

APPLICATION FOR A VARIANCE/APPEAL

Racine County, Wisconsin

Owner: JK Edventures LLC

Applicant/Agent: John Kurt

Address: 4324 Shianne Street Union Grove, WI 53182

Date petition filed: 2-8-2023 Hearing Date: 3-7-2023

Municipality: Town of Dover

Phone (Hm) (262) 878-2397

(Wk) (262) 497-4998

Zoning district(s): M-3

TO THE ZONING BOARD OF ADJUSTMENT/APPEALS: Please take notice that the undersigned was denied a permit or seeks an appeal of the Zoning Administrator to construct a +/- 3125 square-foot addition to the existing industrial building

at site address 4324 Shianne Street Union Grove, WI 53182, Section 36, T3, N, R20, E

Lot(s) 18, Blk - Subd/CSM Evergreen Commerce Park, Parcel Id.# 006032036040180

in Racine County, Wisconsin, for the reason that the application failed to comply with Chapter 20 (Zoning) of the Racine County Code of Ordinances with respect to: the proposed addition will have insufficient street yard setback

Applicant is subject to: Article VI Division 29 M-3 Heavy Industrial District and Section 20-1017 Reduction or Joint use

of the Racine County Zoning Ordinance.

Check applicable below: (Underline or circle the word "all" or "partially" below, as needed)

- Property is all/partially located in the shoreland area of
Project is all/partially located in the shoreland area of
Property is all/partially located in the floodplain area of
Project is all/partially located in the floodplain area of
Property is all/partially located in a wetland area.
Project is all/partially located in a wetland area.

Indicate below or attach separate pages showing how your application meets the legal criteria for a variance.

1) Explain how the Ordinance creates an unnecessary hardship and in the absence of approval no feasible use can be made of the property. Creating an addition to this building in any other direction is not practical and will not allow for an improved traffic flow pattern for businesses involved.

2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure.

The existing building was constructed prior to Evergreen Commerce Park planning and construction, the east elevation was not originally designed as "street side view". This addition would create a street side elevation for this building.

3) Describe how the approval would not create substantial detriment to adjacent property or materially impair or be contrary to the purpose and spirit of zoning or the public interest.

No negative impact to traffic patterns and visual appearances of surrounding properties.

4) Explain how the request is not based on economic gain or loss and is not self-imposed.

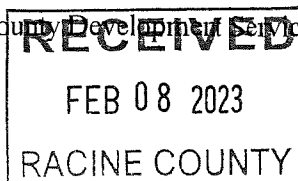
Where there will be economic gain from the project as a whole the placement and architecture of the addition is based on aesthetics and functionality.

Owner/Applicant's Signature

[Handwritten Signature]

Date 2/7/23

Fee pd: \$ 450.00 Ck # 2782 (Payable to Racine County Development Services) Attach required documentation



APPLICATION FOR ZONING PERMIT
 RACINE COUNTY, WISCONSIN (Rev. 02/22)

PERMIT NO. _____
 DATE PERMIT ISSUED _____

OWNER JK Edventures
 Mailing _____
 Address 4324 Shianne Street

APPLICANT John Kurt
 Mailing _____
 Address Same

Union Grove WI 53182
 City State Zip

City State Zip

Phone (262) 878-2397

Phone (262) 497-4998

Email Cheri@Kurkconcrete.com

Email John@Kurkconcrete.com

Parcel Id. # 006032036040180

Site Address 4324 Shianne Street Union Grove, WI 53182

Municipality Town of Dover Section(s) 36 Town 3 North, Range 20 East

Lot 18 Block — Subdivision Name Evergreen Commerce Park CSM # —

Proposed Construction/Use ±3125 square-foot addition to the existing industrial building

New	<input checked="" type="checkbox"/>	Principal Bldg.	<input checked="" type="checkbox"/>	Size (<u>25'</u> x <u>125'</u>) (<u>—</u> x <u>—</u>) (<u>—</u> x <u>—</u>)
Addition	<input checked="" type="checkbox"/>	Accessory	<input type="checkbox"/>	Area (sq ft) (<u>3,125</u>) (<u>—</u>) (<u>—</u>)
Alteration	<input type="checkbox"/>	Deck	<input type="checkbox"/>	Peak Ht. (ft.) <u>17'-0"</u> 100-Yr. Floodplain Elev. <u>—</u>
Conversion	<input type="checkbox"/>	Sign	<input type="checkbox"/>	Eave Ht. (ft.) <u>15'-0"</u> Flood Protection Elev. <u>—</u>
Temporary	<input type="checkbox"/>	Other	<input type="checkbox"/>	Building Ht.-Avg. (ft.) <u>16'-0"</u>

