

Kenosha



County

BOARD OF SUPERVISORS

ORDINANCE NO. _____

Subject: Proposed amendment to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance in accordance with Section 59.694(2) (a) of the Wisconsin State Statutes to reduce the membership of the Board of Adjustments			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 18, 2018		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M Buehler, Director Division of Planning Operations		Signature:	

WHEREAS, Kenosha County proposes to amend Chapter 12 Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to change the language regarding Board Membership and Origination of the Kenosha County Board of Adjustments; and,

WHEREAS, the Kenosha County Planning, Development and Extension Education Committee held a public hearing on the request on September 12, 2018, and recommended approval of the request.

NOW, THEREFORE BE IT RESOLVED that pursuant to the authority granted by Sections 59.69 and 59.594(2)(a) of the Wisconsin State Statutes, the Kenosha County Board of Supervisors does hereby ordain that Chapter 12 of the Municipal Code of Kenosha County entitled "Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance" be and hereby is changed by the following additions, deletions and amendments and is amended to read as set forth in the attached Exhibit A, pertaining to text changes to Sections 12.36-3.

Approved by:

PLANNING, DEVELOPMENT
& EXTENSION EDUCATION
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
_____ Erin Decker, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Michael Skalitzky, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Mark Nordigan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EXHIBIT "A"

~~Strikethrough~~ = Text Removed

Green Font = New Text

Proposed amendments to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance in accordance with Section 59.694 (2)(a) of the Wisconsin State Statutes, in order to amend ordinance language relative to the number of Board of Adjustment members.

LIST OF AMENDED SECTIONS

12.36-3 BOARD MEMBERSHIP AND ORGANIZATION

- (a) The Board of Adjustments shall consist of ~~five~~three members and two (2) alternates appointed by the county executive and approved by the county board of supervisors. The county executive shall make his nominations at least one month prior to their appointment. The incumbent member of the Board of Adjustments whose term of office has expired shall remain in office only until such time as permitted by state statute.
- (b) Terms for board members shall be for a period of three (3) years. Incumbent members shall continue to serve until their terms expire. The county executive shall annually designate one of the alternate members as the 1st alternate and the other the 2nd alternate. The first alternate shall act, with full power, only when a member of the board of adjustment refused to vote because of a conflict of interest or when a member is absent. The 2nd alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent, or if more than one member of the board of adjustment refuses to vote because of a conflict of interest or is absent.
- (c) Members of the Board of Adjustment shall be eligible for such position only in the event that they reside within the County of Kenosha and outside the limits of incorporated areas providing, however, that no two members shall reside in the same town. In making appointments to the Board of Adjustments, the county executive and the county board of supervisors shall attempt to make appointments to the Board of Adjustments of individuals having a background in land use planning, geography, urban affairs, or such other prior experience in related areas whenever feasible. Prior membership on the Board of Adjustments or on a Town Planning Commission shall constitute prior experience. Attempts should be made to insure that individuals appointed to the Board of Adjustments have no conflict of interest with said appointment.
- (d) The Board of Adjustments shall choose its own chairman every year.
- (e) Office room shall be provided by the County Board and the actual and necessary expenses incurred by the Board of Adjustments in the performance of its duties shall be paid and allowed as in cases of other claims against the county. The County Board may likewise compensate the members of said Board and such assistants as may be authorized by said County Board. Vacancies shall be filled for the unexpired term of any member whose seat becomes vacant in the same manner as appointments for a full term.
- (f) Official oaths shall be taken by all members in accordance with section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointments. The Department of Planning and Development shall be represented at all meetings for the purpose of providing technical assistance when requested by the Board of Adjustments.