



COUNTY OF KENOSHA

Department of Planning and Development



REZONING PROCEDURES



KENOSHA COUNTY

DEPARTMENT OF PLANNING
AND DEVELOPMENT



COUNTY OF KENOSHA

Department of Planning & Development

KENOSHA COUNTY REZONING PROCEDURES

- ☐ 1. Contact the Department of Planning & Development and check with staff to determine if your proposed zoning change meets the requirements for the Kenosha County General Zoning and Shoreland/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 Planning & Development 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 Planning & Development
 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

Randall, Town of..... 877-2165

Salem, Town of 843-2313

Utility District..... 862-2371

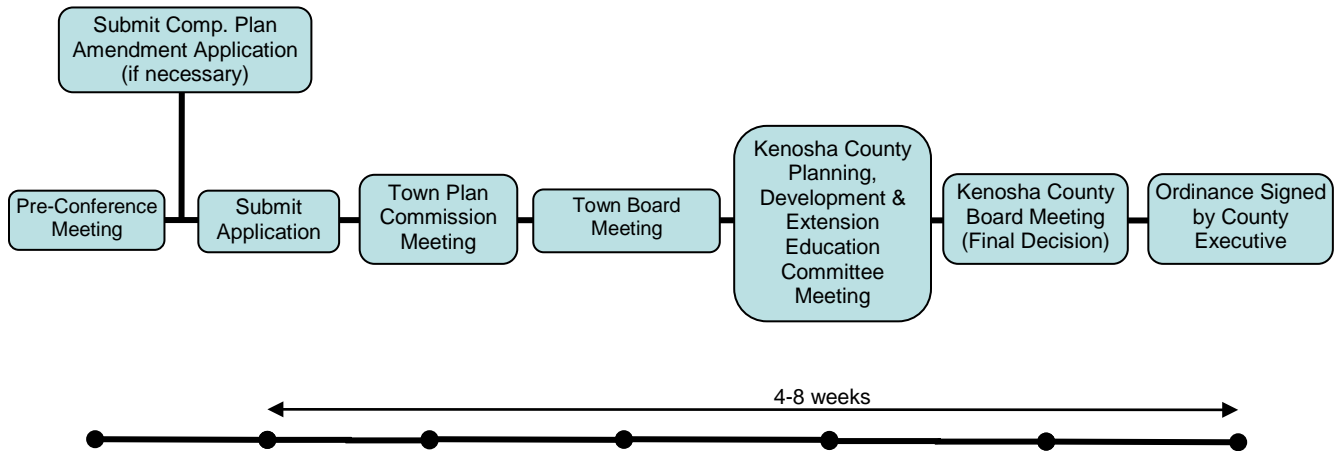
Somers Town of 859-2822

Wheatland, Town of..... 537-4340

Wisconsin Department of Natural Resources - Sturtevant Office 884-2300

Wisconsin Department of Transportation - Waukesha Office 548-8722

Rezoning Procedure Timeline



For Reference Purposes



May 2013

COUNTY OF KENOSHA

Department of Planning and Development **RECEIVED**

REZONING APPLICATION

AUG 10 2017

(a) Property Owner's Name:

Kenosha County
Deputy County Clerk

Neuendank Brighton Land Trust

Print Name: Kenneth Neuendank Signature: _____

Mailing Address: 9000 Murphy Lane

City: Skokie State: IL Zip: 60076

Phone Number: 847-346-3741 E-mail (optional): Kenneth.Neuendank@comcast.com

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: Robert J. Morrone Signature: _____

Business Name: Huxhold Builders, LLC

Mailing Address: 5300 Green Bay Road

City: Kenosha State: WI Zip: 53144

Phone Number: 262-657-7330 E-mail (optional): bob@primerealtywi.com

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

30-4-220-273-0301 _____

Property Address of property to be rezoned:

4323 Salem Road

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

To subdivide property into two parcels.

REZONING APPLICATION

(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
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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	

REZONING APPLICATION

(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](#)".

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

AMENDMENT IS PENDING

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.

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

Supervisory District Number: _____ County Board Supervisor: _____

(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



SUBJECT PROPERTY



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.



