



## TEMPORARY USE APPLICATION

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MAR 25 2019

Kenosha County  
Planning and Development

Owner: Brightonwoods Orchard, Inc.

Mailing Address: 1072 288th Ave

Burlington WI 53105

Phone Number(s): 262-878-3000 (bus) 262-490-1830 (cell)

*To the Kenosha County Board of Adjustment:*

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

Parcel Number: 30-4-220-083-0301 Zoning District: A-3

Property Address: 1072 288th Avenue Shoreland: No

Subdivision: - Lot(s): - Block: -

Current Use: Fruit Farm Orchards, Winery, Processed Cheese

### REQUIRED BY ORDINANCE

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

Multiple events - see attached

Temporary Use being requested:

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

# TEMPORARY USE APPLICATION

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

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

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

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

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

Owner's Signature: 

Agent: \_\_\_\_\_ Signature: \_\_\_\_\_

Agents Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

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## **BOARD OF ADJUSTMENTS SCHEDULE FOR 2019 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*

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### **HEARING DATES**

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

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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.

# **TUP PLANS FOR BRIGHTONWOODS ORCHARD 2019**

For several years Brightonwoods Orchard has hosted several special events. We are applying for these events in 2019 by naming these event's sponsors but not the dates of their events, since these dates are unknown at this time. These events are listed below.

1. We have hosted a First Republican District event for I believe 14 of the past 17 years, featuring now Congressman Bryan Steil and many other prominent local, state and federal politicians.
2. We also have hosted a summer or fall picnic pig roast fund-raiser for the Southeast Wisconsin Farm Fresh Atlas.
3. For several years we have hosted the Caledonia Lions Club Antique Auto Show on a Sunday in September.
4. For the past several years we have hosted a fall "Farm to Table" dinner sponsored by Braise RSA of Milwaukee for 80-100 people from 4 PM to 8 PM.
5. We are planning on hosting a "Farm to Table" dinner in June 2019 for about 50 people this year sponsored by Red Oaks Restaurant in Bristol from 4 PM to 8 PM.

As it has been the case in the past, Brightonwoods Orchard and/or William Stone wish to hold the above events at 1070 288<sup>th</sup> Ave., Burlington, WI and/or 1072 288<sup>th</sup> Ave., Burlington, WI individually or combined.

1. Each of the above will be a single day event;
2. The missing dates for each of the above events will be presented to the Town no later than July 31, 2019;
3. The First District Republican Party event is to begin no earlier than 12 noon and conclude no later than 6 PM and shall involve not more than 350 attendees;
4. The Farm Fresh Atlas summer pig roast event is to begin no earlier than 2 PM and conclude no later than 8 PM and shall involve not more than 150 attendees;
5. The Caledonia Lions Club Antique Car Show event is to begin no earlier than 8 AM and conclude no later than 5 PM and shall involve not more than 75 exhibitors. Attendance expected not to exceed 300;
6. The Braise RSA & Red Oaks Restaurant "Farm to Table" dinner events are to begin no earlier than 4 PM and conclude no later than 9 PM and shall involve not more than 100 attendees;

7. In 2019 traffic will be directed into and out of the event via the north driveway;
8. With respect to the Caledonia Lions Club Antique Car Show exhibitors will be notified via flyer and via signage that they are to not create excessive noise from engines, mufflers or tires and to avoid horn honking on highway B in the area of the orchard;
9. In order to limit visual impact of events, the events will be held as defined on map that accompanies this proposal;
10. Applicant will be responsible for site safety and security;
11. At the Caledonia Lions Club Antique Car Show event Fire extinguishers shall be readily accessible;
12. Lighting, if any, to be facing down, not up or out and will be directed onto property;
13. Applicant will provide for a sufficient sanitary facilities to accommodate the needs of participants and spectators;
14. All parking shall be on site (none on roadways);
15. No signage shall be displayed in public right of way;
16. No radio advertisement will be used to promote the events;
17. A Certificate of insurance shall be provided by property owner with the Town named as an additional insured (Copy to be provided to Town);
18. If food service is to be provided, applicant must obtain Health Department certificate;
19. If alcohol will be served or provided applicant must obtain necessary permits and comply with all applicable regulations;
20. Any musical noise will be kept at a minimum & confined to the area of the day's activity.

Given the non-profit nature or local food promotion of these events, applicant will request an application fee waiver.

