

MINUTES
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING
Thursday, April 21, 2022

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, April 21, 2022, at 6:00 p.m. at the Kenosha County Center Planning & Development Conference Room, Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Robert Stoll & Dave Devito

Excused: Barbara Ford & Chris Brown (alternate)

Also Present: Benjamin Fiebelkorn, Senior Land Use Planner

The meeting was called to order at 6:00 p.m. by Robert Stoll.

1. **THOMAS AND LOUISE DANIELS LIVING TRUST**, 1077 248th Ave., Kansasville, WI 53139 (Owner), requesting a variance (Section III. P. 12.18.4-5(b): that accessory buildings shall be located in the side or rear yard only) to construct a detached accessory building to be located in the street yard on Tax Key Parcel #30-4-220-113-0400, Town of Brighton.

➤ Mr. Stoll made a motion to approve the variance request of Thomas and Louise Daniels Living Trust to construct a detached accessory building to be located in the street yard on Tax Key Parcel #30-4-220-113-0400, Town of Brighton for the following reasons:

1. Distance from the highway.

The motion was seconded by Mr. Devito and passed with a vote of 2-0. (Motion #05:55 / digital)

Site inspection by board members for the above item are as follows:

Robert Stoll	April 3, 2022
Dave Devito	April 19, 2022

2. **IRVING ONE LLC**, 1222 N. Grant Ave., Odessa TX 79762 (Owner), Ivan Purnell, N941 Daisy Dr., Genoa City WI 53128 (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 operate "Lights Fest" events in the A-2 General Agricultural Dist., PR-1 Park-Recreational Dist. & B-5 Wholesale Trade and Warehousing Dist. on Tax Parcel #60-4-119-304-0405, Town of Randall.

➤ Mr. Devito made a motion to approve the temporary use permit request of Irving One LLC to operate "Lights Fest" events in the A-2 General Agricultural Dist., PR-1

Park-Recreational Dist. & B-5 Wholesale Trade and Warehousing Dist. on Tax Parcel #60-4-119-304-0405, Town of Randall subject to the following conditions:

1. Current anticipated event dates are May 28th and September 10th and may be subject to change dependent on weather and other issues.
2. Subject to letting the town clerk and town fire chief know of anticipated event dates at least 2 weeks prior to event date.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #14:39 / digital)

Site inspection by board members for the above item are as follows:

Robert Stoll April 17, 2022

Dave Devito April 19, 2022

3. **BEDROCK LC LLC**, 33703 59th St., Burlington, WI 53105 (Owner), Timothy & DeAnna Delimat, Black Bull Fireworks, 34231 High Drive, East Troy, WI 53120 (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 40' sales tent, a 8' x 40' steel storage container and four banners to operate a temporary fireworks sales stand in the B-4 Planned Business Dist. on Tax Parcel #95-4-219-353-0230, Town of Wheatland.

- Mr. Devito made a motion to approve the temporary use permit request of Bedrock LC LLC to temporarily use an existing parking lot for the placement of a 30' x 40' sales tent, a 8' x 40' steel storage container and four banners to operate a temporary fireworks sales stand in the B-4 Planned Business Dist. on Tax Parcel #95-4-219-353-0230, Town of Wheatland subject to the following conditions:

1. Subject to the revised hours of operation as recommended from the Town of Wheatland.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #21:02 / digital)

Site inspection by board members for the above item are as follows:

Robert Stoll April 17, 2022

Dave Devito April 19, 2022

4. **DELIMAT PROPERTIES 1 LLC**, 32135 Geneva Rd., Salem WI 53168 (Owner), DeAnna Delimat, 34231 High Dr., East Troy, WI 53120 (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 locate (1) 10' x 10' sales tent and (2) 8' x 40' metal storage units to operate a temporary fireworks sales stand in the B-3 Highway

Business District on Tax Parcel #95-4-119-013-0320 and 95-4-119-013-0330, Town of Wheatland.

- Mr. Devito made a motion to approve the temporary use permit request of Delimat Properties 1 LLC to temporarily locate (1) 10' x 10' sales tent and (2) 8' x 40' metal storage units to operate a temporary fireworks sales stand in the B-3 Highway Business District on Tax Parcel #95-4-119-013-0320 and 95-4-119-013-0330, Town of Wheatland subject to the following conditions:

1. Subject to the conditions recommended in the April 20, 2022 letter from the Town of Wheatland clerk including the attached April 20, 2022 letter from the Town of Wheatland Fire Chief regarding improvement of the parking lot and the area surrounding the building.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #28:24 / digital)

Site inspection by board members for the above item are as follows:

Robert Stoll	April 17, 2022
Dave Devito	April 19, 2022

5. **HENRY & JOANNE MACK**, 40622 119th St., Genoa City WI 53128-2501 (Owner), Julie Shebek, First American Site Acquisition, Inc., PO Box 481, Riverside IA 52402 (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 deploy a Cell on Light Truck (COLT) and Portable Generator in the R-1 Rural Residential Dist. on Tax Parcel #60-4-119-312-0140, Town of Randall.

- Mr. Devito made a motion to approve the temporary use permit request of Henry & Joanne Mack to deploy a Cell on Light Truck (COLT) and Portable Generator in the R-1 Rural Residential Dist. on Tax Parcel #60-4-119-312-0140, Town of Randall subject to the following conditions:

1. Subject to inclusion of the revisions to the site plan of operation presented by the applicant.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #35:12 / digital)

Site inspection by board members for the above item are as follows:

Robert Stoll	April 17, 2022
Dave Devito	April 19, 2022

6. **TABLED REQUEST OF JOHN & JEAN K. LIPSTREUER**, 40395 103rd St., Genoa City, WI 53128 (Owner), requesting a variance (Section III. K. 12.17-5: that swimming pools shall only be installed in the rear yard of a premise) to construct a swimming pool to be located in the street yard on Tax Key Parcel #60-4-119-193-1600, Town of Randall.

- Mr. Devito made a motion to approve the variance request of John & Jean K. Lipstreuer to construct a swimming pool to be located in the street yard on Tax Key Parcel #60-4-119-193-1600, Town of Randall for the following reasons:

1. Because of the hardship of the lot size and the design of the lot and it's irregular size.

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #44:02 / digital)

Site inspection by board members for the above item are as follows:

Robert Stoll	April 17, 2022
Dave Devito	April 19, 2022

Immediately after acting on this item it was realized the item was to be first removed from the table.

- Mr. Devito made a motion to remove from the table the variance request of John & Jean K. Lipstreuer to construct a swimming pool to be located in the street yard on Tax Key Parcel #60-4-119-193-1600, Town of Randall for the following reasons:

The motion was seconded by Mr. Stoll and passed with a vote of 2-0. (Motion #45:49 / digital)

7. **Citizens Comments - NONE**

8. **Approval of Minutes**

- Mr. Stoll made a motion to approve the minutes from March 22, 2022. The motion was seconded by Mr. Devito and passed with a vote of 2-0.

9. **Other Business Allowed by Law**

Mr. Fiebelkorn informed the board that the next meeting scheduled for May 19, 2022 has three new items. The next meeting scheduled after that is for June 16, 2022 which currently has no new petitions.

Mr. Fiebelkorn gave a copy of the letter dated April 14, 2022 from Mike Wenholz, Shoreland Program Coordinator with the Wisconsin Department of Natural Resources to the Board members in attendance so that the Board could provide a response at the next meeting.

10. **Adjournment**

- Mr. Devito made a motion to adjourn the meeting. The motion was seconded by Mr. Stoll and passed with a vote of 2-0.

The meeting adjourned at 6:52 p.m.