional use permits shall be made in triplicate to the Department of Planning and Development on forms furnished by the Department of Planning and Development and shall include the following:

1 Name, address and phone number of the applicant, owner of the site, architect, professional engineer, contractor, and authorized agent.

2 Description of the subject site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees, and the zoning district within which the subject site is located.

3 Plat of survey and/or a site plan layout consisting of a survey prepared by a land surveyor registered by the State of Wisconsin or other map drawn to scale and approved by the Department of Planning and Development showing all of the information required under section 12.05-1(h)3 for a zoning permit. In addition, the plat of survey or site plan layout or map shall show the location, elevation and use of any abutting lands and the location and foundation elevations of structures within 50 feet of the subject site; soil mapping unit lines; ordinary high water mark, historic high water marks and floodlands on or within 50 feet of the subject premises, and existing and proposed landscaping. Such plans as, for example, a plan of operation, may be required as well as impact statements. (11/5/86)

4 For shoreland and floodland conditional uses, such description shall also include information that is necessary for the County Planning, Development & Extension Education Committee to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human, animal or aquatic life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing existing and proposed elevations or con-tours of the ground; fill or storage elevation; basement and first floor elevations of structures; size, location, and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets water supply and sanitary facilities; aerial photographs, and photographs showing existing surrounding land uses and vegetation upstream and downstream; soil types and any other pertinent information required by either the Planning, Development & Extension Education Committee or the Department of Planning and Development. (11/5/84)

5 Additional information relative to the elimination or alleviation or control of the danger, hazard or nuisance sought to be averted as may be required by the Planning, Development & Extension Education Committee or the Department of Planning and Development, such as, without limitation due to enumeration, ground surface elevations, basement and first floor elevations, utility elevations, detailed landscape plans, plans of operation, hours, parking plans and waste disposal plans as defined in this ordinance, historic and probable future flood water elevations, areas subject to inundation by flood waters, depths of inundation, floodproofing measures, soil type, slope, and boundaries, and plans for proposed structures giving dimensions and elevations pertinent to the determination of the hydraulic capacity of the structure or its effects on flood flows. (11/5/84)

6 A list of property owners and parties of interest and their addresses certified by the Kenosha County Assessor's Office as required by section 12.05(1)(e) of this ordinance.

7 An agreement to abide by the terms of this ordinance and any permit issued pursuant to it.

8 The fee as required by section 12.05-8 of this Ordinance.

12.29-5 REVIEW AND APPROVAL

(a) After receipt of a petition for a conditional use permit, the Department of Planning and Development shall place the matter on the agenda for a public hearing before the Kenosha County Planning, Development & Extension Education Committee provided, however, that the requirements of 12.06-4 of this ordinance are complied with. (11/5/84)

(b) Notice of the aforementioned public hearing shall be published as a class 2 notice in a newspaper of general circulation within Kenosha County pursuant to Chapter 985 of the Wisconsin Statutes and the Wisconsin Open Meeting Law, section 19.81 to 19.98 of the Wisconsin Statutes. In addition, notice of said public hearing shall be mailed to the last known address of all property owners certified by the Kenosha County Assessor as being owners of property within 300 feet of the subject property or parties of interest as defined in this ordinance. Failure to receive notice shall not invalidate any action taken by the committee. After publication and notice, the petitioner may request the Planning, Development & Extension Education Committee for a one-month postponement of the public hearing for good cause and no further publication or notice shall be required, provided, however, that notice of the adjourned hearing date is given in the record at the time of the published hearing. In the event the subject property lies within the shoreland jurisdiction of this ordinance, notice of the public hearing, at least 10 days before the hearing, and a copy of the application shall be mailed to the Southeast District office of the Department of Natural Resources in accordance with section NR115.05(6)(h) of the Wisconsin Administrative Code. In the event the subject property lies within a floodland district, notice of the public hearing and a copy of the application shall be mailed to the Southeast District Office of the Department of Natural Resources in accordance with section NR116.20(2)(c) of the Wisconsin Administrative Code. In the event the subject property is zoned A-1, notice shall be given as required by Wisconsin Statute, section 91.48(2) to the State Department of Agriculture, Trade and Consumer Protection. (3/1/94)

