Department of Planning and Development

VARIANCE APPLICATION

APPLICATION	RECEIVED
Owner: Michael R. & Mary J. Schmidt	SEP 1 4 2018
Mailing Address: 23508 31st Street	Kenosha County
Salem WI 53168	Planning and Development
Phone Number(s): 847-417-4795	
To the Kenosha County Board of Adjustment: Please take notice that the undersigned was refused a Zoning of Planning and Development for lands described below fo comply with the Kenosha County General Zoning and Sho owner or assigned agent herewith appeals said refusal and se Parcel Number: 30-4-220-234-0131	r the reason that the application failed to reland/Floodplain Zoning Ordinance. The
Property Address: 23508 31st Street	Shoreland: No
Subdivision:	
Current Use: Single-Family Residence (built 19	986)
Proposal: To construct a detached accessory	structure in the street yard.
REQUIRED BY ORDINANCE	VARIANCE REQUESTED
Section: III. P. 12.18.4-5 - Accessory buildings shall be defined the principal structure, protection the accessory building Shall be the side or rear yard only.	vided that
Section:	(a)
Section:	

An Area Variance is authorization by the Kenosha County Board of Adjustments to vary one or more of the dimensional or physical requirements of the applicable zoning law, code or ordinance in connection with some proposed construction.

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 zoning 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. Unless you or your agent is present, the board may not have sufficient evidence to rule in your favor and must then deny your application.

(1) Describe alternatives to your proposal such as other locations, designs and construction techniques.

Attach a site map showing alternatives you considered in each category below:

(A) Altorn	natives you considered that comply with existing standards. If you find such an alternativ
you ca	an move forward with this option with a regular permit. If you reject compliant alternative the the reasons you rejected them.
provid	ie the reasons you rejected them.
` '	atives you considered that require a lesser variance. If you reject such alternatives, provides you rejected them.

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home <u>or</u> claiming that they need more outbuilding space than that permitted to store personal belongings). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property

Unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render

owner bears the burden of proving unnecessary hardship.

conformity with such restrictions unnecessarily burdensome.

(3) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain.
Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.
The property is really deep.
(4) What would be the effect on this property, the community or neighborhood and the public interest if the variance 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, and fire safety and building code requirements.
None. House and building is 3/4 mile off road. Cannot be seen.
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 Appeal request made herein, during reasonable daylight hours.
Owners Signature: // Lash - Jaka CT
Agent:Signature:
Agents Address:
Phone Number(s):



Director of Planning Operations

COUNTY OF KENOSHA

Department of Public Works & Development Services

ZONING PERMIT APPLICATION

19600 - 75th Street, Suite 185-3 Bristol, Wisconsin 53104 Telephone: (262) 857-1895 Facsimile: (262) 857-1920

Date

Owner				Date							
Mailing Address				Phone #							
THE UNDERSIGNED HEREBY APPLIES FOR A PERMIT TO DO TH SURVEY HEREOF, AND HEREBY AGREES THAT ALL WORK WILL COUNTY OF KENOSHA, APPLICABLE TO THE FOLLOWING DESCRII	BE DONE IN ACCORDANCE V										
Parcel No.	Zo	oning District(s)_									
Property Address											
Subdivision Name	CSM #	<u> </u>	Lot	Block	L	Jnit					
STRUCTURE DESCRIPTION	TYPE OF CONSTRUCTION	SIZE (L' @ H')	SIZE (L' x W')	AREA (sq feet)	HEIGHT (feet)	# OF STORIES					
Contractor	F	or Office U	se Only	Permit No.							
Address	Fc	oundation Survey	Due Date								
Phone #		aiver of Liability D									
Agent		oard Of Adjustmer									
Address	Co	Conditional Use Permit Approval Date									
	Sa	anitation Approval									
Discourse #	Re	eceipt #		Check #							
Phone #	Ar	nount									
THIS ZONING PERMIT IS ISSUED SUBJECT TO: 1. ANY FEDERAL, STATE OR LOCAL RESTRICTIONS AND/OR DEE 2. EACH APPLICANT FOR A ZONING PERMIT IS CHARGED WITH COPIES OF THE OFFICIAL ZONING MAPS ARE AVAILABLE FOR GIVEN OR PERMIT ERRONEOUSLY ISSUED CONTRARY TO TH 3. THIS PERMIT SHALL EXPIRE EIGHTEEN (18) MONTHS FROM D 4. REMARKS:	I KNOWLEDGE OF THE COUN OR SALE, COPYING OR INSPE IS ORDINANCE IS NULL AND ' ATE OF ISSUANCE.	CTION UPON REQUE									
NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFI VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR I http://dn.wi.gov/topic/wetlands/locating.html OR CONTACT A DEPARTM	<u>CULT TO IDENTIFY. FAILURI</u> MORE INFORMATION, VISIT	<u>E TO COMPLY MAY F THE DEPARTMENT C</u>	RESULT IN REMO OF NATURAL RES	VAL OR MODIFIC	ATION OF CON	STRUCTION THAT					
Date Permit Issued	IN	IE UNDERSIGN FORMATION IS BOVE NOTICE.									

Owner/Agent

BOARD OF ADJUSTMENTS SCHEDULE FOR 2018 PUBLIC HEARINGS

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

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

HEARING DATES

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

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

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

VARIANCE PROCEDURES BEFORE THE BOARD OF ADJUSTMENTS

1 .			Department of Planning & Development and set an appointment. Bring the your pre-application meeting.
2 .	Comp	lete a 2	Zoning Permit Application at the Department of Planning & Development.
□ 3.	Comp	lete a \	Variance Application.
	□ A.	owned If you and a	y of your Tax Bill or a copy of the recorded Deed of Transfer if you have the property for less than a month. (This is to provide proof of ownership) are in the process of purchasing the property you need to provide a signed ccepted purchase agreement or if you are a realtor or contractor, a letter he current owner granting you agent status to act on their behalf.
	□ в.	Board an are	vey of the property with the following information provided. NOTE: The of Adjustments strongly advises that for any new residential construction as for a detached or attached garage should be shown for present or future ruction.
		□ ⊹	Size and location of all existing structures on the property and their distances from property lines (street yard setback should be taken from the edge of the road right of way). Location and dimensions of the proposed structure(s) or where the addition is to be placed on an existing structure. Show what the resulting setbacks will be for proposed structure. Location of the well and on-site waste disposal system (septic systems must show both the septic tank size and dimensions of the field).
	□ c.		g fee of \$550 (non-refundable) is required at application time to cover the of publishing.
4 .			bove information by the filing deadline (see Board of Adjustment Schedule the Department of Planning and Development.
□ 5.			above information to your local Township for placement on the agenda of anning Commission and/or the Town Board.
□ 6.			eeting will be with the Town Planning Commission, except for the Town of The Town of Somers has a Board of Appeals. NOTE: You must attend or

the Commission/Board will not be able to act on your request.