ZONING DATA LAYERS

- ZONING DISTRICT BOUNDARIES
- SHORELAND DISTRICT BOUNDARIES
- FLOODPLAIN DISTRICT BOUNDARIES

Kenosha County



2010 WI DNR WETLAND INVENTORY MAP



1 inch = 200 feet

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Kenosha County



PROPOSED LAND DIVISION






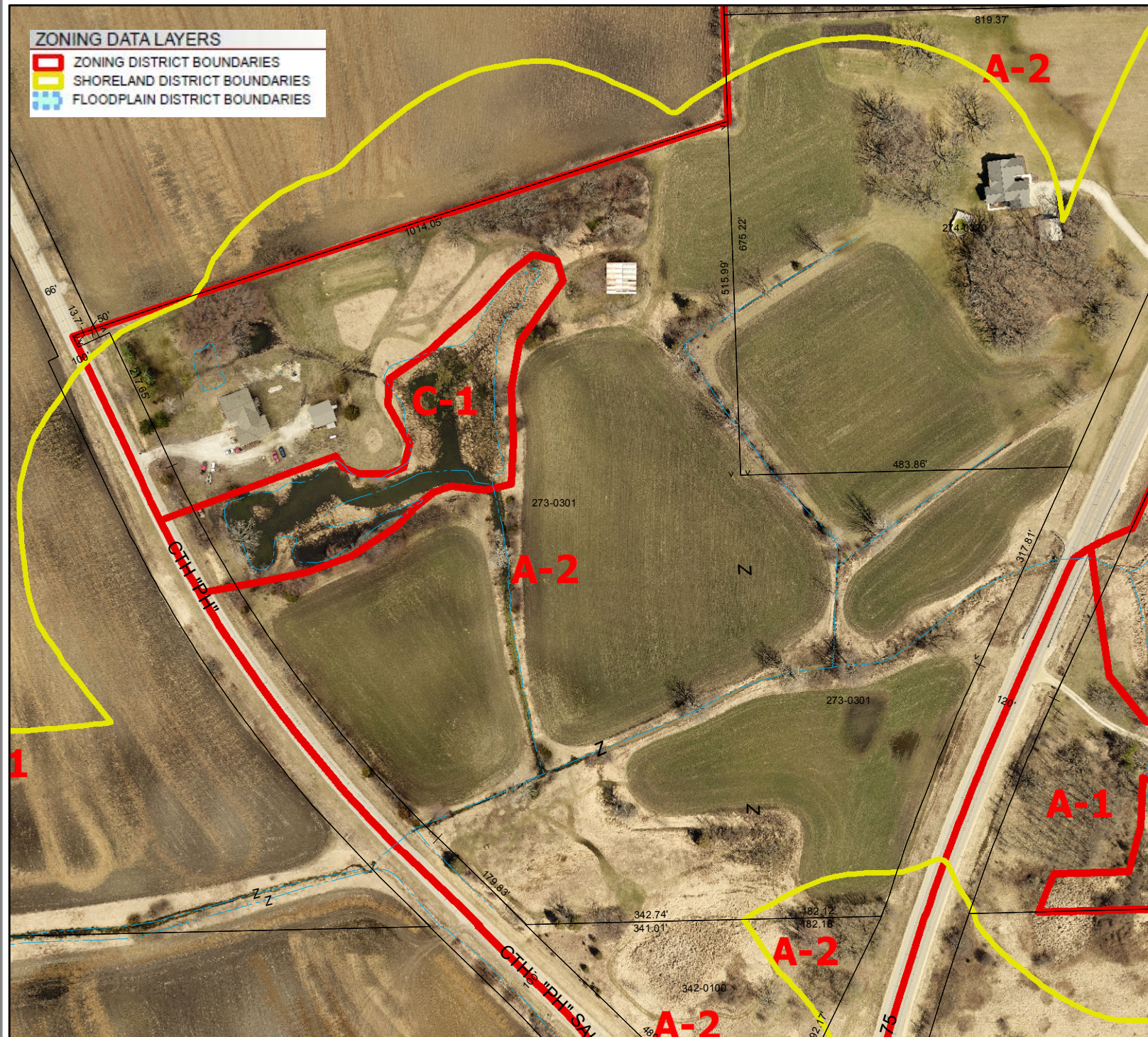
1 inch = 200 feet

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ZONING DATA LAYERS

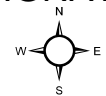
-  ZONING DISTRICT BOUNDARIES
-  SHORELAND DISTRICT BOUNDARIES
-  FLOODPLAIN DISTRICT BOUNDARIES



