VILLAGE OF EPHRAIM

FOUNDED 1853

EPHRAIM BOARD OF APPEALS AGENDA
Wednesday, September 30, 2026, 9:00 a.m.
Village Hall -9996 Water Street

NOTE: THIS MEETING OF WILL BE SIMULTANEOUSLY HELD VIA TELECONFERENCING. STAFF, COMMITTEE MEMBERS AND THE PUBLIC ARE WELCOME TO PARTICIPATE IN THIS MANNER. TELECONFERENCING WILL BE AVAILABLE BY COMPUTER, PHONE, TABLET, OR DIAL IN. CONNECTION INFORMATION BELOW:

1. Call to Order
2. Quorum
3. Changes in Agenda
4. Compliance with open meeting law and public notice requirements
5. Announcement of Proceedings
6. John Van Der Vaart – 10329 Water Street
   a) Variance from 75' Front Setback
   b) Variance from 2 acre minimum lot size for multifamily development
   c) Variance from 1,000 square foot minimum living space standard
7. Larson Properties of Door County – 3802 Larson Ln
   a) Variance from density standard for multifamily development
   b) Variance from 600 square foot minimum living space standard
8. Adjournment,

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/192304077

You can also dial in using your phone.
Access Code: 192-304-077
United States: +1 (571) 317-3122

** It is possible that a quorum of the Village Board, Historic Preservation Committee, or other Village Committees may be present at the meeting. However, no action will be taken by the Board or any other committee unless specifically noticed.*

_____	**Date 9/28/2026**
Andrea Collak, Clerk	**__x_Village offices**
	__x_ Visitors' Center
_____	**__x_ Post Office**
Kim Roberts, Deputy Clerk	**__x_ Website Ephraim.wi.gov**
	__x_ Faxed to WDOR Radio

Administrative Office 10005 Norway Road PO Box 138 Ephraim WI 54211
Phone: (920) 854-5501 Fax: (920) 854-2072 E-Mail:office@ephraim.wi.gov

Village of Ephraim Zoning Board of Appeals
Hearing Checklist

Preliminary Matters

- ○ Call the meeting to order. (CHAIR)
- ○ Confirm that a quorum is present. (CHAIR)
- ○ Confirm compliance with open meeting law and public notice requirements. (CHAIR)
- ○ Confirm whether there are any changes to the agenda. (CHAIR)
- ○ Read "Announcement of proceedings" (CHAIR)

Public Hearings

- ○ Open the first public hearing. (CHAIR)
- ○ Read appeal notice.(CHAIR)
- ○ Call for a report on any site inspections. (CHAIR followed by BOARD MEMBERS)
- ○ Request an optional statement by the applicant. (CHAIR)
- ○ Reading of Staff Report. (ZONING ADMINISTRATOR)
- ○ Reading of related Correspondence. (ZONING ADMINISTRATOR)
- ○ Call for a report on any ex parte communication (CHAIR)
- ○ Request for statements by witnesses or visitors (CHAIR with questions from BOARD MEMBERS and responses by the APPLICANT)
- ○ Response by zoning administrator. (ZONING ADMINISTRATOR)
- ○ Request for any final Questions. (CHAIR)
- ○ Close the public hearing. (CHAIR)

Deliberation, Decision. (BOARD ONLY)

- ○ Findings of Fact (review application, record pertinent facts on the decision form)
- ○ Conclusions of law (Specify the three criteria for granting a variance, determine which facts relate to these criteria, determine whether the criteria are met and agree on any permit conditions.
- ○ Order and Determination (Decide/vote on the case, complete decision form)

Repeat "Public Hearings" and "Deliberation,Decision" sections for other hearings
Other agenda items
Adjourn Meeting

Village of Ephraim Zoning Board of Appeals

Announcement of Proceedings

Role of the Board

The Village board of appeals is an appellate board required by state law in any municipality that has adopted a zoning ordinance. The board does not have authority to amend or repeal any provision of the zoning ordinance. Its authority is limited to appeals regarding interpretations of ordinance provisions, and considerations of variances. The board functions like a court. Its purpose is to give a full and fair hearing to any person whose property interests are affected by these matters. Its job is to apply the zoning ordinance and appropriate legal standards to the facts of each case. The board meeting and public hearings are open to the public. A taped recording is being made of the proceedings.

Appeal of the Board Decisions

A decision of the board may be appealed by commencing an action in the circuit court for this county within 30 days after the date of filing of the decision in the office of the board.

Instructions for Witnesses

Anyone wishing to speak should wait until called upon as a witness; address your comments and questions to the chair and state: Your name and place of residence, your qualifications to speak on this matter, the source of your information, and whether you favor, oppose, or are only providing information in this matter and your concerns.

Staff Report
Board of Appeals
Case # 162 & 163

#162

The property located at 10329 Water Street is zoned CN. It is a mixed use commercial property containing commercial office space, retail space and a duplex on the back of the property.

The proposal is for a second floor addition to be constructed on top of an existing structure on the South side of the property with no change to the building footprint. The first floor of the structure will remain as a commercial use and the second floor addition proposed is to be used as a residence.

The existing structure in question is legally nonconforming as it does not comply with the 75' front setback from the edge of road right of way. The applicant is requesting a 20' variance from the 75' front setback.

Per the recently re-written multi-family ordinance a 2 acre minimum exists for the construction of a multifamily development. At approximately 1.46 acres the establishment of an additional unit cannot be completed without a variance from the 2 acre minimum, even though an existing grandfathered multifamily use (duplex) already exists on the property.

Finally, the proposed second floor living space, in working within the footprint of the existing structure, is approximately 650 square feet. 600 square feet is the minimum square footage for a new residence in the village if the building exists, however new construction has a minimum square footage of 1,000 square feet. As such the applicant requires a 350 square foot variance from the 1,000 square foot minimum.

#163

The property located at 3802 Larson Ln. is zoned Commercial South (CS). It is a mixed use property with commercial transient rental units and residential units existing. The proposal does not contain any physical changes on the property, rather it is change of use for the balance of the property from Commercial Transient Rental (Cottage Rental) to a Multifamily Development (residential use).

Under the newly written Multifamily Ordinance a change of use permit for multifamily can be considered by conditional use by the Plan Committee. However, per the ordinance the maximum density for the use is 4 units per acre. At 2.39 acres the property would be limited to a maximum of 9 units. Currently the property contains 13 units, our applicant has 11 units and a second owner has 2 units under residential use. The applicant is requesting a variance to allow for 4 additional units to be allowed beyond the limit of 9.

The second variance required relates to the dimensional standard that sets a minimum square footage for residences. Whereas transient rental units (like the current use) can by ordinance be quite small, the minimum standard for square footage of a residence where the building already exists is 600 square feet. Currently all but two of the applicant's units meet this standard. Two units however, that are part of a duplex, currently each contain 432 square feet. Our applicant is seeking a 168 square foot variance from this standard.

Respectfully submitted,

Brent Bristol
Zoning Administrator.

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Village of Ephraim Zoning Board of Appeals

Findings Of Fact

Having heard the testimony and considered the evidence presented the Board finds the following facts:

Case No. 162
Filing Date 7/15/26
Notice Date 9/18/26
Hearing Date 9/30/26

1. The applicant or appellant is (name and address)
John Van Der Vaart – 10329 Water

2. The applicant or appellant is the owner of the following described property which is the subject of the application or appeal: **121-01-12312743F,** Village of Ephraim, Door County, known as (street address): **10329 Water St**

3. The property is presently in use as: **Mixed use commercial**

4. The property includes a nonconforming structure/use described as:
Structures non-conforming to setbacks

5. The property has been the subject of a prior appeal/variance/conditional use described as:

6. The applicant or appellant proposes:
Variance from 75' Front Setback
Variance from 2 acre minimum lot size for multifamily development
Variance from 1,000 square foot minimum living space standard

7. The appellant requests:
   - ☐ an appeal of the Zoning Administrator's determination
   - ☐ a use variance
   - ☐ an area variance

   under Section **17.25 & 17.16** of the ordinance.

   The features of the proposed construction and property that relate to the grant or denial of the appeal are standards of the ordinance in question

CONCLUSIONS OF LAW

To qualify for a variance, the applicant must demonstrate that their application meets the following three requirements.

Unnecessary hardship

- Area Variance – For an area variance, unnecessary hardship exists when compliance with the ordinance provision(s) would unreasonably prevent the owner from using the property for a permitted use or would render conformity with such restrictions unnecessarily burdensome. The Board of Adjustment must consider the purpose of the zoning restriction, the zoning restrictions affect on the property, and the short-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the 2004 Ziervogel and Waushara County Court decisions.
- Use Variance – For a use variance, unnecessary hardship exists only if the property owner shows that without a variance they would have no reasonable use of the property. An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner. Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

Unique property limitations

- Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

No Harm to Public Interests

- A variance may not be granted which results in harm to public interests. In applying this test, the zoning board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public.

Based on the above findings of fact, the Board concludes that:

A. Has the applicant shown that unnecessary hardship is present in that a literal enforcement of the terms of the Ordinance would be unnecessarily burdensome to the applicant? (YES / NO) Because:

B. Has the applicant shown that the hardship is due to physical limitations of the property rather than the circumstances of the appellant? (YES / NO) Because:

C. Has the applicant shown that the variance will not be contrary to the public interest and will observe the spirit of the ordinance, secure public safety and welfare and do substantial justice? (YES / NO) Because:

Variance – the variance (does/does not) meet all three of the following tests:

ORDER AND DETERMINATION

On the basis of the above findings of fact, conclusions of law and the record in this matter, the Board orders:

Variance – the requested variance is (denied/granted/granted-in-part) subject to the following conditions/mitigation:

1.

2.

3.

Unless denied, the Zoning Administrator is directed to issue a Zoning Permit incorporating these conditions and certifying by the petitioner/applicant's signature that he/she understands and accepts the conditions.

Expiration of permit. Any privilege granted by this decision must be exercised within ____ months of the date of this decision after obtaining the necessary building, zoning and other permits for the proposed construction. This period will be extended if this decision is stayed by the order of any court or operation of law.

Revocation – This order may be revoked by the Board after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals – This decision may be appeared by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action in certiorari in the circuit court for this county within 30 days after the date of filing of this decision. The municipality assumes no liability for and makes no warranty as to the reliance on this decision if construction is commenced prior to the expiration of this 30-day period.

ZONING BOARD OF APPEALS

Signed_____ Attest_____

Chair Clerk

Dated _____ Filed_____

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Village of Ephraim Zoning Board of Appeals

Findings Of Fact

Having heard the testimony and considered the evidence presented the Board finds the following facts:

Case No. 163
Filing Date 8/12/26
Notice Date 9/18/26
Hearing Date 9/30/26

1. The applicant or appellant is (name and address)
Larson Properties of Door County LLC – 3802 Larson Ln

2. The applicant or appellant is the owner of the following described property which is the subject of the application or appeal: **121-32 0003-0013,** Village of Ephraim, Door County, known as (street address): **3802 Larson Ln**

3. The property is presently in use as: **Mixed use commercial transient lodging/residential**

4. The property includes a nonconforming structure/use described as:
Structures non-conforming to setbacks

5. The property has been the subject of a prior appeal/variance/conditional use described as:

6. The applicant or appellant proposes:
Variance from density standard for multifamily development
Variance from 600 square foot minimum living space standard

7. The appellant requests:
   - ☐ an appeal of the Zoning Administrator's determination
   - ☐ a use variance
   - ☐ an area variance

   under Section **17.16** of the ordinance.

The features of the proposed construction and property that relate to the grant or denial of the appeal are standards of the ordinance in question

CONCLUSIONS OF LAW

To qualify for a variance, the applicant must demonstrate that their application meets the following three requirements.

