



COUNTY OF KENOSHA

Department of Planning & Development

KENOSHA COUNTY REZONING PROCEDURES

- ☐ 1. Contact the Department of Public Works & Development Services 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 Public Works & Development Services 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.

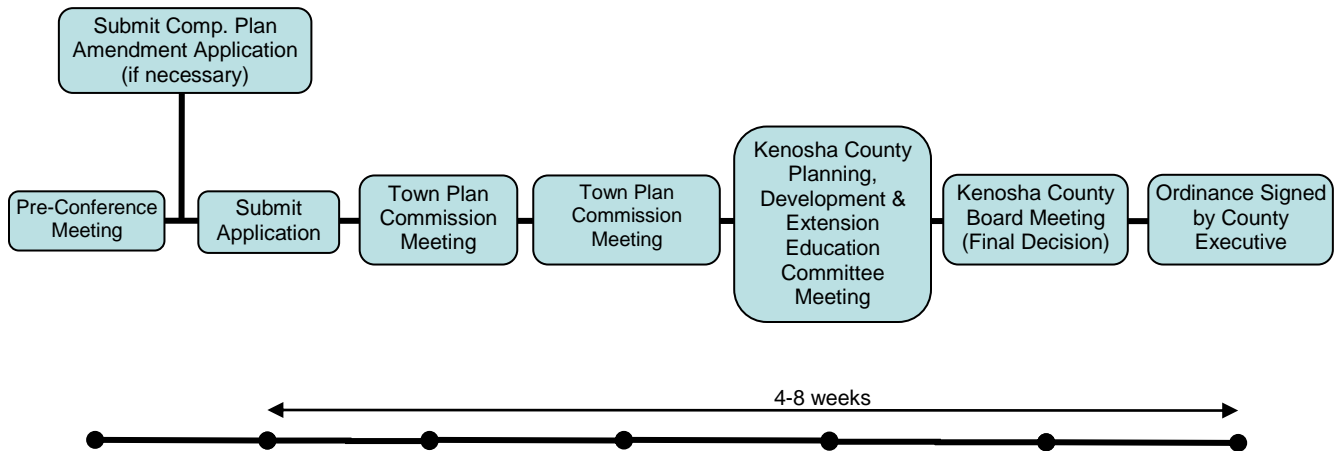
If denied by the Kenosha County Board of Supervisors you have thirty (30) days to file an appeal with circuit court if you so choose.

- ☐ 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 Public Works & Development Services	
19600 - 75 th 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



COUNTY OF KENOSHA

Department of Planning and Development

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JAN 31 2020

Kenosha County
Deputy County Clerk

REZONING APPLICATION

(a) Property Owner's Name:

HC1 LLC

Print Name: Jonah Hetland

Signature: Jonah P. H.

Mailing Address: 1551 Richmond Rd

City: Twin Lakes

State: WI

Zip: 53181

Phone Number: 262 818 8114

E-mail (optional): Jonah @ Bearreg.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: Ben Fiebelkorn

Signature: _____

Business Name: Kenosha County Planning & Development

Mailing Address: 19600 75th Street, Suite 185-3

City: Bristol

State: WI

Zip: 53104

Phone Number: 262-857-1901

E-mail (optional): ben.fiebelkorn@kenoshacounty.org

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

95-4-119-112-1112

Property Address of property to be rezoned:

335th Avenue

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

On 04-14-2010 a formal wetland delineation staking was request by the property owner. On 07-06-2010 the Southeastern Wisconsin Regional Planning Commission (SEWRPC) formally identified and staked in the field the wetland on said property. On 07-08-2010 said wetland staking was surveyed by Ambit Land Surveying (see attached survey document). The purpose of this rezoning application is to rezone the property to accurately reflect the C-1 Lowland Resource Conservancy District zoning line (wetland) to match the aforementioned formal delineation.

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
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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:

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.

(1) Is this property located within the shoreland area?

Shoreland area is defined as the following: All land, water and air located within the following distances from the ordinary high water mark of navigable waters as defined in section 144.26(2)(d) of the Wisconsin Statutes: 1,000 feet from a lake, pond or flowage; 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater. If the navigable water is a glacial pothole lake, the distance shall be measured from the high water mark thereof.

Yes

No

(2) Is this property located within the City of Kenosha Airport affected area as defined in s. 62.23 (6) (am) 1. b.?

