



COUNTY OF KENOSHA

December 2012

Department of Planning and Development

VARIANCE APPLICATION

RECEIVED

MAY 21 2021

Kenosha County
Planning and Development

Owner: Violet Loire et tal.

Mailing Address: 21915 84th Street

Salem WI 53168

Phone Number(s): 847-878-6445 (Greg)

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: 95-4-219-281-0120

Zoning District: C-2

Property Address: 36113 31st Street

Shoreland: No

Subdivision: -

Lot(s): -

Block: -

Current Use: 1979-built s.f. residence.

Proposal: To construct a detached garage in the street yard.

REQUIRED BY ORDINANCE

Section: III.P12.18.4-5(b) - Accessory buildings shall be located in
the side or rear yard only.

Section: -

Section: -

VARIANCE REQUESTED

Street Yard Placement

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.

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

(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.

VARIANCE APPLICATION

Yes, to be held to the ordinance would require me to build a much smaller outbuilding than what the property size can accommodate. And would force to put it in a location that would prohibit large vehicle turn around.

(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.

Yes, lots of steep slopes down to wetland areas west, south and east sides of my home. Additionally, my septic system lies south/southwest of my home. And my home is placed further back (southward) on the property in a manner that lessens my rear yard advantage.

(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.

Minimal if none. Given the property is landlocked and can't be seen from the street, the street yard placement will have no aesthetic impact.

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: Gregory P. Lue

Agent: _____ Signature: _____

Agents Address: _____

Phone Number(s): _____



COUNTY OF KENOSHA

Department of Planning & Development

19600 75th Street, Suite 185-3
Bristol, WI 53104-9772
Phone: (262) 857-1895
Fax: (262) 857-1920

ZONING PERMIT APPLICATION

1. What is the Property Address (must include house number) or Tax Key Parcel Number?

2. Who owns the subject property (property owner)?

Property Owner Name:

Property Owner Mailing Address:

Property Owner Phone Number:

Property Owner Email Address:

3. Who is applying for and will be signing for this permit (applicant)?

Applicant Name:

Applicant Mailing Address:

Applicant Phone Number:

Applicant Email Address:

4. Who is constructing the proposed structures (contractor)?

Contractor Name:

Contractor Mailing Address:

Contractor Phone Number:

Contractor Email Address:

5. What is it you are proposing to construct?

You can apply for up to four separate structures on this permit application.

STRUCTURE DESCRIPTION	TYPE OF CONSTRUCTION	SIZE (FENCE) (L' @ H')	SIZE (BLDG.) (L' x W')	AREA (sq. feet)	HEIGHT (feet)	# OF STORIES

6. This section is only applicable for properties within the unincorporated townships of Kenosha County (townships of Brighton, Paris, Randall, Somers & Wheatland).

If you are proposing to construct a principal building such as a new residence or new commercial building, an addition thereto, or a detached accessory building >150 sq. ft. in area, it is required that a [professional surveyor](#) be hired to complete a foundation survey of the property after the foundation is installed for the permitted building and submit said survey document to this office in order to prove that the proposed building has been constructed in the correct location and meets setback requirements.

This section is not applicable for sheds ≤150 sq. ft. in area or other accessory structures such as decks, fences and pools.

I anticipate that a foundation survey will be submitted to this office no later than _____ (insert date).

We understand this deadline needs to be flexible due to reasons such as weather, construction delays, etc., however a due date later than 18 months from the date of permit issuance will not be accepted. If a foundation survey is not received by the anticipated

due date, the property owner will receive an automated letter notifying them of past due status. If a mutually agreed revised due date is not set, and a foundation survey is not submitted, violation and enforcement will proceed.

7. This section is only applicable for properties within the Village of Somers.

If you are proposing to construct a principal building such as a new residence or new commercial building, it is required that a [professional surveyor](#) be hired to complete a foundation survey of the property after the foundation is installed for the permitted building and submit said survey document to this office in order to prove that the proposed building has been constructed in the correct location and meets setback requirements.

I anticipate that a foundation survey will be submitted to this office no later than _____ (insert date).

If you are proposing to construct a residential or commercial building addition or detached accessory building >150 sq. ft. in area you have the option to hire a [professional surveyor](#) to complete a foundation survey of the property after the foundation is installed for the permitted building and submit said survey document to this office in order to prove that the proposed building has been constructed in the correct location and meets setback requirements.

Alternatively, the property owner may sign a waiver of liability of foundation survey waiving their obligation to have to hire a professional surveyor at this time, stating that they will build the structure according to code and that if the structure is ever found to violate the code requirements they agree to comply with said ordinance by removal of and relocation of said structure and pay all associated and consequent costs and damages. This waiver document is a legal document that is recorded against the property title in the Register of Deeds. *In the future a lending agency (such as a bank) or a prospective buyer of the property may require that said waiver be released prior to commencing with a loan or sale transaction. To do so, a plat of survey will need to be completed by a professional surveyor showing the location of the permitted structure. If said structure is found by this department to be constructed in the correct location and meets setback requirements, then a release of waiver document will be prepared at the cost of 20.00-dollars to the applicant and issued to the property owner or real estate agent so that it can be recorded with the Register of Deeds, thereby effectively releasing the original waiver of liability document.*

Choose one of the following options:

I anticipate that a foundation survey will be submitted to this office no later than _____ (insert date).

or

I anticipate that the property owner will visit Planning & Development to have their signature notarized (driver's license required) and pay for the recordation of a waiver of liability document in the form of 30.00-dollars cash or check payable to the "Register of Deeds" no later than _____ (insert date).

8. Does your project involve the placement of any fill material on the subject property such as dirt, gravel, landscape timbers, rock, shoreline protection material, etc....?

If so, what type of material and how much?

IF ISSUED, 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 MUNICIPAL 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. ANY ADDITIONAL CONDITIONS WRITTEN BY THE ZONING ADMINISTRATOR ISSUING THE ZONING PERMIT.

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.

Kenosha County



95-4-219-281-0120



1 inch = 100 feet

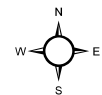
THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY.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