(c) Upon receiving a petition for a conditional use permit, the Department of Planning and Development shall forward a copy of the petition to the town board and/or town planning commission of the town wherein the parcel is located and of any other town that may be immediately adjacent or opposite of such parcel and shall allow such board or planning commission 45 days to comment on said application. Within said period of 45 days, the town board and/or planning commission shall forward their recommendation to the county Planning, Development & Extension Education Committee along with standards or conditions which are found by them to be necessary for the issuance of a conditional use permit. Said standards or conditions shall be considered by the Planning, Development & Extension Education Committee. In the event that the town board or town planning commission recommends denial of the conditional use permit, said denial shall be considered by the Planning, Development & Extension Education Committee in rendering its decision. (11/5/84)

(d) In hearing a petition requesting the issuance of a conditional use permit, the Planning, Development & Extension Education Committee shall call the petition at the public hearing. Upon the call of the petition, the petition shall be read by the Chairman of the Committee, and at the conclusion thereof, the chairman shall hear and receive any evidence or sworn testimony presented by the petitioner or his authorized agent. At the conclusion of the petitioner's presentation, the Chairman shall first ask for any public comments from those in support of the petition and secondly from those in opposition to the petition. Any relevant and material evidence or sworn testimony presented by individuals either in favor of or in opposition to the petition shall be received by the Chairman provided however that said evidence or sworn testimony is properly identifiable for the record. Lastly, the Chairman shall ask for a recommendation from the Department of Planning and Development. (11/5/84)

(e) Upon receiving the recommendation of the Department of Planning and Development, the Committee may table the petition for a period of up to three months from the date of public hearing so as to allow the petitioner an opportunity to provide any further information deemed pertinent by the Committee or so as to allow the committee members an opportunity to view the site in accordance with the guidelines set forth in section 12.36-11 or consider the conditions for issuing a conditional use permit or to view similar uses already in existence in accordance with the guidelines set forth in section 12.36-11 if a comparison is warranted. All deliberations and decisions of the committee relating to the issuance of a conditional use permit shall, however, be made at a meeting held in conformance with the Wisconsin Open Meeting Law.

(f) Upon having received all evidence and hearing all sworn testimony relating to the petition, the Planning, Development & Extension Education Committee shall review the site plan, existing and proposed structures, architectural plans, neighboring land and water uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewage and water systems, the proposed operation, the effects of the proposed use, structure, operation and improvement upon flood damage protection, water quality, shoreland cover, natural beauty and wildlife habitat, and any other pertinent requirements deemed necessary by the committee so as to eliminate, alleviate, or control any hazard, danger, harm, nuisance, adversity or inconsistency that exists or could develop. Upon completion of said review, the committee chairman shall entertain a motion that the committee either grant or deny the petition based upon specific findings and conclusions. (11/5/84)

(g) In making its determination, the committee shall make the following findings:

1 Identification of the hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency sought to be averted.

2 The affect of the proposed conditional use on drainage, traffic circulation, and the provision of public services.

3 Existing and proposed methods of eliminating, alleviating or controlling the identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency.

4 That regardless of any other provisions of this ordinance to the contrary allowing for a conditional use permit for a particular use on a particular parcel, that the proposed and applied for use on a particular parcel is not inherently inconsistent with either the district in which it is located or adjoining districts or neighbor-hoods.

(h) Unless specifically altered by section 12.29-8 of this ordinance, compliance with all of the minimum provisions of this ordinance, dealing with such matters as, without limitation due to enumeration, lot area and width, building height and area, yards, sanitary systems, signs, parking, loading, traffic and highway access and performance standards shall be required of all conditional uses. Variances shall only be granted as provided in section 12.36 of this ordinance.

(i) The decision of the committee shall be final unless a motion to review the decision of the committee is made and seconded at the County Board Meeting immediately following the decision of the Committee. All evidence or sworn testimony presented at said public hearing shall be preserved by the Kenosha County Department of Planning and Development. Notice of conditional uses granted in the A-1 Agricultural Preservation District shall be given to the State Department of Agriculture within 10 days following the decision. Notice of conditional uses granted in a floodland district or in any other area where the shoreland jurisdiction is applicable shall be given to the Southeast District office of the State Department of Natural Resources within 10 days following the decision. (3/1/94)

(j) Any decision of the Kenosha County Planning, Development & Extension Education Committee or the Kenosha County Board of Supervisors related to the granting or denial of a conditional use permit may be appealed as provided for in section 12.35 of this ordinance. (11/5/84)

(k) Any conditional use permit granted by the committee shall not be valid unless recorded by the applicant in the office of the Kenosha County Register of Deeds within 5 days after the issuance of the permit. Any recording fees shall be paid by the applicant. In addition, the Department of Planning and Development shall keep a record and/or map of all such conditional uses and permits which shall be open to the public.