Contractor <u>Kurk Inc.</u>	Est. Value w/Labor \$ <u>350,000</u>	ZONING DISTRICT M3		
Existing Nonconforming? <u>N/A</u> <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yard Setbacks	Proposed	OK?
Structure in Shoreland? (per map) <u>—</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Street-1 st	<u>29.73'</u>	<u>—</u>
Mitigation or Buffer Needed? <u>—</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Street-2 nd	<u>±120'</u>	<u>yes</u>
Structure in Floodplain? (per map) <u>—</u>	*Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Side-1 st St. 3 rd	<u>±230'</u>	<u>yes</u>
*Structure's Fair Market Value \$ <u>—</u>	Cumulative % <u>—</u>	Side-2 nd	<u>—</u>	<u>—</u>
*>50% of Fair Market Value? <u>N/A</u> <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Shore	<u>—</u>	<u>—</u>
Structure in Wetland? (per map) <u>—</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Rear	<u>±160'</u>	<u>yes</u>
Substandard Lot? <u>—</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Total Acc. Structures	<u>—</u>	<u>—</u>
BOA Variance Needed? <u>—</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Date of Approval	<u>—</u>	<u>—</u>
Conditional Use/Site Plan Needed? <u>—</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Date of Approval	<u>—</u>	<u>—</u>
Shoreland Contract Needed? <u>—</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date of Approval	<u>—</u>	<u>—</u>

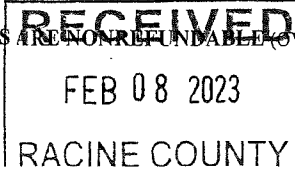
Additional Zoning Permit Stipulations Listed on Back of this Form? Yes No (If "Yes," see back)

The applicant hereby acknowledges receipt of notice contained herein and certifies that submitted information/ attachments are true and correct to the best of the knowledge and belief of the signer, and that all construction/ use will be done in accordance with the Zoning Ordinance, applicable stipulations, and Wisconsin laws.

BOA/Conditional Use/Site Plan Pd: \$ 450.00
 CC Date/Check#/Cash 2782 Signature of Owner /Applicant/Agent [Signature] Date 2/9/23
 Shoreland Contract Fee Pd: \$ _____ Print Name(s) John Kurt
 Zoning Permit Fee Pd: \$ 600.00
 CC Date/Check#/Cash _____ Notes (revisions, extensions, etc.) Jc
 Other: _____ Pd: \$ _____

if shoreland erosion review fee is included above Zoning Administrator _____ (Staff Initials)

Make checks payable to "Racine County Development Services" - Note: ALL FEES ARE NON-REFUNDABLE (OVER)



PIN 0060320-36-040180

Staff Use Only

If a private onsite wastewater treatment system (POWTS) serves the property, check here and complete #1-6 below:

- 1) Sanitary Permit # 287475 Date issued 3/24/1997 Year installed 1997 Failing? No
- 2) If zoning permit is for an accessory structure without plumbing, check here and go to #4 below.
- 3a) If a commercial facility, public building, or place of employment, will there be a change in occupancy of the structure; or will the proposed modification affect either the type or number of plumbing appliances, fixtures or devices discharging to the system? Yes* No N/A
- 3b) If a dwelling, will the addition/alteration change the number of bedrooms? Yes* No N/A
*If "Yes" above, documentation must be submitted per SPS 383.25 (2) (d) to verify system can be used.
- 4) Will construction interfere with the setback requirements to the POWTS per SPS 383.43 (8) (i)? Yes No
If "Yes," provide variance approval date: _____
- 5) Has a new sanitary permit been issued to accommodate the structure or proposed modification in wastewater flow or contaminant load and/or County sanitary approval granted? Yes No
- 6) Comments Proposed Addition will Not impact POWTS