Kenosha County



EXISTING ZONING DESIGNATIONS



1 inch = 200 feet

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Kenosha County

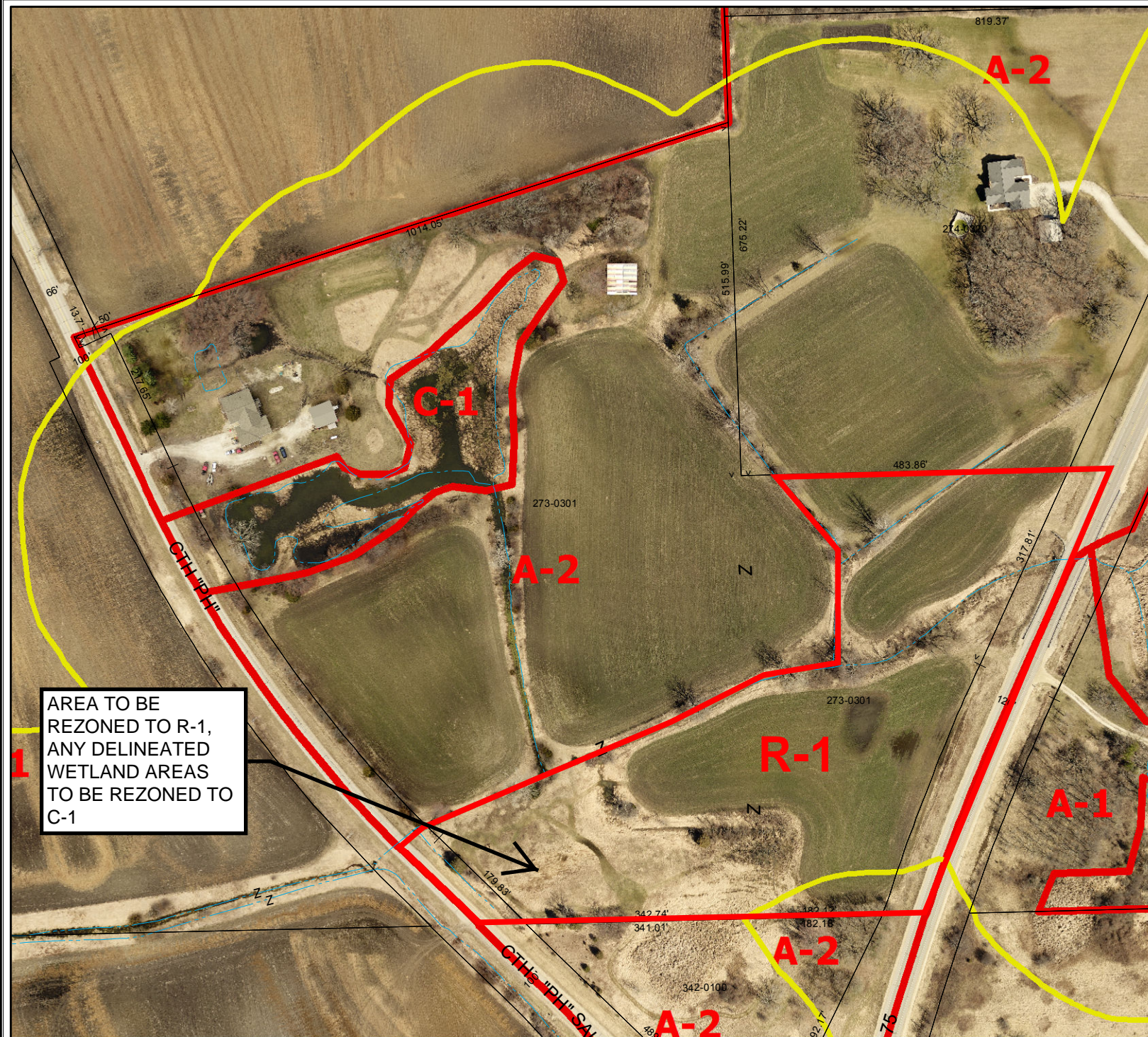


PROPOSED ZONING DESIGNATIONS



1 inch = 200 feet

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AREA TO BE
REZONED TO R-1,
ANY DELINEATED
WETLAND AREAS
TO BE REZONED TO
C-1



COUNTY OF KENOSHA

Department of Planning and Development

19600 - 75th Street, Suite 185-3
Bristol, Wisconsin 53104-9772
Telephone: (262) 857-1895
Facsimile: (262) 857-1920

Page 1 of 2

APPLICATION FOR SOIL TEST REVIEW **FOR PROPOSED CERTIFIED SURVEY MAPS AND SUBDIVISIONS** **TO BE SERVED BY PRIVATE ON-SITE WASTEWATER TREATMENT** **SYSTEMS**

Pursuant to Chapter 15 of the Kenosha County Municipal Code all lots and parcels of land being subdivided in the manner of Certified Survey Maps and Subdivision Plats shall have soil and site evaluations conducted to determine soil suitability for each proposed parcel. Submittal of soil information shall be done at the time of or prior to applying for review of the proposed land divisions by the Kenosha County Department of Planning and Development, Division of County Development. Please complete the applicant information below and include the required review fees. All checks shall be made payable to "Kenosha County Planning and Development."