12.29-6 EXISTING USES

(a) All uses existing at the effective date of this ordinance which would be classified as conditional uses in the particular zoning district concerned if they were to be established after the effective date of this ordinance, are hereby declared to be conforming conditional uses to the extent of the existing operation only. Any addition, alteration, extension, repair or other proposed change in the existing operation shall be subject to the conditional use procedures as if such use were being established anew.

(b) Campgrounds; contractor yards; salvage, wrecking, junk, demolition, and scrap yards; towing services; mineral extraction and related uses; and sanitary landfill uses shall within 180 days after the effective date of this ordinance register with the Department of Planning and Development and submit pertinent data relative to the present operation, including the boundaries of the operation, ownership data, maps or site plan showing the existing layout, and such other data as may be necessary to enable the Department of Planning and Development to create a permanent file establishing the size, layout and operational characteristics of the existing operation. A permit shall be granted to such existing operations for the extent of the existing operation only. The Department of Planning and Development may make a finding that an adequate file already exists concerning an existing operation and may accordingly waive the registration requirement and issue a permit accordingly. Notwithstanding the fact that the aforementioned use may not be permitted within a given district, any addition, extension, or change in the operation of the aforementioned

uses may be permitted, provided that such addition, extension or change shall be subject to the conditional use procedures set forth in this ordinance.

(c) Any other use not mentioned above which was a conforming conditional use before adoption or amendment of this ordinance, but is not a permitted conditional use in the district in which it is now located, shall be considered a legal non-conforming use and shall be subject to the requirements of section 12.28-1 through 12.28-11 of this ordinance.

12.29-7 REVOCATION OF CONDITIONAL USE PERMIT

Upon a complaint filed alleging non-compliance with the terms of the conditional use permit by any interested party with the Department of Planning and Development, or upon the motion of the Department of Planning and Development, the Planning, Development & Extension Education Committee shall schedule an open hearing within 45 days of the filing of the complaint and shall conduct a hearing pursuant to the general outline set forth in section 12.29-5. Upon a finding that the standards, regulations and conditions set forth in granting the conditional use permit have been violated, the Planning, Development & Extension Education Committee may suspend the conditional use permit until such time as there is compliance with the standards, regulations and conditions imposed in the past. In the alternative, the Committee may revoke the conditional use permit. Any continued operation of the conditional use after a suspension or revocation shall be deemed a violation of this ordinance and subject to the fines set forth in section 12.33 of this ordinance. The action of the Committee may be appealed pursuant to section 12.35 of this ordinance. Any failure to revoke a conditional use permit for past violations shall not operate as a waiver of the right to suppress future violations. (11/5/84)

12.29-8 STANDARDS FOR CONDITIONAL USES

(a) In addition to the specific conditions required herein, additional reasonable conditions or requirements which bear a direct relationship to the hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency sought to be eliminated, alleviated or controlled such as without limitation due to enumeration: environmental, economic or social impact statements, storm drainage plans, landscaping, architectural design, type of construction, floodproofing, ground cover, anchoring of structures, construction commencement and completion dates in accordance with section 12.05-3 of this ordinance, sureties, letters of credit, performance bonds, waivers, lighting, fencing, location, size and number of signs, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards or parking requirements, plat of survey maps, certified survey maps, easement or street dedications, increased building areas, in-creased water supply, essential services and utilities, sanitary and sewage requirements, installation of pollution abatement, security, and/or safety systems, higher performance standards, stages for development of the conditional use, future review of the conditional use operation, conditions surrounding termination of the conditional use permit and the period of time for which the conditional use will be permitted may be required by the Planning, Development & Extension Education Committee if upon its finding these are necessary to fulfill the purpose and intent of this ordinance and so as to eliminate, alleviate or control the hazard, danger, harm, noxiousness, offensiveness, nuisance, adversity or inconsistency sought to be averted. Where studies or impact statements are required, the committee can address problems called to its attention by the imposition of certain conditions aimed at eliminating, alleviating or controlling the problems. (11/5/84)

