

ORD11242



RECEIVED

October 28, 2020

Municipal Boundary Review  
Wisconsin Dept. of Admin.

October 28, 2020

**Emailed 10/28/2020 – erich.schmidtke@wisconsin.gov**

Erich Schmidtke  
Municipal Boundary Review  
Wisconsin Department of Administration  
P.O. Box 1645  
Madison WI 53701

Re: Ordinance 43-20 by the Mayor for an Attachment and Zoning District Classification Ordinance (under Section 66.0307, Wisconsin Statutes, City of Kenosha, Town of Somers State Approved Cooperative Plan) 8311 38th Street (Parcel No. 80-4-222-283-0101) Town of Somers (Web and Olga Gentz Family Trust, Joint Living Trust).

The City of Kenosha Common Council on September 21, 2020 adopted Ordinance 43-20.

Attached for your files is a copy of the said ordinance, including legal description of the territory and map. Also included is the Certificate of Attachment and Certificate of Population relative to the above attachment.

Thank you.

Sincerely,

CITY OF KENOSHA

Karen J. Argust  
Acting City Clerk

Enclosures

ATTACHMENT AND ZONING DISTRICT CLASSIFICATION ORDINANCE  
Under Section 66.0307, Wisconsin Statutes,  
City of Kenosha/Town of Somers  
State Approved Cooperative Plan

Parcel No(s): 80-4-222-283-0101

Located at: 8311 38<sup>th</sup> Street, Town of Somers  
[WEB AND OLGA GENTZ FAMILY TRUST, JOINT LIVING  
TRUST, Owner]

ORDINANCE NO. 43-20

BY: THE MAYOR

Attaching to the City of Kenosha, Wisconsin, territory in the Town of Somers, Kenosha County, Wisconsin, and providing zoning district classifications under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers State Approved Cooperative Plan:

The Common Council of the City of Kenosha, Wisconsin, does ordain as follows:

Section One: Territory Attached. In accordance with City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes, approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on August 8, 2005, and the First Amendment to the City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes, approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on September 15, 2015, the territory consisting of the above referenced parcel number in the Town of Somers, Kenosha County, Wisconsin, with an associated population of zero (0), legally described and shown on attached Exhibit "A", is hereby attached to the City of Kenosha, Wisconsin, as hereinafter provided.

Section Two: Effect of Attachment. From and after the effective date of this Ordinance, the territory described in Section One shall be a part of the City of Kenosha for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all Ordinances, rules and regulations governing the City of Kenosha.

Section Three: Zoning District Classifications. The territory described in Section One,

upon attachment, shall have the zoning district classification shown on Exhibit "B". This zoning district classification shall be and remain in effect for the parcels of land described therein until this Zoning District Classification Ordinance is amended as prescribed in Section 62.23(7)(d), Wisconsin Statutes.

Section Four: Connection To City Utilities. The territory described in Section One shall, by submission of the Attachment Petition, require connection of existing and any future habitable buildings to municipal water and sewer, within the time limits established by Chapter 32 of the Code of General Ordinances for the City of Kenosha, Wisconsin.

Section Five: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This Ordinance, the Attachment, and the Zoning District Classification shall take effect after passage and publication as provided by law.

ATTEST:  Acting City Clerk/Treasurer  
KAREN J. ARGUST

APPROVED:  Mayor  
JOHN M. ANTARAMIAN

Date: 09/25/2020

Passed: September 21, 2020

Published: September 25, 2020

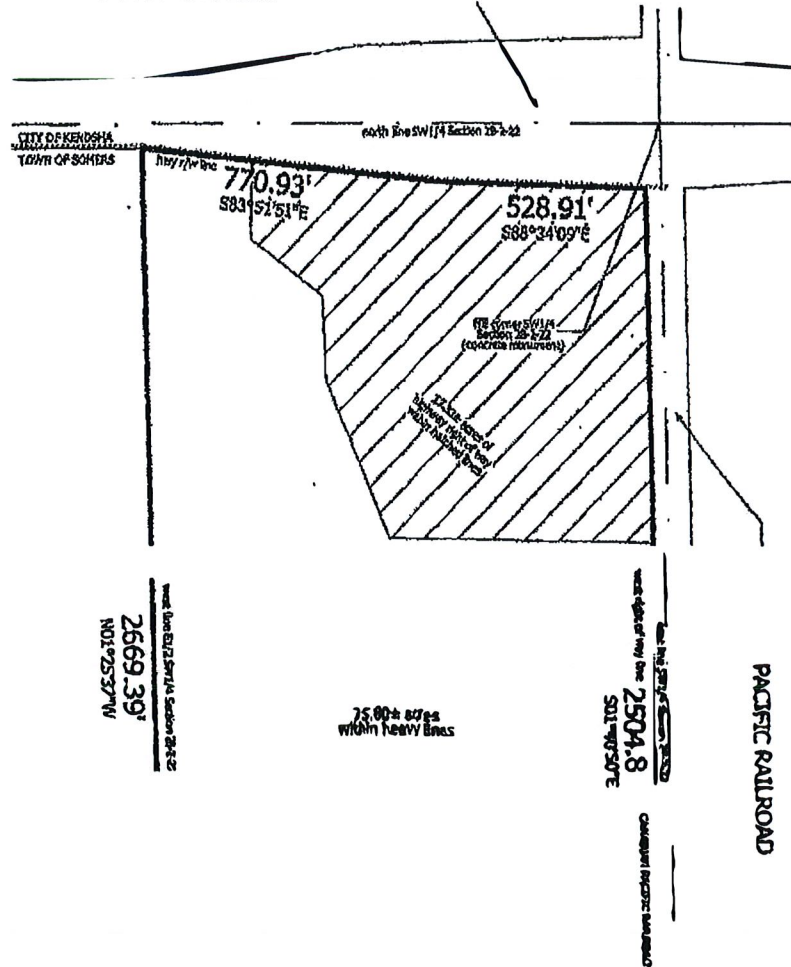
Drafted By: MATTHEW A.  
KNIGHT Deputy City Attorney