Yes

No

(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

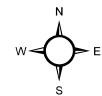
The use value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a non-agricultural use (e.g. residential or commercial development), that person may 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 = 100 feet

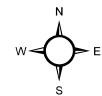
THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. KENOSHA COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT KENOSHA COUNTY.



Kenosha County

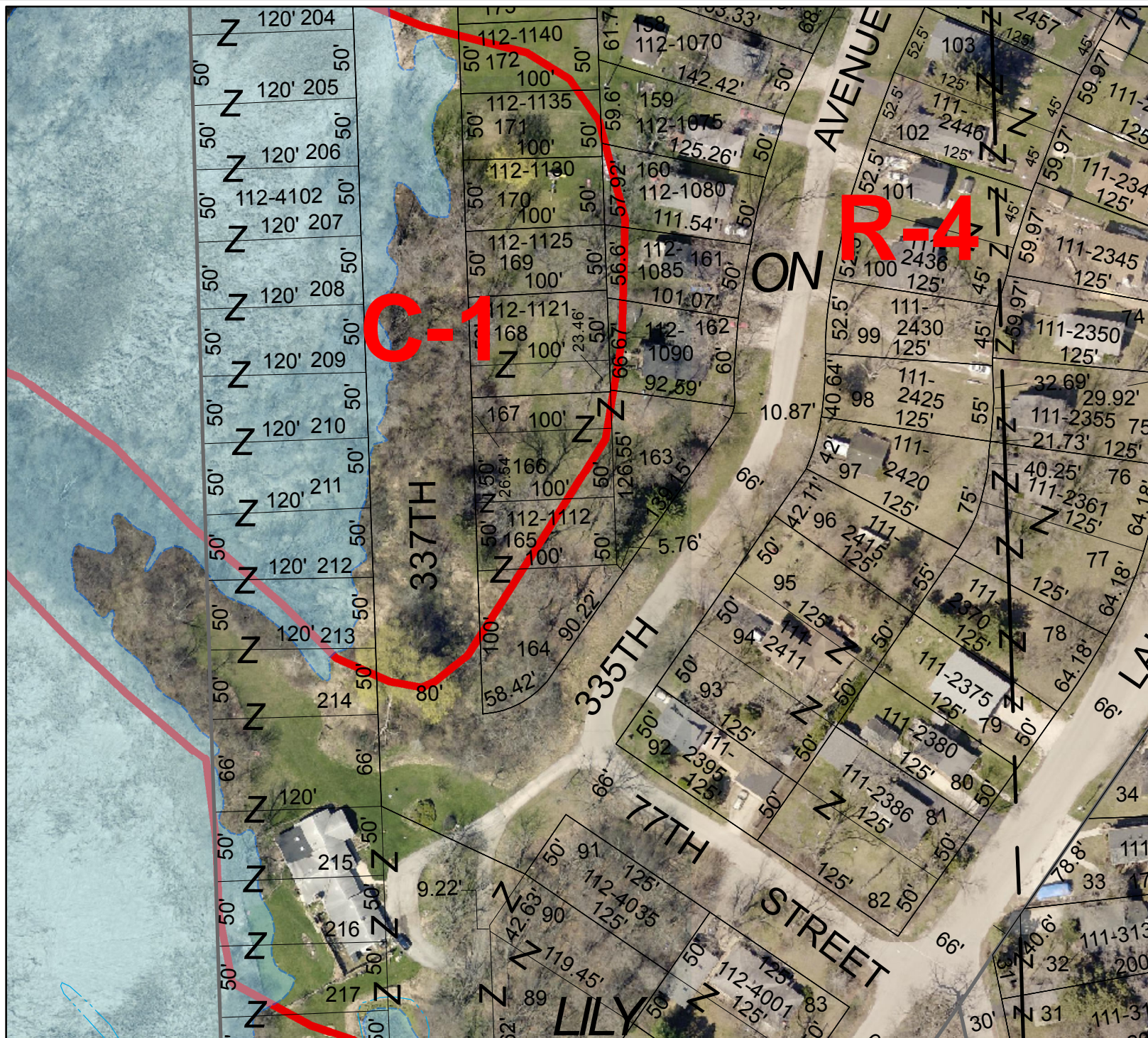


CURRENT ZONING CLASSIFICATIONS



1 inch = 100 feet

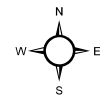
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Kenosha County