- ☐ 7. Your second meeting will be with the Town Board. NOTE: You must attend or the Board will not be able to act on your request.
- 8. Your third meeting will be with the County Board of Adjustments. NOTE: You must attend or the Board of Adjustments will not be able to act on your request. At this meeting you will be asked to brief the Board on your request for a variance and state your reasons for hardship (see Public Hearing Variance Standards handout).
- 9. If the Board of Adjustments grants your variance request you may obtain your Zoning Permit from the Office of Planning and Development the day after the meeting. The permit will be issued if all requirements from this office have been addressed, including sanitation, if you are the current owner of the property, and subject to signing the Statement of Appeal Process (see attached handout). If you do not sign the Statement of Appeal Process you will need to wait 30 days from the date of approval before the zoning permit can be issued. PLEASE NOTE, THAT ACCORDING TO SECTION VII.B.12.36-15(c) VARIANCES GRANTED BY THE B.O.A. SHALL EXPIRE WITHIN SIX (6) MONTHS FROM THE DATE OF APPROVAL, UNLESS A ZONING PERMIT HAS BEEN ISSUED AND "SUBSTANTIAL CONSTRUCTION" THE VALUE OF SUCH WORK THAT HAS COMMENDED EQUIVALENT TO 25% OF THE PROJECTED COST OF THE PROJECT AS NOTED ON THE APPLICATION FOR THE ZONING PERMIT, HAS COMMENCED.
- 10. Follow the Permitting Process for New Construction or for Additions to Existing Structures, Accessory Structures, Decks, Pools, and/or Fences (see handout).
- □ 11. If the Board of Adjustments denies your variance you have thirty (30) days to file an appeal with circuit court (see Statement of Appeal Process handout).

<u>IMPORTANT TELEPHONE NUMBERS</u>

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 857-1920
Public Works Division of Highways	857-1870
Administration Building Division of Land Information	
Brighton, Town of	

PUBLIC HEARING VARIANCE STANDARDS

YOUR PUBLIC HEARING WILL BE BASED ON THE FOLLOWING STANDARDS FROM
THE KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN
ZONING ORDINANCE.

CHAPTER 12.36-1 INTENT

It is the intent of this section of the Ordinance to recognize that under certain conditions and circumstances, it may be necessary to obtain a variance from the terms of this Ordinance so long as said variance will not be contrary to the public interest, and where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship or practical difficulties and where the granting of such variance will uphold the spirit of this Ordinance and contribute to the justice of the particular case in question. Any variance granted under the terms of this ordinance shall, however, relate only to area requirements and not to use. Furthermore, it is the intent of this section to establish a Board of Adjustments for the purpose of reviewing applications for variances as well as reviewing orders and decisions made by the Office of Planning and Development.

CHAPTER 12.36-13 STANDARDS AND GUIDELINES

- In determining whether a variance is to be granted, the following standards and guidelines must be met in view of the evidence presented and in making its decision, these standards and guidelines shall be addressed by the board of adjustment:
 - 1. The existence of special conditions or exceptional circumstances on the land in question.
 - 2. The experiencing of unnecessary hardships or practical difficulties on the land in question either presently or in the future.
 - 3. That these hardships or difficulties are the result of the aforementioned special conditions existing on the land and are not self-inflicted.
 - 4. That the existence of these special conditions will restrict the use of the land if the Ordinance is applied literally so as to render the land useless.
 - 5. That the limitation on the use of the land does not apply generally to other properties in the district.
 - 6. That limiting the use of the property does not afford compensating gains to the public health, safety and welfare.
 - 7. That the variance(s) requested are the minimum variance(s) needed to alleviate difficulties or hardships.
 - 8. That the use of the parcel in question presently does conform to the ordinance.

- 9. That granting the variance applied for will not affect the public health, safety, morals and welfare of the community and other properties in the area.
- 10. That with respect to those areas located within the floodland districts, a variance would not permit filling and development contrary to the purpose and intent of the Camp Lake/Center Lake FWO Floodway Overlay District; would not permit a change in the boundaries of the FPO Floodplain Overlay District, FWO Camp Lake/Center Lake Floodway Overlay district or the FFO Camp Lake/Center Lake Floodplain Fringe Overlay District; would not permit a lower degree of flood protection in the floodland districts than the residential, commercial, institutional, or park basement or crawlway to be located below the 100-year recurrence interval flood elevation; would not allow a change or alteration of an historic structure, including its use, which would result in the structure; further, that the variance for the proposed action would not require amendment to the floodplain zoning ordinance' and furthermore, that the variance would not have the effect of granting or increasing a use property which is prohibited in the floodland districts or any action contrary to the provisions of Chapter NR 116 of the Wisconsin Administrative Code.
- □ Variances may be granted for example for reasons of topography, environmental protection or where permitted by state statute but in no event may a variance be granted where the primary reason for obtaining a variance is to obtain a more profitable use of the property, personal inconvenience, construction errors, economic reasons, self-created hardships, or where the property is presently a non-conforming use. Furthermore, variances may not be granted for the purpose of altering the sanitary requirements of this ordinance except for existing structures.
 □ The Board of Adjustments in considering the propriety of granting a variance shall not consider the number of persons for or against the granting of a variance but shall base their decision solely upon the equities of the situation involved.
 □ Variances may be granted in the form of an area or distance variance, however, use variances shall be specifically prohibited under this Ordinance.

Statutory Standards

- The applicant for a variance must clearly show the Board of Adjustments that three statutory standards that govern granting a variance will be met. These three standards require the existence of an unnecessary hardship, the presence of a unique property limitation, and the protection of the public interest.
- Unnecessary Hardship
 - A situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome.
 - The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not one which affects all parcels similarly.

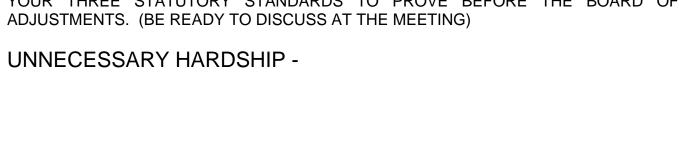
Unique Property Li	mitation
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- Unique physical characteristics of the property must prevent the applicant from developing in compliance with the zoning ordinance.
- Protection of the Public Interest
 - Granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The public interest includes the interests of the public at large, not just that of nearby property owners.
 - Conditions may be attached to a variance to protect adjoining properties and to preserve the essential character of the neighborhood.
 - A variance should include only the minimum relief necessary to allow reasonable use of a property.