POWTS Inspector's Signature: *J. C. Sg* Date: 2-8-2023

ZONING PERMIT REQUIREMENTS

A Plat of Survey shall be prepared by a Land Surveyor registered in Wisconsin illustrating new principal structure's location on lots less than five (5) acres in size. All zoning permit applications shall be accompanied by plans drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon and any primary and accessory buildings, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building and the number of families and/or employees the building is intended to accommodate. Include floodplain, wetlands, environmental corridors, easements and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for ordinance enforcement. Adequate driveway access and off-street parking stalls must be provided in accordance with Sec. 20-1088, Racine County Code of Ordinances. In addition, if a private sewage system exists, the location of the tank(s), system and vent shall be shown on the plan with setback distances to the closest part of the proposed construction.

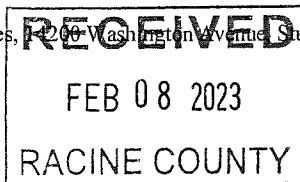
All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. Lot area shall not contain road right-of-way. NOTE: All street yard, side yard, and rear yard setbacks shall be measured from the closest property lines. Shore yard setbacks shall be measured from the closest point of the ordinary highwater mark of a navigable body of water. All elevations shall be provided in mean sea level datum.

All zoning permits issued pursuant to this ordinance are valid for nine (9) months unless substantial construction has commenced and is continuing, otherwise such zoning permits shall become null and void and a new zoning permit is required. It is the responsibility of the applicant to secure all other necessary permits required by any federal, state or local agency. The issuance of a zoning permit is not a guaranty or warranty that the requirements have been met for other necessary permits, or that the site is otherwise suitable for construction.

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 OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER. See DNR web site <http://dnr.wi.gov/wetlands/locating.html> for more information.

ADDITIONAL ZONING PERMIT STIPULATIONS (check all that apply)

- Proposed structure is for owner residential use only and not to be used for human habitation or separate living quarters. No business, commercial or industrial use is allowed.
- All disturbed soils must be reseeded and mulched or sodded immediately upon completion of project.
- Must install the following within 14 days of completion of roof: gutters and downspouts which outlet onto splashblocks or into drain tiles; or a hard surface material that extends at least 16" beyond the dripline of the structure.
- All excess soil not used for backfilling project must be removed from the shoreland area within 10 days of excavation.
- A hard surface material must be placed beneath the deck to prevent soil erosion.
- All existing yard grade elevations will remain unchanged.
- Firmly anchor, no floor < ___'; Buoyant, flammable, explosive or injurious materials/utilities/electric & 1st floor ≥ ___'



Racine County
Board of Adjustment/Appeals
14200 Washington Avenue
Sturtevant, WI 53177

February 7, 2023

Dear Sir/Madame,

I am requesting site plan approval for an addition to the existing building and expansion to the existing laydown yard located at 4324 Shianne Street, Union Grove, WI (Town of Dover). I am further requesting that the building street setback of 50'-0" be modified to 25'-0" in the M-3 Zoning district at this property.

The building is occupied by Kurk Inc, which is a concrete construction and excavation contractor. They have occupied this building/site since 1997 and have grown from a ten-person company to thirty-five currently. I am requesting a building addition to the east based on several factors. Adding to the west would shrink space in the existing parking and laydown yard, creating unworkable turning radiuses and general congestion. Adding to the east would allow for drive thru bays at the existing building, thus creating an improved traffic pattern for vehicles and crews moving in and out in the morning and re-entering in the evening, allowing for a more efficient operation, adding yard space to the North will allow more equipment storage.

While the east elevation is considered the "entrance" to Evergreen Commerce Park, this building was not constructed with that in mind in 1997, as it was built with the existing north elevation as the "front view". The addition construction, based on provided elevation drawings would add considerable curb appeal to the east side of the existing building.

In conclusion, I believe the approval of this project benefits the Town of Dover, Racine County, the building owner and tenant in a way that exceeds the adherence to the existing building setback allowance.

