

MINUTES
KENOSHA COUNTY BOARD OF ADJUSTMENT HEARING
Thursday, May 17, 2018

Minutes of the Kenosha County Board of Adjustments public hearing held on Thursday, May 17, 2018, at 6:00 p.m. in Conference Room A, Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Robert Stoll, Chris Brown and Dave Devito

Excused: Barbara Ford

Also Present: Benjamin Fiebelkorn, Senior Land Use Planner

The meeting was called to order at 6:00 p.m. by Vice-Chairman Stoll.

1. **RUSSELL C. & SUSAN M. MUELLER**, 4710 301st Ave., Salem WI 53168 (Owner), requesting a variance (Section V. A. 12.27-6(c): that the other two detached accessory buildings shall not exceed 20 feet in height in the in the R-1 Rural Residential Dist.) to construct a 26' x 50' detached accessory to be **23'** high (required **20'** high) on Tax Parcel #30-4-220-311-0160, Town of Brighton.

➤ Mr. Brown made a motion to **approve** the variance request of Russell C. & Susan M. Mueller to construct a 26' x 50' detached accessory structure to be 23' high on Tax Parcels #30-4-220-311-0160, Town of Brighton for the following reasons:

1. Citing the hardship of conforming with the subdivision covenants that preceded the current county zoning control.

The motion was seconded by Mr. Devito and passed with a vote of 3-0. (Motion #29:35 / digital (recording 1 of 2))

2. **OMAR CALZADA**, 28343 41st Street, Salem, WI 53168 (Owner), requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district) to **operate temporary commercial bull rodeo events** in the A-2 General Agricultural Dist. on Tax Parcel #30-4-220-294-0300, Town of Brighton.

Mr. Brown made a motion to **approve** the temporary use permit request of Omar Calzada to temporarily allow the operation of a commercial event barn in the A-2 General Agricultural Dist. on Tax Parcel #30-4-220-294-0300, Town of Brighton subject to the following stipulations:

1. Subject to the stipulations recommended by the Town of Brighton – specifically that the application addendum submitted by the applicant dated May 4, 2018 and received by the Department of Planning & Development on May 7, 2018 be followed and subject to a completed

contact sheet be returned to the Town upon County approval and prior to any events taking place.

The motion was seconded by Mr. Devito and passed with a vote of 3-0. (Motion #08:56 / digital (recording 1 of 2))

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

Robert Stoll	May 10, 2017
Chris Brown	May 12, 2017
Dave Devito	May 16, 2017

3. **BRIGHTONWOODS ORCHARD INC.**, 1072 288th Ave., Burlington WI 53105 (Owner), Bill Stone, 1072 288th Ave., Burlington WI 53105 (Agent), requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district) **to operate multiple special events** in the A-3 Agricultural Related Manufacturing, Warehousing and Marketing Dist. on Tax Parcel #30-4-220-083-0301, Town of Brighton.

The following people were present and voiced their opposition to the petition:

1. Ted Johnson, Godfrey Law Office, Elkhorn, WI spoke on behalf of Stephen & Mary Ann Decatur at 1081 288th Avenue.

- Mr. Brown made a motion to **approve** the temporary use permit request of Brightonwoods Orchard Inc. to operate multiple special events in the A-3 Agricultural Related Manufacturing, Warehousing and Marketing Dist. on Tax Parcel #30-4-220-083-0301, Town of Brighton subject to the following stipulations:

1. With a stipulation that the five events will take place as described on the application.
2. Subject to signage on the southern driveway being installed to direct all event and business traffic to the entrance.
3. Subject to event dates being provided before July 31, 2018.
4. Subject to curing the lean-to violation on the property (recently constructed covered lean-to addition covering refrigeration unit) prior to the permit taking effect.

The motion was seconded by Mr. Devito and passed with a vote of 3-0. (Motion #01:05:41 / digital (recording 1 of 2))

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

Robert Stoll	May 10, 2017
Chris Brown	May 16, 2017
Dave Devito	May 16, 2017

4. **VR WM HOLDINGS LLC**, 390 Interlocken Crescent, FL 7, Broomfield CO 80021 (Owner), Rachael Muhlenbeck, 11931 Fox River Road, Wilmot WI 53192 (Agent), requesting approval of a temporary use (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any

district) **to operate multiple special events** in the PR-1 Park-Recreational Dist. on Tax Parcels #60-4-119-364-0103 & 60-4-119-364-0300, Town of Randall.

- Mr. Devito made a motion to **table** the temporary use permit request of VR WM Holdings LLC to operate multiple special events in the PR-1 Park-Recreational Dist. on Tax Parcels #60-4-119-364-0103 & 60-4-119-364-0300, Town of Randall.

The motion was seconded by Mr. Brown and passed with a vote of 3-0. (Motion #00:13 / digital (recording 2 of 2))

5. **Citizens Comments - NONE**

6. **Approval of Minutes**

- Mr. Devito made a motion to approve the minutes from April 19, 2018. The motion was seconded by Mr. Brown and passed with a vote of 3-0.

7. **Other Business Allowed by Law**

Mr. Fiebelkorn informed the board that the next meeting scheduled for June 21, 2018 will have one new petition and the tabled petition from this evening. The next meeting scheduled after that is for July 19, 2018 which currently has no new petitions.

8. **Adjournment**

- Mr. Brown made a motion to adjourn the meeting. The motion was seconded by Mr. Devito and passed with a vote of 3-0.

The meeting adjourned at 7:21 p.m.