NOTES

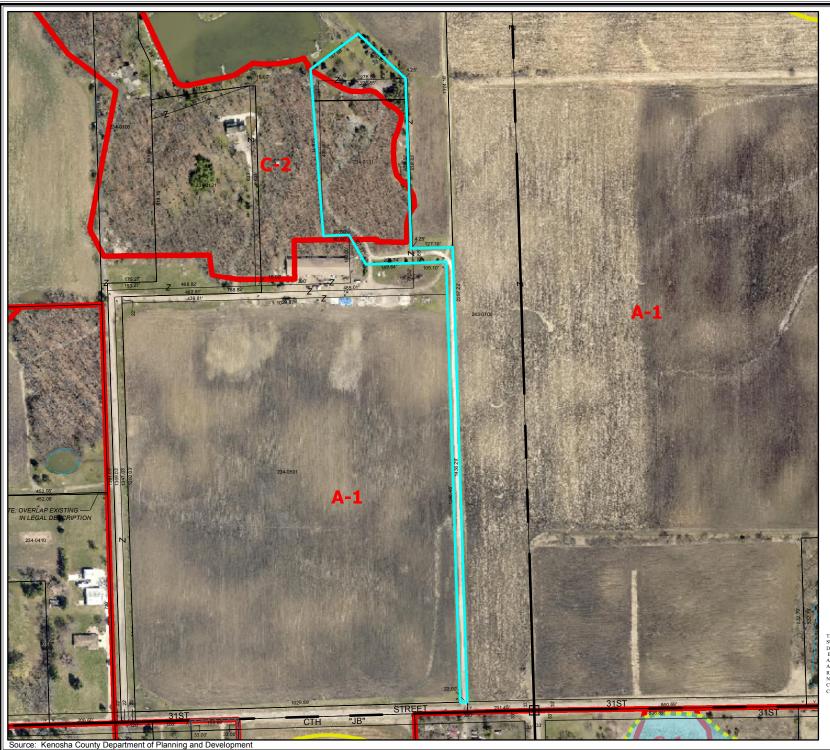
VARIANCE WORKSHEET

YOUR THREE STATUTORY STANDARDS TO PROVE BEFORE THE BOARD OF



UNIQUE PROPERTY LIMITATION -

PROTECTION OF THE PUBLIC INTEREST -

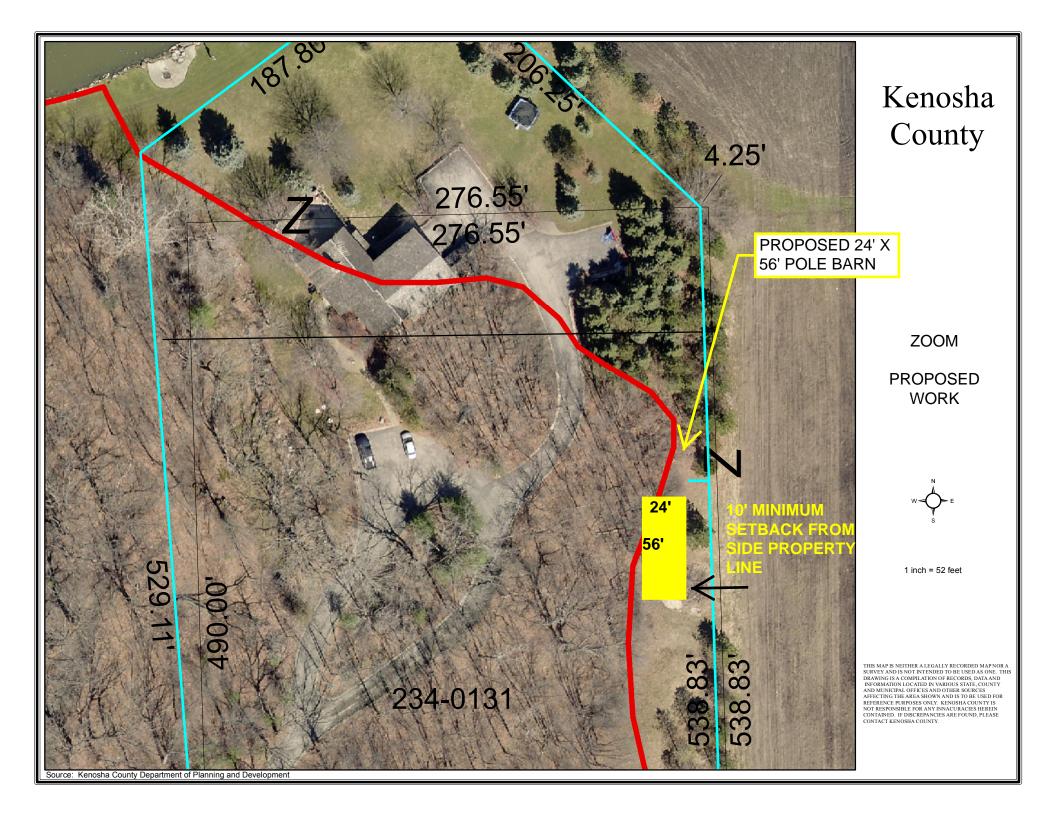


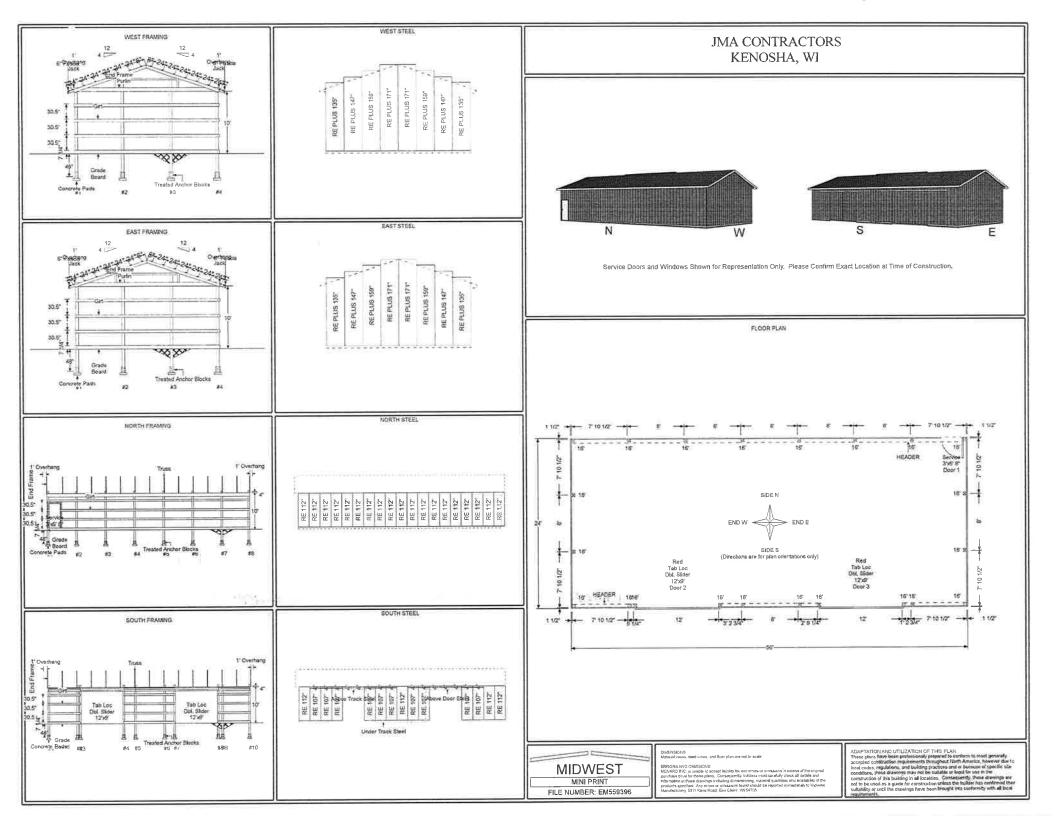
Kenosha County