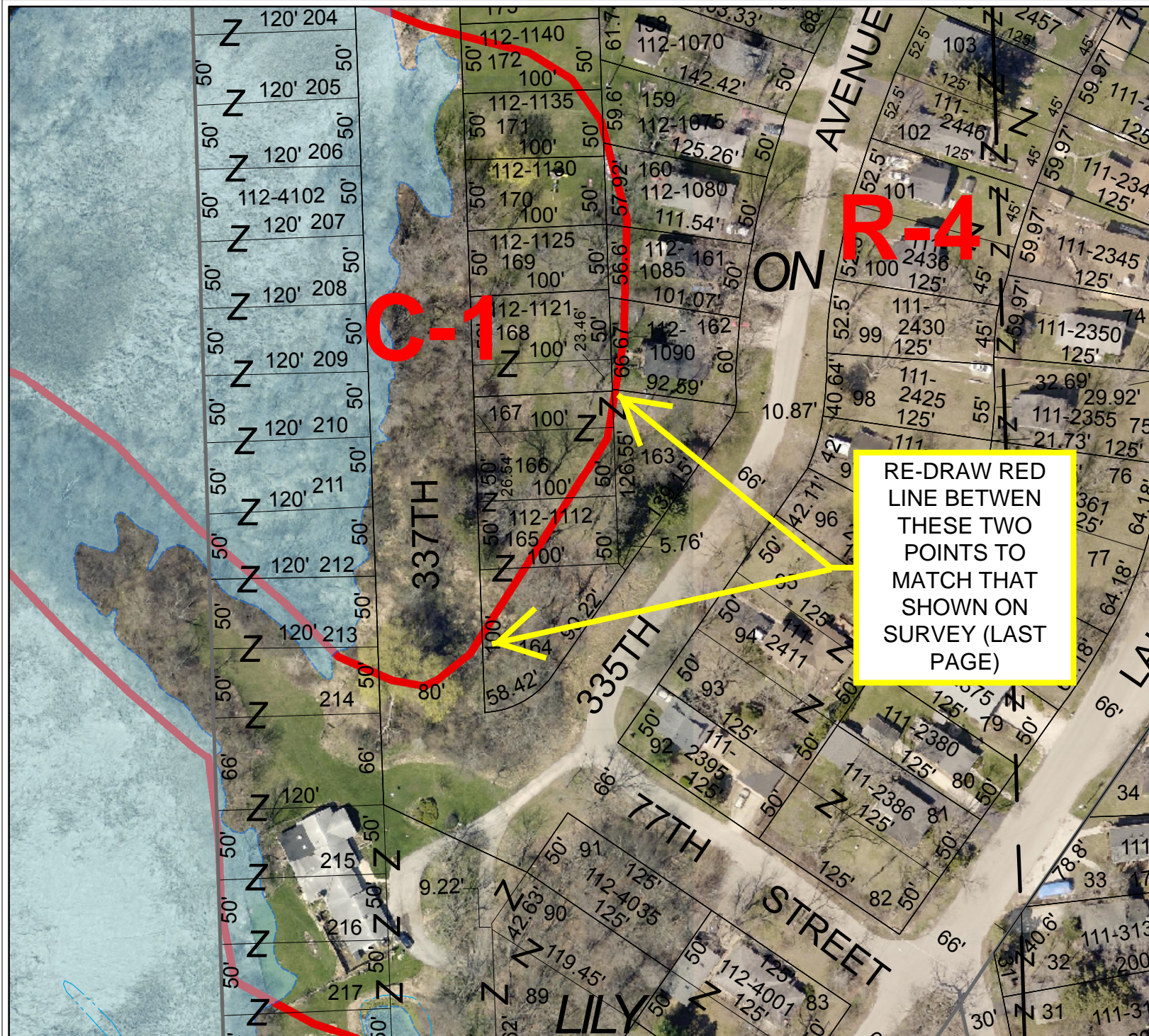


PROPOSED ZONING CLASSIFICATIONS



1 inch = 100 feet

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607

TELEPHONE (262) 547-6721
FAX (262) 547-1103

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SEP 10 2010

Serving the Counties of:

Kenosha County
Planning and Development

KENOSHA
MILWAUKEE
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WASHINGTON
WAUKESHA



September 9, 2010

Mr. George E. Melcher, Director
Kenosha County Department of
Planning and Development
P.O. Box 520
Bristol, WI 53104-0520

Re: SEWRPC No. CA-112-106

Dear Mr. Melcher:

This will respond to your letter of April 14, 2010, requesting the Commission staff to conduct a field inspection of the Richard C. Swanson property (Tax Parcel Nos. 95-4-119-112-1095, -1100, -1105, and -1111) for the purpose of identifying in the field the boundary of any wetland on the subject property. The property is located in parts of the Northwest one-quarter of U.S. Public Land Survey Section 11, Township 1 North, Range 19 East, Town of Wheatland; Kenosha County, Wisconsin.

