



COMPREHENSIVE PLAN AMENDMENT APPLICATION
A COMPREHENSIVE PLAN FOR THE TOWN OF SALEM: 2035

All requests for an amendment to the adopted Town of Salem Comprehensive Plan require the submission of a "Comprehensive Plan Amendment Application" using this form and accompanied with the applicable "Comprehensive Plan Amendment Application" fees. The "Comprehensive Plan Amendment Application" form is provided by the Town Clerk. In order for applications to be processed by the Town Board and Plan Commission, and to help the Town Board and Town Plan Commission in familiarizing itself with the relevant characteristics of the issues to be discussed relating to the proposed Comprehensive Plan amendment, all required information, drawings, application signatures, and fees shall be submitted at the time of application.

The filing of a "Comprehensive Plan Amendment Application" DOES NOT CONSTITUTE THE FILING OF AN APPLICATION FOR A: zoning permit, occupancy permit, zoning map change, conditional use permit, zoning variance, zoning appeal, zoning interpretation, zoning variance, sketch plan review for a subdivision plat, subdivision final plat, condominium plat, or Town of Salem Land Division Control Ordinance appeal or variance.

ANTICIPATED FUTURE APPLICATION TYPE:

Please check the appropriate box(s) below for the type of Application that is also being submitted by the applicant with the "Comprehensive Plan Amendment Application" or that may eventually be submitted by the applicant at a future date (*check all that are applicable*):

- Zoning Map Amendment Petition
- Zoning Text Amendment Petition
- Conditional Use Permit Application

- Sketch Plan Review (for a Subdivision)
- Subdivision Preliminary Plat
- Subdivision Final Plat
- Condominium Plat

- Land Division Control Ordinance Related Appeal
- Land Division Control Ordinance Related Variance

- Other (*please indicate*): CSM

REQUIRED INFORMATION:

Please provide the following applicable information:

1. Kenosha County Tax Key Identification Number of Property: 65-4-120-153-0720

2. Location of Property (also, please attach legal description, plat of survey, plat map, and/or boundary survey of property):

See attached sheet for location of property and legal description

3. Street Address of Property: 9037 263rd Avenue
Salem, WI 53168

4. Applicant Name: James Kutzler
Telephone Number: (262) 843-3451
FAX Number: (262) 843-8229
E-Mail Address: rmbrrht@msn.com
Address: 9037 263rd Avenue
Salem, WI 53168

Applicant is (check all that are applicable):

Property Owner
Owner's Agent
Developer
Other (specify) _____

5. Property Owner Name(s): James Kutzler
Telephone Number: (262) 843-3451
FAX Number: (262) 843-8229
E-Mail Address: rmbrrht@msn.com
Address: 9037 263rd Avenue
Salem, WI 53168

6. Owner's Agent Name: None
 Telephone Number: None
 FAX Number: None
 E-Mail Address: None
 Address: None
7. Developer Name: None
 Telephone Number: None
 FAX Number: None
 E-Mail Address: None
 Address: None
8. Subdivision/Development Name (if applicable):
N/A
9. Zoning District Classification(s) of Property (per Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Designation; list all that apply):
 Present: R-2 (Suburban Single Family Dist.) Proposed: R-3 (Urban Single Family Dist.)
and R-2 (Suburban Single Family Dist.) JK
10. Town of Salem Comprehensive Plan Land Use District Designation(s). List all that apply:
 Present: R-2 (Suburban Single Family Dist.) Proposed: R-3 (Urban Single Family Dist.)
and R-2 (Suburban Single Family Dist.) JK
11. Present Use(s) of Property: Residential (Single Family Dwelling)
12. Proposed Use(s) of Property: Residential (Single Family Dwelling)
13. Area of the Property (acres and/or square feet): 3.01 / 131115.6 sq. ft.

The adopted Town of Salem Comprehensive Plan is intended to serve the Town of Salem to the year 2035--about 25 years. Those seeking changes to the adopted Town of Salem Comprehensive Plan must convince the Town Board and Town Plan Commission that a real and immediate need for a Comprehensive Plan change exists based on one of the six criteria outlined below and that the reasons are sufficiently strong to justify a Comprehensive Plan change.

**STATEMENT OF REASONS FOR AMENDING THE TOWN OF SALEM
COMPREHENSIVE PLAN**

PLEASE ADDRESS EACH OF THE FOLLOWING CRITERIA IN THE SPACE PROVIDED BELOW.

1. **Projections and Forecasts:** *Plans are based on population, employment, and land use projections or forecasts to the year 2035 because plans deal with future situations. If projections or forecasts are in error, or require modification due to the availability of new data, then the adopted Comprehensive Plan may need to be amended.*

State below: 1) the population, employment, and/or land use projections and/or forecasts which are believed to be in error; 2) the applicant's proposed new population, employment, and/or land use projections and forecasts; and 3) the source of those new projections and/or forecasts (*attach additional sheets as necessary*).