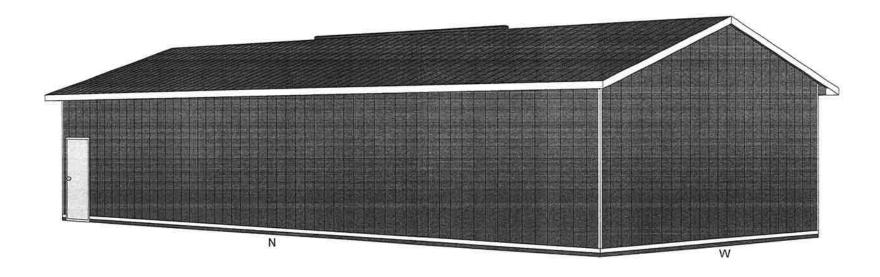
SUBJECT PROPERTY

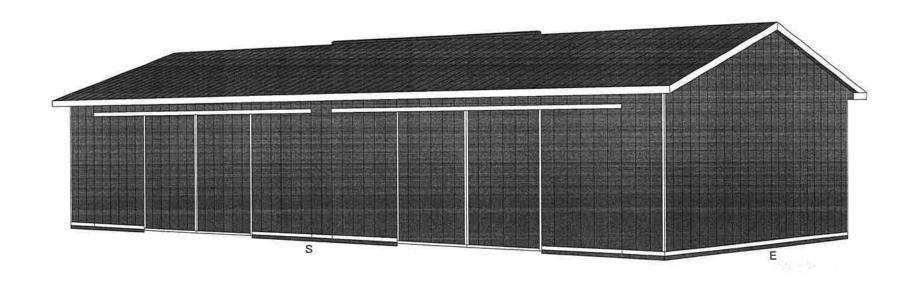
1 inch = 304 feet

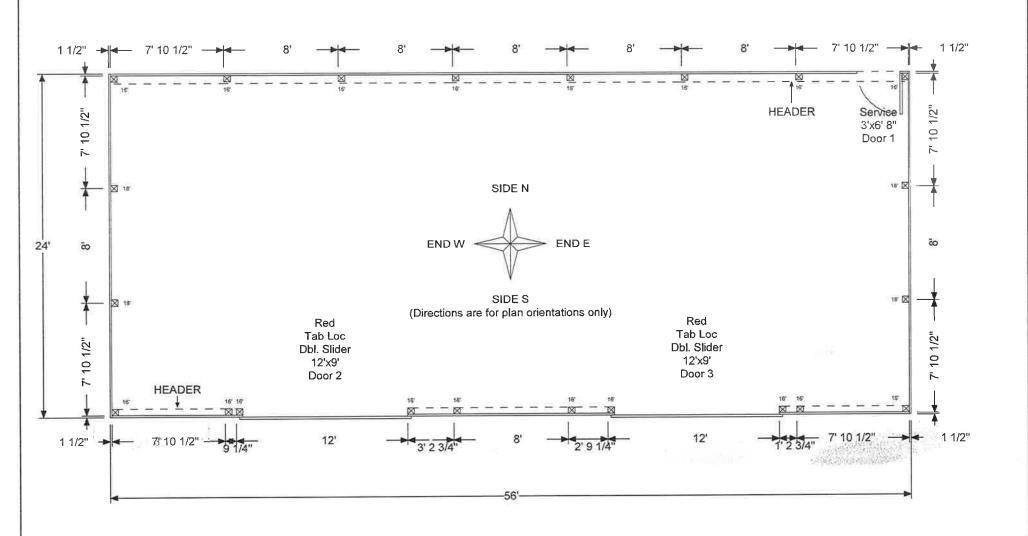
THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS ACOMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY,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

