



COUNTY OF KENOSHA

December 2012

Department of Planning and Development

VARIANCE APPLICATION

RECEIVED

JUL 11 2017

Kenosha County
Planning and Development

Owner: K J R P Revocable Trust

Mailing Address: 6536 3rd Ave, Kenosha,
WI 53143

Phone Number(s): (262) 370-8980

To the Kenosha County Board of Adjustment:

Please take notice that the undersigned was refused a Zoning Permit by the Kenosha County Department of Planning and Development for lands described below for the reason that the application failed to comply with the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The owner or assigned agent herewith appeals said refusal and seeks a variance.

Parcel Number: 60-4-119-182-0170 & 95-4-119-073-0745 Zoning District: R-3

Property Address: 40219 85th St. Shoreland: yes

Subdivision: CSM #47 Lot(s): 2 Block:

Current Use: Single-Family Residence (1896)

Proposal: To construct a detached garage in the street yard

REQUIRED BY ORDINANCE

Section: V.A. 12.27-6(e) (1) Detached accessory buildings shall be located in the side or rear yard only.

Section: V.A. 12.27-6(e) (2) 2 maximum detached accessory buildings. Main

Section: - building not to exceed 20' in height nor 1,000 sq. ft in area

VARIANCE REQUESTED

(1) Street yard placement

(2) Total sq. ft. to allow a 1543.8 sq. area

VARIANCE APPLICATION

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) Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

1) Attach the garage to the house; this option would disrupt the neighbors lake views & change the physical aesthetics of the house's architecture.

(B) Alternatives you considered that require a lesser variance. If you reject such alternatives, provide the reasons you rejected them.

1) A smaller footprint would force owners to store personal items outside and disrupt the visual aesthetics of the neighborhood.

(2) Will there be an unnecessary hardship to the property owner to strictly comply with the ordinance?

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 conformity with such restrictions unnecessarily burdensome.

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 or 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 owner bears the burden of proving unnecessary hardship.

This would force hobby activities to be conducted outside and exposed to the elements.

- (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.

It is difficult to place the garage lakeside due to limited space and lakeside viewing aesthetics for owners and neighbors alike.

- (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.

The proposed garage does not affect the neighbors views of the lake.

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: _____

Agent: _____

Signature: _____

Agents Address: Jorgensen Partners LLC, 6536 3rd Ave, Kenosha, WI 53143

Phone Number(s): 262-375-8980



COUNTY OF KENOSHA

Department of Public Works & Development Services

19600 - 75th Street, Suite 185-3

Bristol, Wisconsin 53104

Telephone: (262) 857-1895

Facsimile: (262) 857-1920

ZONING PERMIT APPLICATION

Owner KJRP Revocable Trust

Date 7/11/17

Mailing Address 6536 3rd Ave

Phone # 262-370-8980

Kenosha WI 53143

THE UNDERSIGNED HEREBY APPLIES FOR A PERMIT TO DO THE WORK HEREIN DESCRIBED, AND AS SHOWN ON THE REQUIRED SITE PLAN FORM OR ATTACHED REGISTERED SURVEY HEREOF, AND HEREBY AGREES THAT ALL WORK WILL BE DONE IN ACCORDANCE WITH ALL THE LAWS OF THE STATE OF WISCONSIN AND ALL THE ORDINANCES OF THE COUNTY OF KENOSHA, APPLICABLE TO THE FOLLOWING DESCRIBED PREMISES:

Parcel No. 60-4-119-182-0170 & 95-4-119-073-0745 Zoning District(s) R-3

Property Address 40219 85th St.

Subdivision Name CSM #47 CSM # _____ Lot 2 Block _____ Unit _____

STRUCTURE DESCRIPTION	TYPE OF CONSTRUCTION	SIZE (L' @ H')	SIZE (L' x W')	AREA (sq feet)	HEIGHT (feet)	# OF STORIES
<u>Accessory Structure</u>	<u>Wood</u>		<u>53'10" x 34'4"</u>	<u>1,543.8</u>	<u>20'</u>	<u>2</u>

Contractor T.B.D.

