



**AGENDA**  
**SPECIAL MEETING**  
**Licensing/Permit Committee**

**625 52<sup>nd</sup> Street, Room 100**  
**Monday, June 20, 2016**  
**6:50 P.M.**

**PLEASE NOTE ROOM AND TIME CHANGE**

**Chairperson Curt Wilson**  
**Vice-Chairperson Patrick Juliana**

**Aldersperson Jesse Downing**  
**Aldersperson Anthony Kennedy**  
**Aldersperson John Fox**

**Call to Order**  
**Roll Call**  
**Citizen Comments**

**NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances**

- 1. Application of American Legion Paul Herrick Post 21 for a Temporary Outdoor Extension of the Class "B" Beer/"Class B" Liquor License on July 3, 2016, located at 504 58<sup>th</sup> St., (American Legion Post 21), with a request to change the closing hours to midnight, with no adverse recommendations. (District 2)**
- 2. Application of Waterfront Warehouse, LLC, for a Permanent Outdoor Extension of the Class "B" Beer/"Class B" Liquor License located at 3322 Sheridan Rd., with no adverse recommendations. (District 1)**
- 3. Application of Tina Brehm for a Peddler Stand located at Tot's Park parking lot, (3<sup>rd</sup> Ave. and 57<sup>th</sup> St.), to be effective through September 30, 2016, with no adverse recommendations. (District 2)**

**ALDERPERSONS' COMMENTS:**

***IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 262-653-4170 BY NOON BEFORE THIS MEETING TO MAKE ARRANGEMENTS FOR REASONABLE ON-SITE ACCOMMODATIONS.***



**TEMPORARY OUTDOOR EXTENSION**  
of Class "B", "Class B", and/or "Class C" License(s)  
CITY ORDINANCE §10.075

FILED	_____
INITIALS	_____
ADVERSE/NO ADV	_____
LP	_____
CC	_____
LETTER	_____

Type: 211 Fee: \$ 50.00/app Date(s) of Event: July 3 <sup>2016</sup> (Limit 3 days per year)

1. Licensee: American Legion post 21 District # 2

Note: must be same name as beer/liquor license

2. Trade Name: American Legion post 21 Address: 504-58<sup>th</sup> STREET

3. Contact Person: Tom Visintainer Phone: 620-5646 <sup>262</sup> Email: tvisintainers@gmail.com  
(correspondence will be via email if address is given)

4. Type of activity planned for the outdoor area: Fundraiser, music Pig Roast

5. A detailed map (site plan) of the outdoor area is required.  map attached  
If assistance is needed, contact Mike Callovi (Community Development & Inspection) at 653-4032 to schedule an appointment. (see example attached to this application)

6. Will a fence surround the proposed temporary outdoor area?  yes  no  
 Request for Common Council to waive the fence requirement of Subsection D.3. of the Ordinance.

7. The closing hours for a temporary outdoor extension are 10:00 P.M. TO 8:00 A.M. You may request to change these hours to 12:00 midnight to 8:00 am.  application attached  n/a

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. (Individual applicants and each member of a partnership must sign; designated corporate member may sign.)

[Signature] 6/13/16  
(Individual/Partner/Member) Date

\_\_\_\_\_  
(Partner/Member) Date

**"WAIVER B"**  
WAIVER OF PROHIBITIONS SET FORTH IN §10.075 D.1 AND D.3 OF THE CODE OF GENERAL ORDINANCES  
of the  
**OUTDOOR EXTENSION**

American Legion Post 21  
Licensee Name

American Legion Post 21  
Trade Name

504. 58<sup>th</sup> St 53140  
Trade Address

Applicant has applied for an extension of their Retail Class "B" Fermented Malt Beverage, "Class B" Liquor, and/or "Class C" Wine Licenses in accordance with §10.075 of the Code of General Ordinances and requests a waiver of all of the prohibitions set forth in Section D(1) and D(3) thereof because the licensed premises, including the outdoor area:

**To be completed by The Department of Community Development & Inspection:**

1.  is located wholly within an area in the City zoned Institutional.
2.  is operating as a restaurant, with the sale of alcoholic beverages accounting for less than fifty (50%) percent of the establishment's gross receipts in the B-1, B-2, B-3, or B-4 Zoning Districts (as defined by Section 5.046 A.10 Of the Code of General Ordinances).
3.  is licensed by the City of Kenosha for Outdoor Dining.

N/A because applicant is not requesting a waiver of any requirements of 10.075 D(1) or D (3)

**To be completed by the applicant and verified by CDI:**

Any applicant for a waiver listed above must file with their application a list of names and addresses of all owners whose property resides within 25 feet of the boundaries of the outdoor area sought to be included within the description of the Retail Class "B" Beer, "Class B" Liquor, and/or "Class C" Wine licensed premises. This list will be forwarded to the Building Inspector for verification and the City Clerk will notify said owners of the dates, times, and locations of the meetings where the matter of the application shall be discussed.

none

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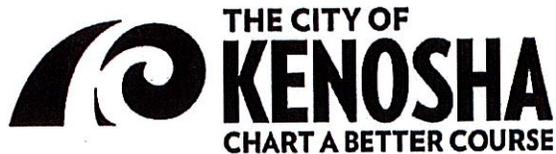
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[Signature] 6/13/16  
(Partner/Member) Date (Partner/Member) Date