Owner: _____ Agent: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

Parcel Number of Property Being Divided: _____

Proposed Project _____

1. Number of lots/parcels being created (Do not include outlots or the remnant parcel unless it is 35 acres or less) _____.
2. Review Fee = Number from above x \$75 _____.
3. Does the original parcel have any existing dwellings or buildings served by private on-site wastewater treatment (septic) systems? Yes _____ No _____.
4. Are these systems older than July 1, 1980? Yes _____ No _____.
5. If you answered **yes** to questions 3 and 4, this existing septic system must go through an evaluation to determine compliance with SPS 383.32 of the Wisconsin Administrative Code or may need to replace the existing system with a code compliant one as part of this land division procedure. The Sanitary Permit for the replacement system must be issued prior to applying for approval of the Land Division with this Department.
6. Certified Survey Maps (CSMs) must have complete soil and site evaluations for all proposed lots including any remnant parcel 35 acres or less. For CSMs involving structures served by private sewage systems the existing system and all treatment tanks shall be located and shown on the survey and must be evaluated for compliance with SPS 383.32, Wisconsin Administrative Code. Existing systems older than July 1, 1980 and in suitable soils shall be required to have a soil and site evaluation conducted to establish a replacement area for a future private sewage system. This area designated for a future system shall be shown on the survey and must meet all setback requirements and be within the boundaries of the newly proposed parcel.

**EVALUATION OF THE EXISTING POWTS SERVING
RESIDENCE (SANT12-00009) WAS WAIVED BY
ALEX PRIESGEN IN A 04-21-2016 E-MAIL FROM
ALEX PRIESGEN TO BEN FIEBELKORN**

7. Preliminary plats must follow the soil and site evaluation requirements as stated in Chapter 15.07 of the Kenosha County Sanitary Code and Private Sewage System Ordinance. Final plats on clayey glacial till soils will be required to have complete soil tests conducted and have the soil boring locations on the plat.
8. For further information and details of these procedures you may contact an environmental sanitarian in the Department of Planning and Development or at 262/857-1895.

FOR OFFICE USE ONLY

Soil and Site Evaluations received on _____

Proposed land divisions will be scheduled for hearing with the Land Use Committee on _____

Comments _____

Soil and Site Evaluations have been reviewed and are compliant with Chapter 15.07 and SPS 385

County Sanitarian _____ Date _____



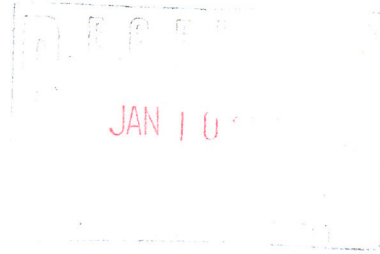
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Sturtevant Service Center
9531 Rayne Rd Ste 4
Sturtevant, Wisconsin 53177
Telephone 262-884-2300
FAX 262-884-2307
TTY 262-884-2304

January 8, 2008

Mike Culat
532 W. Lake St.
Antioch, IL 60002



Dear Mr. Culat:

This letter is to inform you that per your request on January 8, 2008 the Department completed a navigability determination for three ditches which are tributary to Peterson Creek. The property can be described as being located at tax parcel number 30-4-220-273-0300. The property can also be described as being located in the S ½ of Section 27 T2N R20E in the Town of Brighton, Kenosha County. The state defines a waterway as navigable if it has a defined bed and banks, and can float a small watercraft on a regularly recurring basis. There were a number of ditches I invested as potential navigable waterways. On an attached aerial photo I have highlighted the waterways the location of the waterways.

It appears that most of the ditches were historically dug to facilitate agricultural drainage. The USDA topographic maps, Wisconsin Wetland Inventory and the Soil Survey for Racine and Kenosha County indicate the presence of an intermittent waterway and wetlands. While out on site the Department was able to locate the intermittent waterway and all of the tributary ditches on the property. On the attached map I have highlighted in orange three ditches that do not have a defined bed and banks and an ordinary high watermark. There were trees growing up in these ditches and it appears that they carry water mainly after storm events. The other two waterways on the property would appear to meet the definition of navigable as they maintain a defined bed and bank and an ordinary high water mark.