(b) The following uses are deemed by the Kenosha County Board of Supervisors to be hazardous, dangerous, harmful, noxious, offensive, a nuisance or otherwise adverse to adjoining or nearby parcels, waters or the environment or inconsistent with or otherwise adverse to adjoining or nearby land or water uses and therefore should be required to meet certain additional regulations, standards, and conditions hereinafter set forth and/or standards and conditions imposed by the Planning, Development & Extension Education Committee in accordance with section 12.29-5(g) so as to eliminate, alleviate or control the hazard, danger, harm, noxiousness, offensiveness, nuisance, adversity or inconsistency prior to being permitted in the particular district wherein said use is listed as a conditional use: (11/5/84)

1 Abrasives and asbestos in the M-2 District.

a There shall be adequate containment and disposal of waste and by-products used in the manufacturing of abrasives and asbestos.

b There shall be sufficient safeguards to insure against pollution and contamination of surrounding areas so as to insure against damage to the surrounding environment and to further insure against health hazards.

c The Department of Planning and Development shall be permitted access to the property and buildings located thereon at any time upon request to determine compliance with the specific conditions set forth by the Planning, Development & Extension Education Committee. (11/5/84)

2 Reserved for future use (3/16/04)

3 Airstrips, landing fields and hangars for personal or agricultural related uses in the A-1, A-2 and A-4 Districts and airports, heliport pads, aircraft hangars for storage and equipment maintenance and aircraft sales and maintenance in the I-1 District.

a The area shall be sufficient and the site otherwise adequate to meet the standards of the federal aviation agency and the Wisconsin Department of Transportation and any other Federal or State agency retaining jurisdiction over such airstrips and landing fields in accordance with their proposed rules and regulations. In no case shall the parcel be less than 35 acres in size.

b Any building, hangar or other structure shall be at least one hundred (100) feet from any street or boundary line.

c Any proposed runway or landing strips shall be situated so that the approach zones are free of any flight obstructions, such as towers, chimneys, other tall structures or natural obstructions outside the airport site.

d There shall be sufficient distance between the end of each usable landing strip to satisfy the requirements of the aforementioned agencies, and no landing strip shall be within 200 feet of any property line. If air rights or easements have been acquired from the owners of

a A site plan shall be submitted to the Planning, Development & Extension Education Committee. (11/5/84)

b Not more than 20 units per acre shall be permitted.

c Adequate lighting on walkways, driveways, and parking areas shall be required.

56 Insulating materials in the M-2 District.

a Those requirements set forth for the granting of a conditional use permit for the manufacture or production of chemicals in the M-2 District shall be complied with.

57 Kennels (commercial or non-commercial) in the A-1 and A-2 Districts. (8/6/02)

a All animals shall be kept within an enclosed structure and no structure or animal enclosure shall be located closer than one hundred (100) feet to a property boundary.

b Adequate provisions shall be made for the proper disposal of animal waste.

c Buildings to house animals shall be constructed with materials so as to deaden noise, such as concrete, etc.

d In no case shall the parcel be less than ten (10) acres in size.

58 Laboratories in the B-5 and M-2 Districts. (8/9/94)

a The site shall contain a minimum of two acres.

b A plan of operation shall be submitted to the Planning, Development & Extension Education Committee along with a plan for the storage and disposal of chemicals and other hazardous materials. The Planning, Development & Extension Education Committee shall also be informed as to the potential hazards and general areas of experimentation. Furthermore, in the event that those general areas of experimentation are later changed, the Planning, Development & Extension Education Committee shall be so informed. (11/5/84)

c A fire prevention and protection plan, along with a security plan for the premises shall be presented to the Planning, Development & Extension Education Committee for review and consideration. (11/5/84)

d A performance bond may be required by the Planning, Development & Extension Education Committee so as to insure compliance with the conditions imposed by the Planning, Development & Extension Education Committee. (11/5/84)

59 Lacquer, paint, stain, varnish and allied products in the M-2 District.

APPENDIX "A"---DEFINITIONS (6/12/12)

A ZONES
Areas of potential flooding shown on the County's "Flood Insurance Rate Map" which would be inundated by the regional flood as defined herein. These numbers may be numbered as A0, A1 to A99, or be unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

ABANDONMENT (8/9/94)
With respect to quarrying and nonmetallic mining operations, "abandonment" means the cessation of quarrying or other nonmetallic mining operations for more than 240 consecutive days, except when the cessation is specifically provided for in the operator's permit, or in an operations plan approved and incorporated by reference in the permit, or by written order issued by the Kenosha County Planning, Development & Extension Education Committee upon good cause shown. Abandonment does not include any period of cessation of operations due to labor strikes, natural disasters or other similar extraordinary causes beyond the control of the operator (but this exception does not include business reversals, competitive forces, market conditions, shortage of cash, or other similar reasons).