Unnecessary hardship

- Area Variance – For an area variance, unnecessary hardship exists when compliance with the ordinance provision(s) would unreasonably prevent the owner from using the property for a permitted use or would render conformity with such restrictions unnecessarily burdensome. The Board of Adjustment must consider the purpose of the zoning restriction, the zoning restrictions affect on the property, and the short-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the 2004 Ziervogel and Waushara County Court decisions.
- Use Variance – For a use variance, unnecessary hardship exists only if the property owner shows that without a variance they would have no reasonable use of the property. An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner. Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

Unique property limitations

- Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

No Harm to Public Interests

- A variance may not be granted which results in harm to public interests. In applying this test, the zoning board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public.

Based on the above findings of fact, the Board concludes that:

A. Has the applicant shown that unnecessary hardship is present in that a literal enforcement of the terms of the Ordinance would be unnecessarily burdensome to the applicant? (YES / NO) Because:

B. Has the applicant shown that the hardship is due to physical limitations of the property rather than the circumstances of the appellant? (YES / NO) Because:

C. Has the applicant shown that the variance will not be contrary to the public interest and will observe the spirit of the ordinance, secure public safety and welfare and do substantial justice? (YES / NO) Because:

Variance – the variance (does/does not) meet all three of the following tests:

ORDER AND DETERMINATION

On the basis of the above findings of fact, conclusions of law and the record in this matter, the Board orders:

Variance – the requested variance is (denied/granted/granted-in-part) subject to the following conditions/mitigation:

1.

2.

3.

Unless denied, the Zoning Administrator is directed to issue a Zoning Permit incorporating these conditions and certifying by the petitioner/applicant's signature that he/she understands and accepts the conditions.

Expiration of permit. Any privilege granted by this decision must be exercised within ____ months of the date of this decision after obtaining the necessary building, zoning and other permits for the proposed construction. This period will be extended if this decision is stayed by the order of any court or operation of law.

Revocation – This order may be revoked by the Board after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals – This decision may be appeared by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action in certiorari in the circuit court for this county within 30 days after the date of filing of this decision. The municipality assumes no liability for and makes no warranty as to the reliance on this decision if construction is commenced prior to the expiration of this 30-day period.

ZONING BOARD OF APPEALS

Signed_____ Attest_____

Chair Clerk

Dated _____ Filed_____

BOARD OF APPEALS
CASE # 162
John Van Der Vaart
10329 Water Street
Variance from 75' Front Setback
Variance from 2 acre minimum lot size for multifamily development
Variance from 1,000 square foot minimum living space standard
Wednesday, September 30th, 2026 – 9:00 am
Village Hall – 9996 Water Street

NOTE: SO LONG AS INTERNET SERVICE IS AVAILABLE, THIS MEETING WILL BE SIMULTANEOUSLY HELD VIA TELECONFERENCING. STAFF, COMMITTEE MEMBERS AND THE PUBLIC ARE WELCOME TO PARTICIPATE IN THIS MANNER. TELECONFERENCING WILL BE AVAILABLE BY COMPUTER, PHONE, TABLET, OR DIAL IN. CONNECTION INFORMATION BELOW:

PUBLIC NOTICE

Notice to Appellants, Zoning Administrator, Plan Committee, and Neighboring Property Owners within 300'

PUBLIC HEARING ON ZONING APPEAL APPLICATION on the following property will be held on September 30, 2026 at 9:00 am to hear and transcribe testimony both for and against, written and verbal:

Property # 121-01-12312743F

- Variance from 75' front setback standard of Ephraim Zoning Code in the Commercial North (CN) Zoning district.
- Variance from 2 acre minimum lot size for multi family development
- Variance from 1,000 square foot minimum living space standard

The property is zoned CN. The proposal is for a second floor addition to be constructed on top of an existing structure on the property with no change to the building footprint. The existing structure is legally nonconforming as it does not comply with the 75' front setback from the edge of road right of way. The applicant is requesting a 20' variance from the 75' front setback.

The first floor of the structure will remain as a commercial use however the second floor is proposed to be used as a residence. There currently is a duplex on the back of the lot. Per the recently re-written multi-family ordinance a 2 acre minimum exists for the construction of a multifamily development. At approximately 1.46 acres the establishment of an additional unit cannot be completed without a variance from the 2 acre minimum, even though an existing grandfathered multifamily use (duplex) already exists on the property.

Finally, the proposed second floor living space, in working with the footprint of the existing structure, is approximately 650 square feet. 600 square feet is the minimum square footage for a new residence in the village if the building exists, however new construction has a minimum square footage of 1,000 square feet. As such the applicant requires a 350 square foot variance from the 1,000 square foot minimum.

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/192304077

You can also dial in using your phone.
Access Code: 192-304-077
United States: +1 (571) 317-3122

A notice is being sent to all property owners within 300'. Comments may be made in person at the meeting or in writing to be received no later than 12:00 p.m. on Tuesday, September 29, 2026. Written comments via email at bbristol@ephraim.wi.gov will also be accepted. All written comments must include name and address of commenting residents.

Andrea Collak, Clerk

Kim Roberts , Deputy Clerk

Date 9/18/2026
_x_Village offices
__x_ Visitors' Center
__x_ Post Office
__x_ Website Ephraim.wi.gov
__x_ Faxed to WDOR Radio

VILLAGE OF EPHRAIM
BUILDING/ZONING PERMIT APPLICATION

Application Date
July 16th, 2026

Please Print

1. Owner/Property

Tax Parcel. No. 121011232743 - F _____ - _____

Owner John Van Der Vaart

Mailing Address PO Box 303 City Bailey's Harbor

State WI Zip 54202

Phone(s) 920-365-6825 Email ivcontractingco@gmail.com

Location of Project 10329 Water St. Ephraim, WI 54211 Nearest Cross Street Bella Vista Ln

Property Use: Mixed Use/Rental

Zoning Area: CN Commercial North Historic District? ☐ Yes ☒ No

Contractor/Contact: IV Contracting Address PO Box 303 Bailey's Harbor WI, 54202

Phone(s) 920-365-6825 Cell Phone (_____) _____

2. Type of Improvement

New Building	**Accessory Structures**
_x_ Addition	___ Garage
___ Exterior Alteration	___ Storage Building
___ Foundation Work Only	___ Repair/Replacement
___ Other _____	___Other_____

3. Describe Proposed Construction:

Renovation of front building for commercial space on the lower lever with addition of upper level for residential living.

4. Cost

Total cost of improvements as applied for in permit: $300,000

Structural Improvement Cost (if new building or addition, entire amount of structure; if alteration, renovation or repair, structural portions only): $62,000

Include with Application:

- ☒ Certified Survey
- ☒ Building plans, including all elevations, floor plans
  (*if commercial, State-approved plans must be given to the office prior to obtaining your permit*)
- ☒ Site plan showing lot dimensions, setbacks from all lot lines for structures
- ☒ For commercial structures, parking plans
- ☒ Parking plan for construction vehicles during construction phase
- ☐ Permit Fee/Impact Fee
- ☒ Land Disturbance Application
- ☐ Drainage Plan
- ☐ Landscape Plan

For New Buildings or Additions, Complete this Section Also:

Dimensions: Number of Stories: 2 Height at Peak: 26'
Roof Pitch(es): 8/12 Total Footprint, Exterior: 744

Total Square Footage, All Floors Exterior: 1,488

Total Square Footage, Parking/Drives/Walkways: 11,904 (for entire lot, not just permit structure)

Type: [X] Wood Frame [ ] Structural Steel [ ] Reinforced Concrete [ ] Other_____

Principal Heating: ___ Propane ___ Oil _x_ Electric
___ Other
(Explain)_____

Plant Manager
Signature_____***Date***_____

Sewage Disposal:

Current:
- [ ] None
- [x] Sewered
- [ ] Septic
- [ ] Mound/In-Ground
- [ ] Other _____

Proposed:
- [x] Current System Continued
- [ ] Demolition/Moving ?
- [ ] Connect to Available Sewer
- [ ] Extend Sewer to Property
- [ ] On-Site System

Type: _____
(copy of permit to be on file with Village)

Year Installed: _____ If On-Site System, Year Last Pumped/Inspected: _____

For sewage disposal planning, your contact is the Ephraim Treatment Plant Manager, 920/854-4991. Please contact him as soon as possible to allow proper planning and discussion of any necessary sewer connection permits or fees involved.

Fire Chief Signature _____***Date***_____

Fire Department:

Sprinklers needed? ☐ Yes ☐ No

Driveway width/tree clearance (width/height): _____
Clearance around structures for truck access: _____ Fire # Assigned _____

Fire Department requires driveways at least 12' wide and clearance 12' high; Fire Chief may be in contact with you during construction to check truck access and, if commercial structure, any sprinklering, water sources, or other safety considerations

Application and materials **must be in the Village offices <u>one week prior</u>** to Plan Committee meeting date to allow for proper processing and notification of Committee members. When permits are issued, work must start within 6 months and be completed within one year. The owner of this property and the undersigned agree to conform to all applicable laws of the State of Wisconsin and the Village of Ephraim.

Signature of Applicant John C. Van Der Vaart IV Print Name John C Van Der Vaart IV

FOR OFFICE USE ONLY

Permit #_____ Permit Fee: $_____

Date Permit Issued _____ Zoning Administrator Signature:_____

Restrictions: _____

BOARD OF APPEALS VARIANCE APPLICATION

Village of Ephraim

Petitioner: John C Van Der Vaart hereby appeals to the Board of Appeals of the Village of Ephraim, Wisconsin for a variance from the zoning ordinances of the Village and submits this petition in support of the appeal.

Date filed July 16th, 2026 ☐ $300.00 fee (payable to Village of Ephraim)

	Owner	Agent	Contractor/Contact
Name	John C Van Der Vaart		IV Contracting
Address	PO Box 303 Bailey's Harbor, WI 54202		PO Box 303 Bailey's Harbor, WI 54202
Phone	920-365-6825		920-365-6825
Fax			

Legal description of property: ____1/4 , S___ ¼, S 12 , T 31N, R 27 E, Village of Ephraim, County of Door

Tax Parcel Number 1210112312743F

Fire Number and Street 10329 Water St.

Lot area and dimensions: 63597.6 square feet, 200 x 317.988 ft.

Zoning District: CN Commercial North

Current Use and Improvements: Currently mixed use with only commercial rental being utilized. Improvements include renovating front building for a design center on the lower lever with addition of upper level for residential living.

Identify all non-conforming structures and/or land uses on the property:

All existing structures on this property are now non-conforming due to the newly implemented setback specifications.

Has a previous appeal or application for a variance, or conditional use/special exception, been made with respect to this property? _____ Yes ____X___ No

If yes, state the nature of the appeal/application:

Disposition: ____ Granted ____ Denied Date of Decision: _____

Ordinance / Section Number	Variance Requested
17.25(4) & 17.16(9)	Total Living Space & 2 Acre Minimum
	Area Variance

Estimated Cost of Construction: $ 300,000

Is Petitioner the owner of the premises? Yes Lessee? _____ Other: _____

If Lessee, give owner's name & address _____

Address each of the following criteria for granting a variance as described above (attach additional pages as necessary):

(1) Unnecessary hardship is present because....

the existing building is now a nonconforming structure that was built before the current setbacks, living sqft, and acreage size requirement were implemented. These adopted requirements would prevent improvements and the reasonable expansion of the existing building for residential and/or commercial use. The hardship arises from the existing physical conditions, established location of the building, and lot configuration all halting the refinement of the property and impacting the property's usage to the community.

(2) Compliance with the terms of the ordinance is prevented by the following unique feature(s) of this property...

being the existing location and size of the structure. Without a variance there is no practical way to construct a second story to meet the current requirements without relocating or demolition. In which case, the building could not be built again. These existing conditions limit the ability to expand the structure outward while also maintaining the required setbacks. Adding a second story achieves this, however staying within the existing footprint isn't compliant with the total living sqft or required acreage rules limiting the properties use and character.