Received by Building Inspector Michael Callovi Date June 14, 2016



FILED	_____
INITIALS	_____
ADVERSE/NO ADV	_____
LP	_____
CC	_____

REQUEST TO CHANGE CLOSING HOURS OF  
**OUTDOOR EXTENSION**  
CITY ORDINANCE §10.075

TO  
**12:00 MIDNIGHT TO 8:00 AM**

Licensee Name: American Legion Post 21  
Trade Name: American Legion Post 21  
Trade Address: 504-58<sup>th</sup> St District # 2  
Contact Person: Tom Visintainer Phone: 262-620-5646 Email: TVisintainer51@gmail.com  
(correspondence will be via email if address is given)

The undersigned is hereby applying for a change of the closing hours of the outdoor extension of the Class "B" Beer, "Class B" Liquor, and/or "Class C" Wine license(s) in accordance with §10.075 of the Code of General Ordinances to 12:00 Midnight to 8:00 am.

In making this application, I understand that amplified music or sound shall not be allowed after 10:00pm unless the Outdoor Area's boundaries are greater than seven hundred fifty feet (750) of any residentially zoned property. **In accordance with Section 10.076 J.3.f., cabaret licensed activities are prohibited in an Outdoor Dining Area w/Outdoor Extension.**

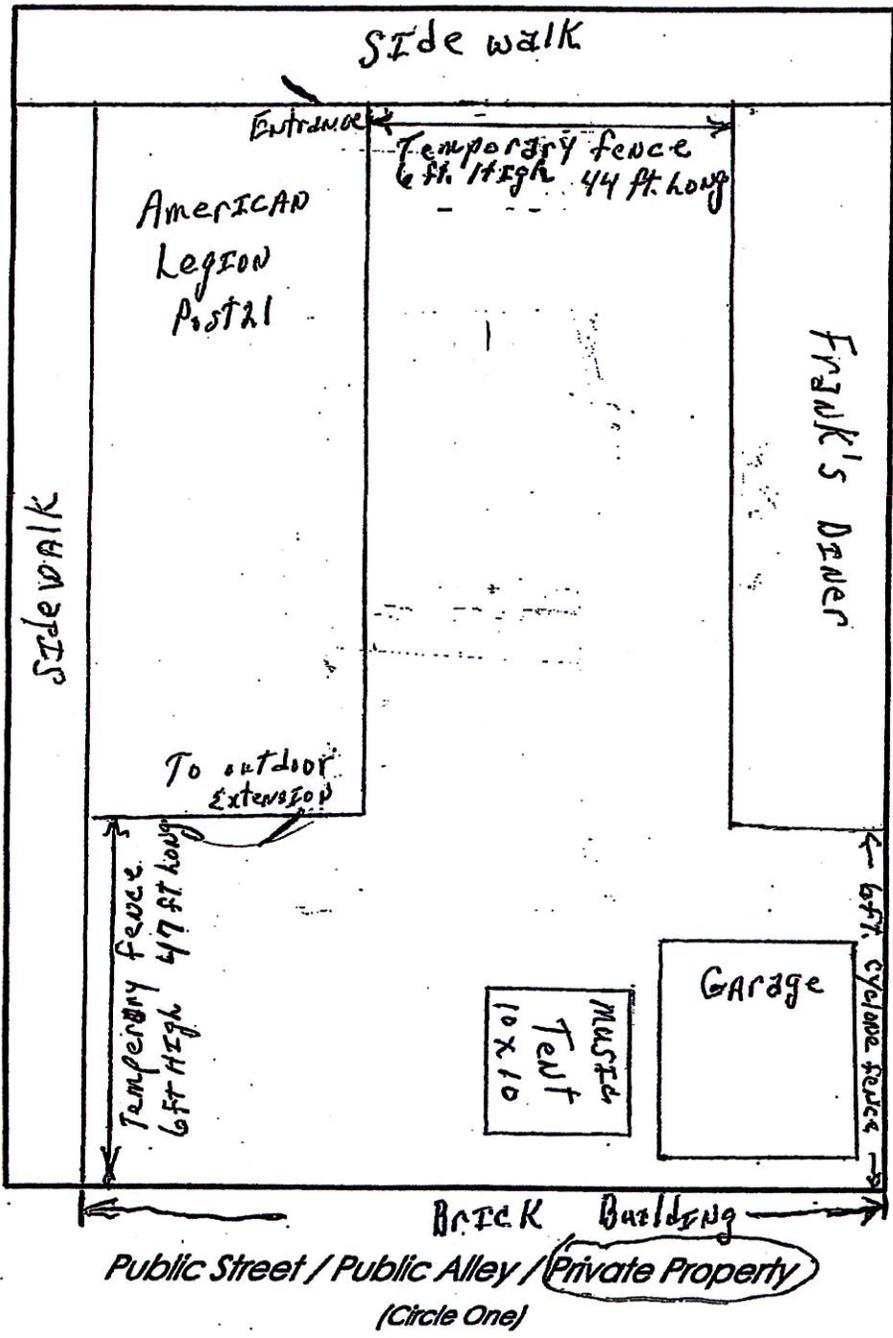
[Signature] 6/13/16  
(Individual/Partner/Member) Date