The Department has evaluated the characteristics found during our site investigation and have reviewed topographic maps and aerial photos of this waterway to determine navigability. In consideration of these factors the Department has determined that the waterways highlighted in orange are not navigable and would not be regulated under Ch. 30 Wis. Stats. The other two waterways highlighted in blue do meet the definition of a navigable waterway and would be regulated under Ch. 30 Wis. Stats.

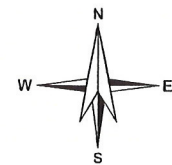
If you have any questions feel free to contact me at 262-884-2355 or heidi.hopkins@Wisconsin.gov.

Sincerely,

Heidi Hopkins
Water Management Specialist

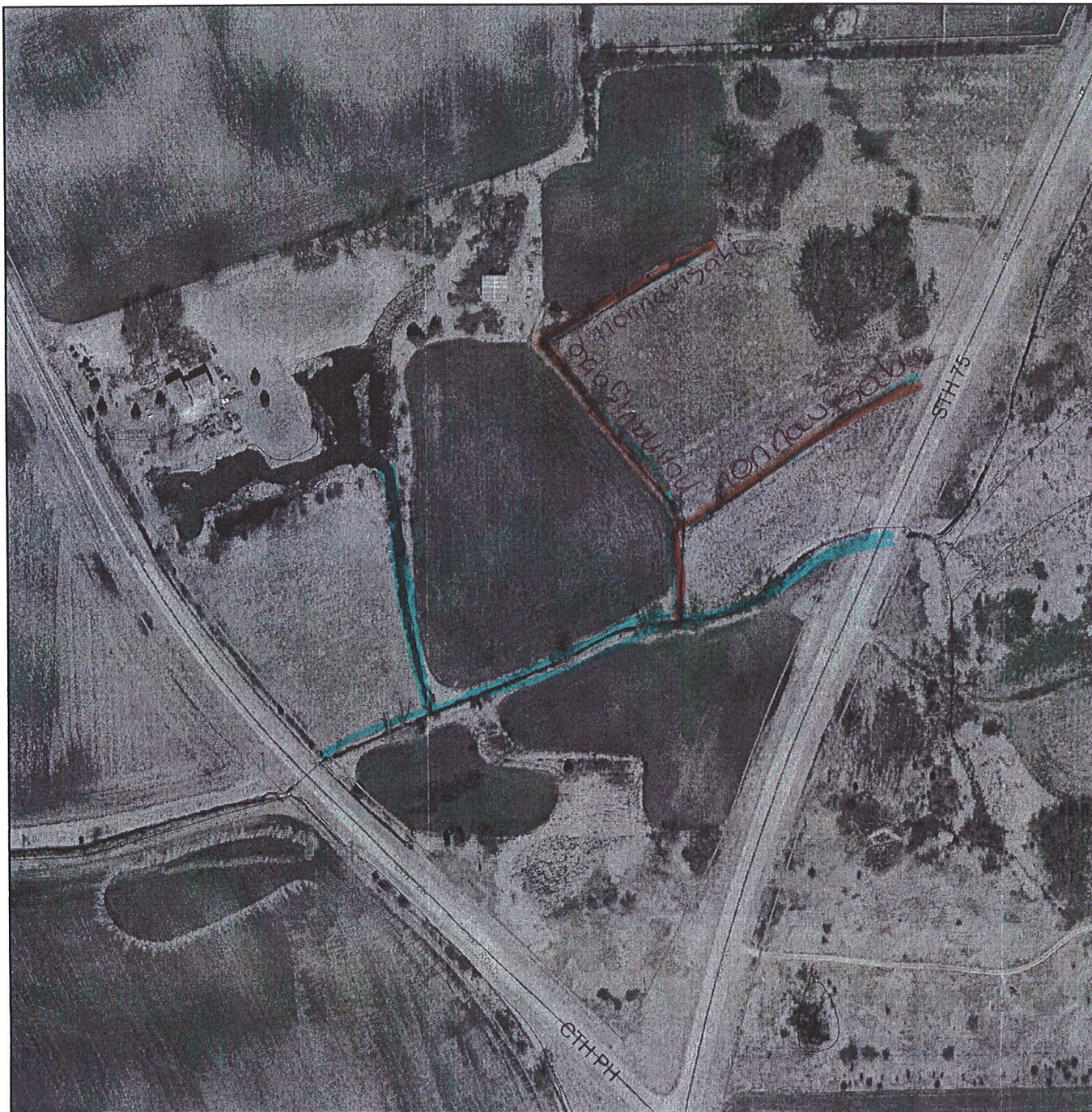
CC: Dale Pfeifle, ACOE
Town of Brighton
Kenosha County