Pursuant to your request, the wetland boundary on the subject property was identified and staked in the field by Commission staff on July 6, 2010. It is the Commission staff's expectation that the wetland boundary will be surveyed and identified on a forthcoming plat of survey attendant to the development of the subject property. A list of plant species identified within the subject wetland is attached hereto as Exhibit A.

Should you have any questions regarding this information, please do not hesitate to call.

Sincerely,

Donald M. Reed, Ph.D.
Chief Biologist

DMR/CJJ/mlh
#153356 v1 - ca112-106

Enclosures

cc: Mr. Richard C. Swanson
Ms. Sheila M. Siegler, Town of Wheatland
Ms. Jamie Lambert, DNR-Waukesha
Mr. Dale J. Pfeifle, COE-Waukesha

SVY3702
CA112-106

EXHIBIT A

PRELIMINARY VEGETATION SURVEY
RICHARD C. SWANSON PROPERTY

Date: July 6, 2010

Observers: Donald M. Reed, Ph.D., Chief Biologist
Lawrence A. Leitner, Ph.D., Principal Biologist
Christopher J. Jors, Biologist
Southeastern Wisconsin Regional Planning Commission

Location: Town of Wheatland in parts of the Northwest one-quarter of U.S. Public
Land Survey Section 11, Township 1 North, Range 19 East,
Kenosha County, Wisconsin.

Species List:

EQUISETACEAE

Equisetum arvense--Common horsetail

POLYPODIACEAE

Onoclea sensibilis--Sensitive fern

PINACEAE

Picea abies¹--Norway spruce

CUPRESSACEAE

Juniperus virginiana--Red-cedar

TYPHACEAE

Typha latifolia--Broad-leaved cat-tail

GRAMINEAE

Poa pratensis¹--Kentucky bluegrass

Dactylis glomerata¹--Orchard grass

Phalaris arundinacea¹--Reed canary grass

CYPERACEAE

Scirpus atrovirens--Green bulrush

Carex vulpinoidea--Fox sedge

Carex gracillima--Graceful sedge

Carex lacustris--Lake sedge

JUNCACEAE

Juncus dudleyi--Dudley's rush

LILIACEAE

Convallaria majalis¹--Lily-of-the-valley

JUGLANDACEAE

Juglans nigra--Black walnut

ULMACEAE

Ulmus americana--American elm

MORACEAE

Morus alba¹--White mulberry

RANUNCULACEAE

Thalictrum dasycarpum--Tall meadow rue

SOLANACEAE

Solanum dulcamara¹--Deadly nightshade

RUBIACEAE

Galium triflorum--Sweet-scented bedstraw

CAPRIFOLIACEAE

Viburnum opulus¹--European highbush-cranberrySambucus canadensis--ElderberryLonicera X bella¹--Hybrid honeysuckle

CUCURBITACEAE

Echinocystis lobata--Wild cucumber

COMPOSITAE

Ambrosia trifida--Giant ragweedAmbrosia artemisiifolia--Common ragweedChrysanthemum leucanthemum¹--Ox-eye daisySolidago patula--Swamp goldenrodSolidago gigantea--Giant goldenrodSolidago altissima--Tall goldenrodAster novae-angliae--New England asterAster lucidulus--Swamp asterErigeron strigosus--Daisy fleabaneEupatorium maculatum--Joe-Pye weedEupatorium perfoliatum--BonesetCirsium arvense¹--Canada thistleTaraxacum officinale¹--Common dandelionSonchus arvensis¹--Sow thistle

Total number of plant species: 66

Number of alien, or non-native, plant species: 20 (30 percent)

This approximately 0.1-acre plant community area is part of a larger wetland complex and consists of fresh (wet) meadow and second growth, Southern wet to wet-mesic lowland hardwoods. Disturbances to the plant community area include mowing along the wetland edge, selective cutting of trees, pond excavation, side casting of dredge spoil material, and siltation and sedimentation due to stormwater runoff from adjacent lands. No Federal- or State-designated Special Concern, Threatened, or Endangered species were observed during the field inspection.

