

**MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, May 10, 2017**

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, May 10, 2017 at 6:00 p.m. in the Kenosha County Center Public Hearing Room, 19600 -75th Street, Bristol, Wisconsin.

Members Present: Supervisors Erin Decker, Michael Skalitzky, and Jill Gillmore

Members Excused: Supervisors John Poole and Steve Bostrom

Youth In Governance Representatives Absent: Felix Desimoni and Mikelle Miles

Also in Attendance for the public hearings on land use items:

Andy M. Buehler, Director, Division of Planning and Development

April A. Webb, Senior Administrative Assistant

The meeting was called to order at 6:00 p.m. by Chairman Decker.

Chairman Decker called for introductions of committee members and staff.

Chairman Decker noted that there were no UW Extension items for the agenda this evening.

1. **Certification of Compliance with Wisconsin Open Meetings Law:** The committee certified that all requirements of the Wisconsin Open Meetings Law had been met
2. **Richard J. Schaefer Revocable Trust**, 15509 12th St., Kenosha, WI 53144 (Owner), **Amanda Arizmendi**, 15509 12th St., Kenosha, WI 53144 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" to "Farmland Protection" & "Suburban-Density Residential" on Tax Parcel #45-4-221-142-0200 located in the NW ¼ of Section 14, T2N, R21E, Town of **Paris (7:19)**

Amanda Arizmendi was in attendance to speak to this item.

Division Director Buehler noted that a portion of this property is in the extraterritorial plat jurisdiction of the City of Kenosha and that the City will review this application Monday, May 15, 2017. Staff expects that the City will recommend approval, however since they will meet after the County PDEEC, if the PDEEC were to approve the application this evening, they may wish to approve the project provisionally pending the City's favorable recommendation.

- Supervisor Skalitzky made a motion to **approve** provisionally that the City of Kenosha recommend approval of the proposal and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment for Schaefer/Arizmendi. The motion was seconded by Supervisor Gillmore and passed on the following roll call vote: Skalitzky – aye; Gillmore – aye; Decker – aye.

3. **Richard J. Schaefer Revocable Trust**, 15509 12th St., Kenosha, WI 53144 (Owner), **Amanda Arizmendi**, 15509 12th St., Kenosha, WI 53144 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist. & R-2 Suburban Single-Family Residential Dist. on Tax Parcel #45-4-221-142-0200 located in the NW ¼ of Section 14, T2N, R21E, Town of **Paris (19:17)**

Amanda Arizmendi was in attendance to speak to this item.

Again, Division Director Buehler noted that a portion of this property is in the extraterritorial plat jurisdiction of the City of Kenosha and that the City will review this application Monday, May 15, 2017. Staff expects that the City will recommend approval, however since they will meet after the County PDEEC, if the PDEEC were to approve the application this evening, they may wish to approve the project provisionally pending the City's favorable recommendation.

- Supervisor Gillmore made a motion to **approve** provisionally that the City of Kenosha recommend approval of the proposal and recommend to the Kenosha County Board of Supervisors the rezoning request of Schaefer/Arizmendi. The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present.
4. **Beaver Revocable Trust**, 2511 93rd Ave, Salem, WI 53168 (Owner), **Kevin Beaver**, 2511 93rd Ave, Salem, WI 53168 (Owner/Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" to "General Agricultural & Open Land", on Tax Parcel #30-4-220-213-0201 located in the SW ¼ of Section 21, T2N, R20E, Town of **Brighton (1:21)**

Kevin Beaver was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment for Beaver Revocable Trust/Kevin Beaver (Agent). The motion was seconded by Supervisor Gillmore and passed on the following roll call vote: Skalitzky – aye; Gillmore – aye; Decker – aye.
5. **Beaver Revocable Trust**, 2511 93rd Ave, Salem, WI 53168 (Owner), **Kevin Beaver**, 2511 93rd Ave, Salem, WI 53168 (Owner/Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. to A-2 General Agricultural Dist. on Tax Parcel #30-4-220-213-0201 located in the SW ¼ of Section 21, T2N, R20E, Town of **Brighton (4:03)**

Kevin Beaver was in attendance to speak to this item.

- Supervisor Gillmore made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Beaver Revocable Trust/Kevin Beaver (Agent). The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present.

6. **Karen R. Edenhofer**, 24920 60th St., Salem, WI 53168-9656 (Owner), **Carl R. Edenhofer, Jr.**, 2511 93rd Ave, Salem, WI 53168 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" & "PEC" to "General Agricultural & Open Land" & "PEC", on Tax Parcel # 30-4-220-344-0501 located in the SE ¼ of Section 34, T2N, R20E, Town of **Brighton (21:53)**

Carl Edenhofer was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment for Karen Edenhofer (Owner)/Carl Edenhofer, Jr. (Agent). The motion was seconded by Supervisor Gillmore and passed on the following roll call vote: Skalitzky – aye; Gillmore – aye; Decker – aye.

7. **Karen R. Edenhofer**, 24920 60th St., Salem, WI 53168-9656 (Owner), **Carl R. Edenhofer, Jr.**, 2511 93rd Ave, Salem, WI 53168 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & C-1 Lowland Resource Conservancy Dist. to A-2 General Agricultural Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel # 30-4-220-344-0501 located in the SE ¼ of Section 34, T2N, R20E, Town of **Brighton (25:54)**

Car Edenhofer was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Karen Edenhofer (Owner)/Carl Edenhofer, Jr. (Agent). The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present.

