

TOWN OF LIBERTY GROVE PUBLIC MEETINGS

Plan Commission

Date: Wednesday, January 26, 2022

Time: 7:00 PM

Place: Town Hall, 11161 Old Stage Road, ****Via zoom****

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 1-12-22
5. Public input
6. Rezoning request for Charles Henriksen, portion of parcel 018-02-21322841A
7. Correspondence
8. Future meeting dates
9. Adjourn

Anastasia Bell, Clerk/Treasurer

****Deviation from posted order may occur****

****Audience members must ask for permission, during public input, to speak on topics they wish to address****
Members of the Liberty Grove Town Board or any other Liberty Grove Town committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town committee or board.

Town of Liberty Grove is inviting you to a scheduled Zoom meeting (teleconferencing). To join the Zoom Meeting enter the following on your computer:

<https://us02web.zoom.us/j/83628890171?pwd=c2RWSTBaSHdVSHRMMkdXMUQ0dTczdz09>

Meeting ID: 836 2889 0171

Password: 457175

To find your local number visit <https://zoom.us/u/atMFqvZKe>. To join the meeting by telephone dial one of the numbers below based on your location.

(312) 626-6799 US (Chicago)

(301) 715-8592 US (Germantown)

(646) 558-8656 US (New York)

(346) 248-7799 US (Houston)

(253) 215-8782 US (Tacoma)

(669) 900-9128 US (San Jose)

Town of Liberty Grove
Minutes of the Plan Commission meeting on January 12, 2022
(This meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 12/22/21
5. Public Input
6. Preliminary Plan Review for Jonathan Orrick
7. Correspondence
8. Future meeting dates
9. Adjourn

Chair Nancy Goss called the meeting to order at 7:04pm. Commissioners Anne Miller, Paul Bokelmann, Bill Surbaugh, Dan Watts, and Paul Schwengel were present along with Clerk/Treasurer Anastasia Bell and 2 members of the public via teleconference (Zoom).

Miller moved, Surbaugh second to approve the agenda as posted. Carried 6-0.

Surbaugh moved, Watts second to approve the 12/22/21 minutes as presented. Carried 6-0.

Public Input – Goss requested the Commission view current and future land use zoning maps and have a tutorial of the County GIS web at a future in-person meeting.

Preliminary Plans for Jonathan Orrick – Goss indicated the current zoning is Heartland 10 and the County does not consider a change to Countryside to be spot zoning since there are so many similarities and there currently is no Countryside within Liberty Grove. Businesses are allowed in any zone. The application may have a better success if changing to Countryside 5 instead of Countryside 10 and if the Zoning change and CUP were applied for as separate applications noting the Town conducted a preliminary review. Miller noted she was not able to find a clear definition of nursery or landscaping, and light industrial may be another solution. Commissioner Cathy Ward joined the meeting. Jonathan Orrick, Ellison Bay, estimated that an additional 5 acres would be devoted to business operations and remaining 25 acres would be residential. Bokelmann noted that additions to buildings within the right of way are not allowed. Orrick Confirmed it would be repairs, not additions.

Correspondence – None.

The next meeting will be 1/26/2022 and/ or 2/9/2022 at 7:00pm via Zoom if materials are available for discussion.

Bokelmann moved, Goss second to adjourn at 7:48pm. Carried 7-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer



County of Door
LAND USE SERVICES DEPARTMENT: ZONING

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Sue Vanden Langenberg, Zoning Administrator

Direct line: (920) 746-2221

Main office line: (920) 746-2323

FAX: (920) 746-2387

E-mail: svanden@co.door.wi.us

Website: <https://www.co.door.wi.gov/164/Land-Use-Services>

January 13, 2022

Town of Liberty Grove
C/o Anastasia Bell
Via e-mail

Re: Proposed rezoning of tax parcel 018-02-2132281A: 11642 Old Stage Rd.

