



Zoning Board of Adjustment Agenda
Kenosha County Center, Conference Room A
May 20, 2021

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment Committee on **Thursday, May 20, 2021 at 6:00 p.m.** at the Kenosha County Center Conference Room A, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. ACTION 50 LLC - TEMPORARY USE PERMIT APPLICATION - TOWN OF WHEATLAND

ACTION 50 LLC, 420 W Westleigh Rd., Lake Forest, IL 53105 (Owner), Dustin Hein, Freedom Fireworks LLC, 319 S. Wright St., Delevan, WI 53115 (Agent), requesting approval of a temporary use (Section III. S. 12.18.7-4: which states that it shall be unlawful to proceed with the operation, construction, installation, enlargement or alteration of a temporary use, as defined in this ordinance, without first obtaining approval from the Kenosha County Board of Adjustments) to temporarily use an existing parking lot for the placement of a 30' x 90' sales tent, a 8' x 40' metal storage container and multiple signs to operate a temporary fireworks sales stand in the B-3 Highway Business Dist. on Tax Parcel #95-4-219-323-0305, Town of Wheatland.

Documents:

[SUBMITTED APPLICATION.PDF](#)
[EXHIBIT MAP.PDF](#)

2. CITIZEN COMMENTS

3. APPROVAL OF MINUTES

4. OTHER BUSINESS ALLOWED BY LAW

5. ADJOURNMENT

NOTICE TO PETITIONERS

The petitioners: Action 50 LLC shall be present at the hearing on Thursday, May 20, 2021 at 6:00 p.m. at the Kenosha County Center, Conference Room A, 19600 75th Street, Bristol, Wisconsin. You should also meet with your Town Planning Commission and/or Town Board before the date of this hearing. Petitioners in the Town of Somers will meet with the Town Board of Appeals.

NOTICE TO TOWNS

The Town of Wheatland is requested to be represented at the hearing on Thursday, May 20, 2021 at 6:00 p.m. at the Kenosha County Center, Conference Room A, 19600 75th Street, Bristol, Wisconsin. You are requested to either attend or send in your recommendation to the Board.



COUNTY OF KENOSHA

January 2013

Department of Public Works & Development Services

TEMPORARY USE APPLICATION

Owner: ACTION 50 LLC

Mailing Address: 420 W. WESTLEIGH RD
LAKE FOREST, IL 60045

Phone Number(s): 630-362-9924

RECEIVED
APR 20 2021
Kenosha County
Planning and Development

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: 95-4-219-323-0305 Zoning District: B-3 ☐

Property Address: 5675 392ND AVE Shoreland: No ☐

Subdivision: N/A Lot(s): N/A Block: N/A

Current Use: SMALL ENGINE SALES & REPAIR, TRAILER SALES

REQUIRED BY ORDINANCE

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

RETAIL SALES OF CONSUMER FIREWORKS AND 4TH OF JULY NOVELTIES.
PLEASE SEE ATTACHED SITE PLAN.

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.

PLEASE SEE ATTACHED

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:  JAMES M. BISSINK

Agent: DUSTIN HEIN Signature: 