(3) A variance will not be contrary to the public interest, will observe the spirit of the ordinance, secure public safety and welfare, and do substantial justice because....

the request does not seek to increase the setback encroachment. It simply allows reasonable vertical improvement of an existing established structure whose location cannot be changed. The project will preserve the character of the neighborhood while also updating and enhancing the look of the existing building to add charm back to the property and surrounding area.

Attach a site plan or other map of your site and detailed construction plans.

Yes, plans are attached in the digitaly submitted email.

I certify that the information I have provided in this application is true and accurate.

John C. Van De Voort Date: July 15th, 2026

Applicant/Agent

Remit with application fee and materials to:

Village of Ephraim
P.O. Box 138
10005 Norway Road
Ephraim, WI 54211

phone: 920/854-5501 fax: 920-854-2072 e-mail: bbristol@ephraim-wisconsin.com

iV CONTRACTING



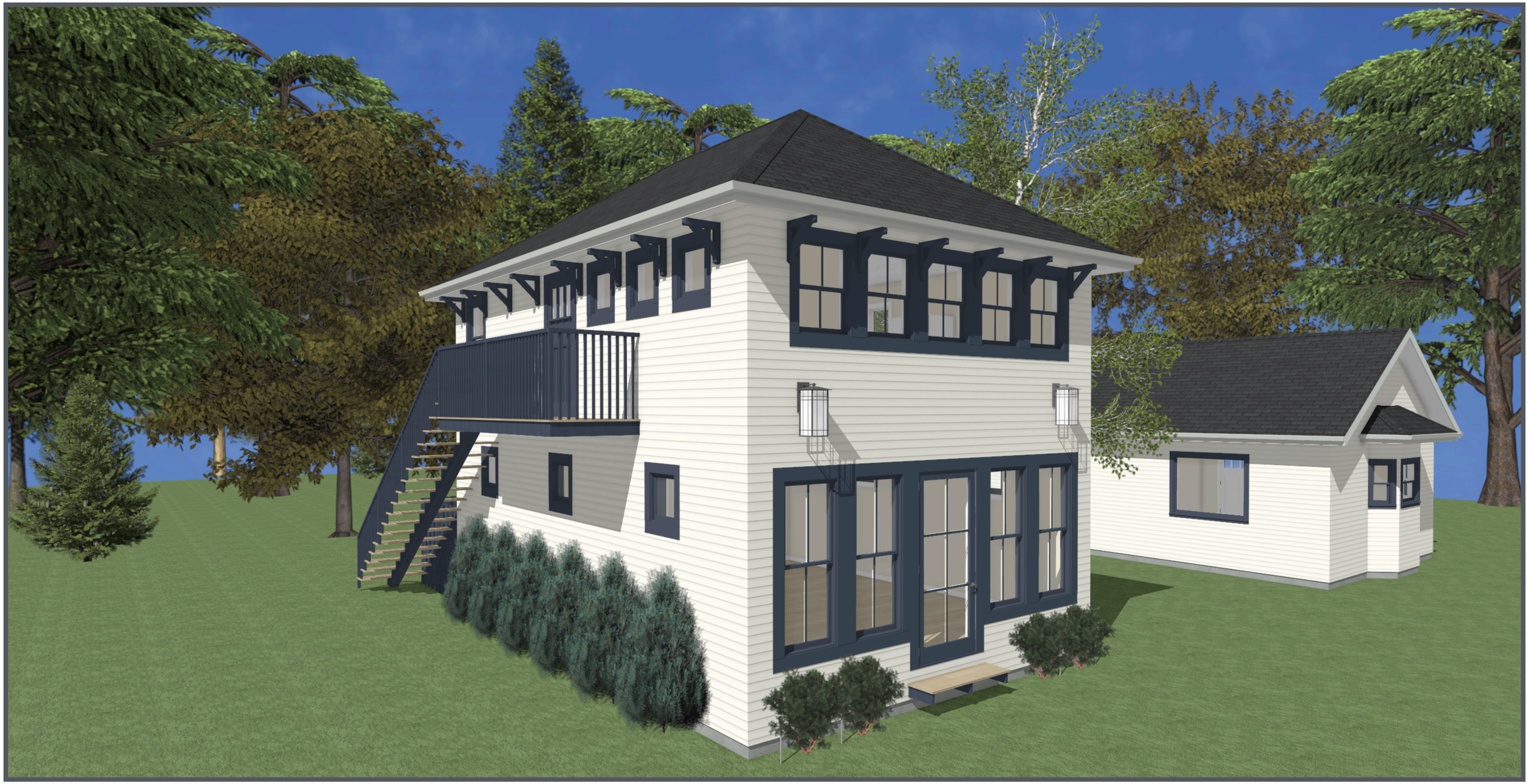
PROJECT

DOOR COUNTY - DESIGN CENTER REMODEL

10239 WATER ST. EPHRAIM, WI 54211

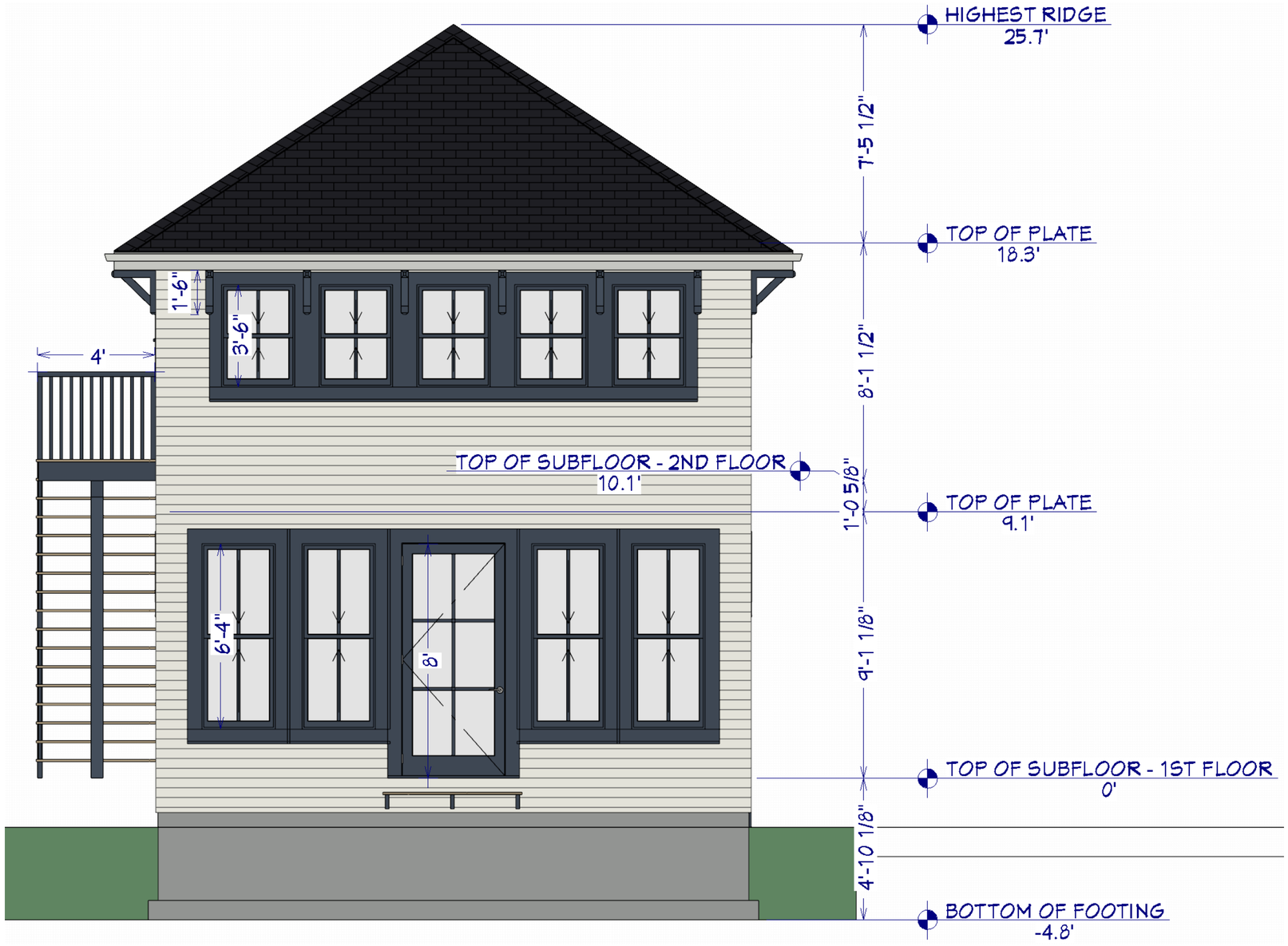
DATE **JUNE 28TH, 2026**

CONTRACTOR **JOHN VAN DER VAART**



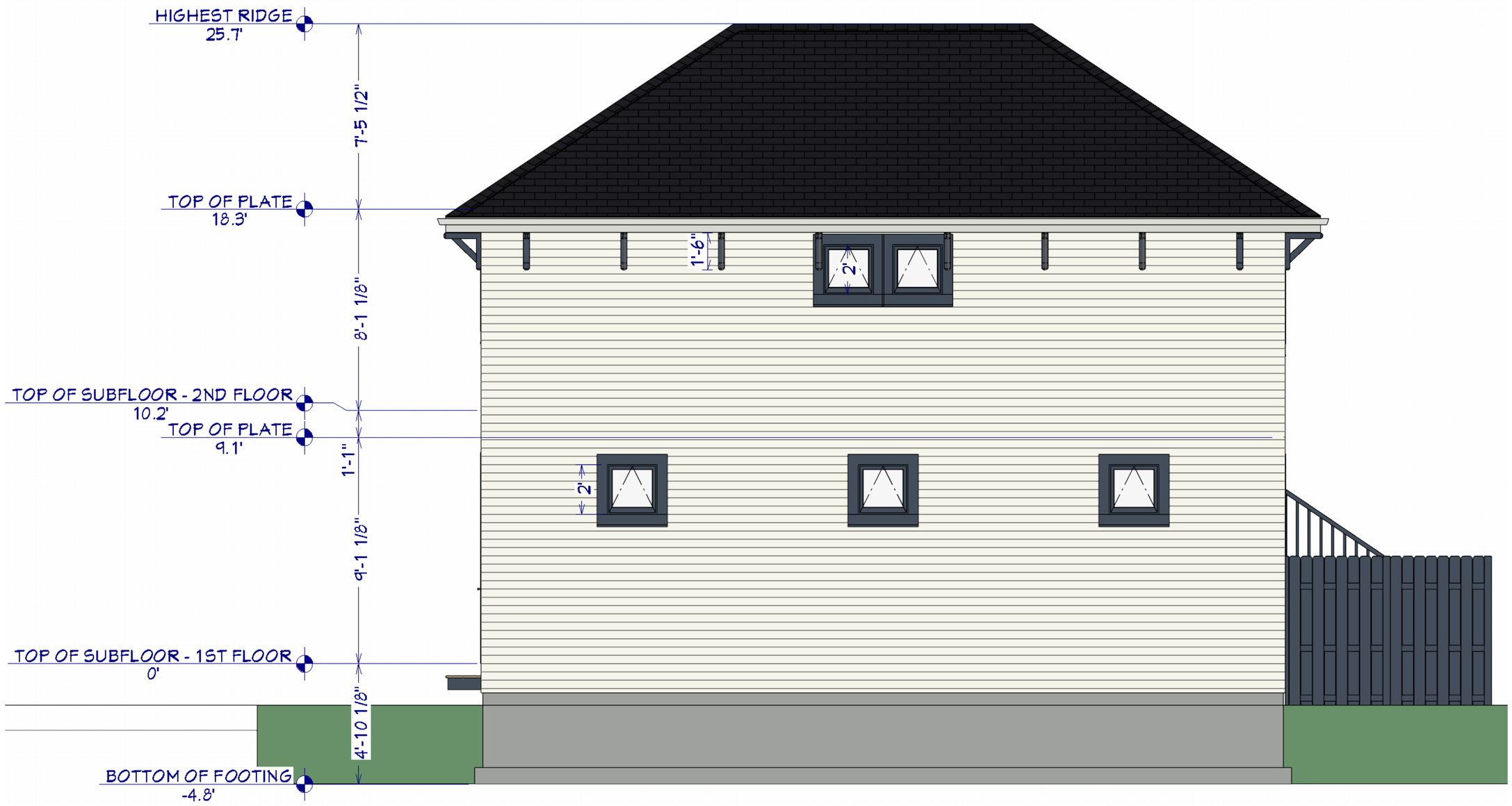
EXTERIOR RENDERING

NOTES: REPRESENTATION OF REMODELED EXISTING STRUCTURE AT 10239 WATER ST.