\_\_\_\_\_  
(Partner/Member) Date

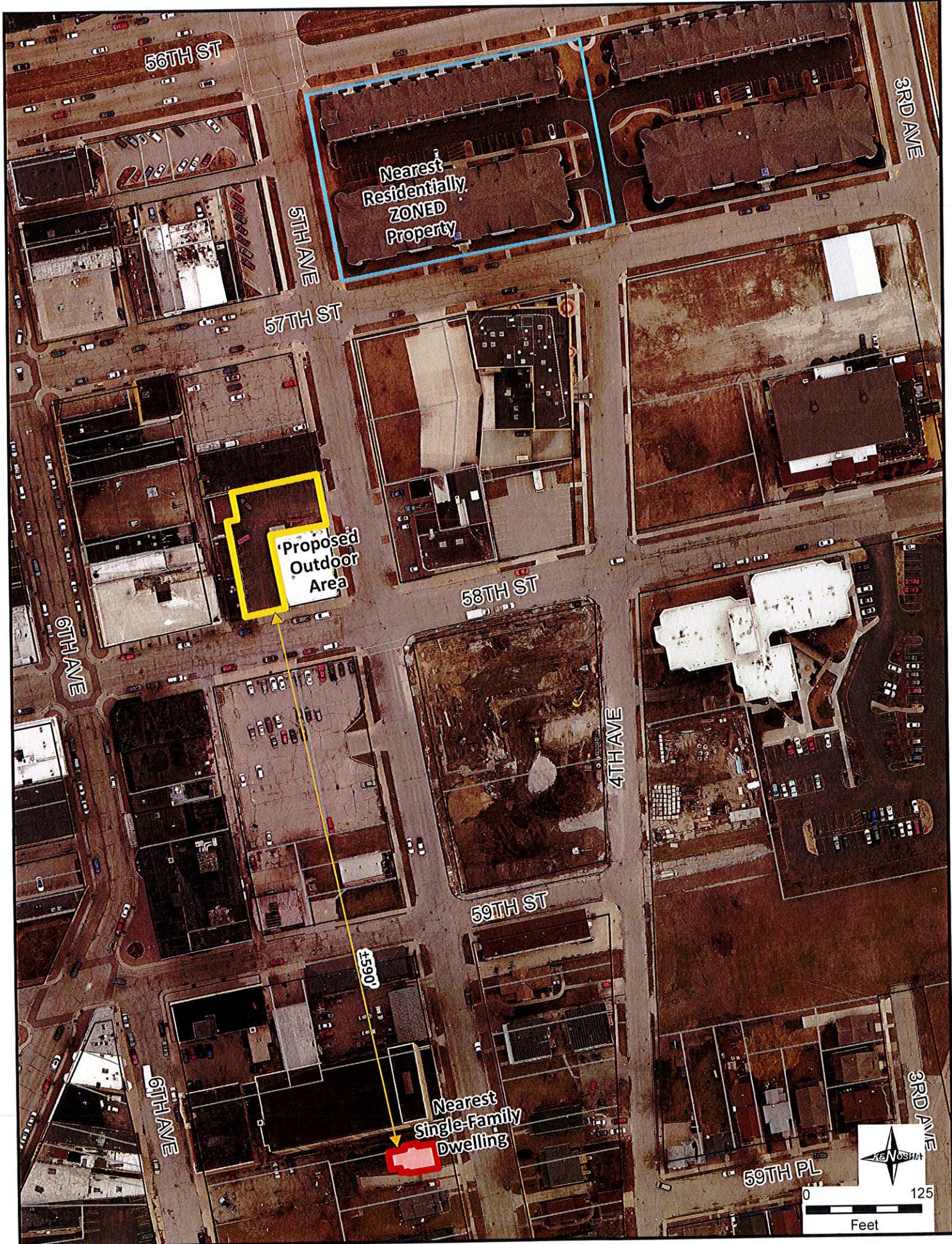
COPY

City of Kenosha  
Site Plan for  
Outdoor Extension

Public Street 58<sup>th</sup> St.



Draw the location of all fences, tents, entrances/exits, security measures, bars, and music stages. Also provide measurements where appropriate.



56TH ST

3RD AVE

Nearest Residentially ZONED Property

5TH AVE

57TH ST

Proposed Outdoor Area

58TH ST

6TH AVE

4TH AVE

59TH ST

\$1500

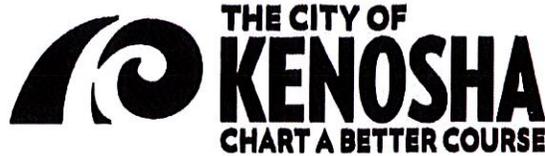
Nearest Single-Family Dwelling

9TH AVE

3RD AVE

59TH PL





FILED	6/17
INITIALS	WQ
ADVERSE/NO ADV	
LP	
CC	

**PERMANENT OUTDOOR EXTENSION**  
of Class "B", "Class B", and/or "Class C" License(s)  
CITY ORDINANCE §10.075  
Type: 210 Fee: \$150.00