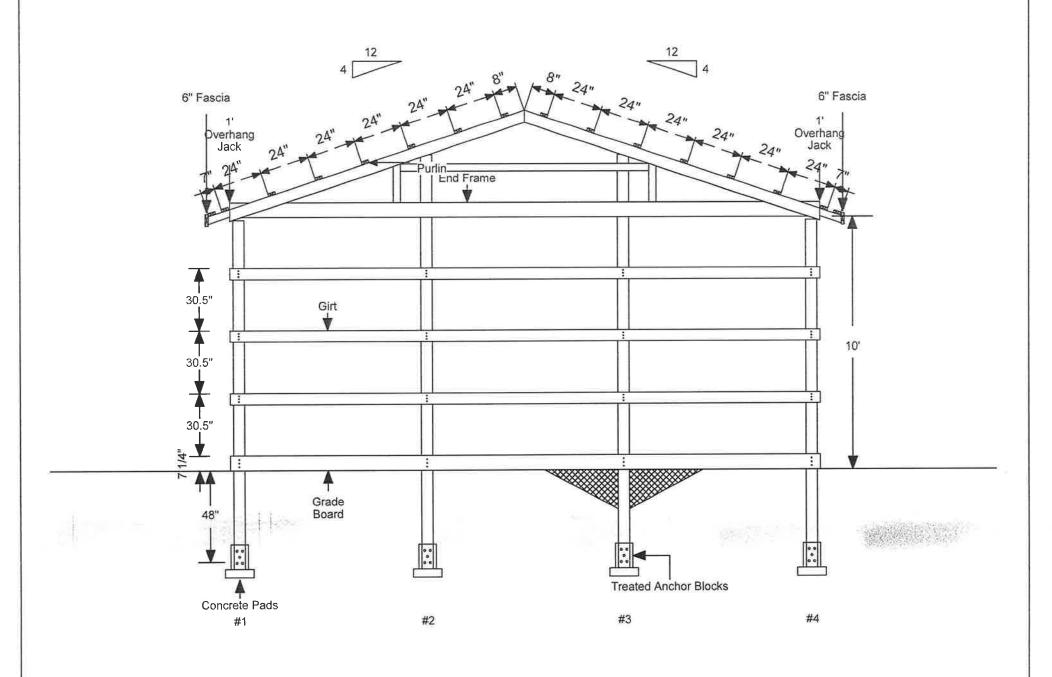


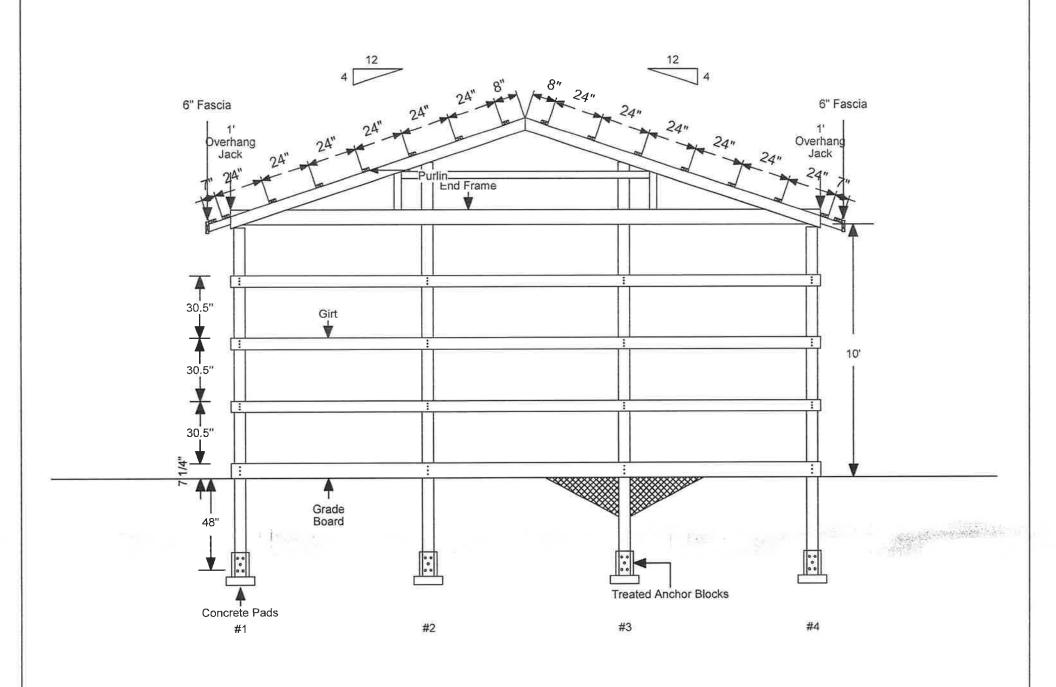


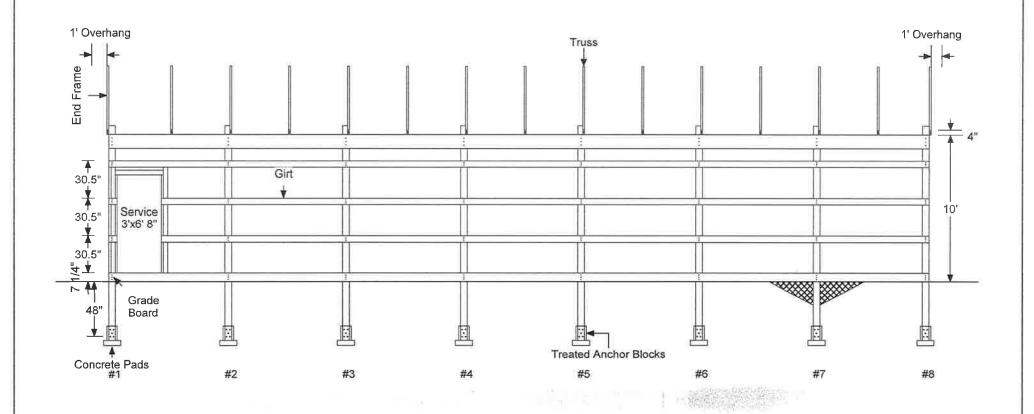


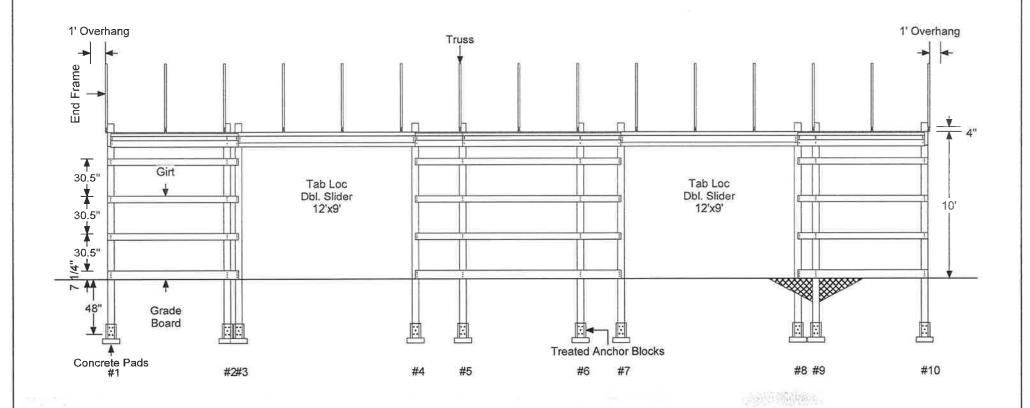


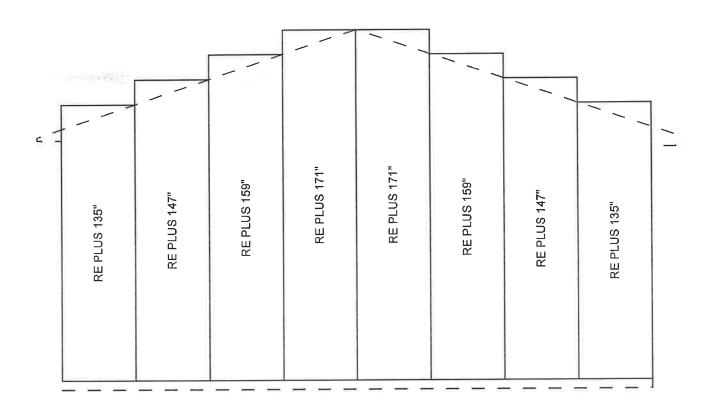


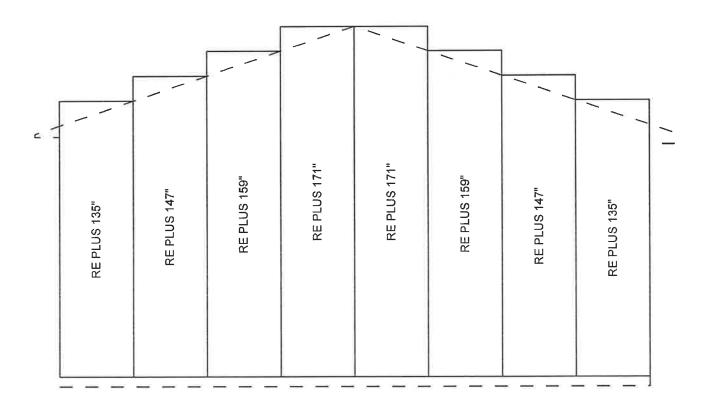




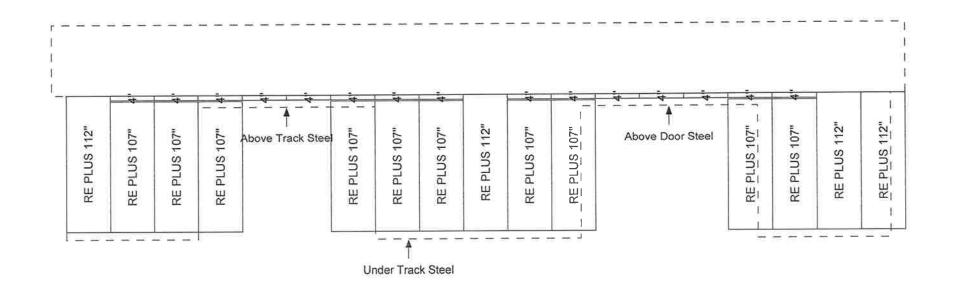






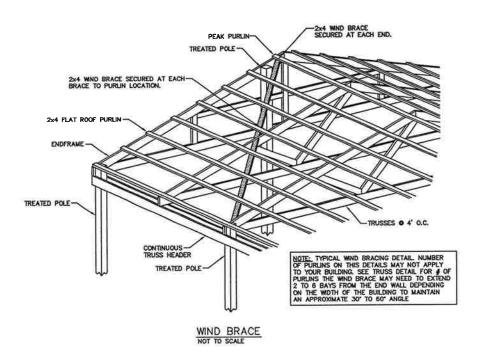


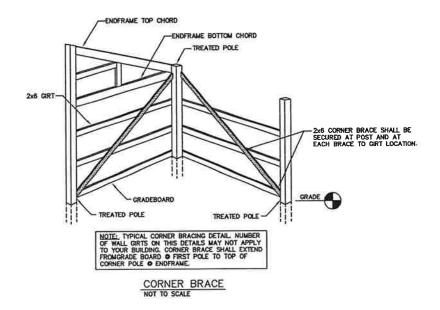
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RE PL	RE PL	RE PL	RE PL	RE PL	RE PL	RE PL	RE PL	RE PL	RE PL	RE PL	RE PI	RE PI	RE PI	RE PI	RE PI	RE PI	REPI



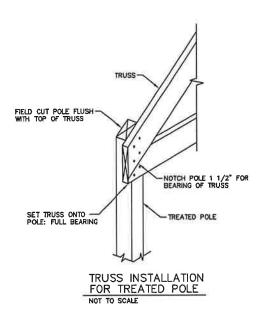
NOTE.) NOT ALL THE DETAILS PROVIDED ON THIS MINI-PRINT PAGE MAY APPLY TO YOUR BUILDING.
PLEASE REFER TO YOUR <u>HELPFUL HINTS FOR CONSTRUCTING POST FRAME BUILDINGS</u> IF FURTHER INFORMATION IS REQUIRED.