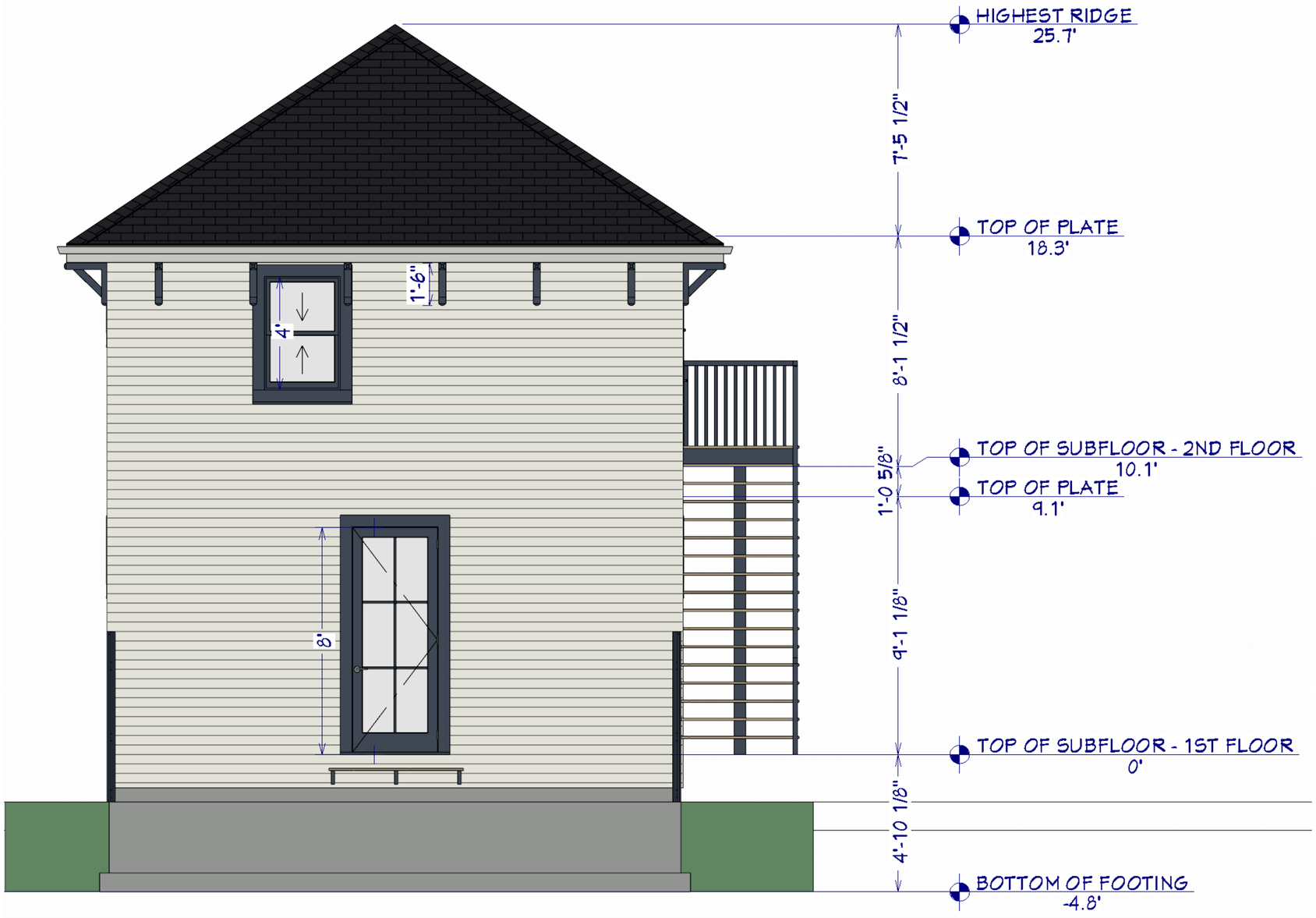
EXTERIOR ELEVATION - SOUTHEAST WALL

NOTES: ENTRY WALL FOR COMMERCIAL SPACE ON LOWER LEVEL.



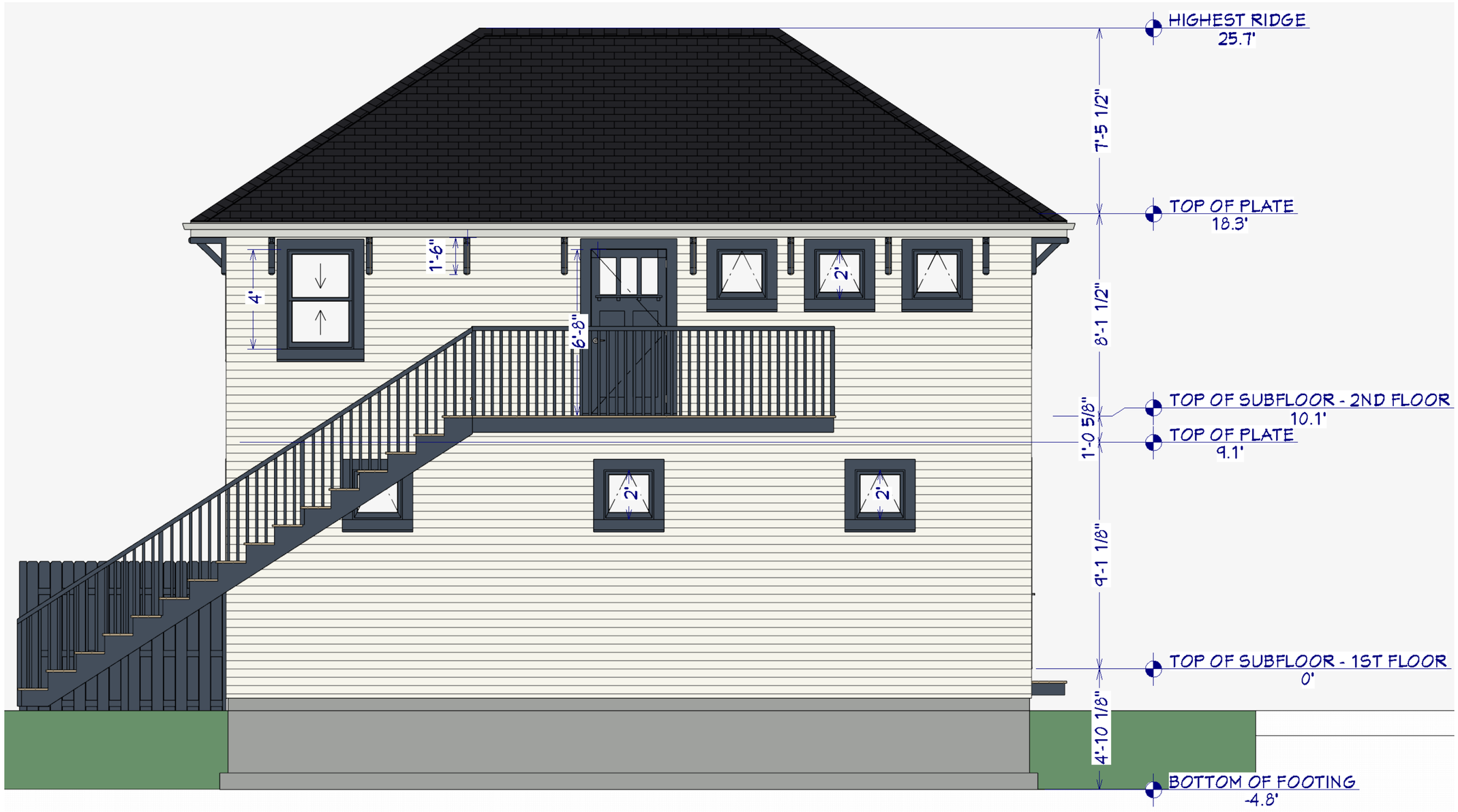
EXTERIOR ELEVATION - NORTHEAST WALL

NOTES: WHITE HORIZONTAL SHIP LAP SIDING WITH DARK NAVY TRIM. CORBELS MATCHING TRIM COLOR & HIP ROOF AT 8/12 PITCH.



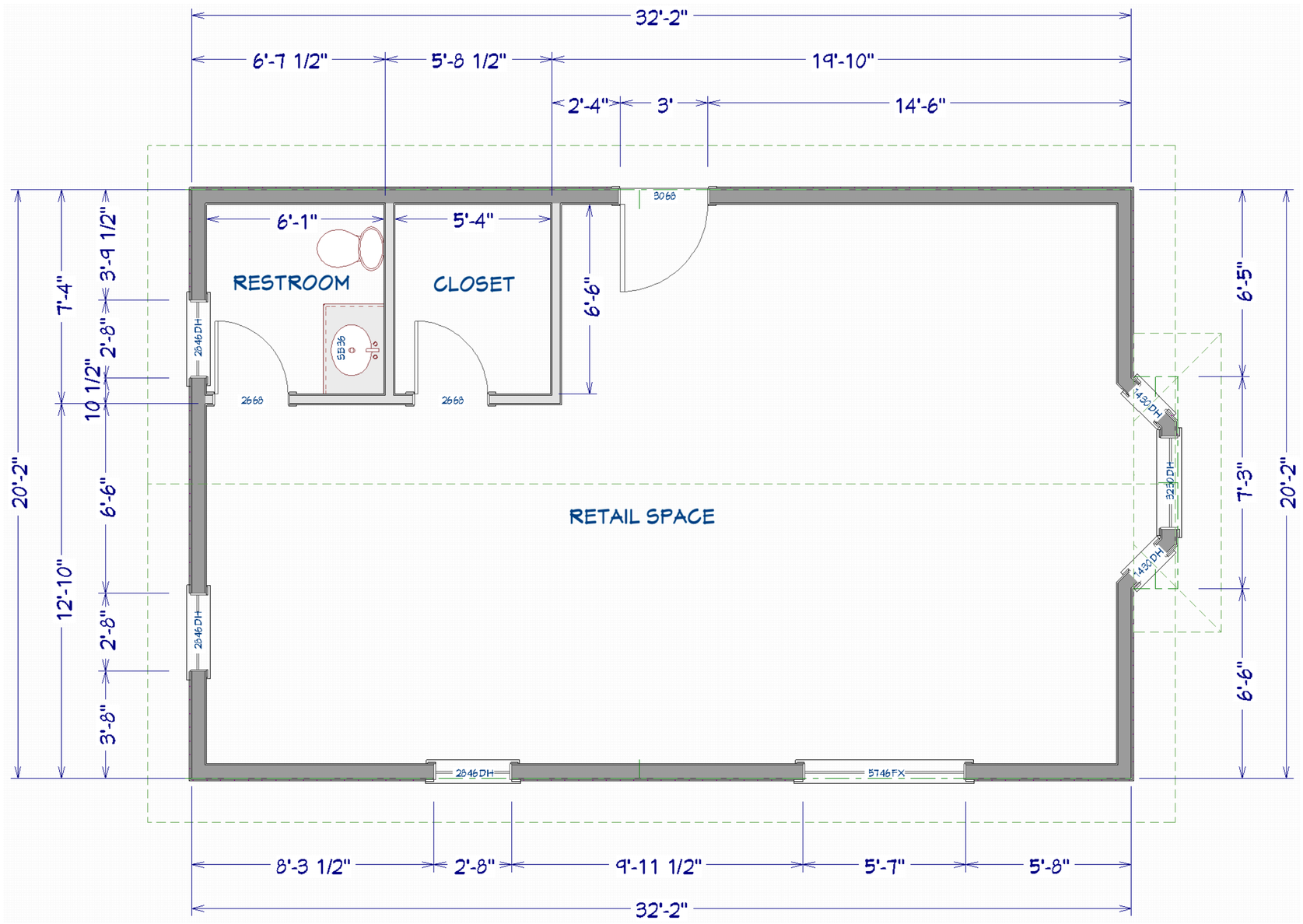
EXTERIOR ELEVATION - NORTHWEST WALL

NOTES: FENCED AREA & BACK ENTRY FOR COMMERCIAL SPACE ON LOWER LEVEL. STAIR ENTRY TO SECOND FLOOR FOR RESIDENTIAL LIVING.