Kenosha County



1 inch equals 250 feet
Map Printed 1/8/2008

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Source: Kenosha County Department of Planning & Development

PARCEL 1:
Part of the Southwest ¼ and the Southeast ¼ of Section 27, Township 2 North, Range 20 East, in the Town of Brighton, Kenosha County, Wisconsin; bounded as follows: Begin at a point on the North-South ¼ line of said Section 27 located N02°07'34"W 652.30 feet from the South ¼ corner of said Section; run thence S40°48'31"E 211.66 feet; thence S00°00'00"E 95.66 feet; thence S66°37'40"W 659.00 feet to the East right-of-way of CTH PH and a point on a curve of Westerly convexity whose radius is 1839.27 feet and whose chord bears N35°39'21"W 646.92 feet; thence Northerly along the arc of said curve and said right-of-way 650.30 feet; thence N23°28'22"W 218.90 feet along said right-of-way; thence S64°23'48"W 50.98 feet; thence N25°03'34"W 13.70 feet; thence N71°50'13"E 34.68 feet; thence N71°50'13"E 979.37 feet to the North-South ¼ line of said Section 27; thence S02°07'34"E 515.98 feet along said North-South ¼ line to the point of beginning. Containing 15.171 acres.

PARCEL 2:
Part of the Southwest ¼ and the Southeast ¼ of Section 27, Township 2 North, Range 20 East, in the Town of Brighton, Kenosha County, Wisconsin; bounded as follows: Begin at the South 1/4 corner of said Section 27; run thence S88°45'35"W 341.11 feet along the South line of said Southwest ¼ to the East right-of-way of CTH PH; thence N46°35'08"W 180.64 feet along said right-of-way to the point of a curvature of a curve of Westerly convexity whose radius is 1839.27 feet and whose chord bears N46°10'50"W 25.40 feet; thence Northerly along the arc of said curve and said right-of-way 25.71 feet; thence N66°37'40"E 659.00 feet; thence N00°00'00"W 95.66 feet; thence N40°48'31"W 211.66 feet to the North-South ¼ line of said Section 27; thence N88°32'14"E 483.86 feet to the West right-of-way of 252nd Avenue (STH 75); thence S24°25'36"W 317.81 feet along said right-of-way to the point of a curvature of a curve of Westerly convexity whose radius is 4039.51 feet and whose chord bears S21°36'11"W 397.98 feet; thence Southerly along the arc of said curve and said right-of-way 398.16 feet to the South line of said Southeast ¼; thence S88°28'55"W 181.62 feet along the South line of said Southeast ¼ to the point of beginning. Containing 6.740 acres.

Mark R. Madsen
August 4, 2017



BEARING BASE: GRID NORTH, WISCONSIN
COORDINATE SYSTEM, SOUTH ZONE.
BASED UPON NAD 1927.

LEGEND:

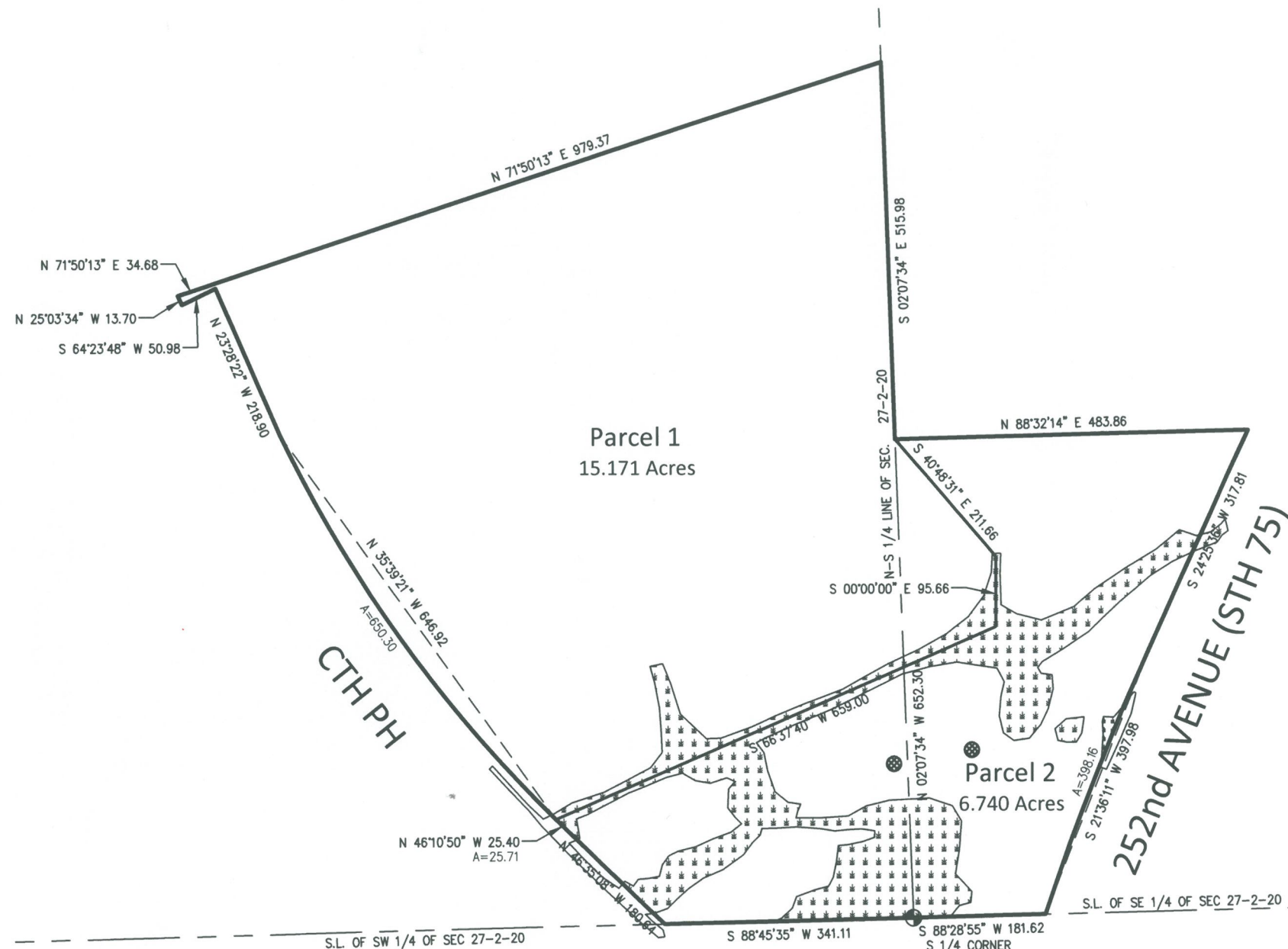
 SOIL BORING BY ASSOCIATES SEPTIC SERVICES

 WETLAND



Nielsen Madsen + Barber

CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbc.net



Scale: 1" = 200'
Drawn By: SCB
DATE: 8-4-2017
2017.0094.01
Parcel Exhibit

Huxhold Builders
Brighton, Wisconsin

PARCEL 2:

Part of the Southwest ¼ and the Southeast ¼ of Section 27, Township 2 North, Range 20 East, in the Town of Brighton, Kenosha County, Wisconsin; bounded as follows: Begin at the South 1/4 corner of said Section 27; run thence S88°45'35"W 341.11 feet along the South line of said Southwest ¼ to the East right-of-way of CTH PH; thence N46°35'08"W 180.64 feet along said right-of-way to the point of a curvature of a curve of Westerly convexity whose radius is 1839.27 feet and whose chord bears N46°10'50"W 25.40 feet; thence Northerly along the arc of said curve and said right-of-way 25.71 feet; thence N66°37'40"E 659.00 feet; thence N00°00'00"W 95.66 feet; thence N40°48'31"W 211.66 feet to the North-South ¼ line of said Section 27; thence N88°32'14"E 483.86 feet to the West right-of-way of 252nd Avenue (STH 75); thence S24°25'36"W 317.81 feet along said right-of-way to the point of a curvature of a curve of Westerly convexity whose radius is 4039.51 feet and whose chord bears S21°36'11"W 397.98 feet; thence Southerly along the arc of said curve and said right-of-way 398.16 feet to the South line of said Southeast ¼; thence S88°28'55"W 181.62 feet along the South line of said Southeast ¼ to the point of beginning. Containing 6.740 acres.