1. Licensee: Waterfront Warehouse, LLC District # 1  
Note: must be same name as beer/liquor license

2. Trade Name & Address: Waterfront Warehouse

3. Contact Person: Dino Phone: 847 815-3311 Email: dino@rustyhg.com  
(correspondence will be via email if address is given)

4. Type of activity planned for the outdoor area: outdoor eating area

5. A detailed map (scaled site plan) and two (2) pictures describing the outdoor area is required.  
~~A~~ map ~~2~~ pictures attached. If assistance is needed, contact Mike Callovi (Community Development & Inspections) at 653-4032 to schedule an appointment. (see example attached to this application)

6. A fence not less than four (4') feet high and no greater than six (6') feet high is required to surround the outdoor area within the description of the Class "B", "Class B" and/or "Class C" licensed premises.  
 A fence will surround the outdoor area. Complete the Fence Permit Application in Room 100 (CDI) and attach a copy to this application. -OR-  
 The Common Council may waive the fence requirement where the licensed premises is operated as a RESTAURANT within the meaning of Section 5.3046 A.10 (of the Code of General Ordinances): Complete "Waiver A" Fence Waiver.  attached

7. The closing hours for an outdoor extension are 10:00 P.M. TO 8:00 A.M. You may request to change these hours to 12:00 midnight to 8:00 am .  application attached

**To be completed by The Community Development & Inspections Department:**

Zoning Classification: B-2 if SFR, choose: Waiver  B1 (institutional),  B2 (restaurant),  B3 (outdoor dining), or  N/A

The outdoor area sought is ±400 ft from any single-family dwelling. If less than 25ft from single family, choose: Waiver  B1 (institutional),  B2 (restaurant),  B3 (outdoor dining), or  N/A if dwelling is two-family, multi-family, zoned B-1, B-2, B-3, B-4 districts; or dwelling within twenty-five (25') feet of said boundary is occupied by the applicant and/or his/her immediate family and no others.

The outdoor area has a boundary:  
 within 750 ft of any residentially zoned property.  
*Live music/entertainment is allowed in outdoor area 10:00am to 10:00pm with a cabaret license. (Amplified music is allowed without a cabaret license subject to the same time restrictions.)*

greater than 750 ft of any residentially zoned property.  
*Live music/entertainment is allowed in outdoor area 10:00am to 1:00am (or earlier in accordance with the closing time of the outdoor extension) with a cabaret license. (Amplified music is allowed without a cabaret license subject to the same time restrictions.)*

**Recommendation:**

Approval

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CDI Staff Member:  Date: June 13, 2016

PLEASE NOTE: Be sure to include appropriate attachments/waivers and file with the City Clerk's office no later than fourteen (14) days before final action of the Common Council. Meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Mondays of each month. Pursuant to Section 10.063, accumulation of more than 50 demerit points shall be a basis for denial, revocation or suspension of the outdoor area.

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. Applicant acknowledges receiving a copy of Ordinance 10.075 and agrees to comply with its terms and conditions should this application be approved. (Individual applicants and each member of a partnership must sign; designated corporate officers must sign)



6/2/2016

\_\_\_\_\_  
(Individual/Partner/Member)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Partner/Member)

\_\_\_\_\_  
Date

~~“WAIVER A”~~

N/A

**FENCE WAIVER:  
for RESTAURANTS only**

**OUTDOOR EXTENSION  
CITY ORDINANCE §10.075**

Waterfront Warehouse

Licensee Name

Applicant has applied for an extension of their Retail Class "B" Fermented Malt Beverage, "Class B" Liquor, and/or "Class C" Wine Licenses in accordance with §10.075 of the Code of General Ordinances and requests a waiver of the fencing requirement contained in Section D (3) thereof. In making this request, the applicant states, they are operating as a restaurant as defined by Section 5.046 A.10. "Restaurant" shall mean any building or room where, as the establishment's primary business, food and/or beverages are prepared, or served or sold to transients or the general public, and where the sale of Alcohol Beverages account for less than fifty (50%) percent of the establishment's gross receipts in the B-1, B-2, B-3, or B-4 Zoning Districts.

[Signature]

(Individual/Partner/Member)

6/2/2016

Date

(Partner/Member)

Date

**“WAIVER B”  
WAIVER OF PROHIBITIONS SET FORTH  
IN §10.075 D.1 AND D.3 OF THE CODE OF GENERAL ORDINANCES**

**OUTDOOR EXTENSION**

Waterfront Warehouse

Licensee Name

Applicant has applied for an extension of their Retail Class "B" Fermented Malt Beverage, "Class B" Liquor, and/or "Class C" Wine Licenses in accordance with §10.075 of the Code of General Ordinances and requests a waiver of all of the prohibitions set forth in Section D(1) and D(3) thereof because the licensed premises, including the outdoor area:

**B1.**  is located wholly within an area in the City zoned Institutional.

**B2.**  is operating as a restaurant, with the sale of alcoholic beverages accounting for less than fifty (50%) percent of the establishment's gross receipts in the B-1, B-2, B-3, or B-4 Zoning Districts (as defined by Section 5.046 A.10. Of the Code of General Ordinances).