Address _____

Phone # _____

Agent Kurt Jorgensen

Address Jorgensen Partners LLC

6536 3rd Ave Kenosha WI 53143

Phone # (262) 370-8980

For Office Use Only

Permit No. _____

Foundation Survey Due Date _____

Waiver of Liability Due Date _____

Board Of Adjustments Approval Date _____

Conditional Use Permit Approval Date _____

Sanitation Approval _____

Receipt # _____ Check # _____

Amount _____

THIS ZONING PERMIT IS ISSUED SUBJECT TO:

1. ANY FEDERAL, STATE OR LOCAL RESTRICTIONS AND/OR DEED RESTRICTIONS.
2. EACH APPLICANT FOR A ZONING PERMIT IS CHARGED WITH KNOWLEDGE OF THE COUNTY ZONING ORDINANCE. COPIES OF THE TEXT OF THIS OR PORTIONS THEREOF AND COPIES OF THE OFFICIAL ZONING MAPS ARE AVAILABLE FOR SALE, COPYING OR INSPECTION UPON REQUEST. ANY STATEMENT MADE, SITE PLAN SUBMITTED, ASSURANCE GIVEN OR PERMIT ERRONEOUSLY ISSUED CONTRARY TO THIS ORDINANCE IS NULL AND VOID.
3. THIS PERMIT SHALL EXPIRE EIGHTEEN (18) MONTHS FROM DATE OF ISSUANCE.
4. REMARKS: _____

NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE <http://dnr.wi.gov/topic/wetlands/locating.html> OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER (262) 884-2300.

Date Permit Issued _____

THE UNDERSIGNED HEREBY ATTESTS THAT THE ABOVE INFORMATION IS TRUE, ACCURATE AND HAS RECEIVED THE ABOVE NOTICE.

Director of Planning Operations

NO SIGNATURE NEEDED ON APPLICATION - APPLICANT WILL SIGN ISSUED PERMIT
Owner/Agent _____ Date _____

VARIANCE WORKSHEET

YOUR THREE STATUTORY STANDARDS TO PROVE BEFORE THE BOARD OF ADJUSTMENTS. (BE READY TO DISCUSS AT THE MEETING)

UNNECESSARY HARDSHIP -

A smaller structure lakeside would; 1) force hobby activities to be conducted outside exposed to the elements 2) force storage of garden items, tools, etc. outside and disrupt the visual aesthetics of the property 3) disrupt the lake viewing aesthetics for the owners and neighbors alike.

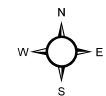
UNIQUE PROPERTY LIMITATION -

Lake property aesthetics would best maintained if the garage would be placed streetside.

PROTECTION OF THE PUBLIC INTEREST -

The proposed detached garage does not impact the neighbors views of the lake, which would be disrupted if a garage was attached to the home.