Greetings:

We are sending you this letter to notify the town that there will be a hearing regarding a request to rezone a parcel in Liberty Grove at an upcoming Door County Resource Planning Committee meeting. The scheduling process for the hearing will begin on February 10, 2022 unless we hear from the town before that date. The hearing will be held no sooner than three weeks after the scheduling process is begun. As a reminder, comments may be submitted to the Land Use Services Department up to noon the day before the public hearing, and/or the town may offer verbal testimony at the hearing.

Enclosed is a "Town Recommendation Worksheet" which we ask you to complete and send back to the Door County Land Use Services Department.

Charles Henriksen is requesting to rezone the south 1.50 acres from the Light Industrial (LI) to Mixed Use Commercial (MC) in order to establish retail sales within the southern portion of the proposed 41' x 87' Commercial Fishing Facility (processing) building. The property is located at 11642 Old Stage Rd.

The applicant has the responsibility to contact the Town of Liberty Grove (Anastasia Bell, Clerk: 920-854-2934) to determine if/when the town may be meeting to discuss this matter.

Sincerely,

Sue Vanden Langenberg

Zoning Administrator

Enc.: Town recommendation worksheet and rezoning packet
C.C.: Charles Henriksen, via email (with enclosures)
Owners within 300' of the property (receive letter only)

Request for Town Recommendation

Charles Henriksen is requesting to rezone the south 1.5 acres from the Light Industrial (LI) to Mixed Use Commercial (MC) in order to establish retail sales within the southern portion of the proposed 41' x 87' Commercial Fishing Facility (processing) building. The property is located at 11642 Old Stage Rd.

The (circle one) Town Board / Planning Committee of the Town of _____ held a legally noticed and posted meeting on _____, at which, by a vote of ____ (Yea) to ____ (Nay), the town recommended (check one) ____ **SUPPORT** ____ **DENIAL** for a petition to rezone.

Reason(s) for the town's decision:

Is the proposal consistent with the Town Comprehensive Plan?

Concerns or objections the town may wish to see potentially addressed through modifications to the proposed amendment:

Town Clerk Signature

Date

***See reverse side for map amendment criteria.**

GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY

This document is intended to provide a general guide to the issues and criteria to consider when making decisions regarding this type of zoning hearing. It should not be considered a complete guide to applicable statutes or ordinances.

ZONING AMENDMENT – MAP

(See also Door County Zoning Ordinance section 11.08 and Wisconsin Statutes section 59.69(5).)

By state law, petitions to rezone property which are under county zoning jurisdiction are heard at a public hearing before the county planning committee (called the Resource Planning Committee in Door County), which makes a recommendation to the county board for final decision. The town board of a town under comprehensive zoning does have, however, statutory authority to essentially "veto" rezonings approved at the county level that it (the town) does not support. (Comprehensively zoned towns may not, however, force the county to rezone property through this authority – the town can only prevent a rezoning. Note that towns with shoreland-only county zoning do not have any "veto" authority.)

A petition to change the zoning district designation of a property or properties may be submitted by: 1) the property owner(s) of all or some of the land in question, 2) the town board of the town in which the land is located, if the town is under county zoning, 3) the Door County Resource Planning Committee, or 4) any county board supervisor.

Considerations in evaluating petitions to rezone

- Was the existing district due to a mistake in the mapping process?
- Have circumstances changed for this property or surrounding properties since the original zoning district designation?
- How are the adjacent properties zoned and used?
- Is the land area in question large or small?
- Would the new district fit official plan guidelines for the property? Is the existing district a better fit?
- Is the request simply to economically benefit one property owner or a small group of property owners?
- Is there an overriding public good to be gained by rezoning the property? (If yes, rezoning might be justified even if other considerations point toward denying the petition.)

In general, a rezoning that 1) will economically benefit only one or a few property owners, 2) affects a small area of land, 3) is not a fit with official plans, 4) will allow for higher intensity or higher density uses than those allowed on surrounding properties, and 5) will not result in any overall public benefit may constitute "spot zoning," which may be deemed illegal.