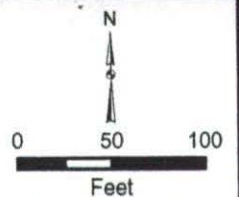
¹ Alien or non-native plant species² Co-dominant plant species

Richard C. Swanson Property - 335th Street
Lots 163, 164, 165, & 166 Summerhaven Subdivision
NW Quarter, Section 11, T01N-R19E
Town of Wheatland, Kenosha County

New Munster Shrub - Carr and Tamarack Relict
NA-2

Legend

- Project Area
- Primary Environmental Corridor
- Natural Area
- Wetland



Source: SEWRPC
Date of Photography: 2005
CA#112-106

Wetland staked by SEWRPC on 7/6/10

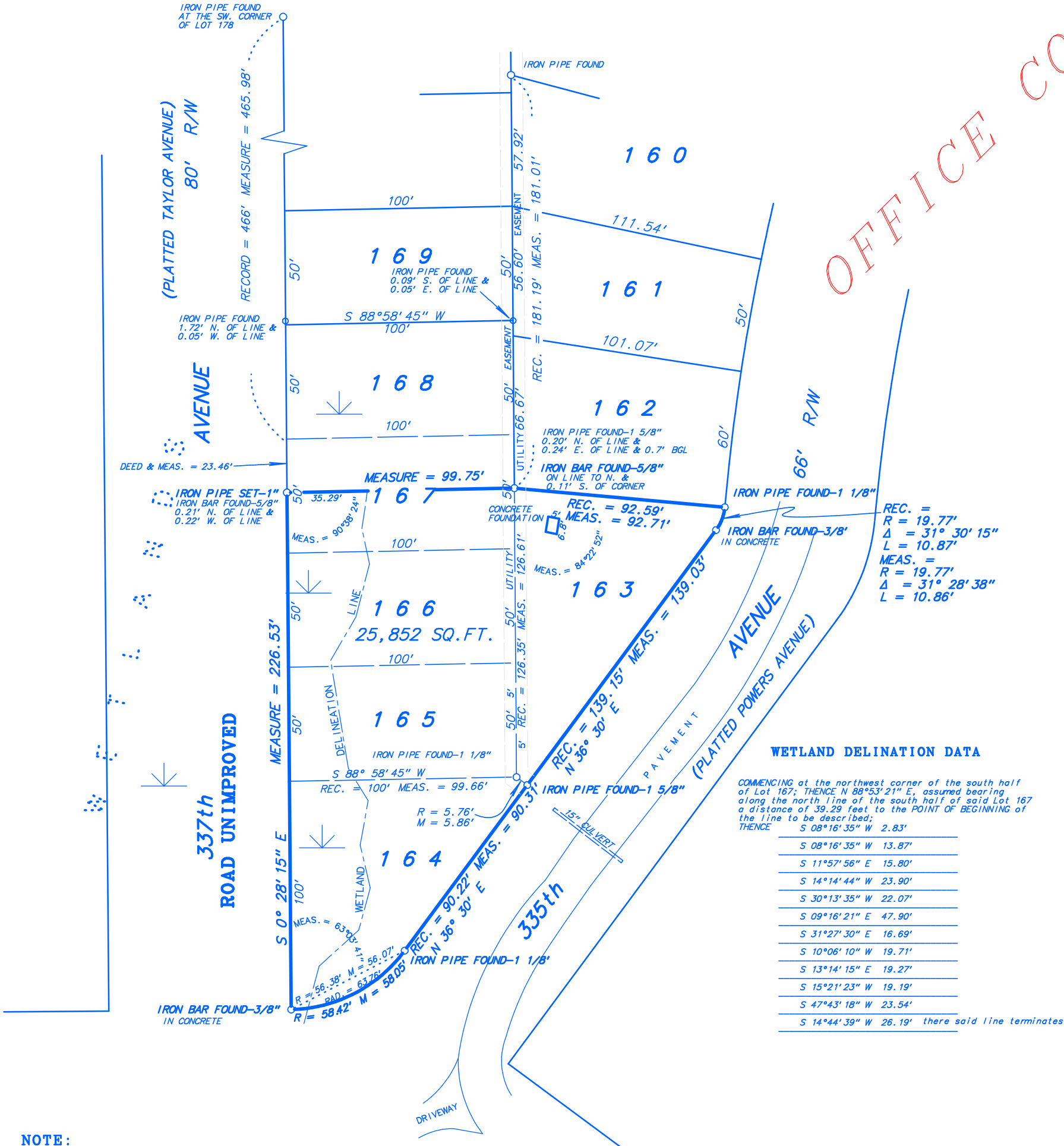
P. O. Box 42
Bassett, Wisconsin 53101
Licensed Professionals in
both Illinois & Wisconsin