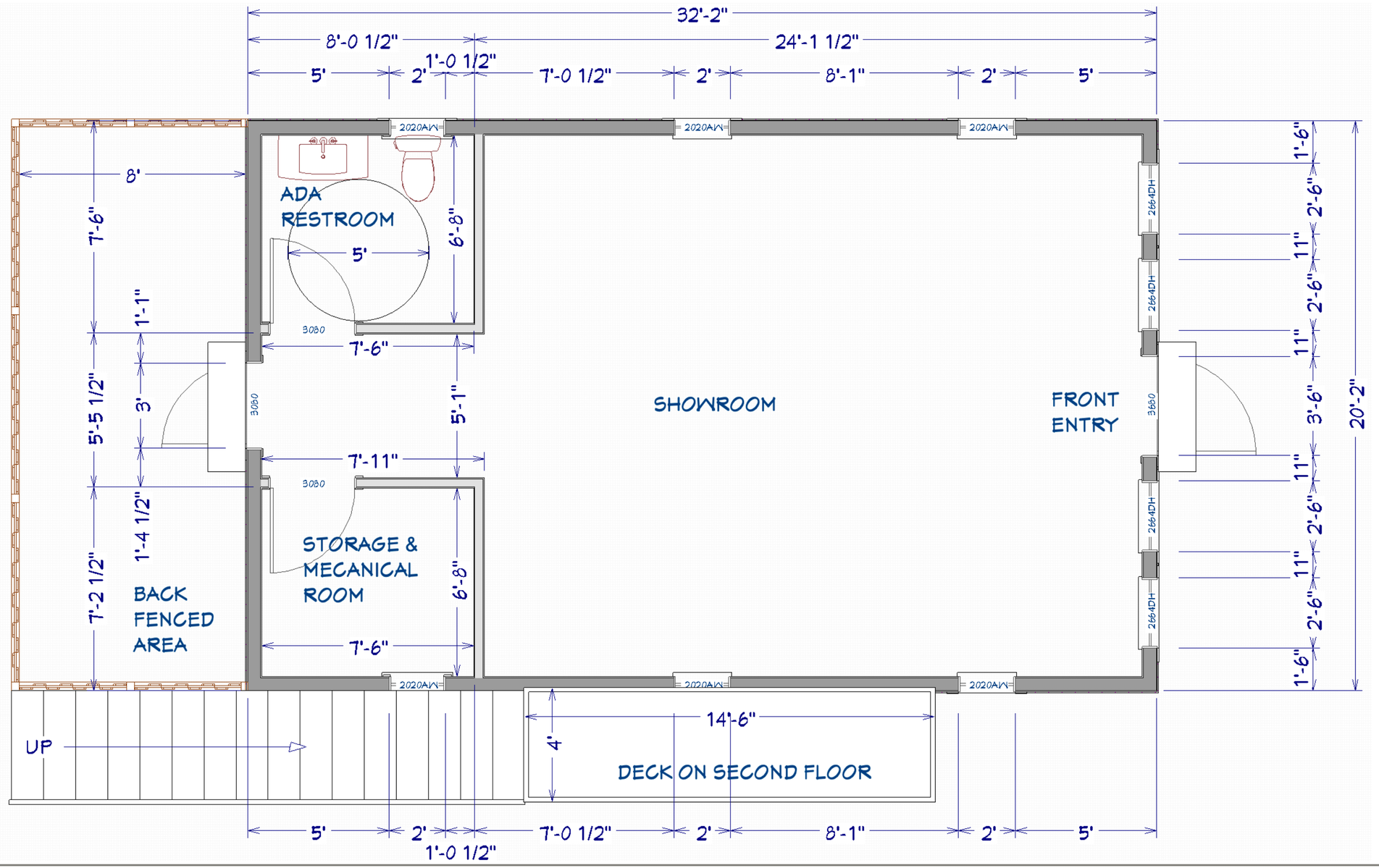
EXTERIOR ELEVATION - SOUTHWEST WALL

NOTES: ENTRY DOOR ON SECOND FLOOR TO RESIDENTIAL LIVING.



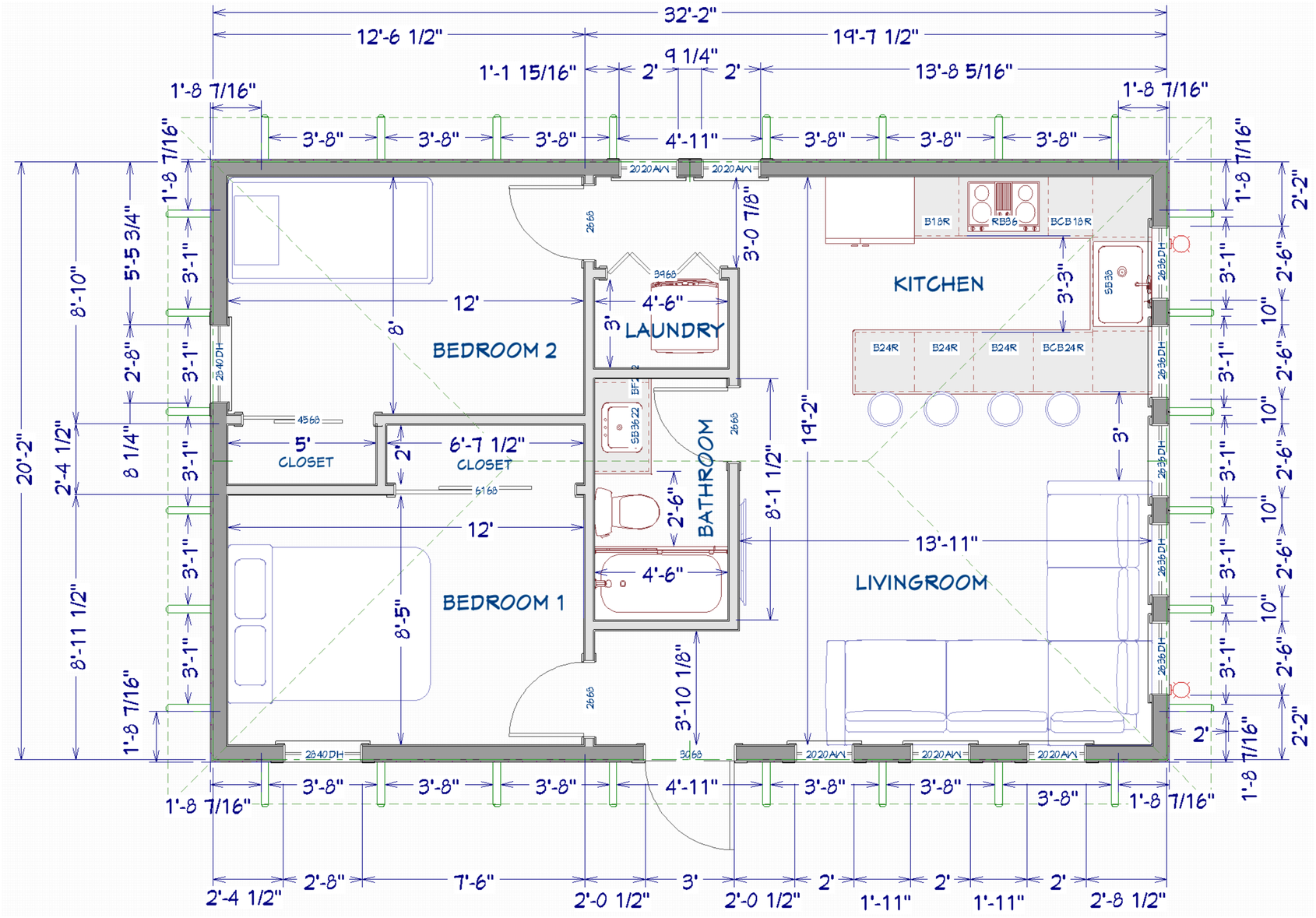
EXISTING FLOOR PLAN

NOTES: SINGLE STORY COMMERCIAL BUILDING LAYOUT.



RENOVATED FLOOR PLAN - LOWER LEVEL

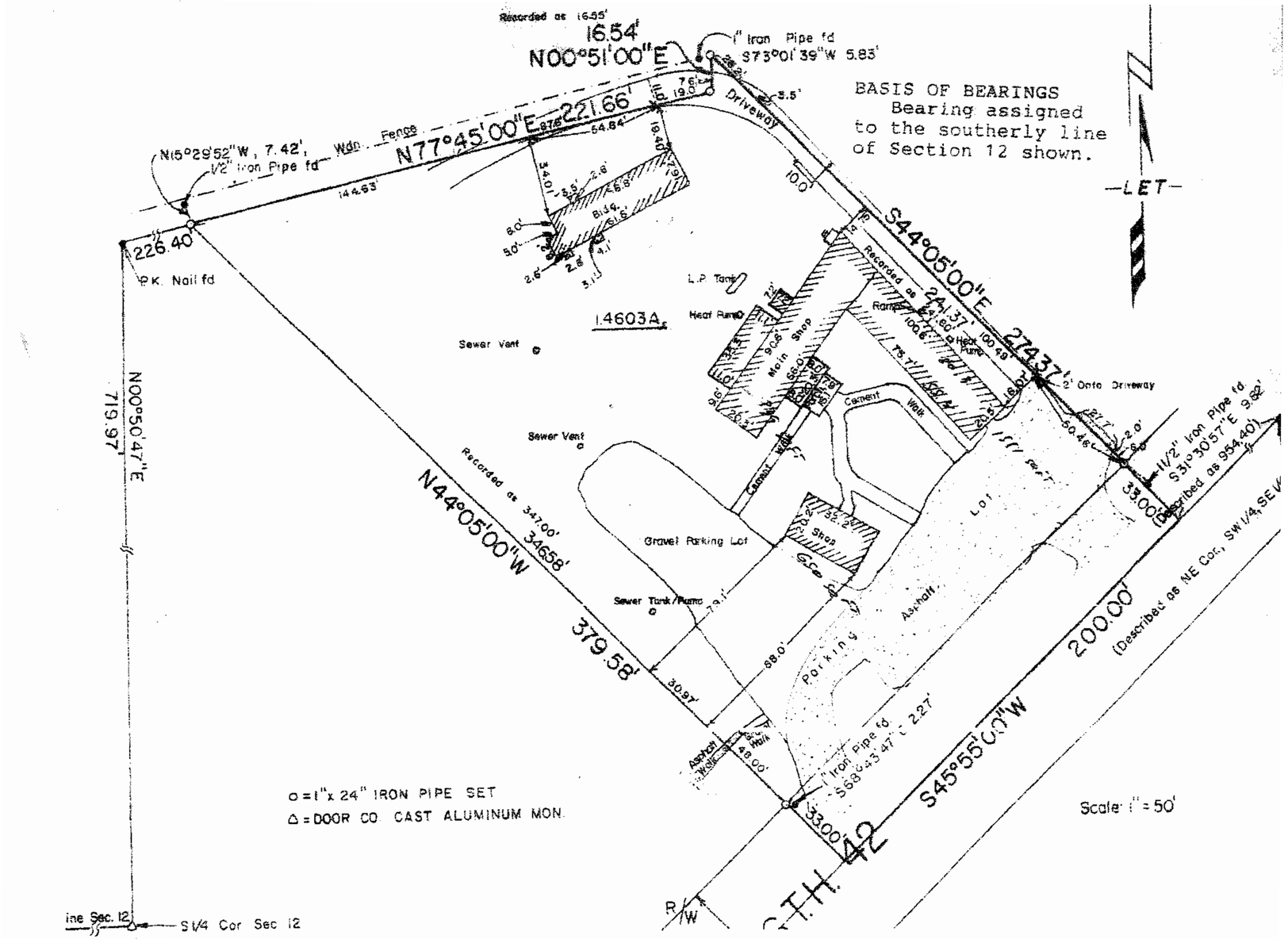
NOTES: REMODELED LAYOUT OF LOWER LEVEL COMMERCIAL SPACE WITHIN EXISTING FOOTPRINT.