Note that rezoning a property means that any use allowed in the new zoning district may be established on the property, now or in the future, not just the use being proposed by the current applicant. A property owner may volunteer to legally restrict the uses to which the property may be put, such as through a deed restriction naming the county as enforcement agency, but the planning committee may be reluctant to participate in such discussions or agreements for fear of inadvertently engaging in "contract rezoning," which is illegal.

STAFF REPORT
Petition for Zoning Amendment - Map

Applicant Information

- **Name & property address:** William Henriksen, 11214 N Sand Bay Ln
- **Parcel identification numbers:** 018-02-21322841A
- **Petition Request:** Rezone the south 1.5 acres from Light Industrial (LI) to Mixed Use Commercial (MC)
- **Purpose of the proposed rezoning:** Owner proposes to establish retail sales within the southern portion of a proposed 41' x 87' Commercial Fishing Facility (processing) building.

Background/History

- In May 2001, a petition was granted to the Town of Liberty Grove for this parcel to be rezoned from Heartland 5 (HL5) to Light Industrial (LI).
- In October 2019, the 30' X 42' commercial fishing facility building permit was issued.

Description of Subject Property and Surrounding Area

Lot Configuration: 018-02-21322841A

- **Lot area, width, and depth:** irregularly-shaped, 3.05 acres
- **Road Frontage:** Access is taken from Old Stage Road, 642' of frontage. There is also 122' of frontage on STH 42, but no access can be taken per Section 7.05(3) of the Door County Comprehensive Zoning Ordinance.

Surrounding Area: See attached air photos, zoning map, and future land use map.

Zoning Considerations

- **Section 2.03(19): Purpose of the Light Industrial (LI) zoning district:** This district is intended to provide for manufacturing, warehousing, and other light industrial operations. It is also intended that this district be used for the location of trade or contractor establishments, commercial storage facilities, and similar businesses. Such uses should not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance, degradation of groundwater, or other nuisance factors. Such uses may be subject to requirements which will reasonably ensure compatibility. This district can also be used for industrial or business parks. Lot sizes of at least 60,000 square feet are required for new lots.
- **Section 2.03(17): Purpose of the Mixed Use Commercial (MC) zoning district:** This district permits both residential and commercial uses and is designed to accommodate those areas of Door County with an existing desirable mixture of uses, or where such a mixture of uses is wanted. Typically, this district will be located within or near existing communities, but it is also intended for outlying or smaller nodes of development. In addition, this district can be used as a transition between business centers and strictly residential areas. Lot sizes of at least 20,000 square feet are required for new lots which are not served by public sewer.
- **Principal uses allowed.** See attached tables: General Requirements and Use Regulations.
- **Was the existing district due to a mistake in the mapping process?** No.
- **Have circumstances changed for this property or surrounding properties since the original zoning district designation?** No.
- **How are the adjacent properties zoned and used?** Surrounding lots to the northwest, west, and south are zoned Heartland 5 & 10 and contain orchards. Directly north are lots zoned industrial with active industrial uses. Lots to the northeast, east, and southeast are also zoned industrial and

have active industrial uses on them, including communication towers. Further to the northeast are lots zoned industrial with commercial storage units on them.

- **Will rezoning allow for higher intensity or higher density uses than those allowed on surrounding properties?** LI allows for a much higher intensity of industrial uses while MC allows for a much higher intensity of commercial uses. LI has a lower density with a 60,000 square foot minimum lot size while MC has a higher density with a 20,000 minimum lot size.
- **Would the new district fit official plan guidelines for the property? Is the existing district a better fit?** See comprehensive plan considerations below.
- **Is the request simply to economically benefit one property owner or a small group of property owners?** Yes.
- **Is there an overriding public good to be gained by rezoning the property? (If yes, rezoning might be justified even if other considerations point toward denying the petition.)** No.

Comprehensive Plan Considerations

- **County comprehensive plan future land use map designation and description.**

The parcel is designated as “Industrial” and “Woodland/Wetland/Natural,” as described below and shown on the attached future land use map. It is unclear why this parcel is partially designated as Woodland/Wetland/Natural; there are no woodlands nor wetlands and it is not in a natural state.