Agents Address: 319 S WRIGHT ST DELAVAN, WI 53115

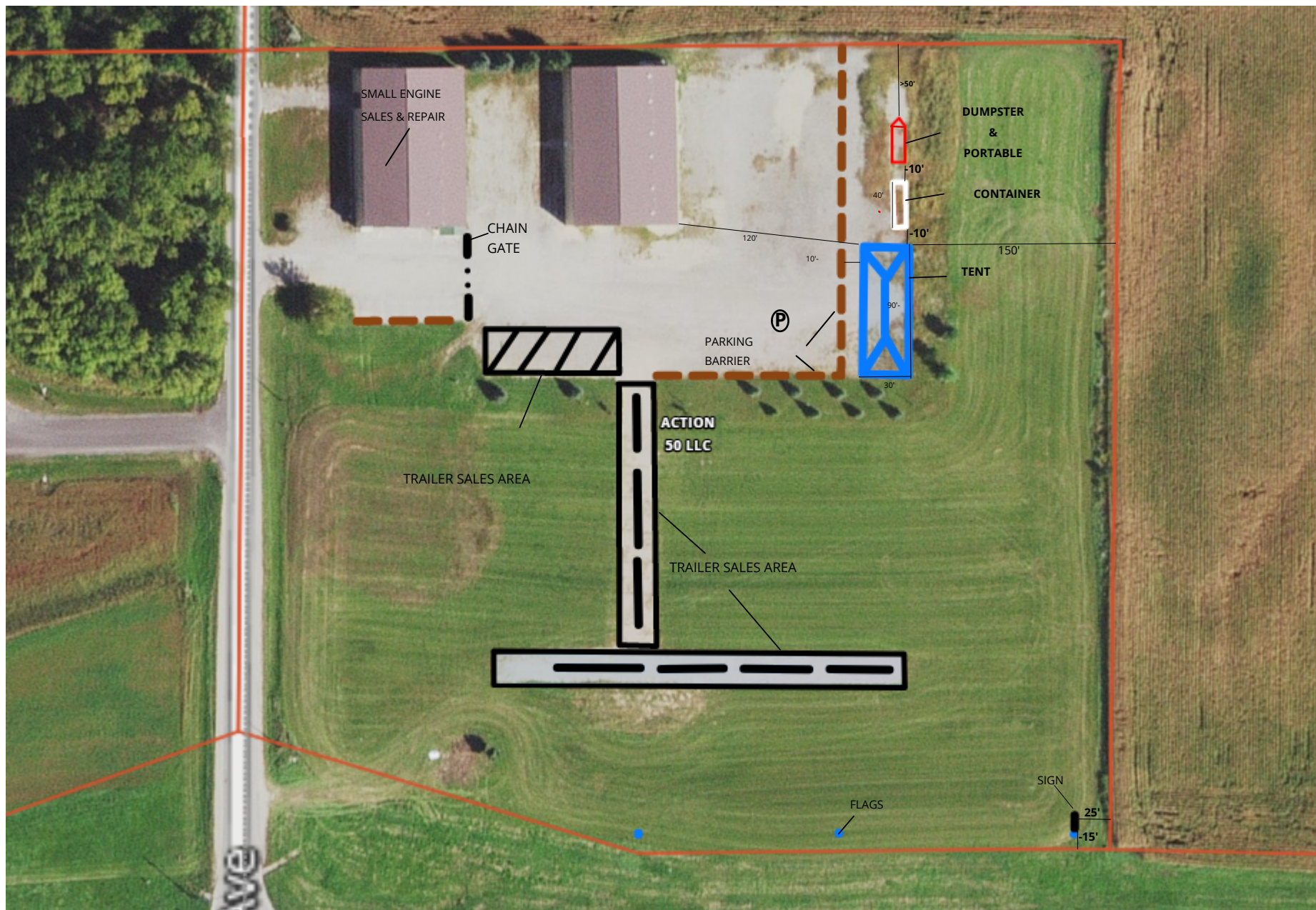
Phone Number(s): 414-531-7229

SITE PLAN NARRATIVE

- **SALES WILL START ON THE FRIDAY JUNE 18TH AND END AT JULY 5TH, 2020.**
- **HOURS OF OPERATION 9AM-9PM.**
- **TWO(2) EMPLOYEES WILL BE SCHEDULED DAILY WITH ADDITIONAL EMPLOYEES ADDED DURING PEAK DAYS. TWO(2) EMPLOYEE VEHICLES WILL BE PARKED DAILY.**
- **TYPES OF PRODUCTS SOLD: 1.4G CONSUMER FIREWORKS & 4TH OF JULY NOVELTIES.**
- **FIREWORKS WILL BE SOLD IN ACCORDANCE WITH THE LAW OF THE STATE OF WISCONSIN, STATUTE 167.10 AND THE TOWN OF WHEATLAND.**
- **PREMISES LIABILITY INSURANCE IN THE AMOUNT OF \$3,000,000 WILL BE OBTAINED WITH THE PROPERTY OWNER AND THE TOWN OF WHEATLAND AS ADDITIONAL INSURED.**
- **SALES WILL BE FROM A BLUE & WHITE, 30' X 90' FIESTA STYLE POLE TENT. TENT WILL BE RENTED FROM A WISCONSIN TENT RENTAL COMPANY AND IS MADE FROM FIRE RETARDANT MATERIAL.**
- **STORAGE WILL BE FROM A 40' X 8' X 8' (L,W,H) METAL STORAGE CONTAINER. CONTAINER WILL ALSO BE RENTED FROM LOCAL COMPANY. CONTAINER DOORS WILL BE KEPT CLOSED AND LOCKED WHEN NOT IN USE.**