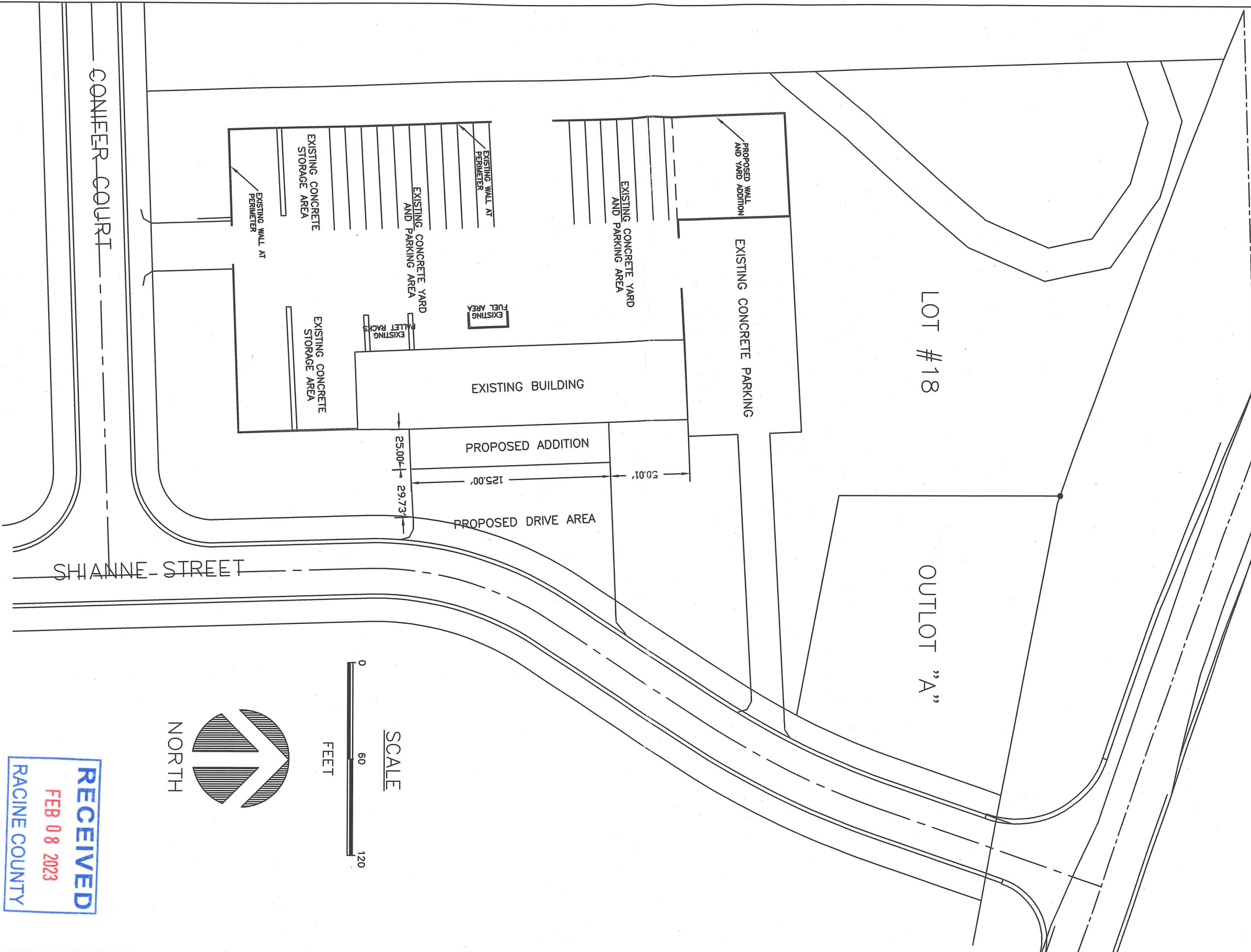
Thank you for your consideration.