PLAT OF SURVEY
OF

PHONE: 262-537-4874
FAX: 262-537-4221
EMAIL: ambit@tds.net

Lots 163, 164, 165, 166 and the southerly 26.54 feet of Lot 167 of SUMMER HAVEN ON LILY LAKE WISCONSIN, being a subdivision of part of Sections 2 and 11, Town 1 North, Range 19 East of the 4th Principal Meridian, lying and being in the Town of Wheatland, Kenosha County, Wisconsin.

PARCEL IDENTIFICATION NO.: 95-4-119-112-1095 LOT 163
95-4-119-112-1100 LOT 164
95-4-119-112-1105 LOT 165
95-4-119-112-1111 LOT 166 & PART OF LOT 167



NOTE:
*Wetland delineation located July 8, 2010.
 Wetland staking by Chris Jors of S.E.W.R.P.C.
 Date of delineation July 6, 2010.*

A Jeffery K. Rampart survey for a Lot Line Adjustment involving Lot 167 and Lot 168, dated June 24, 2002, indicates iron pipes set at the corners for the division of Lot 167, which no pipes were found. Also Statute A-E7.05(4) was not followed for the establishment of the corners set on said Rampart plat or for the corner reference at the northwest corner of Lot 168.

Fieldwork completed on and date of certification: July 8, 2010

I hereby certify that I have surveyed the above described property and the above plat is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements and roadways and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property and also those who purchase, mortgage or guarantee the title thereto within ONE YEAR from the date hereof.

Dated at Bassett, Wisconsin this _____ day of _____ 2012.

Mark A. Bolender
Wisconsin Registered Land Surveyor S - 1784

SCALE: 1 inch = 50 feet
 ORDERED BY: R. Swanson
 JOB NO.: 0 9 1 0 4

ORDERED BY: R. Swanson
JOB NO.: 0 9 1 0 4

RESOLUTION - No. 2-2014

A Resolution Authorizing Designated Town Staff to Review and Make Formal Recommendations to Kenosha County involving Wetland Boundary Adjustments

WHEREAS, Sections 12.38-6 and 12.38-7 of the Kenosha County General Zoning & Shoreland/Floodplain Zoning Ordinance require that the Town Board submit a recommendation to the Kenosha County Planning, Development & Extension Education Committee regarding any proposed map amendment (rezoning petition) within the Town of Wheatland, and


WHEREAS, it is not the desire of the Wheatland Town Board to individually hear and review certain map amendment applications involving only a simple re-drawing of an existing wetland (C-1) boundary; and

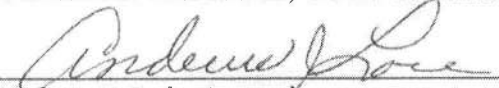
WHEREAS, the Wheatland Town Board desires to allow designated town staff to independently review and provide recommendations to the County, after consulting with a designated Town Board member, on said wetland boundary adjustments, in lieu of producing a formal town board recommendation.

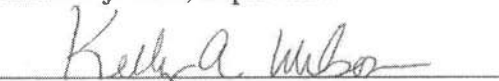
NOW, THEREFORE BE IT RESOLVED that the Wheatland Town Board hereby authorizes those Town staff members designated by the Town Board from time to time to review map amendment applications involving wetland boundary adjustments and, after consulting with a designated Town Board member, provide formal recommendation to Kenosha County on behalf of the Town Board via written letter;

FURTHER, BE IT RESOLVED that said letter shall be deemed worthy to satisfy the need required by Kenosha County under Sections 12.38-6 and 12.38-7 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.

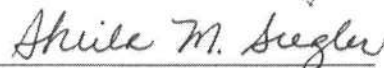
Adopted this ninth day of May, 2014.


William M. Glembocki, Town Chairman


Andrew J. Lois, Supervisor


Kelly A. Wilson, Supervisor

Attest:


Sheila M. Siegler, Town Clerk