ABUTTING PROPERTY OWNERS
Property owners having a common boundary or property owners on either side of a public thoroughfare.

ACCESS
A way of approaching or entering a property. Access also includes ingress, the right to enter, and egress, the right to leave.

ACCESS AND VIEWING CORRIDOR
A strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.

ACCESSORY BUILDING OR USE
A building or use which:

(1) Is or will be subordinate to and serves a principal building or principal use;
(2) Is or will be subordinate in area, extent, or purpose to the principal building or principal use served;
(3) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use; and
(4) Is or will be located on the same zoning lot as the principal building or principal use.
(5) Is detached from the principal structure. (11/5/86)

ADDITION
Any construction which increases the size of a building, such as a porch, attached garage or carport, or a new room or wing. An addition is a form of alteration.

ADJACENT; ADJOINING
Nearby, but not necessarily touching.

ADJACENT GRADE

Any street or public way or court, 30 feet or more in width, which joins another at an angle, whether or not it crosses the other.

JUNK
Includes without limitation due to enumeration scrap iron, scrap tin, scrap brass, scrap cooper, scrap lead or scrap zinc and all other scrap metals and their alloys and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used automobiles or air-plane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition.

JUNK MERCHANT
Any person, firm, or corporation engaged in the business of buying, selling, exchanging, or dealing in old junk, metals, bottles, siphons, old rope, old iron, brass, copper, tin or lead, secondhand plumbing materials, secondhand gas and electric fixtures, old rubber tires or other used or old articles commonly designated as "junk", and having a store, stand, or place of business.

JUNKYARD
A place where junk, waste, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, wrecked or dismantled, or handled, including automobile wrecking yards, house wrecking, and structural steel materials and equipment, but not including the purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged materials as part of manufacturing operations.