In expressing a willingness to agree to the above, applicant does not waive any rights and does not agree that a Temporary Use Permit is required for these events for several reasons, including but not limited to, the fact these events are non-for-profit events or local food promotional events that have historically been conducted on the property without objection by the Town or Kenosha County. Other reservations may also be at issue. Never the less, applicant wishes to avoid conflicts over the 2019 events.



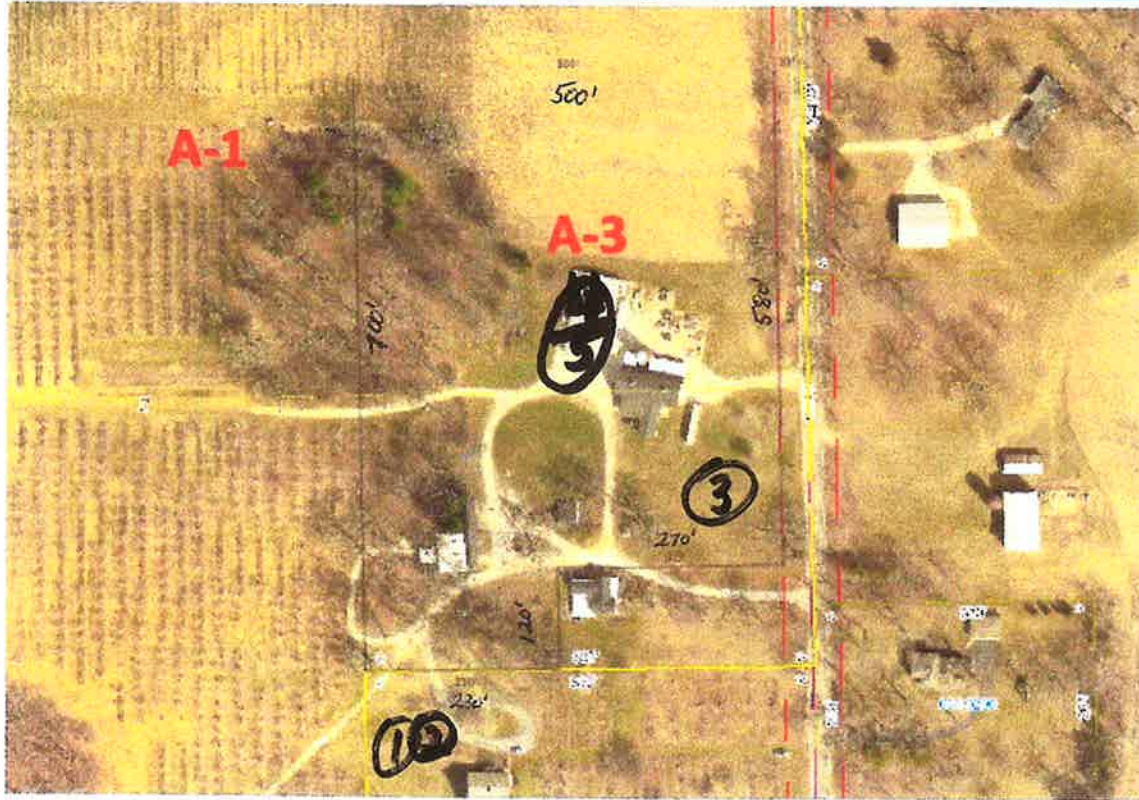
DISCLAIMER: This map is for informational purposes only and does not constitute a guarantee, warranty, or endorsement of the accuracy or completeness of the information provided. The information is provided "as is" without any representation or warranty of any kind. The user assumes all responsibility for the use of the information. The information is provided for general informational purposes only and is not intended to be used for any specific purpose. The information is provided for general informational purposes only and is not intended to be used for any specific purpose.

Map Printed: 10/2/2021

60x100'  
TENT  
300 CHAIRS

ENOUGH PARKING FOR 150 CARS!  
SIGNAGE + PERSON AT HWY B  
ENTRANCE





WENDELL COUNTY  
INTERACTIVE MAPPING

100 Feet

Scale: 1:10000

- 1) RYAN EVENT
- 2) FARM FRESH ATLAS EVENT
- 3) ANTIQUE CAR SHOW
- 4) FARM TO TABLE — BRAISE
- 5) FARM TO TABLE — RED OAKS