**B3.**  is licensed by the City of Kenosha for Outdoor Dining.

Please find below a list of names and addresses of all property owners residing within 25 feet of the boundaries of the outdoor area sought to be included within the description of the Retail Class "B" Beer, "Class B" Liquor, and/or "Class C" Wine licensed premises. This list will be forwarded to the Building Inspector for verification.

NONE

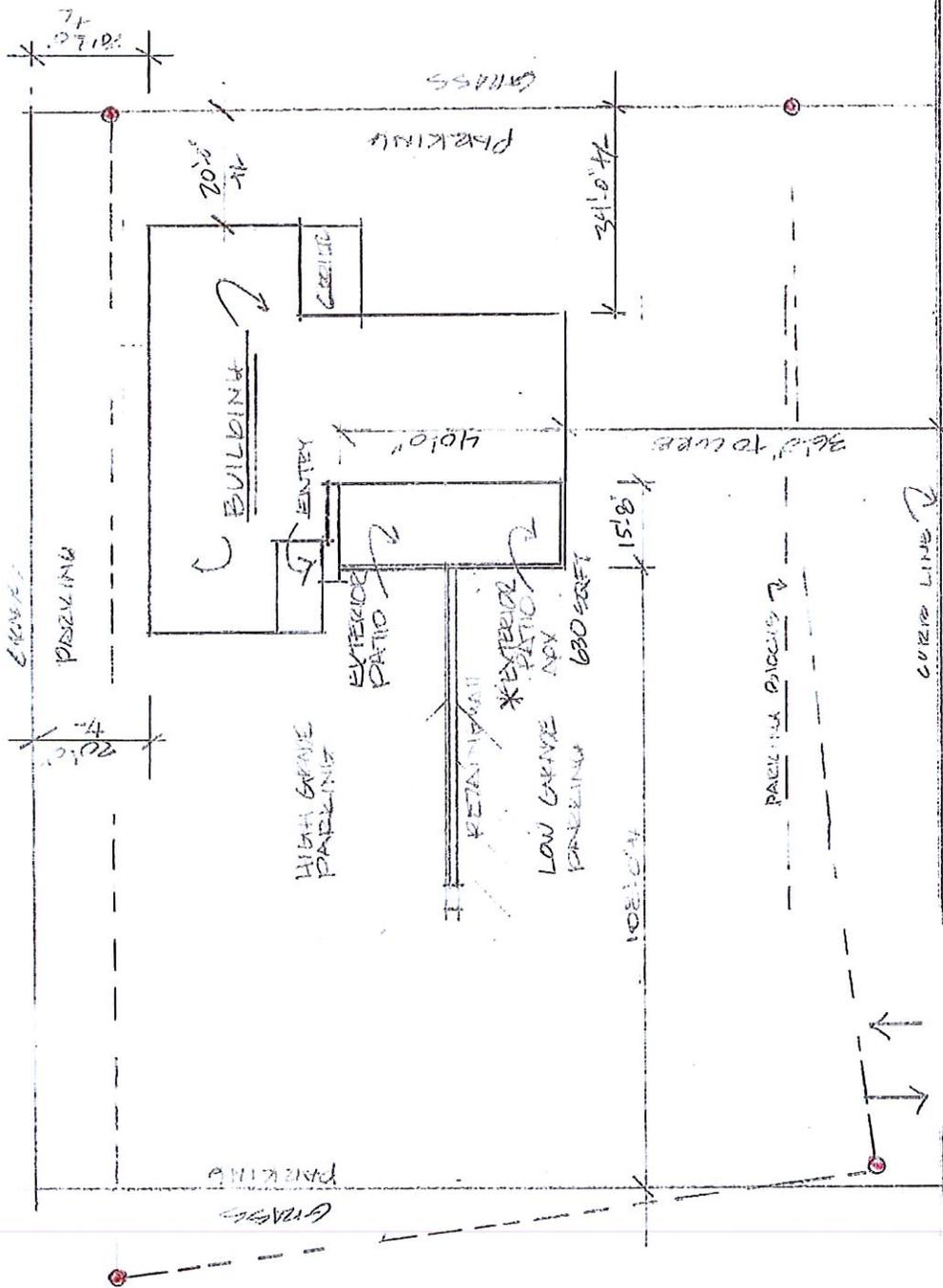
[Signature]  
(Individual/Partner/Member)

6/7/2016  
Date

(Partner/Member)

Date

Received by Building Inspector Michael Callovi Date June 13, 2016



**NOTE:**

PROPERTY LINES SHOWN  
 W/ BLDG LOCATION WAS  
 TAKEN FROM DECS BY  
 L. MICHAEL KENNEDY NARR.  
 DATED 9-12-1979 AND  
 WERE NOT CONFIRMED.  
 DEC USE AND LIABILITY