Kenosha County

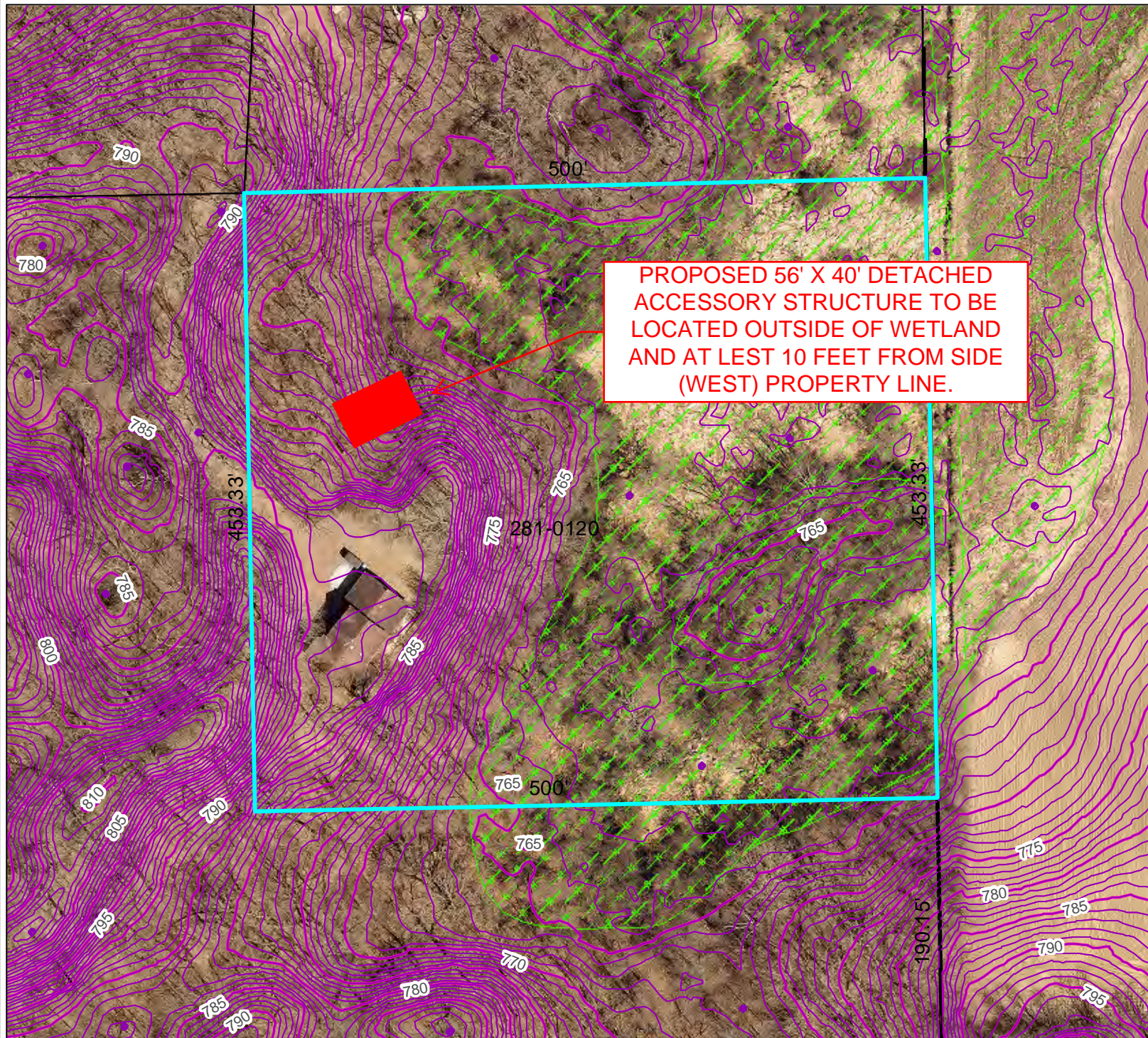


95-4-219-281-0120
(1-foot contours)



1 inch = 100 feet

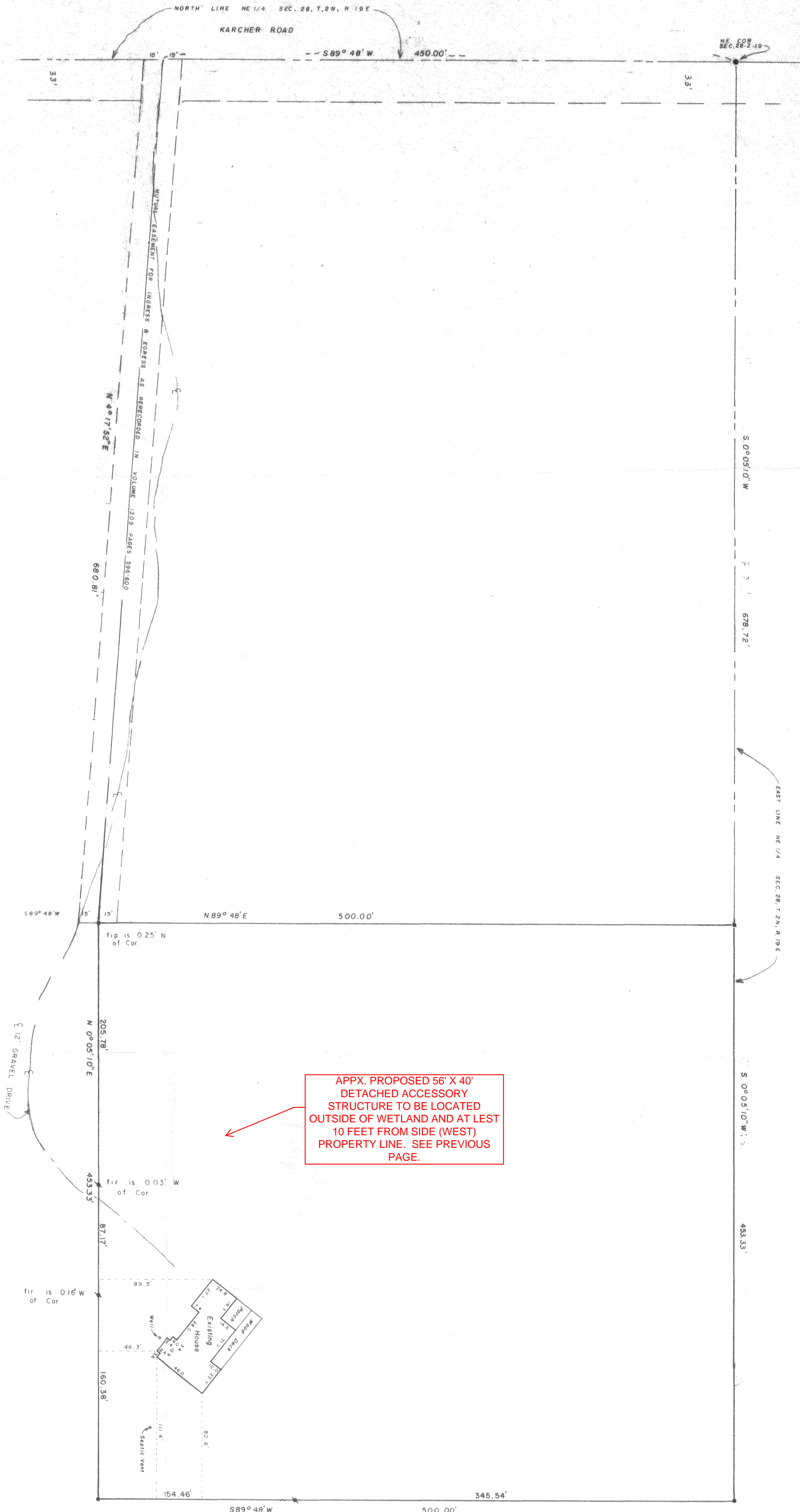
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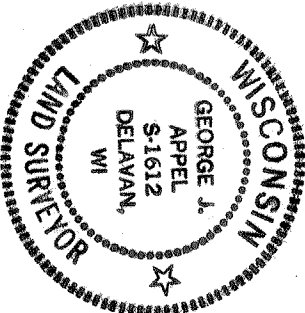
LEGAL DESCRIPTION
OF

Part of the Northeast Quarter of the Northeast Quarter of Section 28, Town 2 North, Range 19 East of the Fourth Principal Meridian, said being more particularly described as follows: Commencing at a brass pin marking the northeast corner of the northeast quarter of said section; run thence south 0 degrees 05 minutes 10 seconds west along the east line of the northeast quarter of said section, 678.72 feet to the point of beginning of the following described parcel; thence continue north 0 degrees 05 minutes 10 seconds west 48 minutes east 500.00 feet to the point of beginning, lying and being in the Town of Wheatland, County of Kenosha and State of Wisconsin. Together with 15 foot easement as contained in an instrument between Charles Loth and Catherine Loth, husband and wife, and Richard O. Johnson and Corinne J. Lauwers, dated December 19, 1978 and recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on January 4, 1979 in Volume 1037 of records at page 684-86, as Document No. 646971. And recorded on 10/27/77, 1988 in Volume 1309 of records at page 396-400, as Document No. 799537.

NOTE: Address 36113 31st Street. Tax Key No. 95-4-219-281-0120-1.
BUYER: Norman P. Loite and Violet A. Loite



APPX. PROPOSED 56' X 40' DETACHED ACCESSORY STRUCTURE TO BE LOCATED OUTSIDE OF WETLAND AND AT LEAST 10 FEET FROM SIDE (WEST) PROPERTY LINE. SEE PREVIOUS PAGE.