EXHIBIT "A"

Part of the Southwest Quarter of Section 28, Town 2 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Town of Somers, Kenosha County, Wisconsin and being more particularly described as follows:

The East Half of said Quarter Section and being more particularly described as follows: Beginning at a point on the south line of said Quarter Section,  $S89^{\circ}35'46''W$  38.65 feet from the southeast corner thereof; thence continue  $S89^{\circ}35'46''W$  along and upon said south line, 1303.77 feet and to the west line of the East Half of said Quarter Section; thence  $N01^{\circ}25'37''W$  along and upon said west line, 2669.39 feet and to the south right of way line of COUNTY TRUNK HIGHWAY "S" (38TH STREET); thence  $S83^{\circ}51'51''E$  along and upon said right of way line, 770.93 feet to an angle point in said right of way line; thence  $S88^{\circ}34'09''E$  along and upon said right of way line, 528.91 feet and to the west right of way line of the CANADIAN PACIFIC RAILROAD; thence  $S01^{\circ}40'50''E$  along and upon said right of way line, 2504.84 feet and to the point of beginning. Containing 75.80 acres, more or less.

COUNTY TRUNK HIGHWAY "S"  
38TH STREET



SCALE 1" = 400'

CITY OF KENOSHA  
DISTRICT MAP

ATTACHMENT ORDINANCE

SUPPLEMENT NO. \_\_\_\_\_  
ACCOMPANYING ORDINANCE NO. 43-20

CITY OF KENOSHA

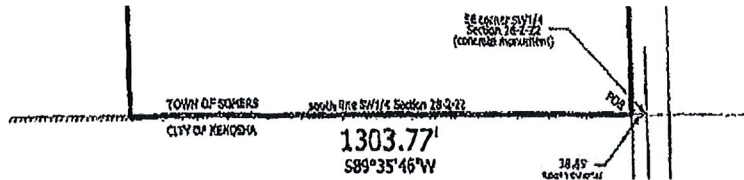
GENTZ TRUST

8311 - 38th Street  
tax parcel no. 80-4-122-283-0101

DENOTES PRESENT CORPORATE LIMITS  
CITY OF KENOSHA

DENOTES AREA TO BE ATTACHED TO THE  
CITY OF KENOSHA

Bearings shown hereon  
refer to Wisconsin  
Plane Coordinate System  
South Zone.






City of Kenosha  
Zoning District Classification Map  
Exhibit "B"

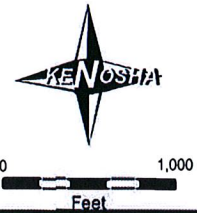
Gentz Trust petition

Supplement No. AT3-20  
Ordinance No. 43-20



**Property to be Zoned:**

-  A-2 Agricultural Land Holding
-  FW Floodway
-  Right-of-Way to be attached but unzoned



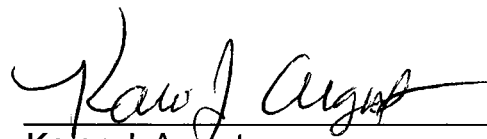
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**CERTIFICATE OF ATTACHMENT, SECTION 66.0217**  
**WISCONSIN STATUTES**

I, Karen J. Argust, Acting City Clerk of the City of Kenosha, Wisconsin do hereby certify that on the 21st day of September, 2020 the Kenosha Common Council by Ordinance duly adopted, and did attach to the City of Kenosha, territory in the Town of Somers, KENOSHA COUNTY, WISCONSIN.

I further certify that attached thereto and made a part hereof is a true and correct copy of the legal description and plat of the territory so attached.

Dated this 28th day of October, 2020.



Karen J. Argust  
Acting City Clerk

SEAL

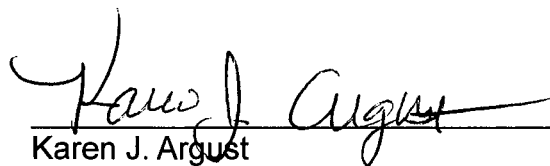


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**CERTIFICATE OF POPULATION**

I, Karen J. Argust, Acting City Clerk of the City of Kenosha, County of Kenosha, State of Wisconsin, do hereby certify that the population of the area so attached to the City of Kenosha with the passage of Kenosha Ordinance 43-20 is 0.

Dated this 28<sup>th</sup> day of October, 2020.

  
Karen J. Argust  
Acting City Clerk

SEAL