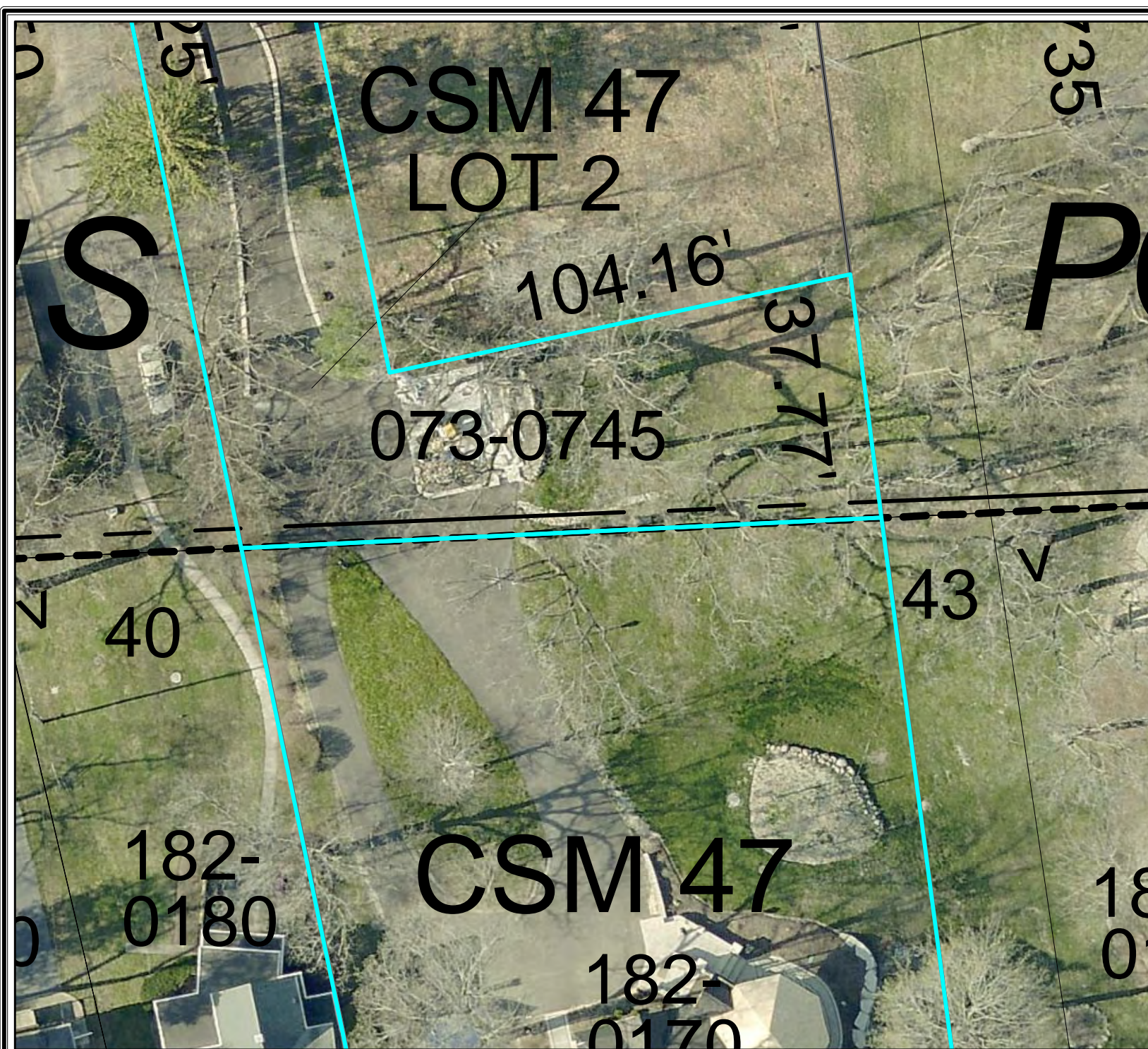
Kenosha County



1 inch = 100 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.





Kenosha County



1 inch = 30 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.