I, the undersigned, being a duly licensed and sworn Land Surveyor of the State of Wisconsin, do hereby certify that I have surveyed the above described property and that the same is a true representation thereof and of the location of all lines, boundary lines, easements, and other interests therein, and that the same are correctly shown on this plat. My commission expires on 08/01/00.

George J. Appel
Wisconsin Registered Land Surveyor

This Survey
Officially filed
KENOSHA COUNTY
SURVEYOR'S OFFICE
as required by
Chs. 89.03(6)
with 10 minutes
of 10 minutes
7-5-88

- 1/4\"

PLAT OF SURVEY
STANDARD OF REALTY

Part of the Northeast 1/4 of the Northeast 1/4 of Section 28, Town 2 North, Range 19 East of the Fourth Principal Meridian, Town of Wheatland, County of Kenosha, State of Wisconsin.

DATE 5/23/88
SCALE 1\"

ROBERTS & BOYD, INC.
ENGINEERS AND SURVEYORS

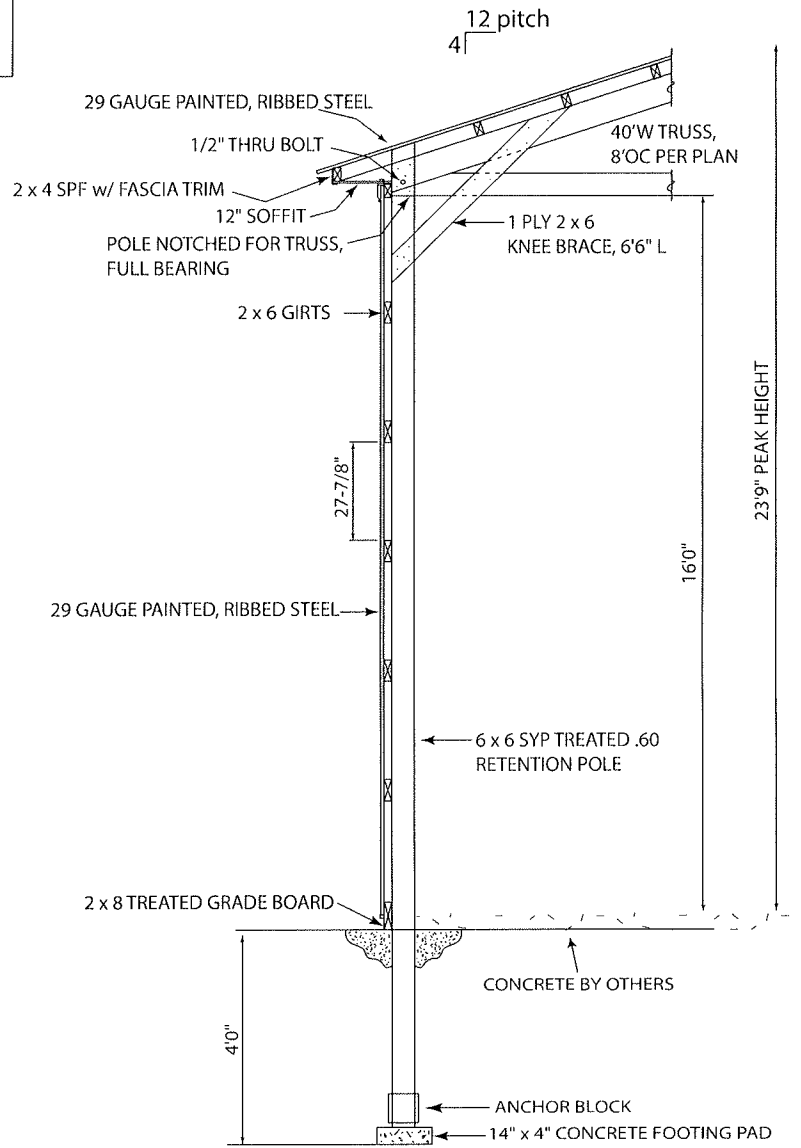
328 NORTH PINE STREET
BURLINGTON, WISCONSIN 53108
PHONE: 414-753-7524

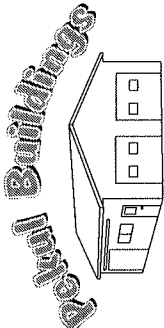
DRAWN FLM	CHECKED 88068	JOB NO. 88068
REVIEWED	SHEET OF	

95-4-219-281-0120 1D W/H-28-12



16' SIDEWALL DETAIL
WITH 12" OVERHANG



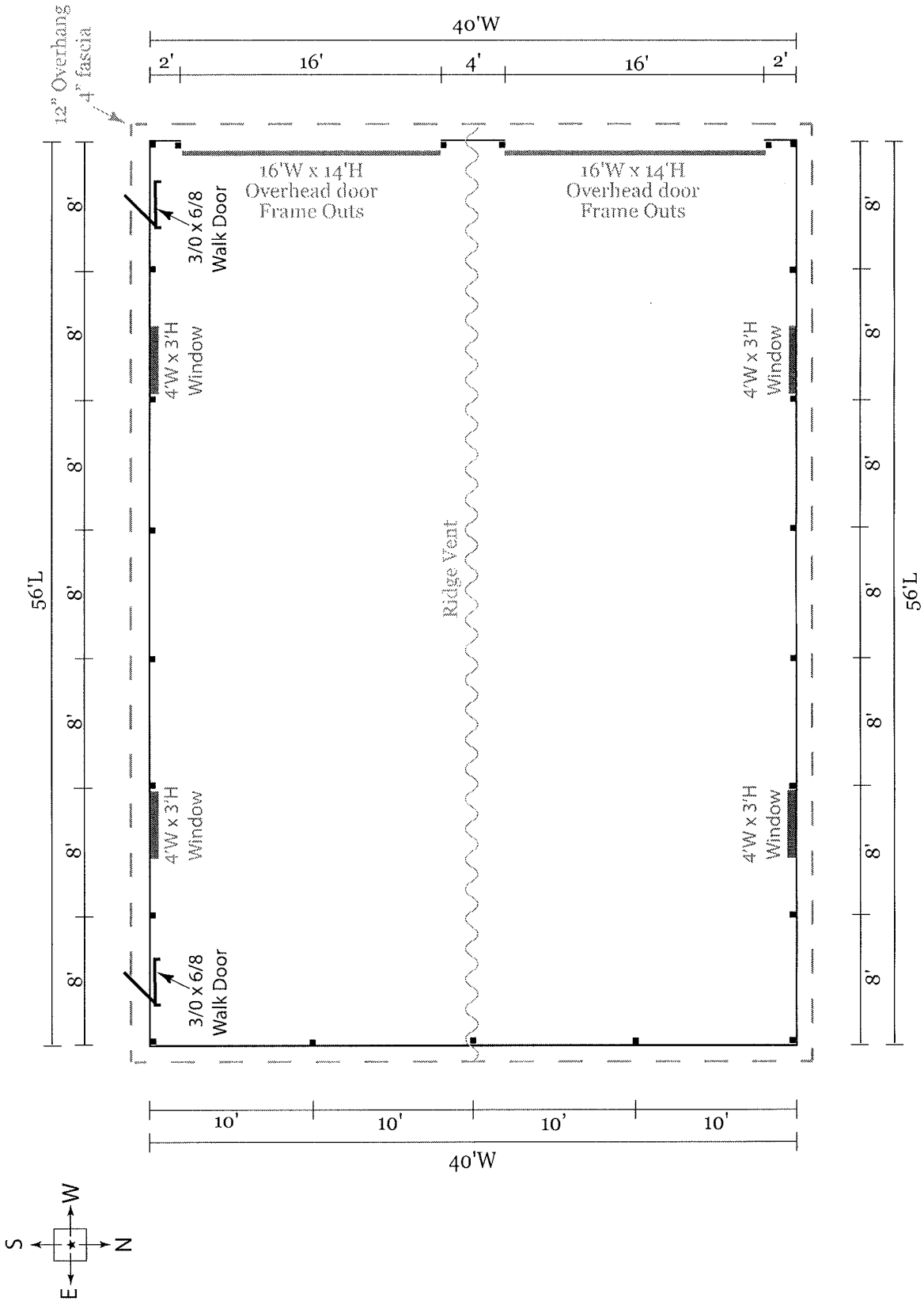


Aerial Buildings
 W3219 State Rd. 11 • Elkhorn, WI 53121
 262-723-2429 • Fax: 262-723-2868