N/A

2. **Assumptions:** *A number of assumptions have been made upon which the adopted Comprehensive Plan is based. These are presented throughout the Comprehensive Plan. Changes to those assumptions or new assumptions may require a Town of Salem Comprehensive Plan amendment.*

State below: 1) the applicant's changes to assumptions, or new assumptions, that should be taken into consideration by the Town Board and Plan Commission; 2) the data upon which the applicant's new assumption(s) are based; and 3) the source of the data upon which the applicant's new assumptions are based (*attach additional sheets as necessary*).

N/A

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3. **Data Error:** *An error in planning data differs from a changed or new assumption in that the faulty information can be measured. (For example, a sanitary sewer line may be under construction and designed to meet certain specifications. A construction error, new standards, or other factors may result in the line not functioning as planned). Data error in the Comprehensive Plan may require a Town of Salem Comprehensive Plan amendment.*

State below: 1) the Town of Salem Comprehensive Plan data believed to be in error; 2) the applicant's proposed new, corrected data; and 3) the source of the applicant's new, corrected data (*attach additional sheets as necessary*).

N/A

4. **New Issues:** *New issues may evolve that were not critical or foreseen when the Town of Salem Comprehensive Plan was developed. New issues may require the modification of the Town of Salem's Comprehensive Plan's goals and objectives--or the creation of new goals and objectives--to deal with the new issues effectively. New information affecting current issues can also present situations where the adopted Town of Salem Comprehensive Plan may have to be amended.*

State below: 1) the new issues (or new factors affecting current issues) which should be taken into consideration by the Town Board and Plan Commission; and 2) the applicant's source of those new issues or new factors (*attach additional sheets as necessary*).

N/A

5. **Comprehensiveness:** *The Town of Salem Comprehensive Plan is flexible to guide future Town*

actions and specific growth decisions. The adopted Town of Salem Comprehensive Plan recognizes, however, that the Comprehensive Plan may benefit from more detailed study and analysis. For major issues that require greater analysis than offered by the adopted Town of Salem Comprehensive Plan, a Town of Salem Comprehensive Plan amendment may be justified if additional analysis presented to the Town Board and Plan Commission shows such an amendment is needed. The further detailed planning of specific areas of the Town would fall into this type of Town of Salem Comprehensive Plan amendment.

State below: 1) those portions of the Town of Salem Comprehensive Plan data believed to require more detailed study and analyses; 2) the applicant's presentation of more detailed study and analyses to the Town Board and Plan Commission; and 3) the applicant's source of the more detailed study and analyses (attach additional sheets as necessary).

A more detailed look at the subdivision reveals already existing
non-conforming R-2 lots (size of R-3 lots) and two existing R-3
lots already abutting to the south. Please reference map titled
Conforming/Non-Conforming lots. (attached)

6. **Data Updates and the Emergence of New Data:** *The maps, tables, and data upon which the Town of Salem Comprehensive Plan is based are factual but some types of data may change through time; such as, population and housing data. Thus, the review of the Town of Salem Comprehensive Plan by the Town Board and Plan Commission is necessary and, where deemed appropriate by the Town Board and Plan Commission, amendments to the Town Comprehensive Plan should be made to keep this data current.*

State below: 1) the Town of Salem Comprehensive Plan data that the applicant believes to be in need of an update due to the availability of new data; 2) the applicant's proposed new data; and 3) the applicant's source of the new data (attach additional sheets as necessary).

N/A

PLAN AMENDMENTS IN PLAN PHASES 2 AND 3 OF THE TOWN OF SAME COMPREHENSIVE PLAN

The Town Plan Commission and the Town Board in their review and consideration of

proposed plan amendments in Phase 2 (for the years 2025 to 2035) or Phase 3 (for beyond the year 2035) areas of the Town shall examine the following questions and issues (in addition to the basic six factors of projections, assumptions, data error, new issues, comprehensiveness, and data updates/emergence of new data described earlier) for allowing such a land use plan amendment in either Phase 2 or 3, and how the Town will ultimately benefit by the proposed amendment. **PLEASE ADDRESS EACH OF THE FOLLOWING QUESTIONS/ISSUES IN THE SPACE PROVIDED BELOW.**

7. Is the proposed plan amendment (when proposed to accommodate new urban or suburban types of development) contiguous, (next to) existing urban or suburban types of development? That is, will the proposed development create unplanned urban or suburban "sprawl" or foster a planned compact development pattern for the Town? *(attach additional sheets as necessary)*

The proposed plan amendment is contiguous to existing
R-3 suburban property to the south. The proposed development
will not create unplanned urban/suburban sprawl.