East Facing Oblique



© 2016 Pictometry

04/17/2016

South Facing Oblique



© 2016 Pictometry

04/17/2016

North Facing Oblique



© 2016 Pictometry

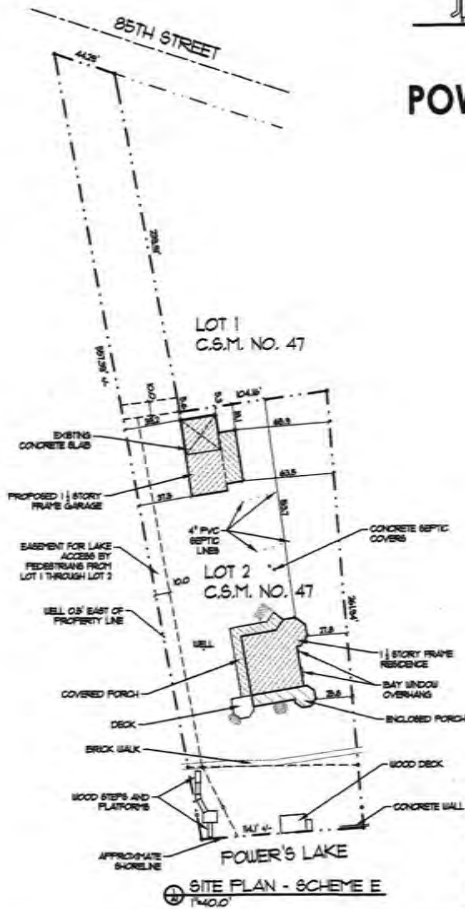
04/18/2016

DRAWN BY:	RW	DATE:	05/10/2017
CHECKED BY:	BW/DW	DRAWING NO.:	9339D1
JOB NO.:	9339	SHEET	1 OF 1

JORGENSEN - PUNTILLO CARRIAGE HOUSE



POWERS LAKE - GENOA CITY - WISCONSIN



SURVEY INFORMATION
BLL SURVEYING, INC.
402 N. PINE STREET
PO BOX 282 761-0288
DATE: 8/10/2017
JOB NO.: 1539
DRAWING NO.: 633801
DRAWN BY: RJL
CHECKED BY: BSW

SITE PLAN - SCHEME E
1/20.0

DRAWING INDEX	
A 1	COVER SHEET - SITE PLAN
A 2	FLOOR PLANS
A 3	EXTERIOR ELEVATIONS
BUILDING CODES	
CONSTRUCTION OF THE PROPOSED RESIDENCE SHALL BE COMPLIANT WITH THE FOLLOWING CODES ADOPTED BY GENOA CITY, WISCONSIN.	
BUILDING CODE	WISCONSIN UNIFORM BUILDING CODE
ELECTRICAL CODE	WISCONSIN ELECTRICAL CODE
HVAC CODE	WISCONSIN HEATING, VENTILATING & AIR CONDITIONING CODE
PLUMBING CODE	WISCONSIN PLUMBING CODE

JORGENSEN
PUNTILLO
CARRIAGE HOUSE

4028 89th STREET
GENOA CITY, WISCONSIN 53128

REVIEW 6/22/2017

LICENSED ARCHITECT

BRADLEY E. KORANDO
LLC

8330 WEST RIDGE DRIVE
PLEASANT PRAIRIE
WISCONSIN 53158
262-331-3285
bekorand@earthlink.net

CARRIAGE HOUSE
SCHEME F
DRAWING INDEX
CODE INFORMATION
SITE PLAN

DRAWN
BSK

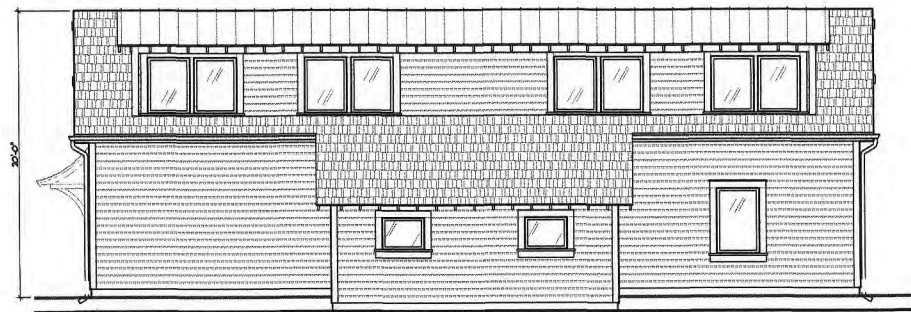
DATE
6/22/2017

PROJECT NO.
2017-2

SHEET NO.
A 1



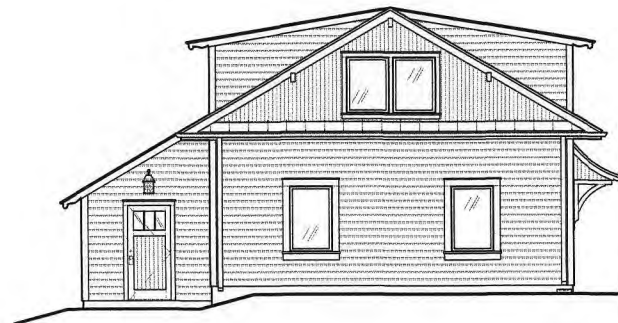
Ⓐ WEST ELEVATION - SCHEME F
1/4"=1'-0"