NORTH

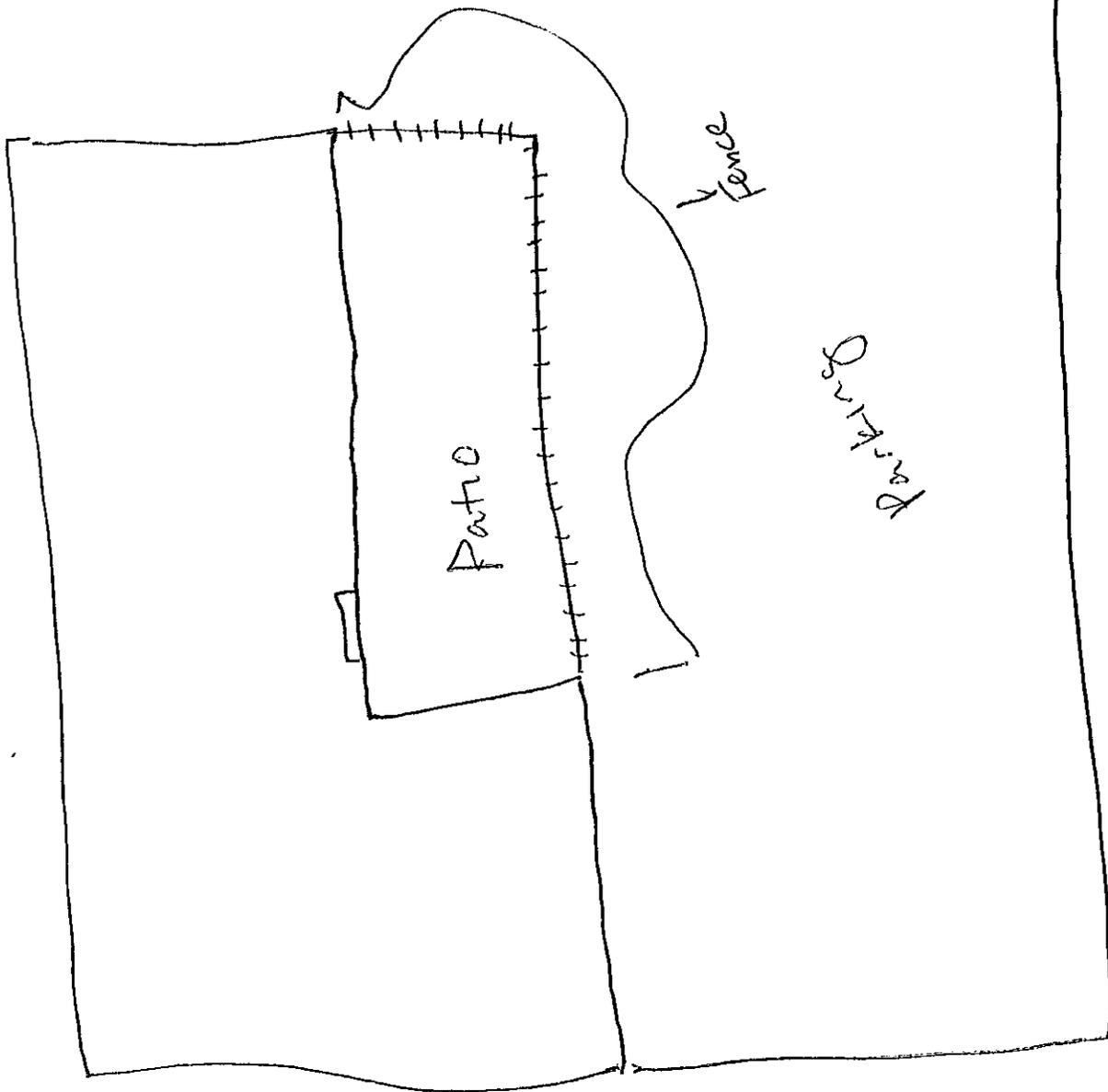
# SCHEMATIC SITE PLAN

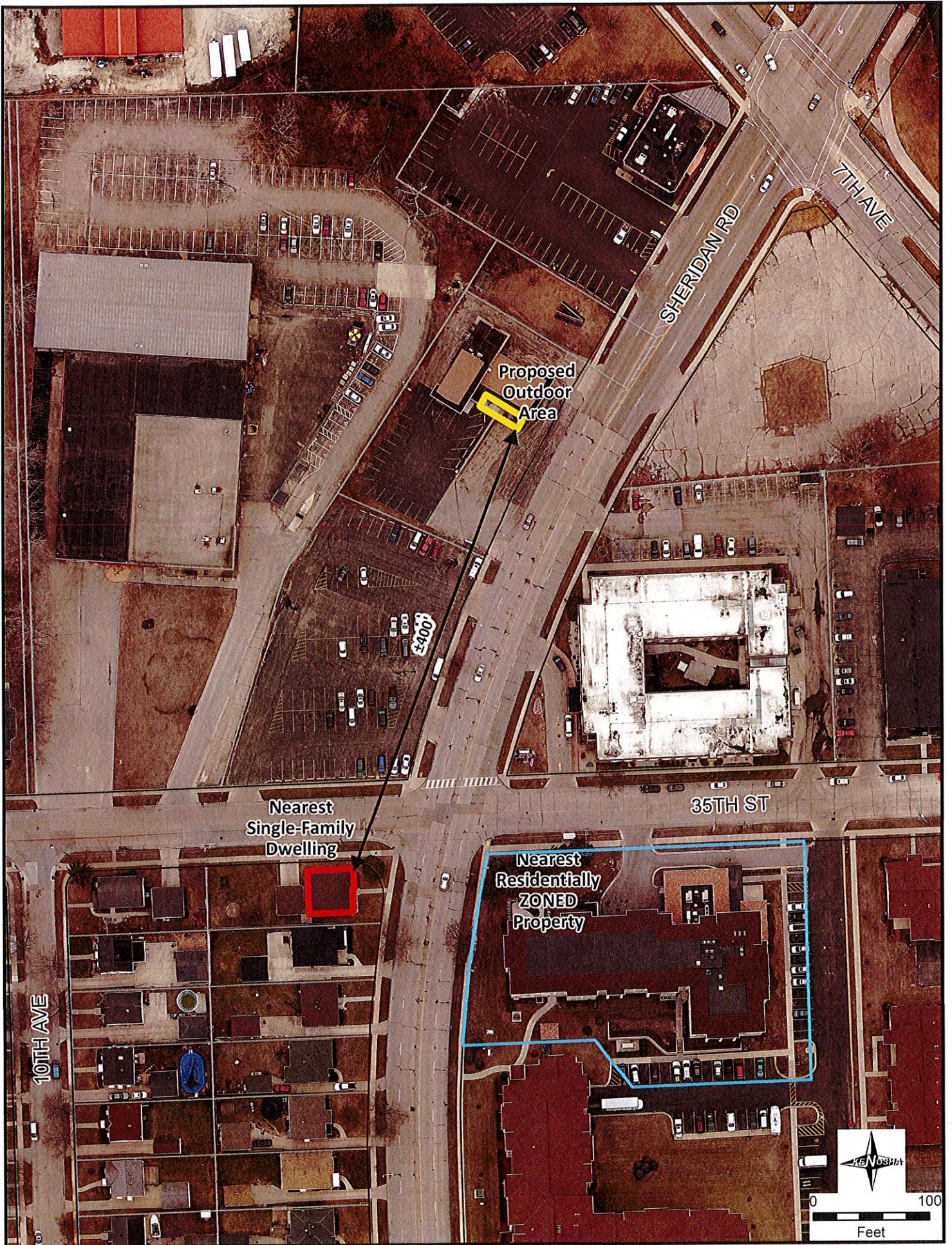
SCALE 1" = 10'-0"

JUNE 9, 2010

← SHERIDAN ROAD →

Sheridan Road