N

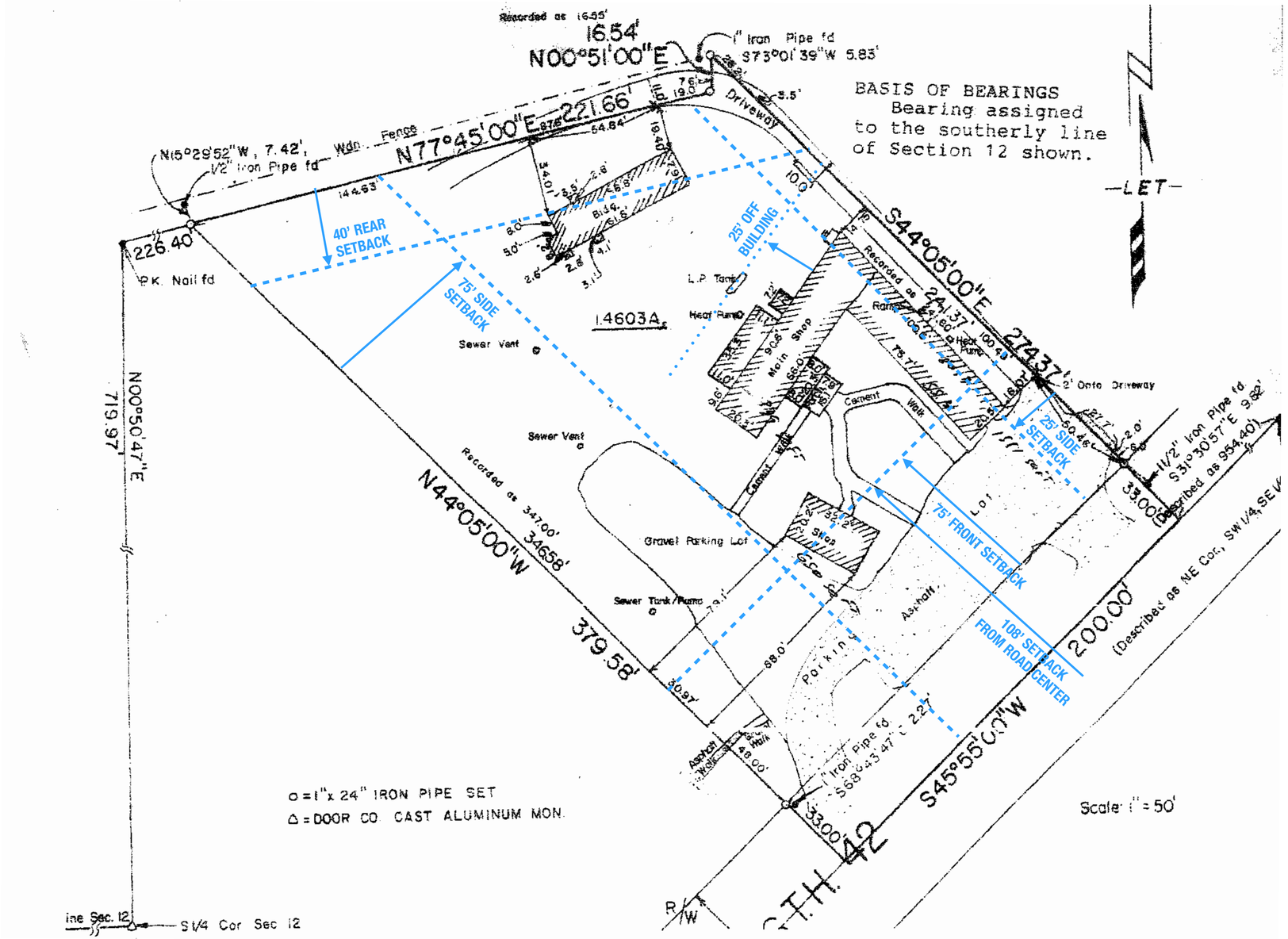
RENOVATED FLOOR PLAN - UPPER LEVEL

NOTES: REMODELED LAYOUT OF SECOND FLOOR RESIDENTIAL LIVING WITHIN EXISTING FOOTPRINT.



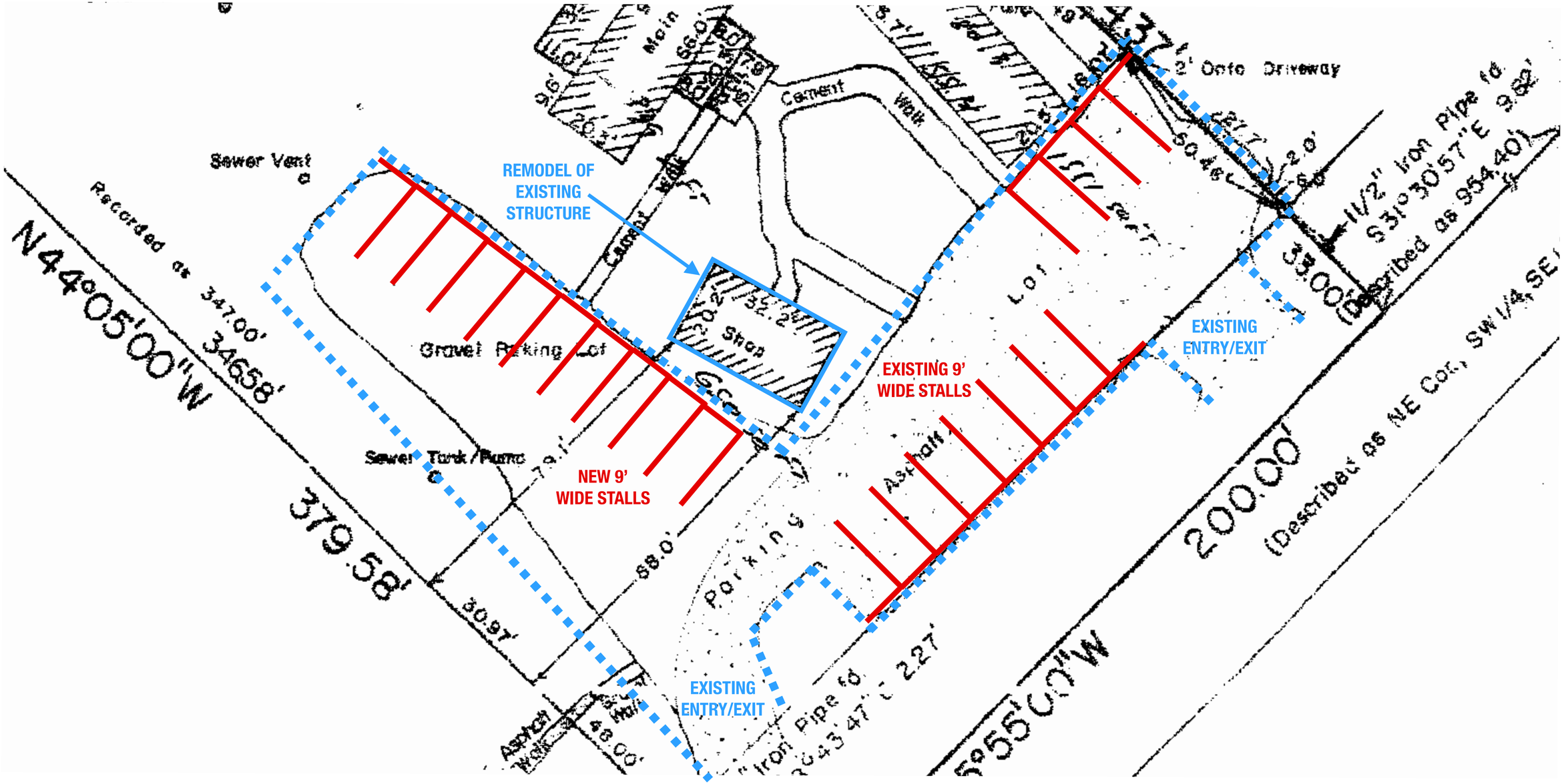
SURVEY - FULL LOT

NOTES: MOST RECENT CERTIFIED SURVEY OF ENTIRE PROPERTY.



SURVEY - W/ SETBACKS

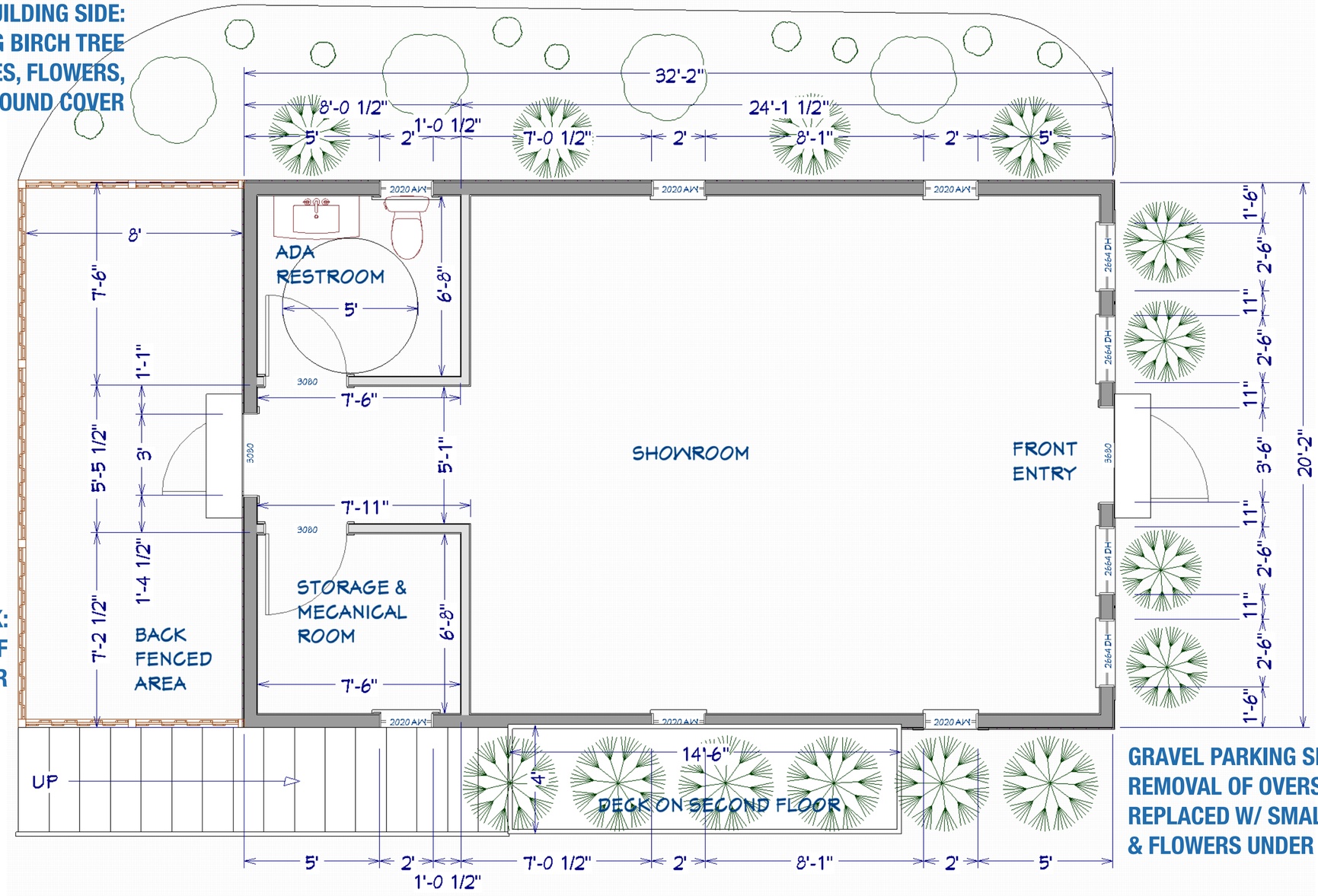
NOTES: MOST RECENT SURVEY OF ENTIRE PROPERTY INDICATING NEW SETBACKS SPECIFICATIONS.