Ⓑ EAST ELEVATION - SCHEME F
1/4"=1'-0"



Ⓒ SOUTH ELEVATION - SCHEME F
1/4"=1'-0"



Ⓓ NORTH ELEVATION - SCHEME F
1/4"=1'-0"

JORGENSEN
PUNTILLO
CARRIAGE HOUSE

4229 89th STREET
GENOA CITY, WISCONSIN 53126

REVIEW 6/22/2017

LICENSED ARCHITECT

BRADLEY E. KORANDO
LLC

8330 WEST RIDGE DRIVE
PLEASANT PRAIRIE
WISCONSIN 53158

262-331-3285
bekarchitect@wi.rr.com

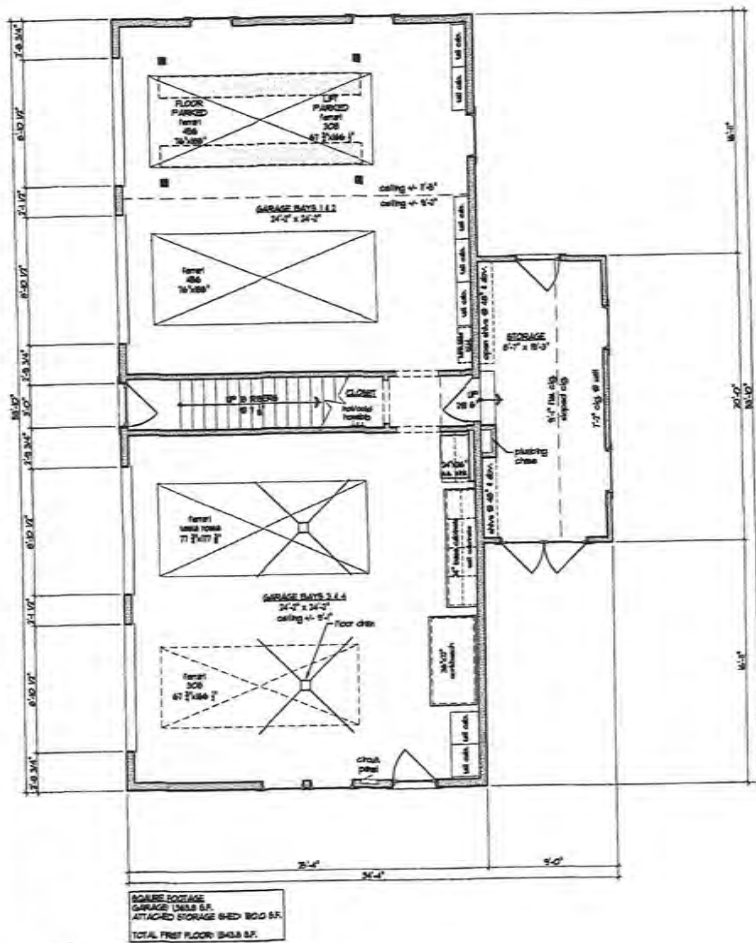
CARRIAGE HOUSE
SCHEME F
EXTERIOR ELEVATIONS