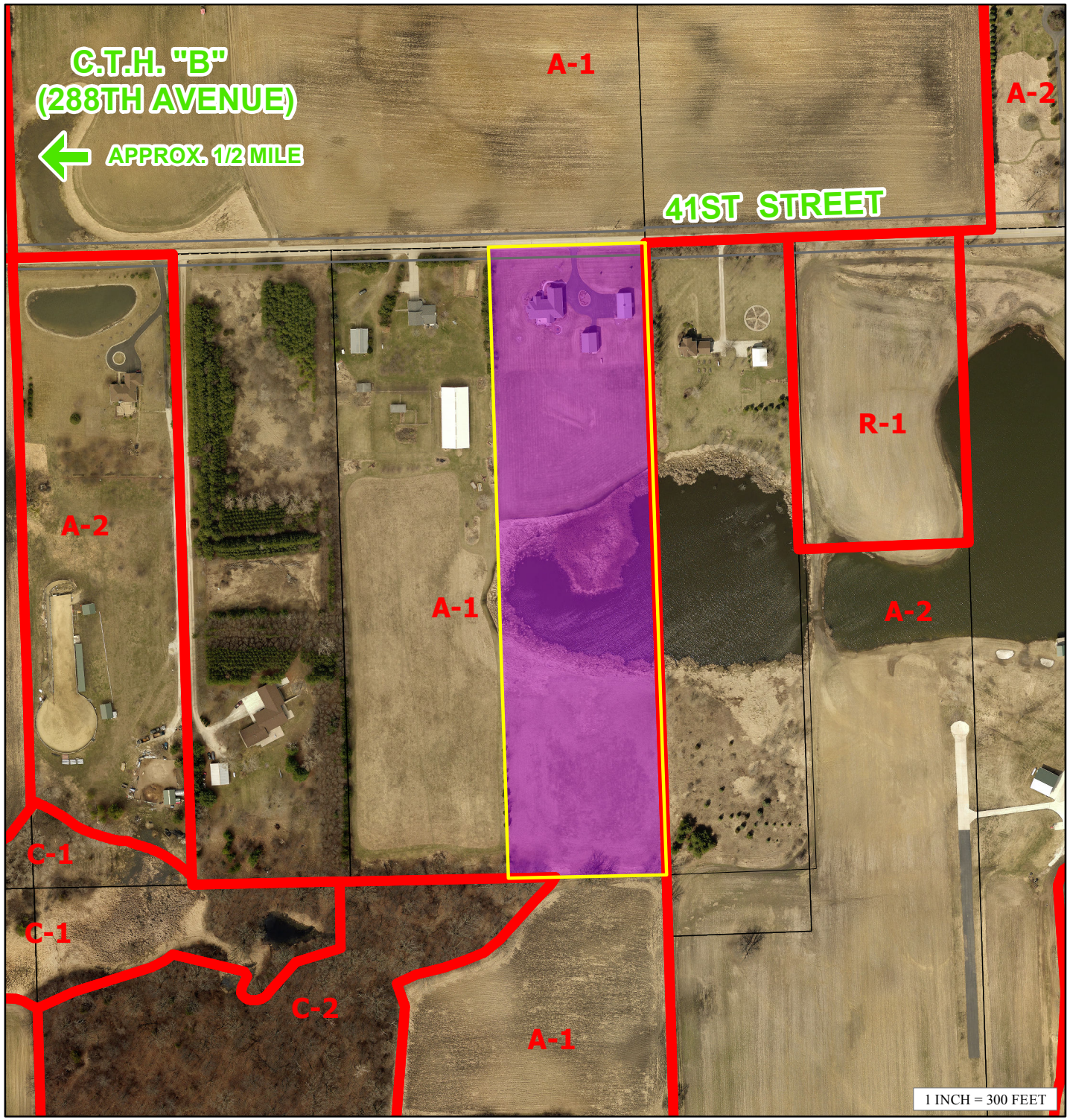
KENNEL
Any lots or premises on which four or more dogs or cats, or both, at least four months of age are kept, boarded, or trained, whether in special structures or runways or not.

KITCHEN
Any room used, intended to be used or designed to be used either wholly or partly for cooking and/or the preparation of food.

LABORATORY
A building or part of a building devoted to the testing and analysis of any product or animal (including humans) or to the development of and fabrication of preliminary or pilot models. Also includes a laboratory which provides bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists. No fabricating is conducted on the premises, except the custom fabrication of dentures. No manufacturing is conducted on the premises except for experimental or testing purposes.

LAGOON
A water body in a depression that of an off-shore bar, a beach ridge, or shore dune, with those geomorphic features, either natural or man-made, acting as barriers or dams. Also, a shallow pond, channel, or impoundment connected to a larger body of water.

LAGOONING
The act of creating a lagoon.



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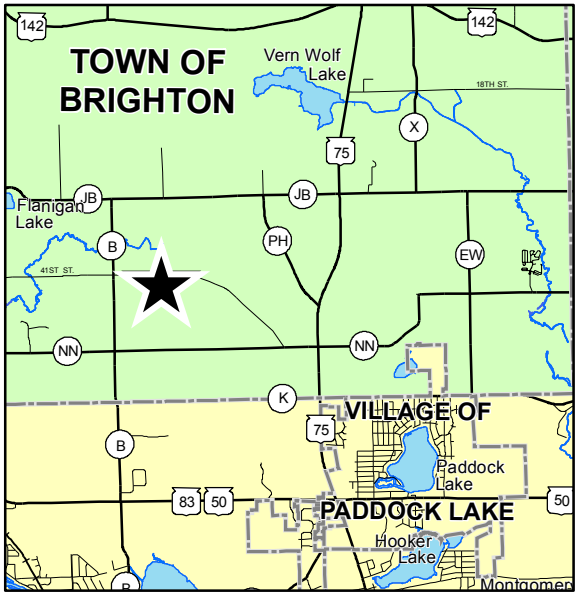
CONDITIONAL USE SITE MAP

PETITIONER(S):

Robert J. & Kristi Houin (Owner),
Nicole Ryan (Agent)

LOCATION: SE 1/4 of Section 29
Town of Brighton

TAX PARCEL(S): #30-4-220-294-0360

REQUEST:

Requesting a Conditional Use Permit to allow a kennel in the A-1 Agricultural Preservation District.