Customer: Greg Loire

Date: 5/20/2021

Building Size: 40'W x 56'L x 16' clearance



57-I 95-4-219-281-0120-1
PLB67



State and County
Permit Application
for Private Domestic Sewage Systems

New Permit
7922024
AS of
6/7/10
ASP

State Permit # 22024
County Permit #
County Kenosha

*DENOTES STATE APPROVAL REQUIRED

Date Approval Received from State if Required _____ State Plan I.D. # _____

A. OWNER OF PROPERTY _____ Mailing Address: Charles Loth - P.O. Silver Lake, Wis 53170

B. LOCATION: NW 1/4 NE 1/4, Section 28, T 2 N, R 19 E (or) W Lot# _____ City _____
Subdivision Name, _____ nearest road, lake or landmark Blk# Acres Village _____
Co. Line Rd "KR" - 1/4 mi. "E" Co. "O" Township Wheatland

C. TYPE OF OCCUPANCY: *Commercial _____ *Industrial _____ *Other (specify) _____ *Variance _____
Single family X Duplex _____ No. of Bedrooms 3 No. of Persons 5

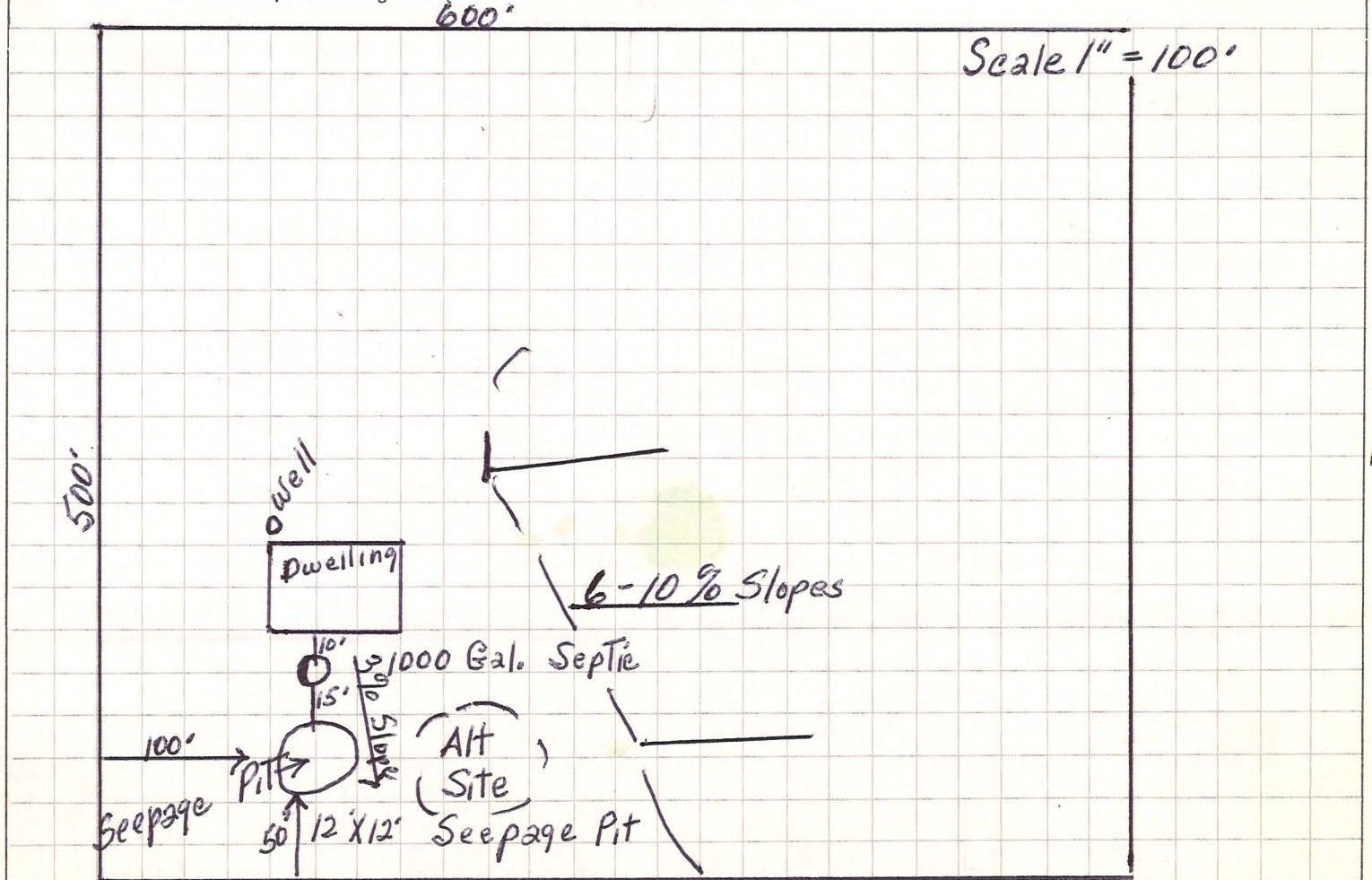
D. TYPE OF APPLIANCES: Dishwasher X YES _____ NO Food Waste Grinder _____ YES X NO # of Bathrooms 2
Automatic Washer X YES _____ NO Other (specify) _____

E. SEPTIC TANK CAPACITY 1000 Total gallons _____ No. of tanks 1
*Holding tank capacity _____ Total gallons _____ No. of tanks _____
New Installation X Addition _____ Replacement _____ Prefab Concrete X
*Poured in Place _____ Steel _____ Other (specify) _____

F. EFFLUENT DISPOSAL SYSTEM: Percolation Rate 1) 2.5 2) 2.8 3) 2.2 Total Absorb Area 495 sq. ft.
New X Addition _____ Replacement _____ *Fill System Pit Area
Seepage Trench: No. Lin. Feet _____ Width _____ Depth _____ Tile Depth _____ No. of Trenches _____
Seepage Bed: Length _____ Width _____ Depth _____ Tile Depth _____ No. of Lines _____
Seepage Pit: Inside diameter 12' Liquid Depth 12' Tile Size _____
Percent slope of land 3% in Pit Area Distance from critical slope 75'

I, the undersigned, do hereby certify that the information I have reported is in accord with Section H62.20, Wisconsin Administrative Code, and that I have sized the effluent disposal system from the EH-115 prepared by the Certified Soil Tester,
NAME Roger Phillips C.S.T. # 55-880 and other information
obtained from Charles Loth (owner/builder).
Plumber's Signature Richard F. Schenning MP/MPBSW# 293 Phone # 414-537-4550
Plumber's Address Rt. 1, Box 310 - Burlington, Wis 53105

PLAN VIEW: Provide sketch below of system (include direction of slope and all distances in accord with H62.20, including well).