SHERIDAN RD

7TH AVE

Proposed  
Outdoor  
Area

Nearest  
Single-Family  
Dwelling

35TH ST

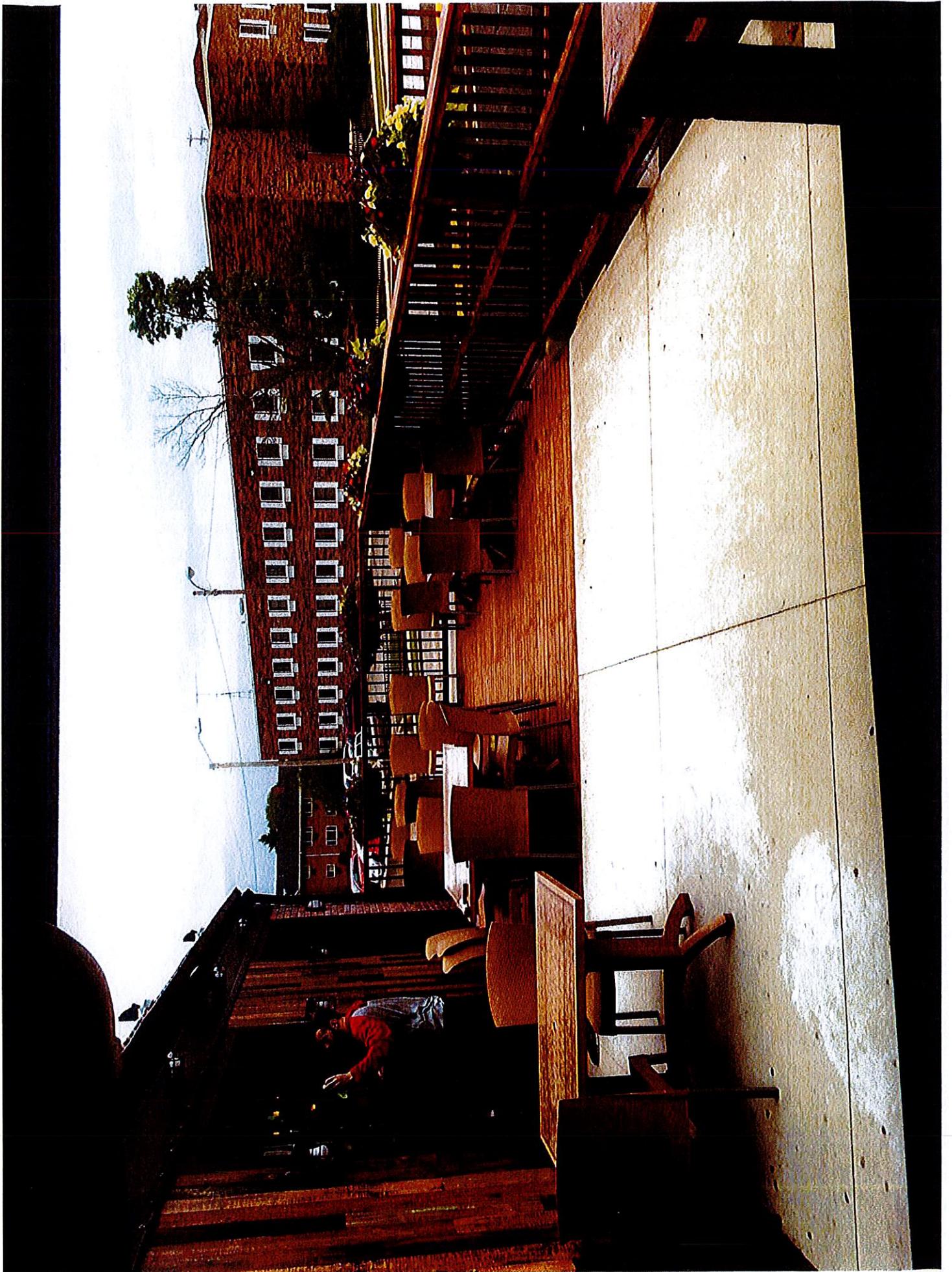
Nearest  
Residentially  
ZONED  
Property

