



COUNTY OF KENOSHA

Department of Public Works & Development Services

Andy M. Buehler, Director
Division of Planning Operations
19600 75th Street, Suite 185-3
Bristol, WI 53104-9772
(262) 857-1895

November 19, 2014

FINE AND BLOCK ATTORNEYS
2060 MT. PARAN ROAD, NW, SUITE 106
ATLANTA, GEORGIA 30327

RE: Zoning Determination Letter for Parcels #:

80-4-222-271-0304 (Lot 4)	80-4-222-271-0314 (Lot 14)
80-4-222-271-0305 (Lot 5)	80-4-222-271-0315 (Lot 15)
80-4-222-271-0307 (Lot 7)	80-4-222-271-0316 (Lot 16)
80-4-222-271-0308 (Lot 8)	80-4-222-271-0317 (Lot 17)
80-4-222-271-0309 (Lot 9)	80-4-222-271-0318 (Lot 18)
80-4-222-271-0310 (Lot 10)	80-4-222-271-0321 (Outlot 1)
80-4-222-271-0311 (Lot 11)	80-4-222-271-0322 (Outlot 2)
80-4-222-271-0312 (Lot 12)	80-4-222-271-0323 (Outlot 3)
80-4-222-271-0313 (Lot 13)	80-4-222-271-0324 (Outlot 4)

To Whom It May Concern:

In response to your letter request stamped received by the office of Planning and Development on November 13, 2014, requesting the zoning of the eighteen (18) aforementioned parcels located in Somers Market Center Subdivision, located in the northeast quarter of Section 27, Town 2 North, Range 22 East, Town of Somers, the following information is being provided.

The aforementioned parcels are all zoned B-4 (Planned Business District). In addition to being zoned B-4 parcel # 80-4-222-271-0322 (Outlot 2) is also partially zoned C-1 (Lowland Resource Conservancy District). Also let it be known that Somers Market Center Subdivision as a whole contains a PUD Planned Unit Development Overlay District zoning classification, granted by the Kenosha County Land Use Committee on Wednesday, March 14, 2007. A copy of the official Kenosha County Zoning Map and the zoning regulations have been included for your information.

This letter is not addressing factors such as sewer availability, soil conditions, the validity of any easement of record, etc... This is left up to the owner to research. The Information contained in this letter is relevant to the current edition of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance as of the date of this letter. Let it be known that the zoning ordinance may be amended from time to time and that no assurances are given that the statements made in this letter will be valid for any amount of time after the date of this letter.

If you have any questions you may contact this office, at (262) 857-1895, during regular weekday business hours.

Sincerely,

A handwritten signature in cursive script that reads "Mark Meldgaard". The signature is written in dark ink and is positioned above the printed name and title.