Industrial – “Industrial” lands are intended for uses such as fabrication, wholesaling, or long-term storage of products and for extraction (mining) or transformation of materials.

Woodland/Wetland/Natural – Lands designated as “Woodland/Wetland/Natural” are primarily in a natural state, and include wetlands, woodlands, and public and private conservancy areas. Note that lands in this category can – outside of wetland and conservancy areas – and most likely will, contain very low-density residential uses in upland areas. The character of these regions should be protected by discouraging any development that would adversely impact the environmental quality or natural beauty of these areas. Maintenance of these natural areas should include continued private stewardship and public ownership or, if necessary, acquisition of easements or additional public lands.

The Light Industrial zoning district fits with the Industrial future land use category, while the Mixed Commercial zoning district is not a good fit. While the lot to the south does have an area with a commercial future land use designation, it is unclear as to why because this area is entirely an orchard.

The plan, however, may still be viewed to support a rezoning of a smaller portion of the lot to Mixed Commercial to allow for the retail store because there already is a commercial fishing-related facility on the property and because fishing is an economic fit for Door County. See the relevant goal/policies listed below.

- **Relevant goals/objectives/action items from comprehensive plan.**

GOAL 6. Encourage quality affordable housing and economic opportunities for the current and future population.

Policies

2. Support the expansion of strong existing industries and businesses in the county.
 3. Support the promotion of new industries, trends, and economic development implementation ideas that fit Door County.
- **Other relevant text from county comprehensive plan.** None.

Aerial Map (neighborhood)

Henriksen: 018-02-21322841A

Proposed Re-Zoning: Light Industrial to Mixed Use Commercial



Aerial Map (close-up)

Henriksen: 018-02-21322841A

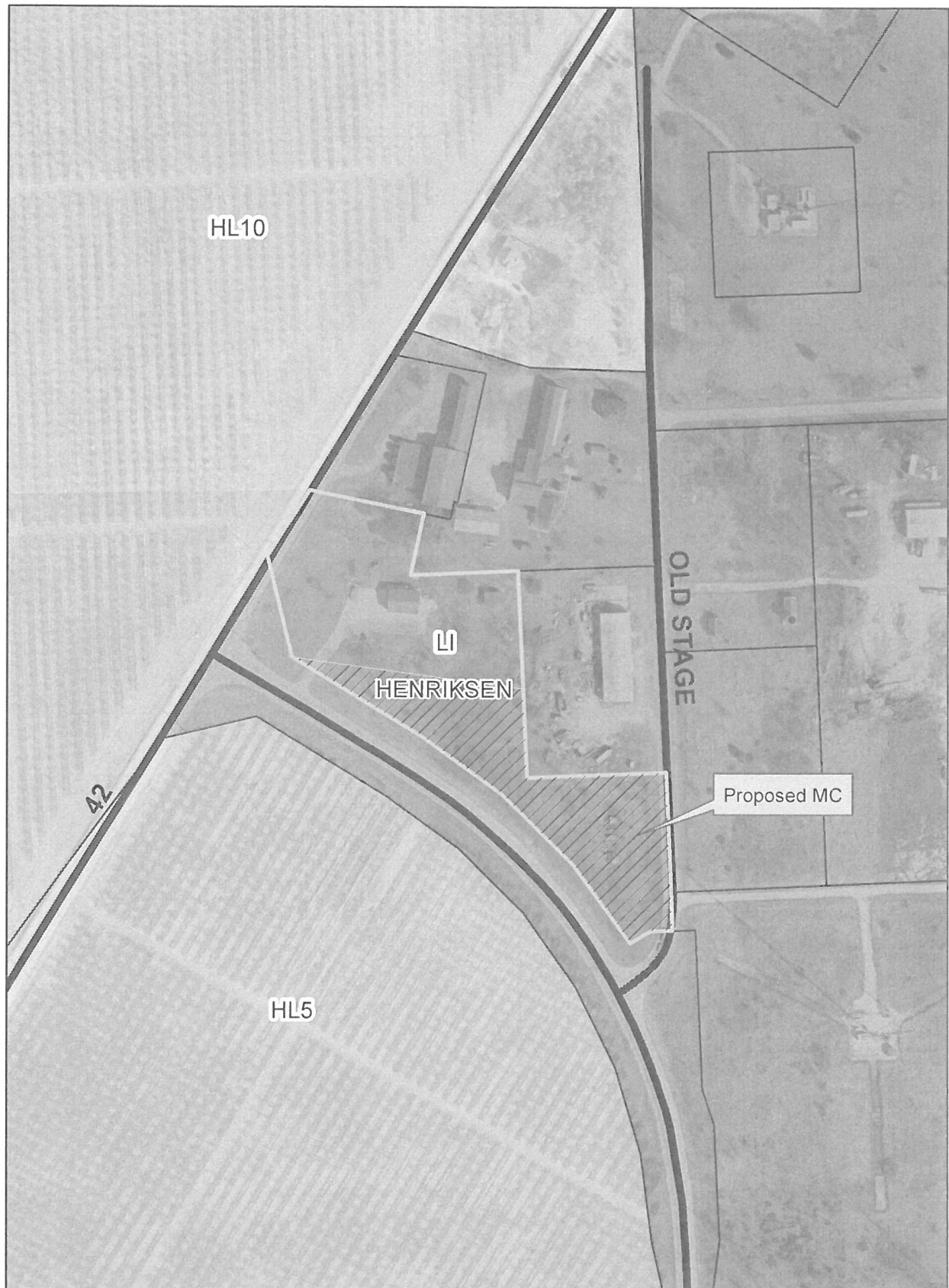
Proposed Re-Zoning: Light Industrial to Mixed Use Commercial