8. **George Roberto, Roberto Trust**, 24820 60th St., Salem, WI 53168 (Owner), **Carl R. Edenhofer, Jr.**, 2511 93rd Ave, Salem, WI 53168 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" & "PEC" to "Rural Density Residential" & "PEC", on Tax Parcel # 30-4-220-344-0510 located in the SE ¼ of Section 34, T2N, R20E, Town of **Brighton (27:35)**

Carl Edenhofer was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment for Roberto/Edenhofer. The motion was seconded by Supervisor Gillmore and passed on the following roll call vote: Skalitzky – aye; Gillmore – aye; Decker – aye.

9. **George Roberto, Roberto Trust**, 24820 60th St., Salem, WI 53168 (Owner), **Carl R. Edenhofer, Jr.**, 2511 93rd Ave, Salem, WI 53168 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & C-1 Lowland Resource Conservancy Dist. to R-1 Rural Residential Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel # 30-4-220-344-0510 located in the SE ¼ of Section 34, T2N, R20E, Town of **Brighton** **(29:58)**

Carl Edenhofer was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Roberto/Edenhofer. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present.
10. **Review and Possible Approval - Resolution** – To Appoint David DeVito to the Kenosha County Zoning Board of Adjustments **(31:32)**

Division Director Buehler presented this item.

- Supervisor Gilmore made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Roberto/Edenhofer. The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present.
11. **CERTIFIED SURVEYS AND OTHER LAND DIVISIONS** **(32:42)**

- Supervisor Gillmore made a motion to **approve** the following certified survey, provisionally that the City of Kenosha recommend approval of the proposal and subject to conditions. The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present.

Richard J Schaefer Schaefer Trust Revocable Trust (Owner), Amanda Arizmendi (Agent) – Part of the Northwest Quarter of Section 14, Township 2 North, Range 21 East, Town of Paris. For informational purposes only this parcel is located on the south side of CTH “E” (12th Street), approximately 1.25 miles east of CTH “D” (172nd Avenue).

Requesting approval of a Certified Survey Map (undated draft by John A. Ryan of Ambit Land Surveying) to create one (1) 2.58-acre parcel and one (1) 37.2-acre parcel from Tax Parcel #45-4-221-142-0200.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Paris.
- b) Subject to receiving extraterritorial plat review approval from the City of Kenosha.

- c) Subject to revising the CSM to address the review comments from the Wisconsin Department of Administration's April 4, 2017 review letter.
- d) Subject to making the following revisions to the CSM:
 - 1. Add a signature area for City of Kenosha Common Council approval (exact verbiage to be verified with the City of Kenosha).
 - 2. Label the south 33 feet of right of way along County Trunk Highway "E" (12th Street) as "Dedicated to the Public for Public Road Purposes".
 - 3. Add the recorded shared driveway easement to the CSM.
 - 4. Add a note: "Any proposed new driveways or driveway modifications shall be subject to review and approval by Kenosha County Division of Highways".
- e) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.
- f) Subject to the rezoning being approved from "A-1 Agricultural Preservation District" to "A-1 Agricultural Preservation District" & "R-2 Suburban Single-Family Residential District".
- g) The certified survey map shall not be released for recording until the rezoning ordinance is signed by the County Executive.
- h) Subject to sending an electronic copy of the revised CSM showing the required revisions to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: Luke.Godshall@kenoshacounty.org.
- i) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.

- j) Subject to receiving the original certified survey as approved by the Town of Paris and City of Kenosha.
- k) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

➤ Supervisor Skalitzky made a motion to **approve** the following certified survey subject to conditions. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present.

Beaver Revocable Trust (Owner), Kevin Beaver, (Owner/Agent) – Part of the Southwest Quarter of Section 21, Township 2 North, Range 20 East, Town of Brighton. For informational purposes only this parcel is located on the east side of 280th Avenue, approximately 0.25 miles north of CTH "JB" (31st Street).

Requesting approval of a Certified Survey Map (dated March 20, 2017 by Robert J. Wetzel of B.W. Surveying, Inc.) to create one (1) 10.79-acre parcel and one (1) 28.00-acre parcel from Tax Parcel #30-4-220-213-0201.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Brighton.
- b) Subject to making the following revisions to the CSM:
 - 1. Add note: "Lots 1 and 2 are zoned A-2 General Agricultural District"
 - 2. Add and label the Shoreland boundary at the southeast portion of Lot 2.
 - 3. On Sheet 3 of 3, replace "Douglas Noble, Chairman" with "Erin Decker, Chairperson".
- c) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any

desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.

- d) Subject to the rezoning being approved from "A-1 Agricultural Preservation District" to "A-2 General Agricultural District".
- e) The certified survey map shall not be released for recording until the rezoning ordinance is signed by the County Executive.
- f) Subject to sending an electronic copy of the revised CSM showing the required revisions to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: Luke.Godshall@kenoshacounty.org.
- g) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
- h) Subject to receiving the original certified survey as approved by the Town of Brighton.
- i) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

12. **APPROVAL OF MINUTES - APPROVED**

- Supervisor Skalitzky made a motion to approve the minutes as presented of the April 12, 2017 Planning, Development and Extension Education Committee meeting. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present.

13. **CITIZEN COMMENTS - NONE**

14. **ANY OTHER BUSINESS ALLOWED BY LAW**

Division Director Buehler noted that the November PDEEC meeting may need to be rescheduled because it may be on a date for the County Board review of the 2018 Budget. This will be discussed again once the budget schedule has been distributed with confirmed deadlines.

Mr. Buehler also noted that there were possibly four items (two applicants) for the June 14, 2017 PDEEC agenda.

15. **ADJOURNMENT**

- Supervisor Skalitzky made a motion to adjourn the meeting. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. The meeting was adjourned at 6:40p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, June 14, 2017.