Do Not Write in Space Below - FOR DEPARTMENT USE ONLY

Date of Application 5/9/79 Fees Paid: State _____ County _____ Date 5/9/79
Permit Issued/Rejected (date) 5/9/79 Issuing Agent Name Joe Long
Inspection Yes _____ No _____ Valid# _____ Date Rec'd _____

1. county (white copy) 3. owner (green copy) DIVISION OF HEALTH, P.O. BOX 309, MADISON, WI 53701
2. state (pink copy) 4. plumber (canary copy) Revised Date 6/1/76

WISCONSIN DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF HEALTH, BUREAU OF ENVIRONMENTAL HEALTH
P.O. BOX 309

MADISON, WISCONSIN 53701

REPORT ON SOIL BORINGS AND PERCOLATION TESTS

LOCATION: NW 1/4, NE 1/4, Section 28, T 2 N, R 17 E (or) W, Township or Municipality WHEATLAND
 Lot No. _____, Block No. Acreage Subdivision Name _____ County KENOSHA
 Owner's Name: Charles Loth
 Mailing Address: PO Silver Lake, Wis 53170
 TYPE OF OCCUPANCY: Residence X No. of Bedrooms 3 Other _____
 EFFLUENT DISPOSAL SYSTEM: NEW X ADDITION _____ REPLACEMENT _____
 DATES OBSERVATIONS MADE: SOIL BORINGS July 25 1978 PERCOLATION TESTS July 25 1978
 SOIL MAP SHEET 72 SOIL TYPE Cr D2

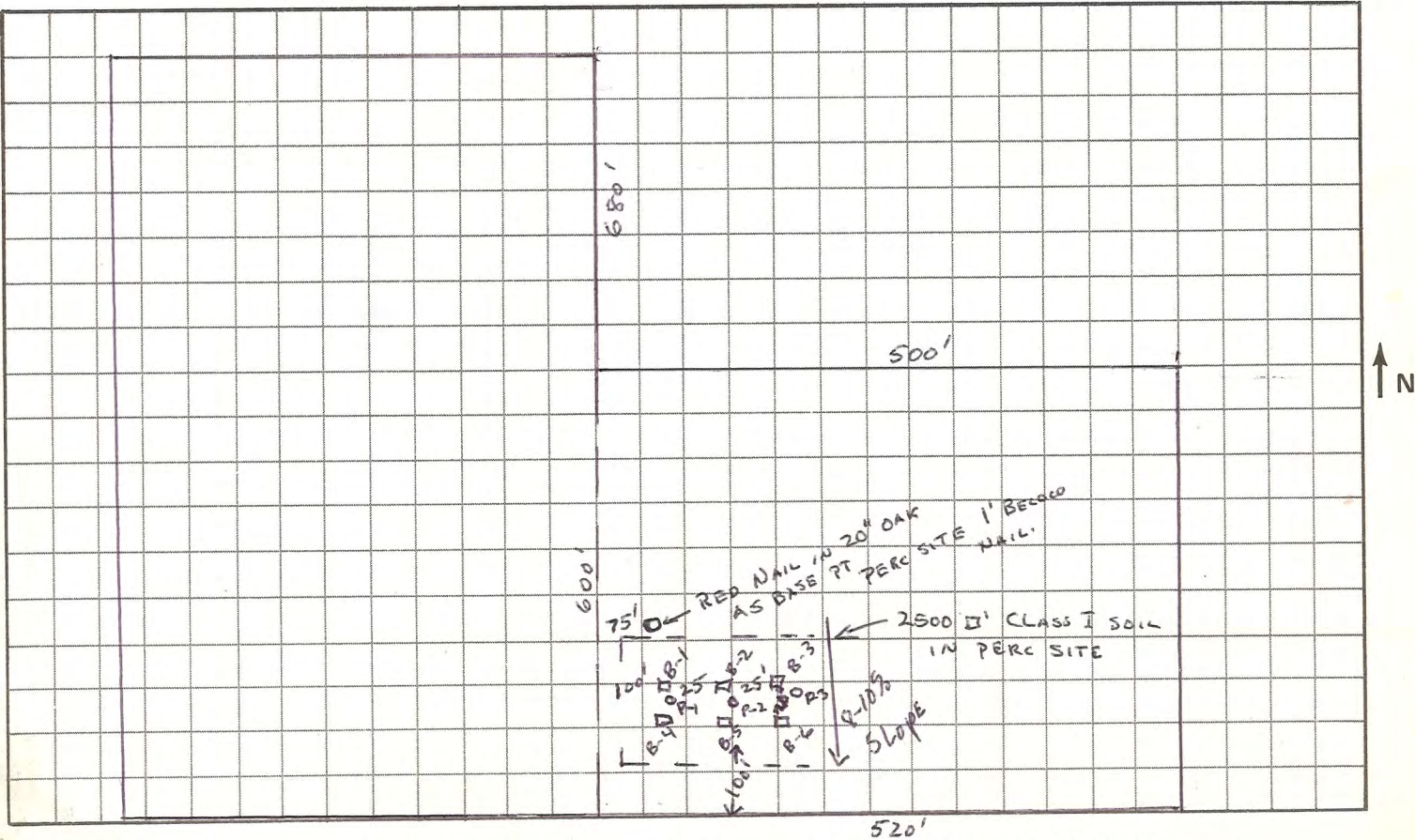
PERCOLATION TESTS

TEST NUMBER	DEPTH INCHES	CHARACTER OF SOIL THICKNESS IN INCHES	HOURS SINCE HOLE 1ST WETTED	WATER IN HOLE AFTER SWELLING	TEST TIME INTERVAL IN MINUTES	DROP IN WATER LEVEL, INCHES			RATE MIN/IN
						PERIOD 1	PERIOD 2	PERIOD 3	
P-1	36"	7" Bls 12" Bn scl 12" Bn scl 5" s+Gr	1 hr.	NO	5	2	2	2	2.5
P-2	36"	4" Bls 13" Bn scl 19" s+Gr	1 hr.	NO	5	2 1/4	1 3/4	1 3/4	2.8
P-3	36"	4" Bls 16" Bn scl 16" s+Gr	1 hr.	NO	5	2 1/2	2 1/4	2 1/4	2.2

SOIL BORING TESTS

TEST NUMBER	TOTAL DEPTH INCHES	DEPTH TO GROUNDWATER, INCHES		CHARACTER OF SOIL WITH THICKNESS, INCHES (DEPTH TO BEDROCK IF OBSERVED)
		OBSERVED	ESTIMATED HIGHEST	
B-1	72"	-	> 120"	6" Bls 12" Bn scl 12" Bn scl 42" s+Gr
B-2	72"	-	> 120"	3" Bls 13" Bn scl 56" s+Gr
B-3	72"	-	> 120"	4" Bls 16" Bn scl 52" s+Gr
B-4	72"	-	> 120"	8" Bls 18" Bn scl 12" Bn scl 34" s+Gr
B-5	72"	-	> 120"	6" Bls 18" Bn scl 6" Bn scl 42" s+Gr
B-6	72"	-	> 120"	8" Bls 16" Bn scl 14" Bn scl 34" s+Gr

PLAN VIEW (Locate percolation tests, soil bore holes and suitable soil areas.)
 Indicate on the plan the location and square feet of suitable areas. Indicate number of square feet of absorption area needed for building type and occupancy. 205 sq ft per BOR. Indicate scale or distances. Give horizontal and vertical reference points. Indicate slope.



I, the undersigned, hereby certify that the soil tests reported on this form were made by me in accord with the procedures and methods specified in the Wisconsin Administrative Code, and that the data recorded and location of test holes are correct to the best of my knowledge and belief.