Zoning Map

Henriksen: 018-02-21322841A

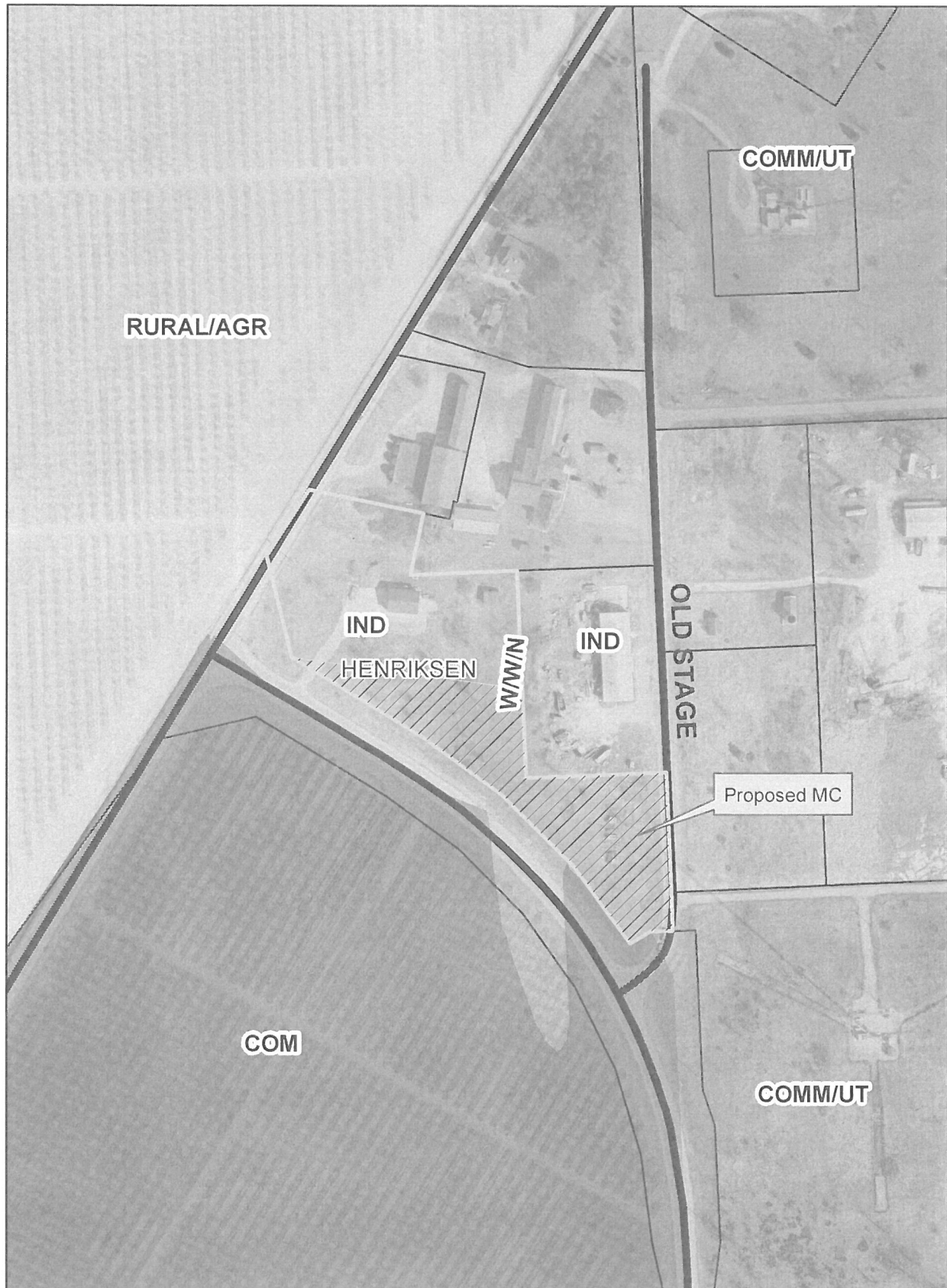
Proposed Re-Zoning: Light Industrial to Mixed Use Commercial