Mark Meldgaard
Land Use Specialist

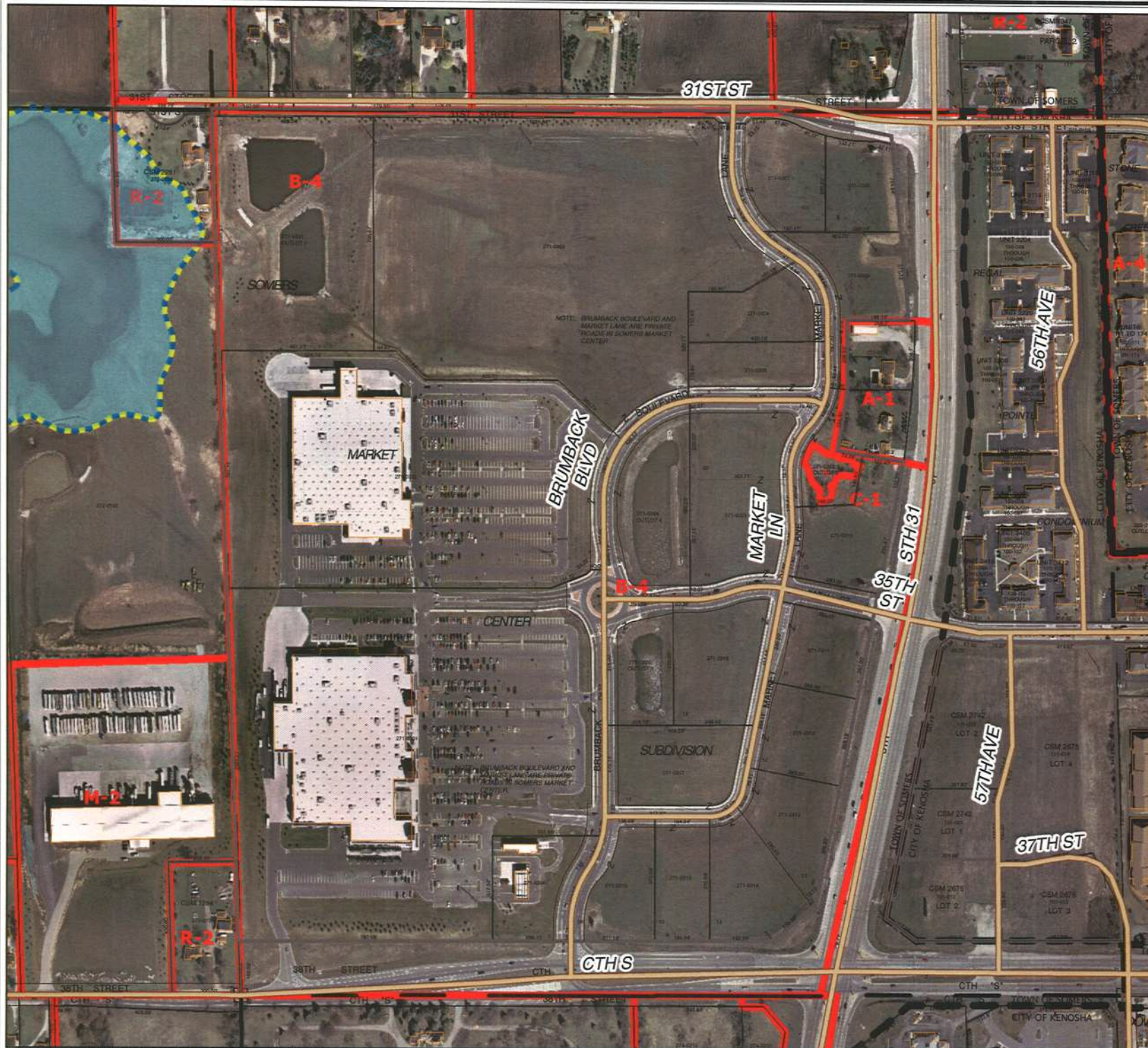
Enclosures

Kenosha County



1 inch = 400 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 INNACURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT KENOSHA COUNTY.



B-4 PLANNED BUSINESS DISTRICT**(a) Primary Purpose and Characteristics**

The B-4 Planned Business District is intended to provide for the orderly and attractive grouping at appropriate locations of retail stores, shops, offices, and customer service establishments in a "shopping center" or "mall" setting on a single parcel of land and intended to serve the larger community or regional area. The size and location of such districts shall be based upon evidence of justifiable community need, of adequate customer potential, of satisfactory relationship to the circulation system and other related facilities, and of potential contribution to the economic welfare of the community. All new structures and uses and changes or additions to existing structures and uses shall be in compliance with the site plan review requirements of this ordinance (See Section 12.08-2). (8/6/02)

It is recognized that it is neither possible nor practicable to list all of the principal and accessory uses that are compatible with those listed below and therefore, it is intended that the following list of principal and accessory uses only be illustrative. Any individual aggrieved by a failure to list a particular principal or accessory use in this subsection shall have the right to file a petition with the Kenosha County Office of Planning and Zoning Administration pursuant to section 12.35 of this ordinance for a determination as to the similarity of the intended use with the principal and accessory uses listed below.

(b) Principal Uses (8/6/02)

Any principal use allowed in the B-1 Neighborhood Business District, B-2 Community Business District or B-3 Highway Business District.

(c) Accessory Uses

- 1 Garages for storage of vehicles used in conjunction with the operation of the business
- 2 Off-street parking and loading areas

(d) Conditional Uses (see also section 12.29-8) (8/6/02)

- 1 Flea Markets
- 2 Gasoline service stations
- 3 Utility substations
- 4 Wind energy conversion systems

(e) Lot Area and Width

- 1 Groupings of shops and businesses in the B-4 Business District shall provide a minimum area of two (2) acres and a minimum frontage of 200 feet in width.
- 2 Individual shops within a grouping shall provide an area sufficient to accommodate the principal and all accessory structures, off-street parking and loading areas, the disposal of sanitary waste if a public sanitary sewage system is not available and the required yards.