Name (print) Roger Phillips Certification No. 880
 Address RR #1 Box 305 I Trevor Wis 53179
 Name of installer if known _____

CST Signature Roger Phillips

PLB. 68

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

FEE \$10.00

(1 Permit per Tank)

Division of Health
P.O. Box 309
Madison, Wisconsin 53701

NO. 22024

Date Issued 5-9-79Tank Size 1000 gal.Private Res. X

Public _____

STATE SEPTIC TANK PERMIT

This permit is for purchase of septic tank only and does not exempt installation from state or local approval and/or permits.

Copies:
(White)-Property Owner
(Pink)-Tank Retailer
(Blue)-Division of Health
(Canary)-Issuing Agent

Owner's Name

Owner's Address

Charles LothP.O. Silver Lake, Wis 53170

Location (Legal Description) of Property Where Tank Will be Installed

County

NW 1/4 NE 1/4 Sec 28 - T2 - R19EKenosha

Plumber's Name

License No.

Address

Richard F. SchenningM.P. 293P.O. Box 310 - Burlington

Signature of Person Obtaining Permit

Address if Other Than Owner

Address of Issuing Agent (Town, Village, City)

P.O. Box 310"

County

Title:

Signature

Box 219, Salem Wis 53168KenoshaPlty. InspectorJoe B. Long

Municipality: 016 Wheatland

General Building

Parcel Number: 95-4-219-281-0120

Legal Name/Ownership

NORMAN P & VIOLET LOIRE

Property Address

36113 31ST ST

Total Living Units:

Property Class Code

SINGLE FAMILY RESID

01 Bld Typ: Colonial

Resi Type : Single Family Residential

Stories : 2

Ext Wall : Wood

Year Built: 1979

Basement : Partial

Heat/Air : Air Conditioning

Fuel Type : Gas

Htg System: Hot Water

Bedrooms : 3

Full Baths: 2

1/2 Baths : 1

Sqft-3097 1st-1960 2nd-1137

Bottom

F1=Msg F3=Exit F5=Addl Owners F6=Formatted Codes F7=Prior Parcel F8=Next Parcel
F9=Prop Owners F10=Prop Tax F11=Sales F13=Add Feat F14=Land F15=Print Desc

Municipality: 016 Wheatland

Property Ownership

Parcel Number: 95-4-219-281-0120

Legal Name/Ownership

NORMAN P & VIOLET LOIRE

Property Address

36113 31ST ST

Assessment as of : 1/01/2009 +

Assessed Land : 87,500

Assessed Improved: 256,200

Assessment Total : 343,700

Mail-To Address

NORMAN P & VIOLET LOIRE

36113 31ST ST

BURLINGTON, WI 53105-8551

Current as of : Last Posting

Heated Square Foot: 3,097

Garage Square Foot: 657

Actual Frontage :

Effective Frontage:

Effective Depth :

Total Acres : 5.20

Document #

Abbrev Metes/Bounds Legal Desc

57-I PT NE 1/4 NE 1/4 SEC 28 T

2 R 19 COM 678.72 FT S OF NE

COR SD 1/4 SEC TO BEG TH CONT

S 453.33 FT W 500 FT N 453.33

FT E 500 FT TO POB 1983 V 1117

See recorded doc for complete legal

F1=Msg F2=Fmtd Legal F3=Exit F4=Addl Metes F5=Addl Owner F6=Addl Assmt

F7=Prior Parcel F8=Next Parcel F10=Prop Tax F11=Sales F12=Gen Bldg F14=Land

F17=Prop Hist F18=Pol Distr

F15=Print Property

New World Systems
Venue: 016 Wheatland
Permit Issued To:
NORMAN P VIOLET LOIRE
36113 31ST ST
NEW MUNSTER

Printed...: YES

Bldg Type

Bldg Use

Bldg Use

Bldg Use

Prmt Type NEWS New System Tank Const

1/4 1/4 S T R E WAUKESHA

State Plan Id#

Gallons/Day =

Abs Area Req =

Abs Area Prop =

Loading Rate =

Perc Rate =

System Elev =

Final Grade Elv

PERMITS AND INSPECTIONS

Permit Inquiry

Contractor

ROGER PHILLIPS

24421 119TH STRE

TREVOR

WI 53152

Bld Perm#: SANT 22024

Syst Type SPIT Seepage Pt

Syst Type

Tank Const

Tank Mfg New

New Tank Capac

of New Tanks

Const type:

Tank Mfg Existi

Exist Tank Cap

of Exis. Tnk

Const Type Exi

Installer Lic# 656

F3=Exit

F15=Inspections

F21=Related Permits

F24=Narrative

PI0900S2

95-4-219-281-0120

SANT 22024

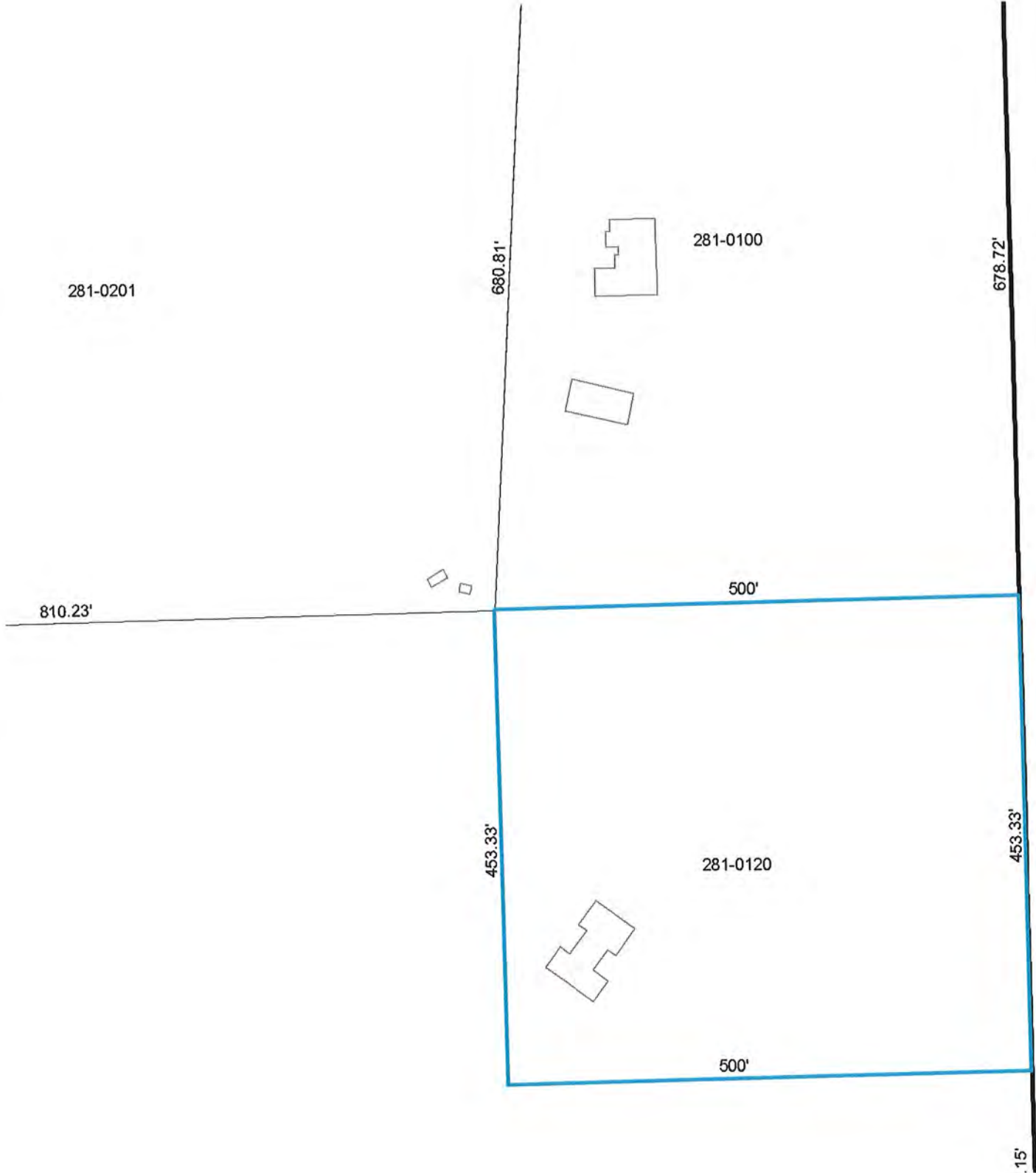
WI 53179

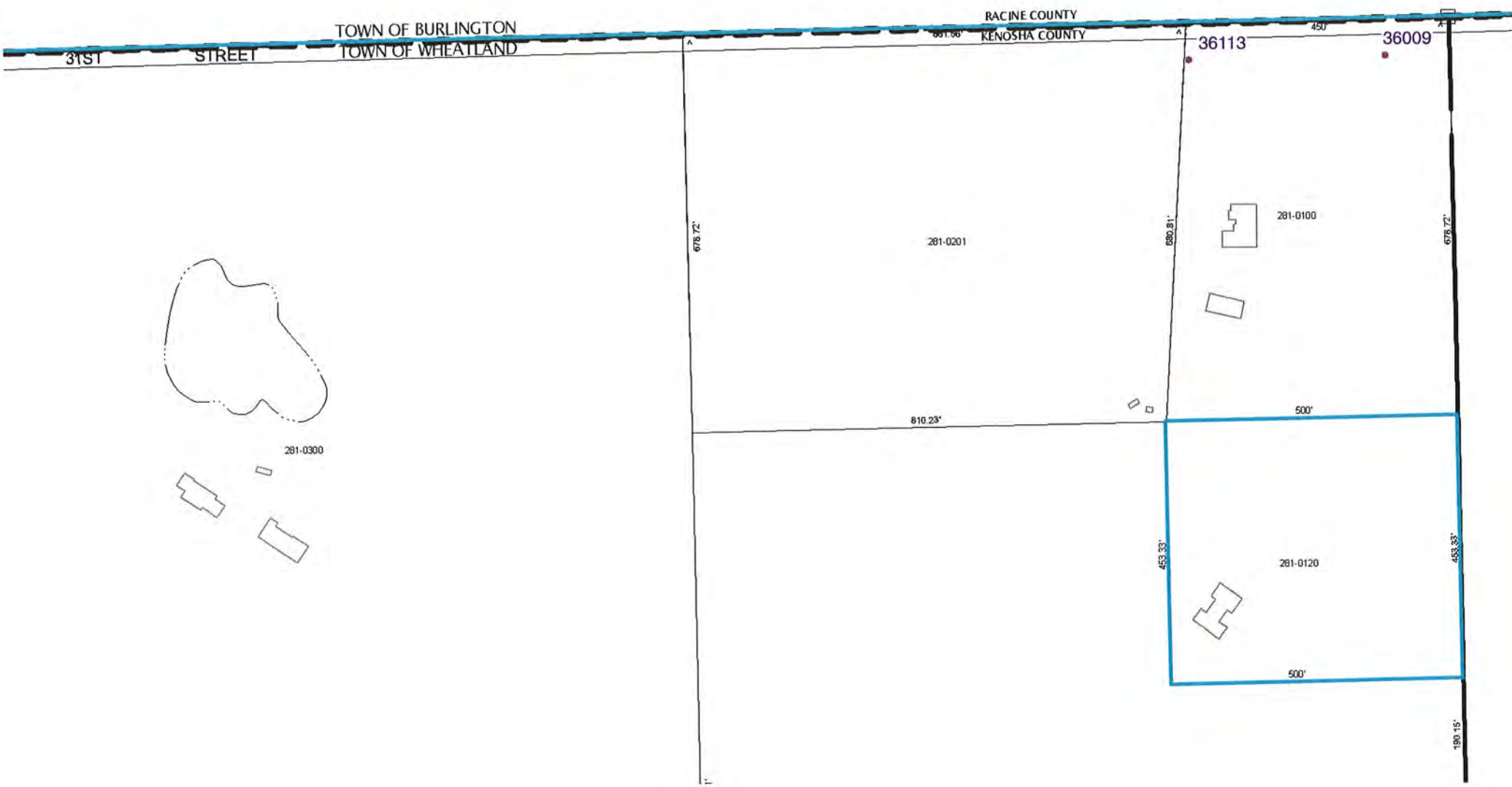
Issued Date 5/09/79

Renewal Date

Transfer Date

Void Date





BOARD OF ADJUSTMENTS SCHEDULE FOR 2021 PUBLIC HEARINGS

*Third Thursday of each month at 6:00 p.m.
Kenosha County Center, 19600 75th Street, Bristol, Wisconsin
Conference Room A (unless published otherwise)*

*This schedule includes all areas under general zoning regulations in the following townships:
BRIGHTON, PARIS, RANDALL, SOMERS, WHEATLAND*

HEARING DATES

<u>JANUARY 21</u>	Filing Date: December 21 Published: Jan. 8 & Jan. 13	<u>JULY 15</u>	Filing Date: June 15 Published: July 2 & July 7
<u>FEBRUARY 18</u>	Filing Date: January 18 Published: Feb. 5 & Feb. 10	<u>AUGUST 19</u>	Filing Date: July 19 Published: Aug. 6 & Aug. 11
<u>MARCH 18</u>	Filing Date: February 18 Published: March 5 & March 10	<u>SEPTEMBER 16</u>	Filing Date: August 16 Published: Sept. 3 & Sept. 8
<u>APRIL 15</u>	Filing Date: March 15 Published: April 2 & April 7	<u>OCTOBER 21</u>	Filing Date: September 21 Published: Oct. 8 & Oct. 13
<u>MAY 20</u>	Filing Date: April 20 Published: May 7 & May 12	<u>NOVEMBER 18</u>	Filing Date: October 18 Published: Nov. 5 & Nov. 10
<u>JUNE 17</u>	Filing Date: May 17 Published: June 4 & June 9	<u>DECEMBER 16</u>	Filing Date: November 16 Published: Dec. 3 & Dec. 8

CHAPTER 12, KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE STATES:

12.06-4 LEGAL NOTICE REQUIREMENTS AND TIME LIMITS: Any petition or other matter requiring the publication of a legal notice must be submitted at least one month prior to the requested hearing date as scheduled by the Planning, Development & Extension Education Committee or Board of Adjustments. For purposes on this section, "one month prior to the requested hearing date" shall be defined to mean not later than 4:30 p.m. on the same calendar date of the month preceding the scheduled hearing, or the last day county offices are open prior to the aforementioned deadline. For purposes of the Open Meetings Law, the Planning and Development Administrator shall be delegated the responsibility of informing the county clerk of both scheduled open and closed meetings so that proper notices may be given.