DRAWN
BEK

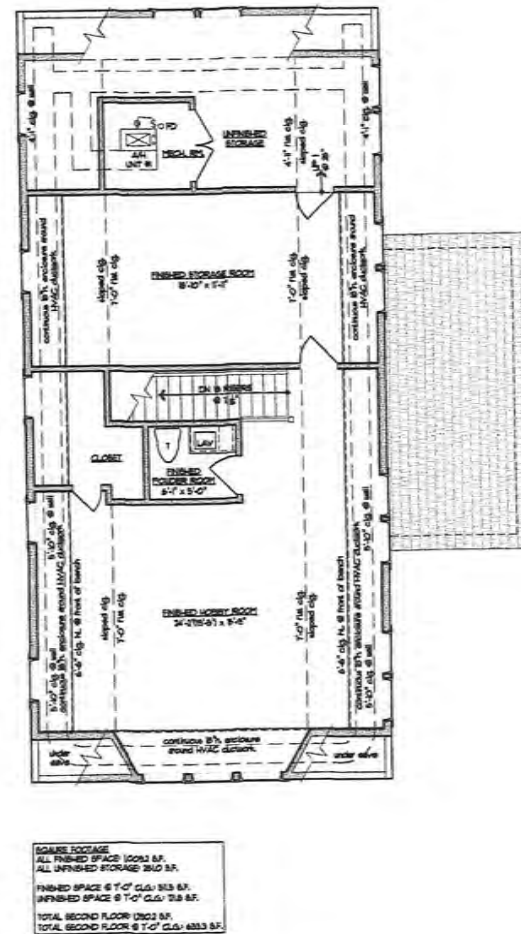
DATE
6/22/2017

PROJECT NO.
2017-2

SHEET NO.
A 3



① FIRST FLOOR PLAN - SCHEME F
1/4"=1'-0"



② SECOND FLOOR PLAN - SCHEME F
1/4"=1'-0"

JORGENSEN
PUNTILLO
CARRIAGE HOUSE

4025 8th STREET
SECA CITY, WISCONSIN 5308

REVISION 6/22/2017

LICENSED ARCHITECT

BRADLEY E. KORANDO
LLC

8330 WEST RIDGE DRIVE
PLEASANT PRAIRIE
WISCONSIN 53158

262-331-3285
bekarchitect@aol.com

CARRIAGE HOUSE
SCHEME F
FLOOR PLANS

DRAWN
BEC

DATE
6/22/2017

PROJECT NO.
2017-2

SHEET NO.
A 2



Kurt Jorgensen <kjorgensen@jorgensenpartners.com>

Fwd: Recording Notification

1 message

Julianne Fine <julianne@keatinggroup.com>
To: Kurt Jorgensen <kjorgensen@jorgensenpartners.com>
Cc: Keith Keating <keith@keatinggroup.com>

Thu, Jul 6, 2017 at 11:44 AM

Kurt,
Please see the following email received from the Kenosha County Register of Deeds confirming the fact that the deed has been recorded. The document number for the deed is 1799204. As soon as I am in receipt of the original recorded document I will forward that along as well. I anticipate that I will receive it early next week.
If I can be of any further assistance in this regard, please contact me.

Julianne Fine
Wisconsin-Illinois Title
262-877-2600
Location:
39922 Bloomfield Rd.
Burlington, WI 53105
Mailing Address:
PO Box 924
Twin Lakes, WI 53181

----- Forwarded message -----

From: **County Register Of Deeds** <do_not_reply@revenue.wi.gov>
Date: Thu, Jul 6, 2017 at 11:16 AM
Subject: Recording Notification
To:

(This is an automatically generated email. Do not respond to this email.)

RECORDING NOTICE

A property transfer was recorded for the following property:

County: Kenosha
Municipality: RANDALL, TOWN OF; WHEATLAND, TOWN OF
Parcel(s): 60-4-119-182-0170; 95-4-119-073-0745
Property location: 40219 85th St.; 40219 85th St.

To view the real estate transfer return online go to <https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need to know the receipt number, the total value of the real estate transferred, and the last name of one grantor or grantee.

If you have questions about the real estate transfer return or income tax responsibilities, visit the Real Estate Transfer Web Site (<http://www.revenue.wi.gov/ust/retn.html>). If you have questions regarding the recording of documents contact your County Register of Deeds (see <http://www.wrdaonline.org/Index.htm>).