Sincerely,


John Kurt
JK Edventures



STH "11" (DURAND AVENUE)
ROW WIDTH VARIES



LOT #18

OUTLOT "A"

EXISTING CONCRETE PARKING

EXISTING BUILDING

PROPOSED ADDITION

PROPOSED DRIVE AREA

EXISTING CONCRETE STORAGE AREA

EXISTING CONCRETE STORAGE AREA

EXISTING CONCRETE YARD AND PARKING AREA

EXISTING CONCRETE YARD AND PARKING AREA

PROPOSED WALL AND YARD ADDITION

EXISTING FUEL AREA

EXISTING PALETTE RACKS

EXISTING WALL AT PERIMETER

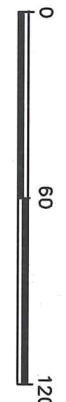
EXISTING WALL AT PERIMETER

CONIFER COURT

SHIANNE STREET



SCALE



RECEIVED
FEB 08 2023
RACINE COUNTY

PROJECT: EVERGREEN COMMERCE #18 SHIANNE STREET UNION GROVE, WI
DATE: 01.24.2023
DRAWN BY: A KURT
SHEET NAME: 1 OF 1

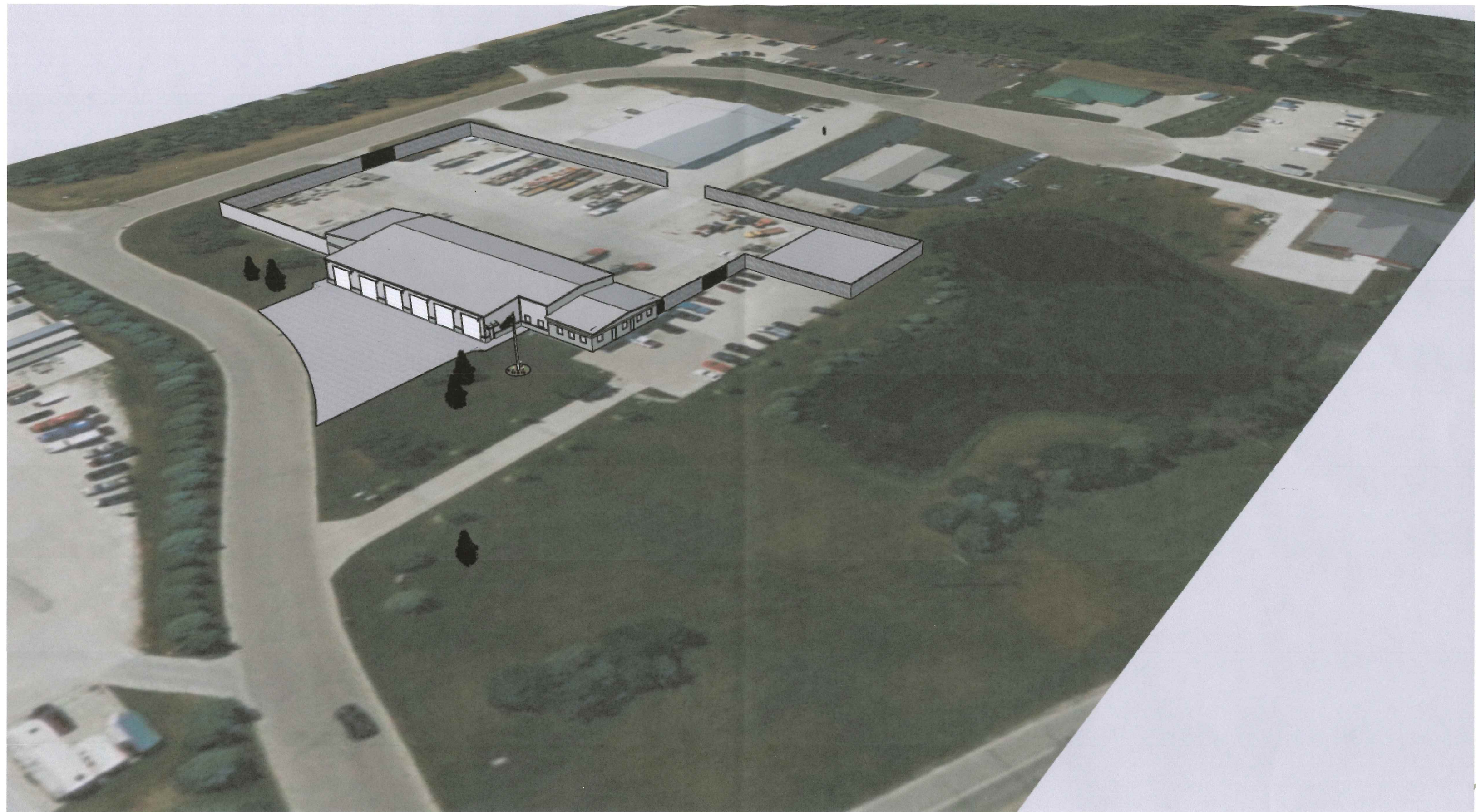
PROJECT: EVERGREEN COMMERCE #18 SHIANNE STREET UNION GROVE, WI
DATE: 01.24.2023
DRAWN BY: A KURT
SHEET NAME: 1 OF 1