Mark R. Madsen
August 4, 2017



BEARING BASE: GRID NORTH, WISCONSIN
COORDINATE SYSTEM, SOUTH ZONE.
BASED UPON NAD 1927.

LEGEND:

⊗ SOIL BORING BY ASSOCIATES SEPTIC SERVICES

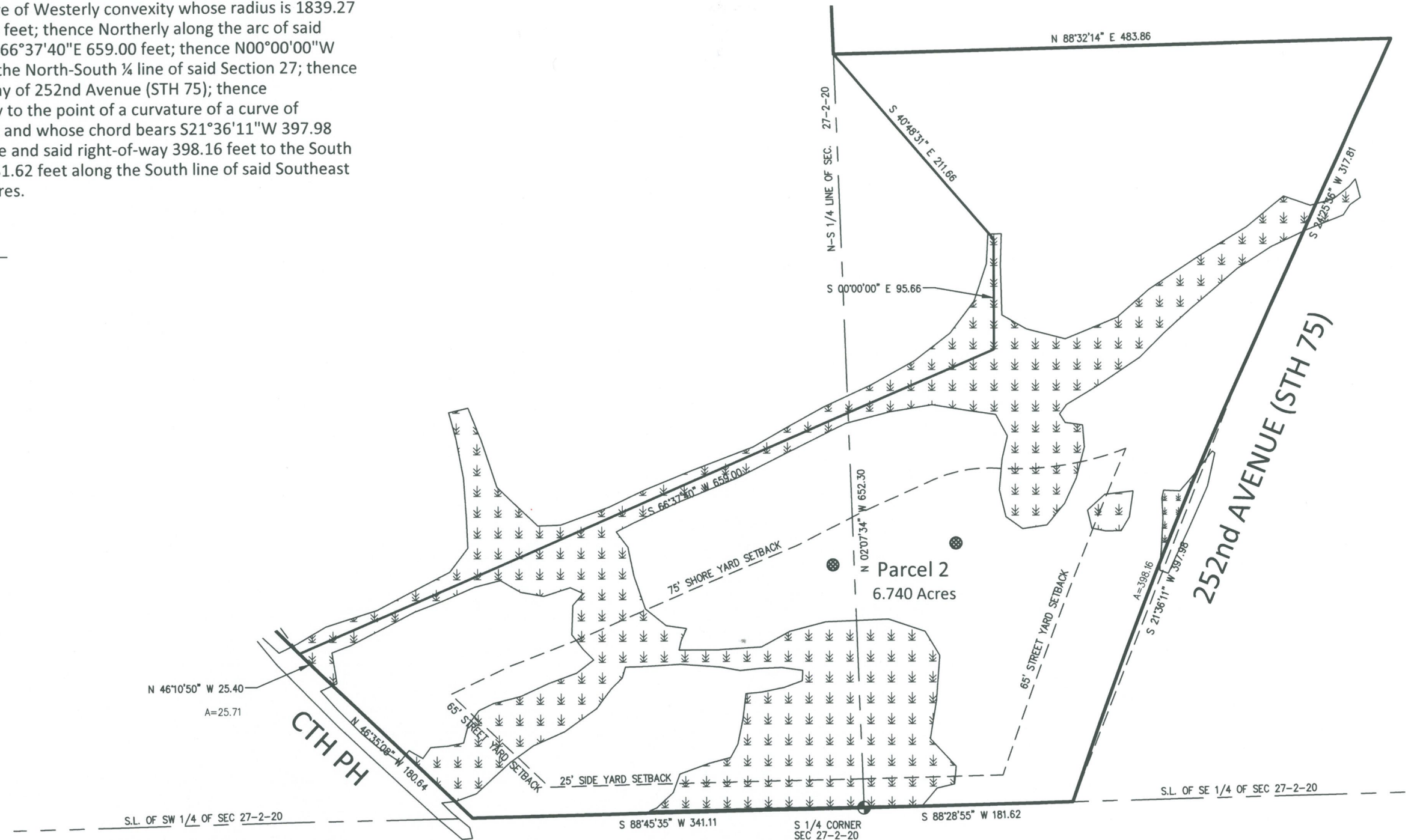
*** WETLAND



Nielsen Madsen + Barber

CIVIL ENGINEERS AND LAND SURVEYORS

1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbasc.net



Scale: 1" = 100'

Drawn By: SCB

DATE: 8-3-2017

2017.0094.01

Parcel 2 Exhibit

Huxhold Builders
Brighton, Wisconsin