PARKING PLAN - COMMERCIAL

NOTES: PARKING PLAN TO REMAIN UNCHANGED IN FRONT ON ASPHALT. GRAVEL PARKING TO GET MORE DEFINED STALLS AND EXPANDED FOR EGRESS.

ADJACENT BUILDING SIDE:
REMOVAL OF DIEING BIRCH TREE
REPLACED W/ BUSHES, FLOWERS,
& GROUND COVER



N

FRONT:
REMOVAL OF OVERSIZED
SHRUBS/TREES REPLACED
W/ SMALLER TO SCALE
BUSHES & FLOWERS

BACK:
REPLACEMENT OF
EXISTING GROUND COVER

GRAVEL PARKING SIDE:
REMOVAL OF OVERSIZED SHRUBS/TREES
REPLACED W/ SMALLER TO SCALE BUSHES
& FLOWERS UNDER STAIRS

LANDSCAPE PLAN

NOTES: GENERAL PLAN IS TO CLEAN UP & REMOVE OVERGROWTH & REPLANT.

VILLAGE OF EPHRAIM

FOUNDED 1853

BOARD OF APPEALS
CASE # 163
Larson Properties of Door County
3802 Larson Ln
Variance from density standard for multifamily development
Variance from 600 square foot minimum living space standard
Wednesday, September 30th, 2026 – 9:00 am
Village Hall – 9996 Water Street

NOTE: SO LONG AS INTERNET SERVICE IS AVAILABLE, THIS MEETING WILL BE SIMULTANEOUSLY HELD VIA TELECONFERENCING. STAFF, COMMITTEE MEMBERS AND THE PUBLIC ARE WELCOME TO PARTICIPATE IN THIS MANNER. TELECONFERENCING WILL BE AVAILABLE BY COMPUTER, PHONE, TABLET, OR DIAL IN. CONNECTION INFORMATION BELOW:

PUBLIC NOTICE

Notice to Appellants, Zoning Administrator, Plan Committee, and Neighboring Property Owners within 300'

PUBLIC HEARING ON ZONING APPEAL APPLICATION on the following property will be held on September 30, 2026 at 9:00 am to hear and transcribe testimony both for and against, written and verbal:

Property # 121-32-0003 through 121-32-0013

- Variance from density standard for multifamily development per 17.16(9)
- Variance from 600 square foot minimum living space standard per 17.16(9)

The property is zoned Commercial South (CS). The proposal does not contain any physical changes on the property, rather it is change of use from Commercial Transient Rental (Cottage Rental and commercial use) to a Multifamily Development (residential use).

Under the newly written Multifamily Ordinance a multifamily development can be considered by conditional use by the Plan Committee. However, per the ordinance the maximum density for the use is 4 units per acre. At 2.39 acres the property would be limited to a maximum of 9 units. Currently the property contains 13 units, our applicant has 11 units and a second owner has 2 units under residential use. The applicant is requesting a variance to allow for 4 additional units to be allowed beyond the limit of 9.

The second variance required relates to the dimensional standard that sets a minimum square footage for residences. Whereas transient rental units (like the current use) can by ordinance be quite small, the minimum standard for square footage of a residence where the building already exists is 600 square feet. Currently all but two of the applicant's units meet this standard. Two units however, that are part of a duplex, currently each contain 432 square feet. Our applicant is seeking a 168 square foot variance from this standard.

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/192304077

You can also dial in using your phone.
Access Code: 192-304-077
United States: +1 (571) 317-3122

A notice is being sent to all property owners within 300'. Comments may be made in person at the meeting or in writing to be received no later than 12:00 p.m. on Tuesday, September 29, 2026. Written comments via email at bbristol@ephraim.wi.gov will also be accepted. All written comments must include name and address of commenting residents.

Andrea Collak, Clerk	**Date 9/18/2026** **_x_Village offices** **__x_ Visitors' Center** **__x_ Post Office** **__x_ Website Ephraim.wi.gov** **__x_ Faxed to WDOR Radio**
Kim Roberts , Deputy Clerk	

BOARD OF APPEALS VARIANCE APPLICATION

Village of Ephraim

Petitioner: Larson Properties of Door County LLC hereby appeals to the Board of Appeals of the Village of Ephraim, Wisconsin for a variance from the zoning ordinances of the Village and submits this petition in support of the appeal.

Date filed 8/12/2026 ☐ $300.00 fee (payable to Village of Ephraim)

	Owner	Agent	Contractor/Contact
Name	Ruann Larson	True North Real Estate, Brian Reinhardt & Sara Glenn	
Address	3802 Larson Ln Ephraim, WI 54211	9402 Hill St Fish Creek, WI 54212	
Phone	920-559-2517	920-868-2828	
Fax			

Legal description of property: ____1/4 , _____ ¼, S____, T___N, R____E, Village of Ephraim, County of Door Units 3-13 of Ephraim Village Cottages Condominium

Tax Parcel Number 121-32-0003, -0004, -0005, -0006, -0007, -0008, -0009, -0010, -0011, -0012 and -0013

Fire Number and Street Multiple, see attachment

Lot area and dimensions: 104,139 square feet, _____ x _____ ft.

Zoning District: Commercial Center

Current Use and Improvements: Residence and Transient Lodging Cottages

Identify all non-conforming structures and/or land uses on the property:

Most of the cottages do not meet the setbacks from the road and/or navigable waterway.

Has a previous appeal or application for a variance, or conditional use/special exception, been made with respect to this property? _____ Yes ___X___ No

If yes, state the nature of the appeal/application:

Disposition: _____ Granted _____ Denied **Date of Decision:** _____

VARIANCE APPLICATION

Ordinance / Section Number	Variance Requested
17.16(9)(c)	Density, Building Separation and Minimum Square Footage

Estimated Cost of Construction: $ N/A

Is Petitioner the owner of the premises? Yes Lessee? _____ Other: _____

If Lessee, give owner's name & address _____

Address each of the following criteria for granting a variance as described above (attach additional pages as necessary):

(1) Unnecessary hardship is present because....

See attachment

(2) Compliance with the terms of the ordinance is prevented by the following unique feature(s) of this property...

See attachment

(3) A variance will not be contrary to the public interest, will observe the spirit of the ordinance, secure public safety and welfare, and do substantial justice because....

See attachment

Attach a site plan or other map of your site and detailed construction plans.

I certify that the information I have provided in this application is true and accurate.

Applicant/Agent Ruann Larson Date: 8/12/2026

Remit with application fee and materials to:

Village of Ephraim
P.O. Box 138
10005 Norway Road
Ephraim, WI 54211

phone: 920/854-5501 fax: 920-854-2072 e-mail: bbristol@ephraim-wisconsin.com

Proposal:

The applicant proposes to change the use of the property from Commercial Transient Lodging to Residential Multi-Family Development. In order to apply for this conditional use with the Plan Committee, the applicant must first seek a variance for relief from the Density requirement, potentially the Building Separation requirement, and the Minimum Total Living Space per Unit requirement outlined in the Multiple-Occupancy Residential Housing Table found in Chapter 17.16(9) of the Ordinance. The density and building separation variance would apply to the entire property while the minimum square footage variance would apply only to one of the buildings located at 3095 Birch Street, units 3 & 4. This building is a duplex and each side is 432 sq.ft. At the time of drafting this application, we're awaiting an updated survey that will verify the separation between buildings.

The applicant wishes to preserve the existing grandfathered home and cottages on the property which pre-date the zoning ordinance. She is not seeking to add any additional structures. The variance would allow the preservation of the existing cottages and change their use from transient lodging to residential.

Unnecessary Hardship:

In this case, the value of the real estate far outweighs the value of the existing cottage rental business. According to a recent appraisal, the highest and best use for the property is individually owned residences that could serve a variety of needs: year-round homes for full-time residents, seasonal homes for summer residents, short-term rental properties, or a combination thereof. The property's historic nature lends itself to preservation while its physical boundaries and setbacks would severely limit redevelopment.

Unique Property Limitations:

The property consists of a parcel of land approx 2.39 acres in size with a primary residence/office and (originally) three duplexes and six cottages. The property was put into condominium ownership in 2020 and subsequently, one duplex (units 1 & 2) was sold to another party. The property remaining in the ownership of Larson Properties of Door County LLC (the petitioner) includes units 3-13 of the Ephraim Village Cottages Condominium and an 11/13th interest in the land. The property is physically bounded by Birch St to the north, Hidden Spring Rd to the east, Larson Ln to the south, and a navigable stream to the west. The road and waterway setbacks create an extremely limited pocket of property that could meet current zoning setbacks, rendering most of the property non-conforming. The cottages and home were constructed between 1951 and 1985, predating the Village of Ephraim Zoning Ordinance.

No Harm to the Public Interest:

A shift from transient lodging to residential use would lessen the property's impact on the neighborhood and surrounding single-family homes. Further, preserving all existing cottages aligns with the intent of the Historic District Ordinance and maintains the character that defines the village. As stated in chapter 17.26(c), "The intent of this section is to provide standards and incentives to retain public views of historic structures and shoreline vistas as well as the appearance, bulk, scale, and density of buildings in order to preserve the overall character of the Historic District."

Ephraim Village Cottages Condominium

The property consists of 2.39 acres and 13 units held in condominium ownership, each with their own tax parcel ID. Units 1 and 2 were sold previously and are privately owned by another party. The offering includes units 3-13 which are described below.

Residence/Office - 3082 Larson Ln, unit 13. The residence was frame constructed in 1973 and is 1,632 sq. ft. The dwelling includes 3 bedrooms, 1.5 bathrooms. It also includes a check-in office and laundry/utility room. The floors are a combination of LVP, carpet, and laminate. It is heated via electric heat and has a newer mini-split for heat and A/C. The exterior is wood and aluminum and it has a 640 sq. ft., 2+ car attached garage.

Cottages -

All of the cottages contain a kitchen, living room with wood fireplace (except Meadowview II & III) and asphalt shingled roofs. Each of the cottages' flooring is a combination of vinyl and carpet.

Cozy Brook - 3095 Birch Street, units 3 & 4. This cottage was frame constructed in 1981. It includes 2 units that each offer 1 bedroom and 1bathroom. Each unit has 432 sq. ft. The units are identical and connect via an interior door. The exterior is wood.

Fireside - 3093 Birch Street, units 5 & 6. This cottage is 2 stories and contains 2 units. Each unit is identical and offers 2 bedrooms and 1 bathroom. Each unit is 600 sq. ft.

Birchwood - 3085 Birch Street, unit 7. This cottage was frame constructed in 1976 and offers 2 bedrooms and 1 bathroom and is 672 sq. ft. The exterior is vinyl.

Cedars - 9849 Hidden Spring Road, unit 8. This cottage was frame constructed in 1951 and offers 2 bedrooms and 1 bathroom and is 936 sq. ft. The exterior is wood.