(f) Building Height and Area

- 1 No building or parts of a building shall exceed 60 feet in height.
- 2 No maximum or minimum building area shall be required in the B-4 District due to the variety of uses within the District and the diverse building demands of each user.

(g) Yards

- 1 Street yard - not less than 65 feet from the right-of-way of all Federal, State Trunk or County Trunk highways; and not less than 30 feet from the right-of-way of all other roads. (8/6/02)
- 2 Shore yard - not less than 75 feet from the ordinary high water mark of any navigable water. (11/5/86)
- 3 Side yard - not closer than 45 feet to any other lot line.
- 4 Rear yard - not closer than 45 feet to any other lot line.

(h) Authorized Sanitary Sewer System

- 1 Public sanitary sewer
- 2 On-site sewage disposal absorption system
- 3 Holding tanks on lots of record created prior to July 1, 1980

G. CONSERVANCY DISTRICTS

12.25-1 C-1 LOWLAND RESOURCE CONSERVANCY DISTRICT (11/5/86)

(a) Primary Purpose and Characteristics

The C-1 Lowland Resource Conservancy District is intended to be used to prevent destruction of valuable natural or manmade resources and to protect water courses and marshes including the shorelands of navigable waters, and areas that are not naturally drained, or which are subject to periodic flooding, where development would result in hazards to health or safety or would deplete or destroy natural resources or be otherwise incompatible with public welfare.

(b) Designation of Lowland Conservancy Areas

For the purpose of determining which areas are to be located in the C-1 Lowland Resource Conservancy District, the Kenosha County Office of Planning and Zoning Administration shall develop district maps reflecting the best data available. The district delineation process shall make use of the Wisconsin Wetland Inventory Maps for Kenosha County, dated June 20, 1985, and stamped "FINAL"; and other maps used by the Southeastern Wisconsin Regional Planning Commission in delineating primary environmental corridors.

(c) Mapping Disputes in the C-1 District

Whenever it is alleged that a discrepancy exists between a Lowland Resource Conservancy District delineation and actual field conditions, the staff of the Kenosha County Office of Planning and Zoning Administration shall resolve the discrepancy in the following manner:

- 1 The Kenosha County Office of Planning and Zoning Administration staff shall request that the staff of the Wisconsin Department of Natural Resources make a field inspection of the disputed lot and stake the limits of the Lowland Resource Conservancy District.
- 2 The Kenosha County Office of Planning and Zoning Administration shall notify the property owner of the preliminary results of the field investigation. The property owner shall determine, within 30 days, whether he will pursue a final wetland determination on the property.
- 3 Should the property owner decide to pursue a final wetland determination, he shall have a plat of survey prepared by a Wisconsin Registered Land Surveyor. The plat of survey shall show all property lines, structures on the lot or parcel, and the location of the wetland boundary as staked in the field. The plat of survey shall be filed with the Kenosha County Office of Planning and Zoning Administration.
- 4 The Kenosha County Office of Planning and Zoning Administration shall institute the appropriate action to change the Zoning Map to conform to the plat of survey. No fee shall be required of the property owner for this action.

(d) Principal Uses.

- 1 The following uses provided they do not involve filling, flooding, draining, dredging, ditching, tiling, or excavation:
 - a Hiking, fishing, trapping, hunting, swimming, and boating, unless otherwise prohibited by law.
 - b The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a

manner that is not injurious to the natural reproduction of such crops;

- c The pasturing of livestock;
- d The cultivation of agricultural crops;
- e The practice of silviculture, including the planting, thinning, and harvesting of timber; and
- f The construction or maintenance of duck blinds.

2 The following uses which may involve filling, flooding, draining, dredging, ditching, tiling, and excavating but only to the extent specifically provided below:

- a Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
- b The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growing and harvesting of cranberries,
- c The maintenance and repair of existing agricultural drainage systems including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;
- d The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance;
- e The construction or maintenance of piers, docks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and
- f The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.