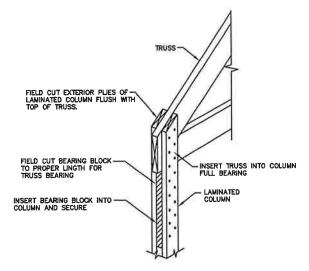
WIND AND CORNER BRACE DETAILS



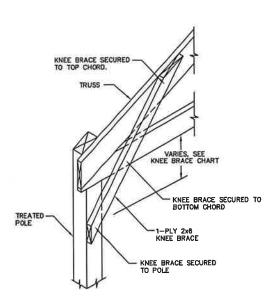


TRUSS AND KNEE BRACE DETAILS

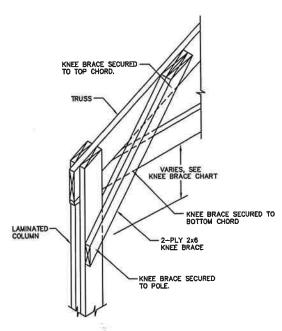




TRUSS INSTALLATION
FOR LAMINATED COLUMN
NOT TO SCALE



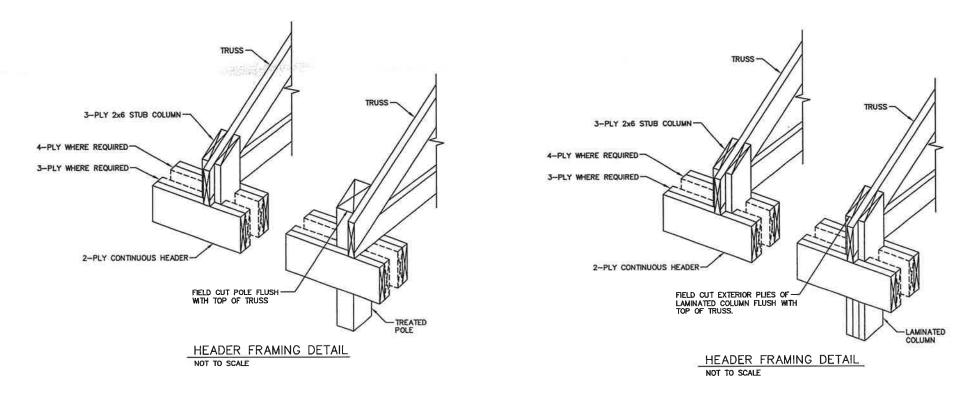




KNEE BRACE INSTALLATION FOR LAMINATED COLUMNS

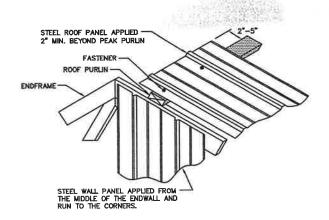
		BRACE CHART	
WALL HEIGHT		DIMENSION	
8'-0"	1'-6"	(TRUSS TO BOTTOM OF BRACE))_
9'-0"	1'-6"	(TRUSS TO BOTTOM OF BRACE))
10'-0"	2'-0"	(TRUSS TO BOTTOM OF BRACE	Σ
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18'-0"	4'-0"	(TRUSS TO BOTTOM OF BRACE	7
19'-0"	4'-0"	(TRUSS TO BOTTOM OF BRACE)
20'-0"	4'-0"	TRUSS TO BOTTOM OF BRACE)

HEADER DETAILS

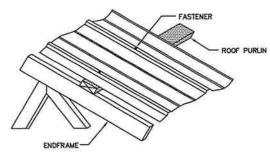


	HEADER NOTCH SCHEDULE
HEADER PLIES	DEMINSIONAL LUMBER
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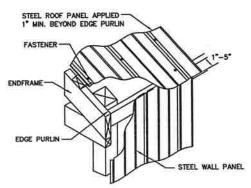
STEEL APPLICATION DETAILS



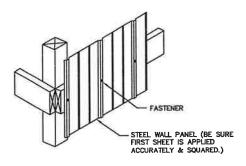
ROOF & ENDWALL STEEL APPLICATION @ GABLE PEAK



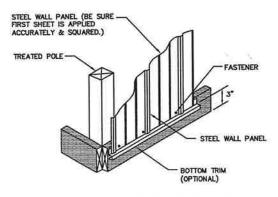
ROOF STEEL APPLICATION @ INTERMEDIATE



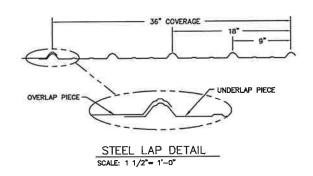
ROOF & SIDEWALL STEEL APPLICATION @ EAVE



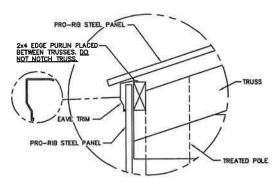
WALL STEEL APPLICATION @ INTERMEDIATE



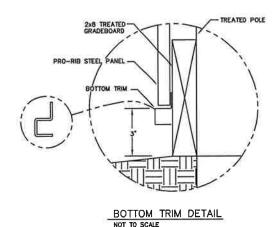
WALL STEEL APPLICATION @ GRADEBOARD

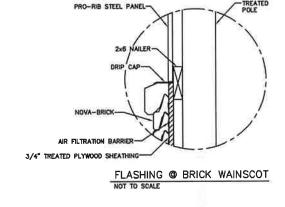


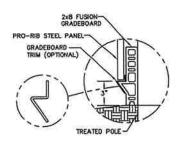
TRIM DETAILS



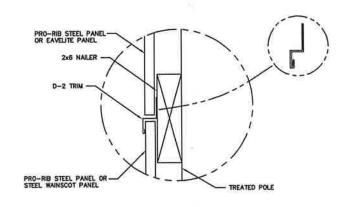
EAVE TRIM DETAIL







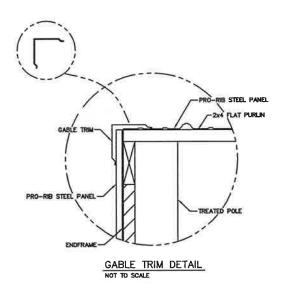


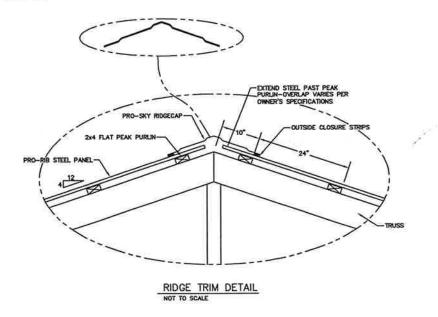


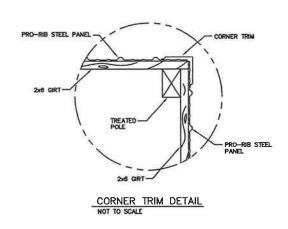
D-2 TRIM @ WAINSCOT/ EAVELITE NOT TO SCALE