10TH AVE



0 100  
Feet











FILED 6/16/17  
 INITIALS JD  
 ADVERSE/NO ADV  
 LP \_\_\_\_\_  
 CC \_\_\_\_\_

**PEDDLER STAND**

TYPE: 129 Fee: \$100.00/term

Expires: September 30, 2017

1. Applicant: Tina Brehm District # 132

2. Driver's License or I.D. copy attached  and Applicant's Report - Police Record copy attached

3. Residence Address: 273184 street Phone: 9456048

4. Email: tbrehm26@gmail.com  
(correspondence will be via email if address is given)

5. Business Name & Mailing Address: Pawlie's Diner 273184st N/A

6. Location of Stand: lots park parking lot (lake)  
(Address or Intersection) 3rd Ave & 5th Street

7. Is Stand Located In a City Park or City Property? Yes  No

8. Date(s) Stand will operate: Mon-Sun <sup>depending on weather</sup> Time: 9am - 8pm Approved  
(9:00am to 8:00pm only)

9. Describe the food, beverages, merchandise or services to be sold: dog ice cream, packaged human ice cream, dog toys & dog treats

10. Are You Selling Food? Yes  No  If selling food, a copy of Kenosha County Food Permit is required. attached Yes  No

11. I have received or I can obtain at [www.kenosha.org](http://www.kenosha.org), a copy of the Ordinance pertaining to Peddler's & Peddler's Stand License(s). Yes  No

12. Will a car or truck be used to conduct business? Yes  No  Trailer If yes, certificate of liability attached

Motor vehicles shall, at the cost and expense of applicant/permit holder, be inspected by an Automotive Service Excellence (A.S.E.) Certified Technician, who shall fill out, date and sign a Safety and Maintenance Inspection Report and a copy of their certification. The Report shall verify that the motor vehicle inspected is safe for operation on City streets. The Report shall be filed with the City Clerk/Treasurer with the permit application/renewal or at any time prior to which a motor vehicle will be utilized, or at any time directed by the Police Chief of designee thereof, based upon personal observation of a police officer indicating a lack of required maintenance.

13. Vehicle inspection by an A.S.E. Certified Technician Yes  No  n/a  Report & Certification attached

14. Does the motor vehicle contain sound amplifying equipment (example-ice cream truck-music) Yes  No  If so, attach a copy of your Kenosha County Sound Truck application receipt.  
 \*Attached Yes  No  n/a

15. Motor vehicles are required to be marked on both sides with the name of the owner in letters not less than two and one-half (2 1/2") inches in height in a color contrasting with the color of the vehicle.

Is vehicle marked? Yes  No  n/a  IF NO. LICENSE WILL NOT BE ISSUED.

**PLEASE READ:**

Probationary Term. An approved location shall be subject to a probationary period of thirty (30) consecutive days. If no written complaints or objections with respect to the approved location are received by the Clerk during the probationary period, the location shall be the "location" of the stand for the remainder of the licensing period. If a complaint or objection is received, it shall be forwarded to the Common Council for further consideration of the stand location. The probationary period shall be extended as long as the location remains under Council consideration. The Council shall either confirm or amend the location. Each stand may be relocated subject to the filing of a new permit application during the term of the permit and upon Common Council approval.

I hereby appoint the municipal clerk for the City of Kenosha or his/her agent to accept service of process in any civil action brought against me in connection with direct sales activities if I cannot, after reasonable effort, be personally served.

I hereby certify that I am the applicant named in the foregoing application, and I have read each and every question and answered each and every question truly, correctly and completely, under penalty of law for failure to do so.

Applicant's Signature:

Tina Brehm

Date:

6-14-16