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## Zoning Board of Appeals Process and Action

### **Step 1. Pre-Application Conference**

An initial meeting with zoning staff is held to discuss and determine steps necessary to expedite the appeal process.

### **Step 2. File Application**

Applications must be completed and filed to initiate an administrative review.

### **Step 3. Staff Report**

Neighborhood Services & Inspections (NSI) staff will prepare a report and provide a recommendation to the Zoning Board of Appeals.

### **Step 4. Zoning Board of Appeals Public Hearing**

A public hearing is held in order to provide the petitioner an opportunity to state his or her case, and for objectors to voice their concerns. Property owners within 100' of the subject property will be notified of the hearing date.

### **Step 5. Zoning Board of Appeals Deliberation**

The Zoning Board of Appeals will review the case and make a final decision. Factors that will be considered include State law, legal opinions, staff analysis and report, application, and any public testimony, written or verbal. The Board's decision is subject to appeal (within 30 days) to Circuit Court by any taxpayer or specified government unit/officer.

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## *Zoning Board of Appeals Members:*

John Higgins, Chairman

David Robinson, Vice Chairman

John E. Setter

Fred Haerter

Cecilia Lucas

### *Alternates:*

Steve Torcaso

Anita Faraone

### *Staff:*

James M. Schultz  
Zoning Administrator

Paula A. Blise, CCEA  
Zoning Coordinator

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## Zoning Board of Appeals Information Guide and Meeting Schedule



**City of Kenosha  
Department of Neighborhood  
Services and Inspections  
625 52nd Street, Room 100  
Kenosha, WI 53140  
Phone: (262) 653-4263  
Fax: (262) 653-4254  
E-mail: [nsi@kenosha.org](mailto:nsi@kenosha.org)**

**Office Hours:  
Monday - Friday: 8:00 a.m. - 4:30 p.m.**

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## Zoning Board of Appeals

The City of Kenosha's Zoning Board of Appeals consists of five permanent and two alternate members, appointed to three-year terms by the Mayor. Public hearings are scheduled on a monthly basis at 4:00 p.m. in the Municipal Building, located at 625 52<sup>nd</sup> Street.

The Zoning Board of Appeals functions in many respects like a court; and, therefore is known as a quasi-judicial body. The primary role of the Zoning Board is to apply local ordinances and related state laws to specific development proposals in three general categories:

- Area Variance
- Special Exception
- Administrative Appeal

### Area Variance

Only area variances will be considered by the Zoning Board of Appeals. An area variance is a relaxation of a dimensional standard in the Zoning Ordinance; e.g., setbacks, lot area, height, etc., that may be granted by the Zoning Board if procedural and substantive requirements are met. The petitioner must prove that strict enforcement would cause undue hardship due to circumstances unique to the property, lot, building, or premises.

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## Special Exception

Special exception relief pertaining to fence code and sign ordinance requirements may be deliberated by the Zoning Board of Appeals. In granting a special exception, the Zoning Board of Appeals may delineate restrictions and safeguards, as it deems necessary, to prevent any negative impacts that the relief may cause to other properties.

## Administrative Appeal

Any aggrieved person may file an appeal with the Zoning Board of Appeals to appeal any order, requirement, decision, or determination made by the Zoning Administrator. An appeal stops all action until a decision is made by the Zoning Board of Appeals.

## Zoning Board of Appeals Meeting Information

The Zoning Board of Appeals will schedule a reasonable time for the hearing of an appeal. Any party may appear at the hearing; and, the Zoning Board of Appeals may reverse, affirm, or modify the order, requirement, decision, or determination. A filing fee of \$325 is charged to process an application for a zoning variance, special exception, or administrative appeal.

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## 2008 ZONING BOARD OF APPEALS MEETING SCHEDULE

**625 52<sup>nd</sup> Street, Kenosha, WI 53140**

**Room 202 Time: 4:00 p.m.**

| <b>Filing Date</b> | <b>Meeting Date</b> |
|--------------------|---------------------|
| <b>12/17/07</b>    | <b>01/17/08</b>     |
| <b>01/14/08</b>    | <b>02/14/08</b>     |
| <b>02/13/08</b>    | <b>03/13/08</b>     |
| <b>03/17/08</b>    | <b>04/17/08</b>     |
| <b>04/15/08</b>    | <b>05/15/08</b>     |
| <b>05/12/08</b>    | <b>06/12/08</b>     |
| <b>06/17/08</b>    | <b>07/17/08</b>     |
| <b>07/14/08</b>    | <b>08/14/08</b>     |
| <b>08/11/08</b>    | <b>09/11/08</b>     |
| <b>09/16/08</b>    | <b>10/16/08</b>     |
| <b>10/13/08</b>    | <b>11/13/08</b>     |
| <b>11/11/08</b>    | <b>12/11/08</b>     |

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