8. Is the proposed plan amendment (when proposed to accommodate new rural residential types of development) contiguous, (next to) existing rural residential types of development? That is, will the proposed rural residential development create unplanned rural "sprawl" or foster a planned, more compact, rural residential development pattern for the Town? In a rural situation, any proposed plan amendments from the A-1 Agricultural Preservation Land Use District into the A-2 General Agricultural Land Use District shall be contiguous to an existing A-2 General Agricultural Land Use District. *(attach additional sheets as necessary)*

N/A

9. Will the resulting development from the plan amendment assist in preserving the character of the Town of Salem or the area of Salem within which the development is proposed? *(attach additional sheets as necessary)*

The newly created lots from this division will conform alongside
the adjoining, adjacent lots already existing in this neighborhood.

10. Has a substantial public benefit of the proposed plan amendment been demonstrated? *(attach additional sheets as necessary)*

One of the public benefits of the proposed plan amendment
would be an increased tax base.

11. Is the proposed plan amendment, if granted, likely to contribute to land use balance in the

Town as prescribed by the Town's Land Use Element? *(attach additional sheets as necessary)*

Please see the attached document

12. Is the proposed plan amendment, if granted, likely to contribute to an improved quality of life in the Town? *(attach additional sheets as necessary)*

The proposed plan will not have a negative impact on the quality of life in the town.

13. Is there a strong market demand for the use requested by the plan amendment and has that demand been demonstrated with evidence provided by the applicant? *(attach additional sheets as necessary)*

The two additional lots created are planned to be developed by my two daughters so they can live in the community they grew up in.

14. Are public services available (including roads and utilities), or planned to be available in the near future, to accommodate the area of the proposed plan amendment? *(attach additional sheets as necessary)*

Yes. Public services such as roads and utilities are already in place and available.

15. Is the area of the proposed plan amendment located within an existing sanitary sewer service area? *(attach additional sheets as necessary)*

Yes. Public services including existing sanitary sewer services are already in place and available.

16. If public services are available (including roads and utilities), or planned to be available, is there adequate capacity to accommodate the area of the proposed plan amendment? *(attach additional sheets as necessary)*

Yes. Public services are available and there is adequate capacity to accommodate the proposal.

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17. If public services are available (including roads and utilities), or planned to be available, is it a logical extension of those services to accommodate the area of the proposed plan amendment? *(attach additional sheets as necessary)*

N/A

18. If public services (including roads and utilities) are to be extended to accommodate the area of the proposed plan amendment, is there a plan and funding available to extend those services? *(attach additional sheets as necessary)*

N/A

19. Will the resulting development from the plan amendment create more taxable value than the services or facilities it will need? Has the applicant quantified this information and submitted it to the Town for review and consideration? *(attach additional sheets as necessary)*

Yes. The resulting development from the plan amendment
will create more taxable value than the services/facilities it
will need.

20. How will the Town ultimately benefit by the proposed plan amendment? *(attach additional sheets as necessary)*

Please see attached document

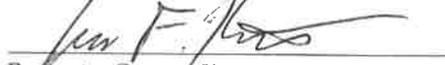
21. Other Pertinent Information/Data for Town Board and Plan Commission Consideration *(attach additional sheets as necessary)*.

None

REQUIRED SIGNATURE(S) FOR THE "COMPREHENSIVE PLAN AMENDMENT APPLICATION":

I hereby certify that I fully understand that the filing of a "Town of Salem Comprehensive Plan Amendment Application" does not constitute the filing of an application for a: zoning permit, occupancy permit, zoning map change, conditional use permit, zoning variance, zoning appeal, zoning interpretation, zoning variance, sketch plan review for a subdivision plat, subdivision final plat, condominium plat, Town of Salem Land Division Control Ordinance appeal or variance.

I also hereby certify that all statements, forms, and attachments submitted hereto are true and correct to the best of my knowledge and belief.



Property Owner Signature

3-14-16
Date



Property Owner Signature

3-14-16
Date

Property Owner Signature

Date

OTHER REQUIRED APPLICABLE SIGNATURES:

I hereby certify that all statements, forms, and attachments submitted hereto are true and correct to the best of my knowledge and belief:

Applicant Signature

Date

Owner's Agent Signature

Date

Developer Signature

Date

No "Town of Salem Comprehensive Plan Amendment Application Form" shall be accepted by the Town of Salem until all of the required items set forth in this Application (including a date-stamped "Kenosha County Comprehensive Plan Amendment Application Form" with attached plot plan or survey plat of the property as applicable,) have been provided to the Town of Salem including the applicable "Town of Salem Comprehensive Plan Amendment" application fees.

Applications shall be filed with the Town Clerk (or other Town Board authorized agent)

Kutzler Current

CONFORMING/NON-CONFORMING LOTS



Legend
Parcels



1 inch = 150 feet

DISCLAIMER: 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 inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

Date Printed: 3/10/2016

Proposed Kutzler



1 inch = 159 feet

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