Sunnyview - 9847 Hidden Spring Road, unit 9. This cottage was frame constructed in 1952 and offers 1 bedroom and 1 bathroom and is 627 sq. ft. This cottage also includes a laundry storage/utility room accessed from the outside. The exterior is wood.

Meadowview I - 3092 Larson Lane, unit 10. This unit was lost to a fire in 2026. It offered 624 sq. ft. The foundation (footprint) will remain. Village of Ephraim will allow a single-story unit to be re-constructed on the same footprint.

Meadowview II - 3088 Larson Lane, unit 11. This cottage was constructed in 1970 and offers 3 bedrooms and 1 bathroom. Building has a wood exterior and is 816 sq. ft.

Meadowview III, unit 12 - 3084 Larson Lane. This cottage was constructed in 1972. It contains 3 bedrooms and 1 bathroom. Building has a vinyl exterior and is 816 sq. ft.


To Village of Ephraim
Ephraim Beach
Hwy 42/Water Street
Bayview
SOLD
Trash Dumpsters
Footbridge to Beach Access
Birch Street
Cozy Brook
Birchwood
Fireside
Cedars
Fire Pit
Sunnyview
Playground
Hidden Spring Road
Meadow View I
Meadow View II
Meadow View III
Cottage Offices
Larson Lane
ephraim
village cottages

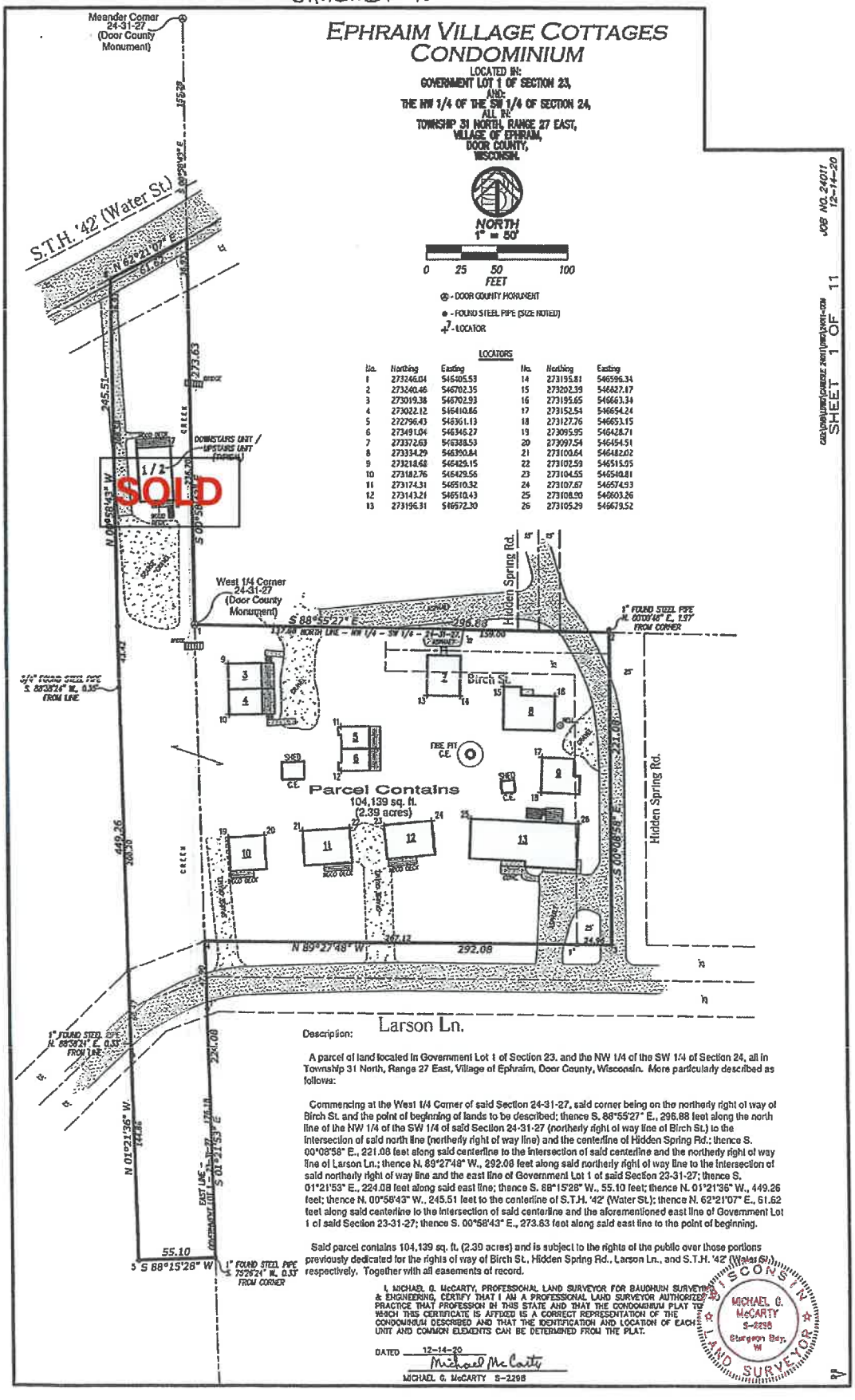
EXHIBIT B

EPHRAIM VILLAGE COTTAGES CONDOMINIUM

LOCATED IN:
GOVERNMENT LOT 1 OF SECTION 23,
AND:
THE NW 1/4 OF THE SW 1/4 OF SECTION 24,
ALL IN:
TOWNSHIP 31 NORTH, RANGE 27 EAST,
VILLAGE OF EPHRAIM,
DOOR COUNTY,
WISCONSIN.

JOB NO. 24011
12-14-20

SHEET 1 OF 11



NORTH
1" = 50'

0 25 50 100
FEET

⊕ - DOOR COUNTY MONUMENT
● - FOUND STEEL PIPE (SIZE NOTED)
7 - LOCATOR

LOCATORS

No.	Northing	Easting	No.	Northing	Easting
1	273246.04	546405.53	14	273195.81	546596.34
2	273240.46	546702.35	15	273202.39	546827.17
3	273019.38	546702.93	16	273195.65	546661.34
4	273022.12	546410.66	17	273152.54	546654.24
5	272796.43	546361.13	18	273127.76	546653.15
6	273491.04	546346.27	19	273095.95	546428.71
7	273372.63	546388.53	20	273097.54	546454.51
8	273334.29	546390.84	21	273100.64	546482.02
9	273218.68	546429.15	22	273102.59	546515.95
10	273182.76	546429.56	23	273104.55	546540.81
11	273174.31	546510.32	24	273107.67	546574.93
12	273143.21	546510.43	25	273108.90	546603.26
13	273196.31	546572.30	26	273105.29	546679.52

Description:

A parcel of land located in Government Lot 1 of Section 23, and the NW 1/4 of the SW 1/4 of Section 24, all in Township 31 North, Range 27 East, Village of Ephraim, Door County, Wisconsin. More particularly described as follows:

Commencing at the West 1/4 Corner of said Section 24-31-27, said corner being on the northerly right of way of Birch St. and the point of beginning of lands to be described; thence S. 88°55'27" E., 296.88 feet along the north line of the NW 1/4 of the SW 1/4 of said Section 24-31-27 (northerly right of way line of Birch St.) to the intersection of said north line (northerly right of way line) and the centerline of Hidden Spring Rd.; thence S. 00°08'58" E., 221.08 feet along said centerline to the intersection of said centerline and the northerly right of way line of Larson Ln.; thence N. 89°27'48" W., 292.08 feet along said northerly right of way line to the intersection of said northerly right of way line and the east line of Government Lot 1 of said Section 23-31-27; thence S. 01°21'53" E., 224.08 feet along said east line; thence S. 88°15'28" W., 55.10 feet; thence N. 01°21'36" W., 449.26 feet; thence N. 00°58'43" W., 245.51 feet to the centerline of S.T.H. '42' (Water St.); thence N. 62°21'07" E., 61.62 feet along said centerline to the intersection of said centerline and the aforementioned east line of Government Lot 1 of said Section 23-31-27; thence S. 00°58'43" E., 273.63 feet along said east line to the point of beginning.

Said parcel contains 104,139 sq. ft. (2.39 acres) and is subject to the rights of the public over those portions previously dedicated for the rights of way of Birch St., Hidden Spring Rd., Larson Ln., and S.T.H. '42' (Water St.) respectively. Together with all easements of record.

I, MICHAEL G. McCARTY, PROFESSIONAL LAND SURVEYOR FOR BAUDHUIN SURVEYING & ENGINEERING, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AUTHORIZED TO PRACTICE THAT PROFESSION IN THIS STATE AND THAT THE CONDOMINIUM PLAT TO WHICH THIS CERTIFICATE IS AFFIXED IS A CORRECT REPRESENTATION OF THE CONDOMINIUM DESCRIBED AND THAT THE IDENTIFICATION AND LOCATION OF EACH UNIT AND COMMON ELEMENTS CAN BE DETERMINED FROM THE PLAT.

DATED 12-14-20

Michael McCarty

MICHAEL G. McCARTY S-2298

WISCONSIN
MICHAEL G. McCARTY
S-2298
Sturgeon Bay, WI
LAND SURVEYOR

EPHRAIM VILLAGE COTTAGES CONDOMINIUM

LOCATED IN:
GOVERNMENT LOT 1 OF SECTION 23,
AND:
THE NW 1/4 OF THE SW 1/4 OF SECTION 24,
ALL IN:
TOWNSHIP 31 NORTH, RANGE 27 EAST,
VILLAGE OF EPHRAIM,
DOOR COUNTY,
WISCONSIN.

NORTH
1" = 50'

0 25 50 100
FEET

– DOOR COUNTY MONUMENT
– FOUND STEEL PIPE (SIZE NOTED)
– LOCATOR

Parcel Contains
104,139 sq. ft.
(2.39 acres)

S.T.H. '42' (Water St.)
N 62°21'07" E
61.62
S 00°5[illegible]
33'
36.93'
133.5'
273.63
BRIDGE
C R E E K
245.51
208.58
16.1'
WOOD DECK
DOWNSTAIRS UNIT / UPSTAIRS UNIT (TYPICAL)
1 / 2
236.70
S 00°58'43" E
10.2'
WOOD DECK
N 00°58'43" W
SPARSE GRAVEL
West 1/4 Corner
24-31-27
(Door County Monument)
S 88°55'27" E
137.88
296.88
159.00
ASPHALT
Hidden Spring Rd.
15'
1" FOUND STEEL PIPE
N. 00°00'46" E., 1.97'
FROM CORNER
BRIDGE
43.42
3/4" FOUND STEEL PIPE
S. 88°38'24" W., 0.35'
FROM LINE
3
4
20.3'
GRAVEL
119.4'
55.4'
47.0'
7
Birch St.
30.7'
8
39.4'
WELL
5
6
SHED
C.E.
FIRE PIT
C.E.
19.0'
GRAVEL
9
21.7'
SHED
C.E.
221.08
41.0'
40.0'
21.2'
25'
15'
118.5'
39.5'
449.26
200.20
C R E E K
10
26.7'
27.5'
11
25.3'
12
26.5'
13
24.0'
WOOD DECK
WOOD DECK
WOOD DECK
SPARSE GRAVEL
50.9'
55.9'
61.3'
CONC.
54.8'
ASPHALT
25'
24.96
1"
267.12
N 89°27'48" W
292.08
S 00°08'58" E
Hidden Spring Rd.
47.90
1"
25'
Larson Ln.
60.47
1" FOUND STEEL PIPE
N. 88°38'24" E., 0.33'
FROM LINE
25'
25'
224.08
N 01°21'36" W
144.86
EAST LINE –
GOVERNMENT LOT 1 – 23–31–27
176.18
S 01°21'53" E
55.10
S 88°15'28" W
1" FOUND STEEL PIPE
S. 75°26'24" W., 0.33'
FROM CORNER