PROPOSED SITE PLAN
SCALE: 1" = 60'-0"

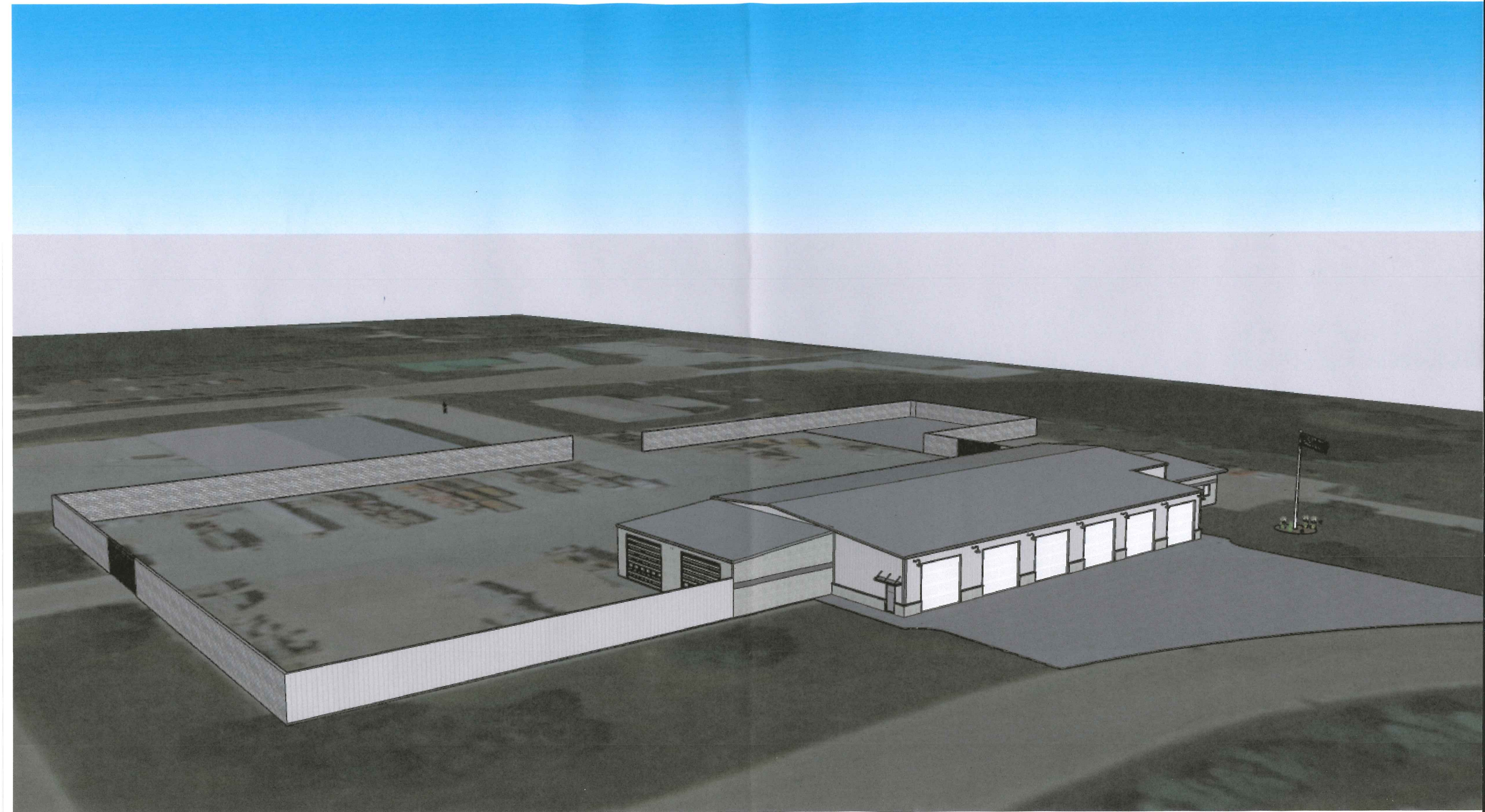
4324 SHIANNE ST.
UNION GROVE, WI
PH: 262-878-2397
FX: 262-878-2402