Future Land Use Map

Henriksen: 018-02-21322841A

Proposed Re-Zoning: Light Industrial to Mixed Use Commercial



(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable.

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
AGRICULTURAL USES																		
Agricultural Visitation Facility (s. 4.03(4)) (Added: 26 Aug 1997; Ord. 21-97)				C	C													
Agriculture (s. 4.03(1)) (Amended: 26 Aug 1997; Ord. 21-97)		P	P	P	P	P	P	P										P
Greenhouses (Amended: 30 Sept 2010; Ord. 2010-13)			p ¹⁷	P	p ¹	P	P	p ¹							C	C		
Roadside Stands (s. 4.03(2)) (Amended: 30 Sept 2010; Ord. 2010-13)		P	p ¹⁷	P	P	P	P	P										
Tree/Shrub Nurseries		p ¹	P	P	p ¹	P	P	p ¹										
COMMERCIAL USES																		
Art Galleries (Amended: 9 May 2008; Ord. 2008-01)				C	C	C	C ¹⁰								P	P	P	
Assembly Hall (s. 4.04(17)) (Added: 5 Aug. 2013; Ord. 2013-13)				C ¹⁴	C	C	C ¹⁴	C							C	C	C ¹⁴	
Auto Repair (s. 4.04(5))				C		C									C	C		P
Auto/Recr. Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14)															C	C		
Banks															p ²	p ²		
Carwash (Added: 27 August 2002; Ord. 12-02)															C	C	C	C
Commercial Fishing Facilities				P		P									C	C	C	P
Commercial Trucking Establishments (Amended: 30 Sept 2010; Ord. 2010-13)			C ^{3,17}	C ³														P
Commercial Storage Facilities (s. 4.04(8))															C	C	C	P
Community Commercial Kitchen (s. 4.04(16)) (Added: 28 May 2012; Ord. 2012-13)															P	P		P
Conference Facilities															C	C	C	
Day Care Centers (s. 4.04(14))															C	C	C	