COUNTY OF KENOSHA

Department of Planning and Development

VARIANCE PROCEDURES BEFORE THE BOARD OF ADJUSTMENTS

- ☐ 1. Contact the Department of Planning & Development and set an appointment. Bring the following for your pre-application meeting.
- ☐ 2. Complete a Zoning Permit Application at the Department of Planning & Development.
- ☐ 3. Complete a Variance Application.
 - ☐ A. A copy of your Tax Bill or a copy of the recorded Deed of Transfer if you have owned the property for less than a month. (This is to provide proof of ownership) If you are in the process of purchasing the property you need to provide a signed and accepted purchase agreement or if you are a realtor or contractor, a letter from the current owner granting you agent status to act on their behalf.
 - ☐ B. A Survey of the property with the following information provided. **NOTE:** The Board of Adjustments strongly advises that for any new residential construction an area for a detached or attached garage should be shown for present or future construction.
 - ☐ ❖ Size and location of all existing structures on the property and their distances from property lines -- (street yard setback should be taken from the edge of the road right of way).
 - ☐ ❖ Location and dimensions of the proposed structure(s) or where the addition is to be placed on an existing structure.
 - ☐ ❖ Show what the resulting setbacks will be for proposed structure.
 - ☐ ❖ Location of the well and on-site waste disposal system -- (septic systems must show both the septic tank size and dimensions of the field).
 - ☐ C. A filing fee of \$550 (non-refundable) is required at application time to cover the costs of publishing.
- ☐ 4. Submit the above information by the filing deadline (see Board of Adjustment Schedule handout) with the Department of Planning and Development.
- ☐ 5. Submit the above information to your local Township for placement on the agenda of the Town Planning Commission and/or the Town Board.
- ☐ 6. Your first meeting will be with the Town Planning Commission, except for the Town of Wheatland. The Town of Somers has a Board of Appeals. **NOTE:** You must attend or the Commission/Board will not be able to act on your request.

**VARIANCE PROCEDURES &
PUBLIC HEARING VARIANCE STANDARDS**

- ☐ **7.** Your second meeting will be with the Town Board. **NOTE:** You must attend or the Board will not be able to act on your request.

- ☐ **8.** Your third meeting will be with the County Board of Adjustments. **NOTE:** You must attend or the Board of Adjustments will not be able to act on your request. At this meeting you will be asked to brief the Board on your request for a variance and state your reasons for hardship (see Public Hearing Variance Standards handout).

- ☐ **9.** If the Board of Adjustments grants your variance request you may obtain your Zoning Permit from the Office of Planning and Development the day after the meeting. The permit will be issued if all requirements from this office have been addressed, including sanitation, if you are the current owner of the property, and subject to signing the Statement of Appeal Process (see attached handout). If you do not sign the Statement of Appeal Process you will need to wait 30 days from the date of approval before the zoning permit can be issued. PLEASE NOTE, THAT ACCORDING TO SECTION VII.B.12.36-15(c) VARIANCES GRANTED BY THE B.O.A. SHALL EXPIRE WITHIN SIX (6) MONTHS FROM THE DATE OF APPROVAL, UNLESS A ZONING PERMIT HAS BEEN ISSUED AND "SUBSTANTIAL CONSTRUCTION" – THE VALUE OF SUCH WORK THAT HAS COMMENDED EQUIVALENT TO 25% OF THE PROJECTED COST OF THE PROJECT AS NOTED ON THE APPLICATION FOR THE ZONING PERMIT, HAS COMMENCED.

- ☐ **10.** Follow the Permitting Process for New Construction or for Additions to Existing Structures, Accessory Structures, Decks, Pools, and/or Fences (see handout).

- ☐ **11.** If the Board of Adjustments denies your variance you have thirty (30) days to file an appeal with circuit court (see Statement of Appeal Process handout).

IMPORTANT TELEPHONE NUMBERS

Kenosha County Center	
Department of Planning & Development	
19600 - 75 th Street, Post Office Box 520	
Bristol, Wisconsin 53104-0520	
Division of County 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

PUBLIC HEARING VARIANCE STANDARDS

- ❑ YOUR PUBLIC HEARING WILL BE BASED ON THE FOLLOWING STANDARDS FROM THE KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE.

CHAPTER 12.36-1 **INTENT**

- ❑ It is the intent of this section of the Ordinance to recognize that under certain conditions and circumstances, it may be necessary to obtain a variance from the terms of this Ordinance so long as said variance will not be contrary to the public interest, and where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship or practical difficulties and where the granting of such variance will uphold the spirit of this Ordinance and contribute to the justice of the particular case in question. Any variance granted under the terms of this ordinance shall, however, relate only to area requirements and not to use. Furthermore, it is the intent of this section to establish a Board of Adjustments for the purpose of reviewing applications for variances as well as reviewing orders and decisions made by the Office of Planning and Development.

CHAPTER 12.36-13 **STANDARDS AND GUIDELINES**

- ❑ In determining whether a variance is to be granted, the following standards and guidelines must be met in view of the evidence presented and in making its decision, these standards and guidelines shall be addressed by the board of adjustment:
 1. The existence of special conditions or exceptional circumstances on the land in question.
 2. The experiencing of unnecessary hardships or practical difficulties on the land in question either presently or in the future.
 3. That these hardships or difficulties are the result of the aforementioned special conditions existing on the land and are not self-inflicted.
 4. That the existence of these special conditions will restrict the use of the land if the Ordinance is applied literally so as to render the land useless.
 5. That the limitation on the use of the land does not apply generally to other properties in the district.
 6. That limiting the use of the property does not afford compensating gains to the public health, safety and welfare.
 7. That the variance(s) requested are the minimum variance(s) needed to alleviate difficulties or hardships.
 8. That the use of the parcel in question presently does conform to the ordinance.

9. That granting the variance applied for will not affect the public health, safety, morals and welfare of the community and other properties in the area.
10. That with respect to those areas located within the floodland districts, a variance would not permit filling and development contrary to the purpose and intent of the Camp Lake/Center Lake FWO Floodway Overlay District; would not permit a change in the boundaries of the FPO Floodplain Overlay District, FWO Camp Lake/Center Lake Floodway Overlay district or the FFO Camp Lake/Center Lake Floodplain Fringe Overlay District; would not permit a lower degree of flood protection in the floodland districts than the residential, commercial, institutional, or park basement or crawlway to be located below the 100-year recurrence interval flood elevation; would not allow a change or alteration of an historic structure, including its use, which would result in the structure; further, that the variance for the proposed action would not require amendment to the floodplain zoning ordinance' and furthermore, that the variance would not have the effect of granting or increasing a use property which is prohibited in the floodland districts or any action contrary to the provisions of Chapter NR 116 of the Wisconsin Administrative Code.

- ☐ Variances may be granted for example for reasons of topography, environmental protection or where permitted by state statute but in no event may a variance be granted where the primary reason for obtaining a variance is to obtain a more profitable use of the property, personal inconvenience, construction errors, economic reasons, self-created hardships, or where the property is presently a non-conforming use. Furthermore, variances may not be granted for the purpose of altering the sanitary requirements of this ordinance except for existing structures.
- ☐ The Board of Adjustments in considering the propriety of granting a variance shall not consider the number of persons for or against the granting of a variance but shall base their decision solely upon the equities of the situation involved.
- ☐ Variances may be granted in the form of an area or distance variance, however, use variances shall be specifically prohibited under this Ordinance.

Statutory Standards

- ☐ The applicant for a variance must clearly show the Board of Adjustments that three statutory standards that govern granting a variance will be met. These three standards require the existence of an unnecessary hardship, the presence of a unique property limitation, and the protection of the public interest.
- ☐ Unnecessary Hardship
 - ❖ A situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome.
 - ❖ The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not one which affects all parcels similarly.

**VARIANCE PROCEDURES &
PUBLIC HEARING VARIANCE STANDARDS**

- ❑ Unique Property Limitation
 - ❖ Unique physical characteristics of the property must prevent the applicant from developing in compliance with the zoning ordinance.
- ❑ Protection of the Public Interest
 - ❖ Granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The public interest includes the interests of the public at large, not just that of nearby property owners.
 - ❖ Conditions may be attached to a variance to protect adjoining properties and to preserve the essential character of the neighborhood.
 - ❖ A variance should include only the minimum relief necessary to allow reasonable use of a property.

NOTES

VARIANCE WORKSHEET

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

UNNECESSARY HARDSHIP -

UNIQUE PROPERTY LIMITATION -

PROTECTION OF THE PUBLIC INTEREST -