- **MULTIPLE FIRE EXTINGUISHERS WILL BE NO MORE THE 35' APART IN THE SALES TENT AND ONE(1) EXTINGUISHER WILL BE AT THE ENTRANCE OF THE STORAGE CONTAINER.**
- **NO SMOKING SIGNS WITH BE CLEARLY VISIBLE TO THE PUBLIC AND NO SMOKING WILL BE ALLOWED WITHIN 50' OF THE SALES TENT AND STORAGE CONTAINER.**
- **THE TENT WITH HAVE MULTIPLE ENTRANCES AND EXITS FOR THE CUSTOMERS TO USE.**
- **TENT WILL BE 10' FROM THE STORAGE CONTAINER AND THE PARKING AREA.**
- **TENT & CONTAINER WILL BE AT LEAST 10' FROM THE GRASS LINE.**
- **DUMPSTER WILL BE RENTED FOR ANY TRASH AND CARDBOARD..**
- **TWO(2) PORTABLE RESTROOMS WILL BE RENTED FOR USE BY THE CUSTOMERS AND EMPLOYEES.**
- **ONE(1) TEMPORARY 4' X 8' SIGN WILL BE USED. PLEASE SEE MAP FOR PLACEMENT.**
- **THREE(3) 10' FLAGPOLES WILL BE LINED ALONG THE FRONTAGE OF HWY 50 AND WILL BE SET BACK 10'.**
- **TWO(2) 30' FIREWORKS SIGNS WILL BE PERMANENTLY ATTACHED TO THE TENT, ONE ON THE EAST AND ONE ON THE SOUTH SIDE OF THE TENT.**

- **PROPERTY LINE WILL BE POLICED DAILY FOR WIND BLOWN TRASH AND DEBRIS.**
- **PROPERTY WILL BE KEPT CLEAN AND ORGANISED WITH A PATRIOTIC THEME.**
- **SANITIZER WILL BE MADE AVAILABLE FOR USE BY THE CUSTOMERS AT ENTRANCES TO THE TENT. COMMONLY TOUCHED SURFACES WILL BE SANITIZED AFTER EACH USE. TOUCHLESS PAYMENT OPTIONS WILL BE AVAILABLE.**
- **EFFECTS ON PROPERTY, COMMUNITY, AND NEIGHBORHOOD:**
 - **PARKING: WITH THE LARGE DRIVING AND PARKING AREA AVAILABLE, PARKING SHOULD NOT BE AN ISSUE. WOOD TELEPHONE POLES WILL BE USED FOR A PARKING BARRIER.**
 - **DUE TO THE LARGE SIZE OF THE PROPERTY AND THE AVAILABLE SETBACK FROM 392ND AVE AND HWY50, THERE SHOULD BE MINIMAL DISTURBANCE TO THE COMMUNITY.**
 - **DUST AND MUD WILL BE CONTROLLED WITH DAILY WATERING OF THE DRIVEWAY TO PREVENT EXCESSIVE DUST CLOUDS.**
 - **PROPERTY WILL BE POLICED DAILY FOR WIND BLOWN DEBRIS.**
 - **ZONING CODE: ALL SETBACK AND HEIGHT REQUIREMENTS ARE WITHIN LIMITS.**



1"=100'



Ⓟ = PARKING

392ND AVE

C-1

B-3

Requesting temporary use to
operate a temporary fireworks
sales stand

A-2

A-2

S.T.H. "50"

R-2

B-3

I-1

1 INCH = 200 FEET

TEMPORARY USE SITE MAP

PETITIONER(S):

Action 50 LLC (Owner)

Dustin Hein, Freedom Fireworks LLC (Agent)

LOCATION: 5675 392nd Avenue,
Town of Wheatland

TAX PARCEL(S): #95-4-219-323-0305

REQUEST:

Requesting approval of a temporary use (Section III. S. 12.18.7-4: which states that It shall be unlawful to proceed with the operation, construction, installation, enlargement or alteration of a temporary use, as defined in this ordinance, without first obtaining approval from the Kenosha County Board of Adjustments) to temporarily use an existing parking lot for the placement of a 30' x 90' sales tent, a 8' x 40' metal storage container and multiple signs to operate a temporary fireworks sales stand in the B-3 Highway Business Dist.