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between Robert E. Wartan and Jeanine K. Wartan, husband and wife as joint tenants

("Grantor," whether one or more), and KJRP Revocable Trust

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Kenosha County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A"

Recording Area

Name and Return Address

Keating Law, LLC
PO Box 924
Twin Lakes, WI 53181

DOCUMENT
1799204
RECORDED
At Kenosha County, Kenosha WI 53140
JoEllyn M. Storz, Register of Deeds
July 05, 2017 11:03 AM
Trans Fee \$3,300.00
Page 2

60-4-119-182-0170 & 95-4-119-073-0745

Parcel Identification Number (PIN)

This is not homestead property
(is) (is not)

TRANSFER FEE
\$ 3300.00

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: **municipal and zoning ordinances and agreements, recorded easements, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants and general taxes levied in the year of closing.**

Dated June 09, 2017

Robert E. Wartan

(SEAL)

* Robert E. Wartan

(SEAL)

*

Jeanine K. Wartan

(SEAL)

* Jeanine K. Wartan

(SEAL)

*

AUTHENTICATION
Signature(s) Robert E. Wartan
Jeanine K. Wartan

authenticated on

Colleen E. Keating #10710874

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

ACKNOWLEDGMENT
STATE OF WISCONSIN)

) ss.

_____ COUNTY)

Personally came before me on _____,
the above-named _____

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

* _____

Notary Public, State of _____

My commission (is permanent) (expires: _____)

THIS INSTRUMENT DRAFTED BY:
Atty. Colleen Keating, Keating Law, LLC
262-877-2600

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 1-2003

*Type name below signatures

INFO-PRO™ Legal Forms • (800)655-2021 • info@proforms.com

EXHIBIT "A"

LEGAL DESCRIPTION

LOT 2 OF CERTIFIED SURVEY NO. 47 AS RECORDED AS DOCUMENT NO. 549892 IN THE OFFICE OF THE REGISTER OF DEEDS OF KENOSHA COUNTY, WISCONSIN, EXCEPTING, RESERVING AND RETAINING UNTO THE GRANTOR, ITS SUCCESSORS AND ASSIGNS A RIGHT OF WAY FOR THE PURPOSE OF INGRESS AND EGRESS FROM LOT 1 OF CERTIFIED SURVEY NO. 47 AS RECORDED AS DOCUMENT NO. 549892 IN THE OFFICE OF THE REGISTER OF DEEDS OF KENOSHA COUNTY, KENOSHA, WISCONSIN, TO THE SHORE OF POWERS LAKE, OVER THE EASEMENT AS SHOWN ON THE PLAT OF CERTIFIED SURVEY NO. 47, SAID RIGHT OF WAY EASEMENT SHALL BE LIMITED TO THE USE AND BENEFIT OF THE OWNERS OR OCCUPANTS OF LOT 1 ONLY FOR PEDESTRIAN TRAFFIC ONLY AND NO STRUCTURES SHALL BE ERECTED ON SAID EASEMENT, OTHER THAN A STAIRWAY, PIER AND BOAT SLIP, WHICH SHALL BE MAINTAINED BY THE OWNER OF LOT 1 AND THE OWNER OF LOT 1 SHALL INDEMNIFY THE OWNER OF LOT 2 AGAINST ANY AND ALL CLAIMS ARISING OUT OF THE USE OF SAID EASEMENT BY THE OWNER OF LOT 1, THE OWNER'S GUESTS, INVITEES, SERVANTS AND AGENTS, ALWAYS SUBJECT TO THE RIGHT OF THE GRANTEE, THEIR HEIRS AND ASSIGNS TO TRAVEL BY VEHICLE OR OTHERWISE OVER AND ACROSS THAT PORTION OF THE EASEMENT LOCATED BETWEEN LOT 1 AND THE WEST LINE OF LOT 2 OF CERTIFIED SURVEY NO. 47. SAID LAND BEING IN THE TOWN OF RANDALL AND THE TOWN OF WHEATLAND, COUNTY OF KENOSHA, STATE OF WISCONSIN.

(FOR CLARIFICATION PURPOSES ONLY: 40219 85TH ST. GENOA CITY, WI 53128; PIN: 60-4-119-182-0170 AND 95-4-119-073-0745)