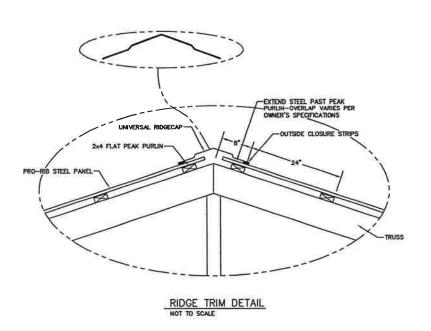


TRIM DETAILS

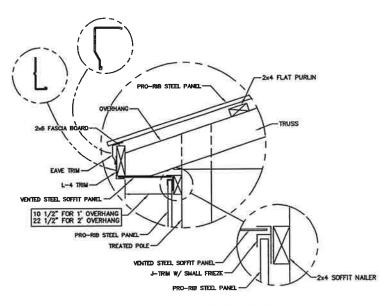




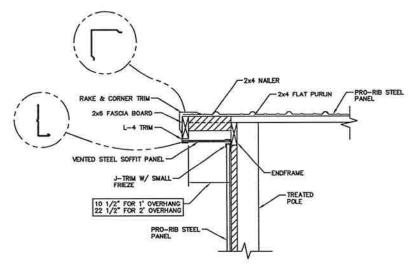




OVERHANG DETAILS

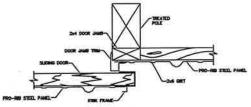


6" FASCIA SIDEWALL OVERHANG NOT TO SCALE

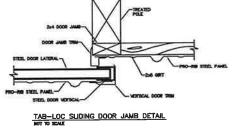


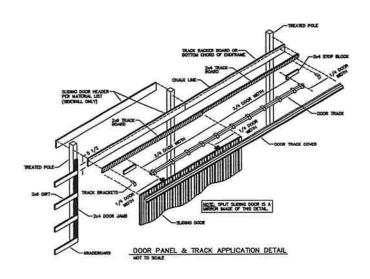
6" FASCIA ENDWALL OVERHANG
NOT TO SCALE

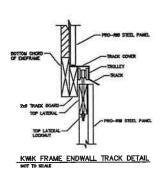
SLIDING DOOR DETAILS

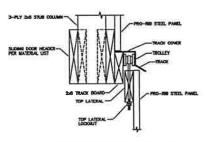


KWIK FRAME SLIDING DOOR JAMB DETAIL

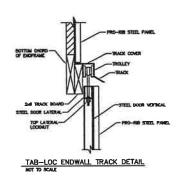


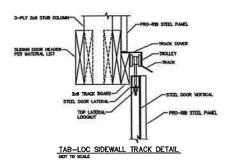




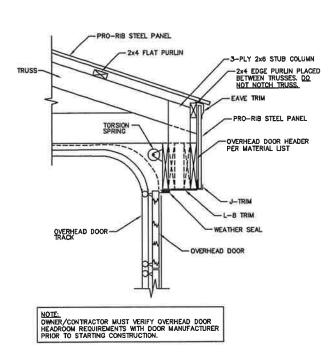


KWK FRAME SIDEWALL TRACK DETAIL

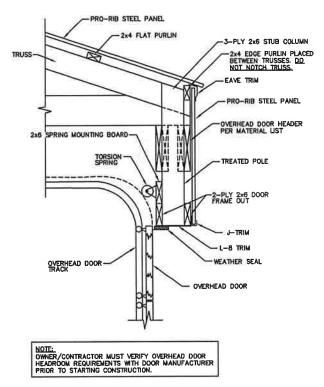




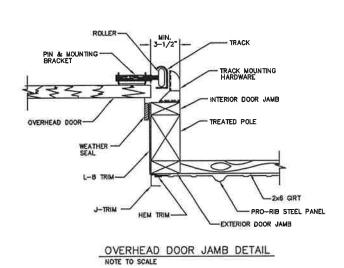
OVERHEAD DOOR DETAILS

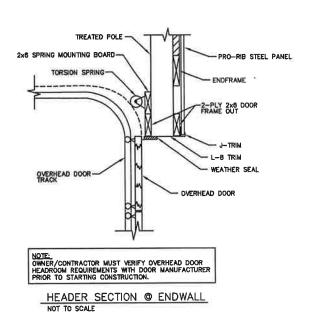


HEADER SECTION @ SIDEWALL NOT TO SCALE

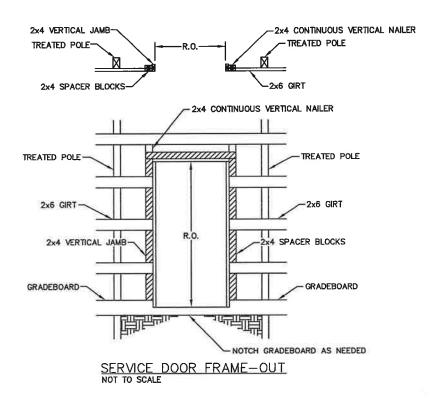


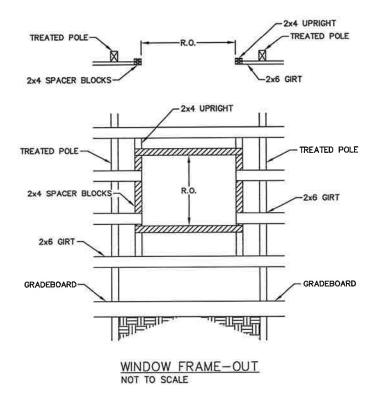
HEADER SECTION @ SIDEWALL NOT TO SCALE



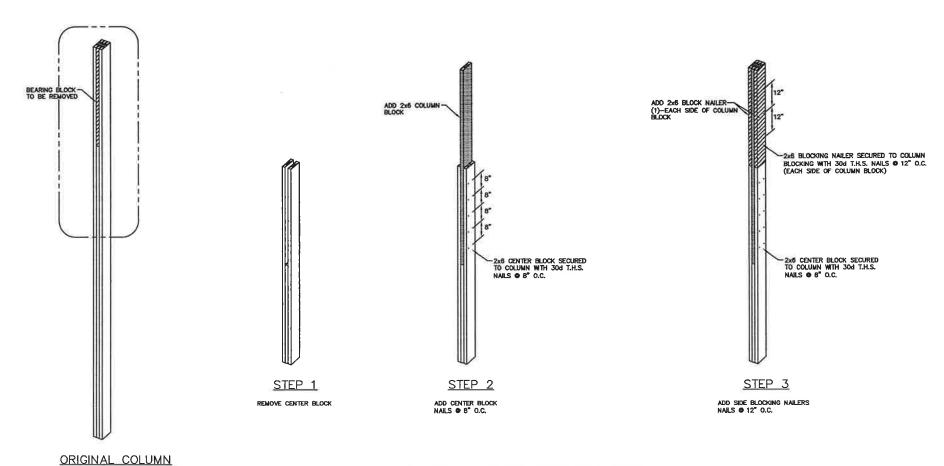


SERVICE DOOR AND WINDOW DETAILS





COLUMN BLOCK EXTENSTIONS							
OVERALL COLUMN. LENGTH	COLUMN LENGTH	EXTENSION BLOCK LENGTH REQUIRED	LEFT PLY	CENTER PLY	RIGHT PLY	2x6 NEEDED	ENDWALL BRACE
16"	16"	N/A	N/A	N/A	N/A	N/A	N/A
18'	18'	N/A	N/A	N/A	N/A	N/A	N/A
20'	20'	N/A	N/A	N/A	N/A	N/A	N/A
22'	22'	N/A	N/A	N/A	N/A	N/A	N/A
24'	22'	2	2'	5'	2'	(1)-10'	N/A
26'	22'	4	4'	8'	4'	(2)-8'	N/A
28'	22'	6,	6,	10"	6	(1)-10', (1)-12'	N/A
30'	22'	8'	8'	12'	8'	(2)-8', (1)-12'	YES
32'	22'	10"	10'	14'	10"	(2)-10', (1)-14'	YES
34'	22'	12'	12'	16'	12'	(2)-12', (1)-16'	YES



ENDWALL COLUMN BLOCK EXTENSION DETAIL