3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
COMMERCIAL USES (Continued)																		
Family Day Care Homes (s. 4.04(13)) (Amended: 16 April 1996; Ord. 9-96) (Amended: 30 September 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P	C	C	C	P	P	C	P	P	P	P
Farm Implement Sales/Service (Amended: 30 September 2010; Ord. 2010-13)			C ²²	C	C	C									C	C		P
Ferry Terminals															P	P	C	
Fertilizer Distribution Plants (Amended: 30 Sept., 2010, Ord. 2010-13)			C ²²	C	C	C												C
Fitness Centers, Tanning Salons & Spas (Added: 30 January 2003; Ord. 01-03)															C	C	C	
Funeral Homes															C	C		
Gas Stations															C	C	C	C
Grain Mills (Amended: 30 September 2010; Ord. 2010-13)			C ²²	C	C	C									C	C		P
Home Businesses (s. 4.04(10)) (Amended: 20 April 2010, Ord. 2010-03) (Amended: 27 September 2012; Ord. 2012-21)				C	C	C	C	C					C			P		
Home Occupations (s. 4.04(9a)) (Amended: 8 August 2000; Ord. 12-00) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Office/Studio (s. 4.04(9)) (Added: 8 August 2000; Ord. 12-00) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Indoor Recreation															P	C	P	
Kennels (s. 4.04(2))				P	P	P												
Laundromats and Laundry Service															P	P	C	P
Lumber/Building Supply Yards(s. 4.04(6))															C	C		P
Medical/Dental Clinics															P	P		
Model Homes (s. 4.04(4))							C	C	C	C	C	C	P	P	P	P	P	

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
COMMERCIAL USES (Continued)																		
Passenger Bus Terminals															C	C		
Personal Service Establishments															P	P		
Professional Offices/Studios															P	P	C	
Radio/TV Stations (Amended: 29 Sept. 2015; Ord. 2015-09; Effective 9 Nov. 2015)															P	P		
Non-Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; Ord. 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14)															P	P	P	
Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14)															C	C	C	
Restaurants or Taverns (s. 4.04(3))															p ²	p ²	C	
Retail Stores															p ⁶	p ⁶	p ^{4,6}	
Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2001; Ord. 12-01)				C		C									C	P		P
Veterinarian Clinics				P		P									P	P		
Wineries/Breweries (Amended: 5 Aug. 2013; Ord. 2013-10) (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)				C ²⁴		C ²⁴	C ^{23, 24}								C	C		p ²⁴
INDUSTRIAL USES																		
Asphalt/Concrete Plants																		C
Bulk Storage of Fuel Products																		C
Freight Terminals (s. 4.05(2))																C		P
Fruit/Vegetable/Cheese Processing Plants (Amended: 30 Sept. 2010; Ord. 2010-13) (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)			C ^{22, 24}	C ²⁴		C ²⁴	C ²⁴											p ²⁴
Manufacturing, Assembly, Processing															C			P
Nonmetallic Mining (s. 4.05(3)) (Amended: 30 Sept. 2010; Ord. 2010-13)				C		C	C											C
Resource Recovery Facilities (s. 4.05(6))				C		C												C
Salvage Yards (s. 4.05(4))				C		C												C