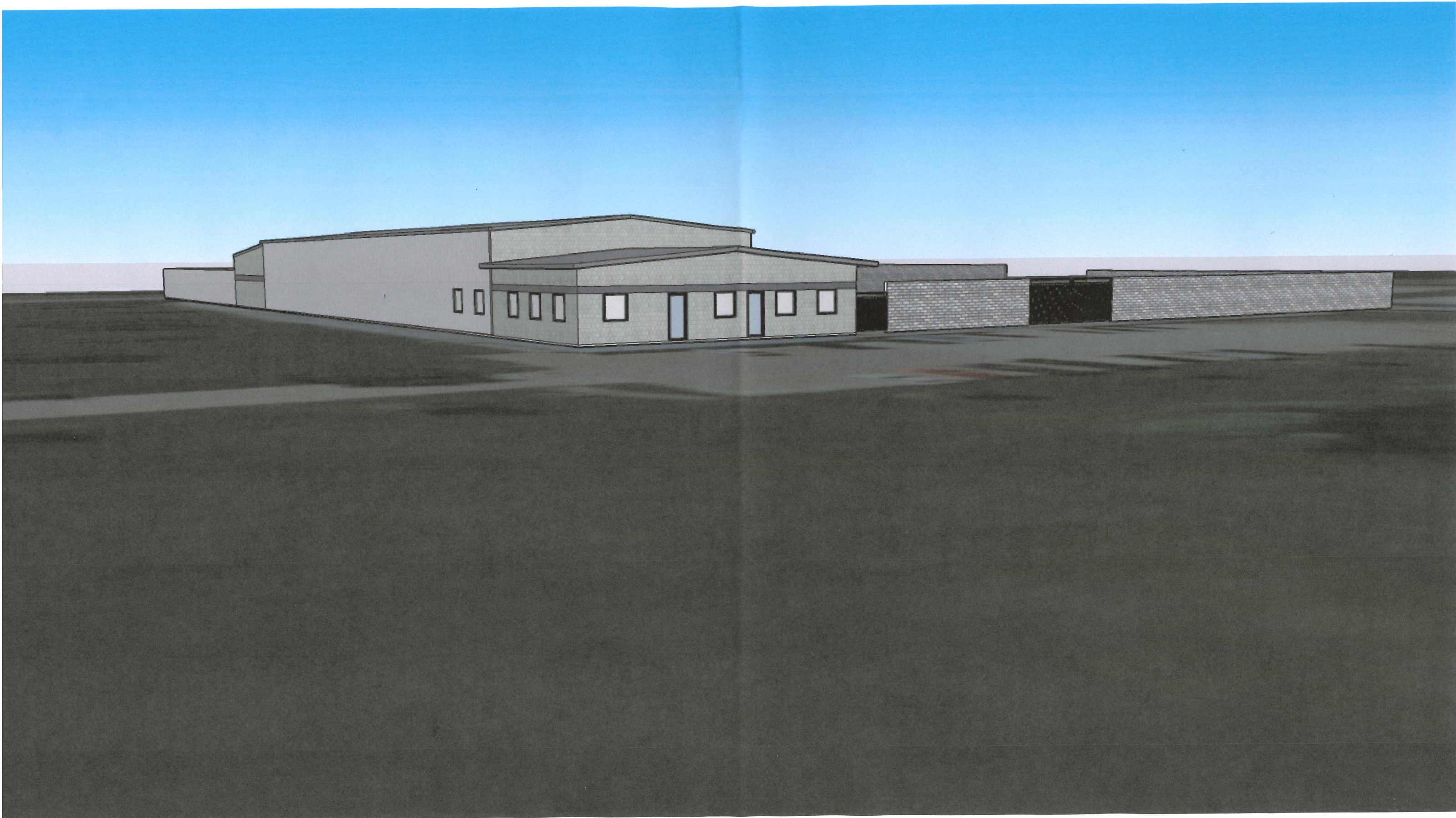
PROPOSED OUTDOOR VIEW—LOOKING SOUTH WEST