(e) Conditional Uses (see also section 12.29-8)

No conditional uses shall be permitted in the C-1 Lowland Resource Conservancy District except:

- 1 Roads necessary to conduct silvicultural and agricultural cultivation activities.
- 2 Nonresidential buildings for wildlife management.
- 3 Park and recreation areas.
- 4 Railroad lines.
- 5 Utilities.
- 6 Wildlife ponds. (6/2/92)

(f) Lot Area

Where a lot or parcel is located partially within a C-1 Lowland Resource Conservancy District and partially within an adjoining use district, that area of the lot or parcel in the C-1 District may not be used to meet the lot area requirement of the adjoining district where public sanitary sewerage facilities are available. Where public sanitary sewerage facilities are not available, the area of the lot or parcel in the C-1 District may be used to meet the lot area requirement provided that at least 40,000 square feet is provided outside the C-1 District. (8/6/02)

(g) Structures

No structure shall be permitted, except those permitted by conditional use grant, in the C-1 Lowland Resource Conservancy District. Furthermore, no on-site soil absorption sanitary sewage system, holding tank, or private well used to obtain water for ultimate human consumption shall be constructed in the C-1 Lowland Resource Conservancy District.

(h) Platting Subdivisions (8/6/02)

When platting new subdivisions, every effort shall be made to contain lands zoned C-1 Lowland Resource Conservancy District in outlots to be owned and controlled by a community association.



COUNTY OF KENOSHA

Department of Planning and Development

19600 - 75th Street, Suite 185-3

Bristol, WI 53104-9772

Telephone: (262) 857-1895

Facsimile: (262) 857-1920

LETTER REQUEST FORM

Address of property: See Exhibit A attached hereto

Parcel Number: See Exhibit A attached hereto

Letter should be addressed to: Fine and Block Attorneys

2060 Mt. Paran Road, NW, Suite 106

Atlanta, GA 30327

Please check all that apply:

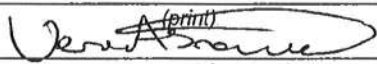
<input type="checkbox"/> Buildability of (print structure type)	<input type="checkbox"/> Rebuildability of (print structure type)	<input checked="" type="checkbox"/> Zoning Verification	<input type="checkbox"/> Floodplain Determination
--	--	--	--

Other:

Existing use of property is:

Requestor Information:

Name: Vera Abramova

Signature: 
(signature)

Address: 2060 Mt. Paran Road, NW, Suite 106

City: Atlanta State: GA Zip: 30327

Phone Number: 4042616800 Fax Number: 4042616960

E-Mail: vabramova@fineandblock.com

RECEIVED

NOV 13 2014

Kenosha County
Planning and Development

*Please note that the letter request will not be fulfilled until ALL information above is provided and full payment of \$50.00 is received. Checks should be made payable to Kenosha County. Applicant should allow up to thirty days for preparation of the letter.

*Zoning letters represent zoning information for the unincorporated areas of Kenosha County only and the information represents the Zoning Ordinance regulations as of the date of the letter.

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

LOTS 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, AND OUTLOTS 1, 2, 3, AND 4, SOMERS MARKET CENTER SUBDIVISION, BEING A PART OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER, AND PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 22 EAST, LYING AND BEING IN THE TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN.

TAX KEY NOS:

- 80-4-222-271-0304 (LOT 4)
- 80-4-222-271-0305 (LOT 5)
- 80-4-222-271-0307 (LOT 7)
- 80-4-222-271-0308 (LOT 8)
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- 80-4-222-271-0318 (LOT 18)
- 80-4-222-271-0321 (OUTLOT 1)
- 80-4-222-271-0322 (OUTLOT 2)
- 80-4-222-271-0323 (OUTLOT 3)
- 80-4-222-271-0324 (OUTLOT 4)



COUNTY OF KENOSHA

Department of Planning and Development

19600-75th Street, Suite 185-3

Bristol, WI 53104

Telephone: (262)857-1895

Facsimile: (262)857-1920

R E C E I P T

PROJECT #:	DREG14-00228	RECEIPT #:	002524
PAY METHOD:	CHECK	DATE PAID:	11/19/2014
CHECK #:	852218	PAID BY:	FINE AND BLOCK
SITE ADDRESS:			
APPLICANT:			
OWNER:			
CONTRACTOR:			

FEE DESCRIPTION	QUANTITY	AMOUNT
Development Review Fees		
Build/Zone/Floodplain Letter Request	NA	50.00
Development Review Fees Total		50.00
Grand Total		50.00
Total Amount Paid		50.00

Receipt By: MAM