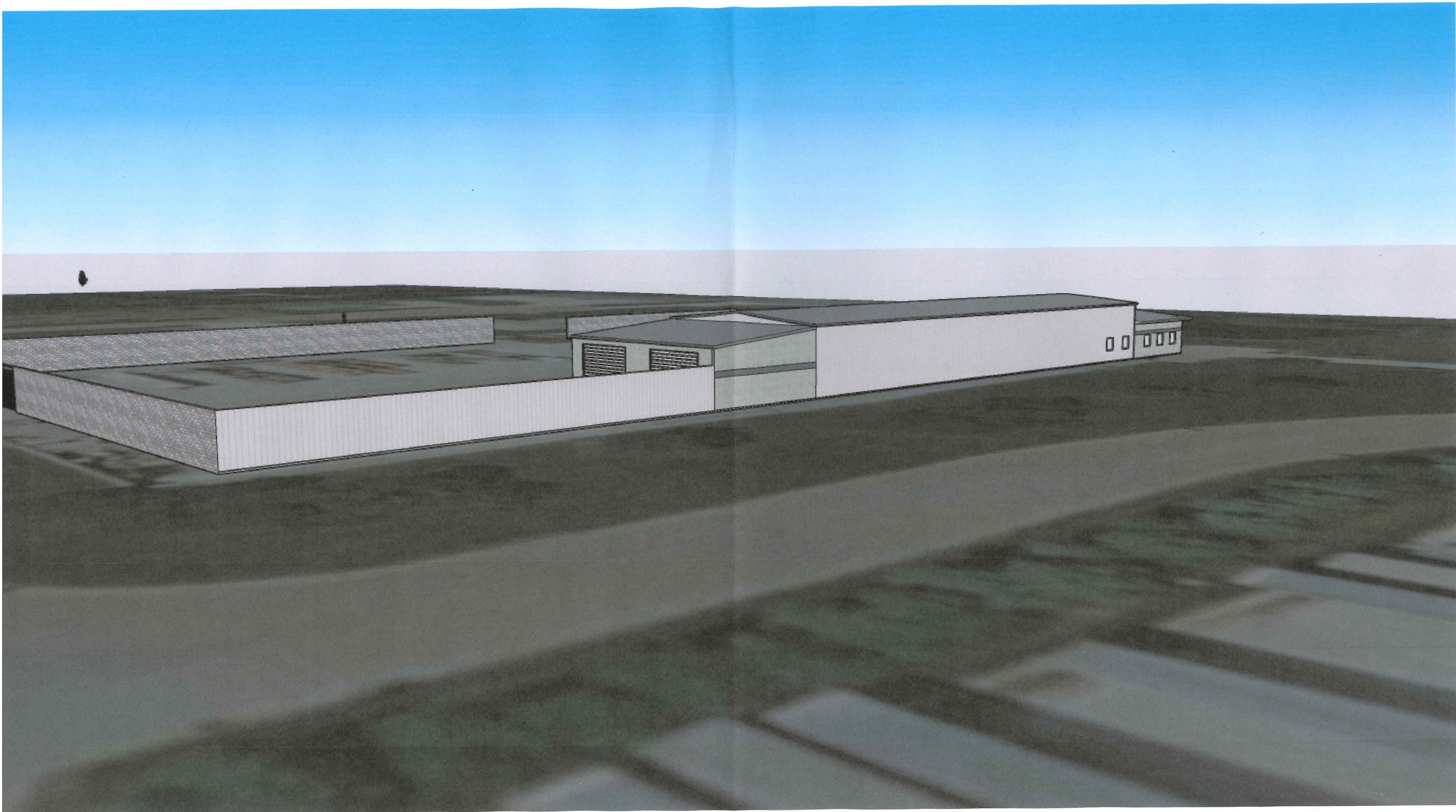
PROPOSED AERIAL VIEW—LOOKING SOUTH WEST



PROPOSED AERIAL VIEW—LOOKING NORTH WEST



EXISTING OUTDOOR VIEW—LOOKING SOUTH WEST



EXISTING OUTDOOR VIEW—LOOKING NORTH WEST