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
INDUSTRIAL USES (Continued)																		
Sawmills/Planing Mills (s. 4.05(1)) (Amended: 30 Sept 2010; Ord. 2010-13)		C	C ²²	P	C	P	C											P
Sewage Disposal/Treatment Plants (Amended: 30 Sept 2010; Ord. 2010-13)				C		C	C								C	C		C
Slaughterhouses				C		C										C		C
Solid Waste Facilities (s. 4.05(5)) (Amended: 30 Sept 2010; Ord. 2010-13)				C		C												C
Temporary Asphalt/Concrete Plants (s. 4.05(7)) (Amended: 30 Sept 2010; Ord. 2010-13)				C	C	C	C	C		C ¹⁴	C	C	C	C	C	C	C	C
Wholesale Establishments/Distributorships															C	C		P
INSTITUTIONAL USES																		
Auditorium (Added: 25 June 2013; Ord. 2013-12)															C	C		
Cemeteries (Amended: 30 Sept 2010; Ord. 2010-13)		P	C ²⁰	P	P	P	P	P		P ¹⁴	P	P	P	P	P	P	P	
Churches (Amended: 30 Sept 2010; Ord. 2010-13)		C	C ²⁰	C	C	C	C	C		C ¹⁴	C	C	C	C	P	P	P	
Community Living Arrangements																		
Fine Arts Venue (s. 4.06(2)) (Added: 28 May 2012; Ord. 2012-12)		C		C ¹⁴	C	C	C ¹⁴	C							C	C	C	
Fire/Police Stations (Amended: 30 Sept 2010; Ord. 2010-13)				C		C	P	C				C	C		C	C		
Hospitals															C	C		
Institutional Residential				C		C								C	C	C		
Libraries/Museums (Amended: 28 June 2006; Ord. 2006-11)							C			C ¹²					P	P	P	
Post Offices															P	P		
Private Schools (Amended: 30 Sept 2010; Ord. 2010-13)			C ¹⁷	C		C	C	C				C	C	C	C	C	C	

ZONING DISTRICTS: USE REGULATIONS 2.05(3)(a)

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
INSTITUTIONAL USES (Continued)																		
Public Schools (Amended: 30 Sept., 2010; Ord. 2010-13)			C ²⁰	C		C	C	C				C	C	C	C	C	C	
Public Highway Garages (s. 4.06(1)) (Amended: 30 Sept., 2010; Ord. 2010-13)				C		C	C	C					C			C		P
Town Halls/Community Centers (Amended: 22 March 2005; Ord. 2005-11) (Amended: 30 Sept 2010; Ord. 2010-13)		P ¹¹	C ²⁰	P	P	P	P						P		P	P		
Travelers' Information Centers															P	P	P	
OUTDOOR RECREATIONAL USES																		
Amusement Park																C	C	
Campgrounds/Trailer Camps (s. 4.07(2)) (Amended: 24 Feb. 2004; Ord. 2004-04)		C		C		C	C									C	C	
Camping (s. 4.07(3)) (Amended: 30 Sept. 1997; Ord. 28-97) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P		P	P	P	P	P			P	
Commercial Riding Stables (s. 4.07(4)) (Amended: 28 May 1996; Ord. 11-96)		C		C	C	C	C										C	
Golf Courses						C	C ¹⁴	C				C ¹⁴					C	
Golf Driving Range (Added: 25 March 1997; Ord. 7-97)				C														
Gun Clubs/Shooting Ranges		C		C		C												
Institutional Recreation Camps (s. 4.07(6))		C				C	C										C	
Marinas/Excursion Boating/Charter Fishing (s. 4.07(5))															C	C	C	
Outdoor Active Recreation Facility (Added: 26 Feb. 2013; Ord. 2013-07)(s.4.07(9))		C		C	C	C	C	C							C	C	C	
Outdoor Theatre																C	C	

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
OUTDOOR RECREATIONAL USES (Cont.)																		
Parks (s. 4.07(1)) (Amended: 30 Sept., 2010; Ord. 2010-13)		P ⁹	C ²⁰	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹		P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Private Riding Stables (s. 4.07(4)) (Amended: 30 Sept., 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P				P	P				C	
Public Boat Launching Facilities (Amended: 22 March 2005; Ord. 2005-10) (Amended: 20 Sept. 2016; Ord. 2016-14)		C				C		C		C	C	C	C	C	C	C	C	
Retreat Centers (s. 4.07(7)) (Amended: 18 Dec 1997; Ord. 40-97)		C		C		C	C	C									C	
Ski Resorts																	C	
RESIDENTIAL USES																		
Accessory Residences (s. 4.08(3)) (Amended: 27 July 2000; Ord. 17-00) (Amended: 17 April 2012; Ord. 2012-14)															P	P	P	P
Bed & Breakfast Establishments (s. 4.08(10)) (Amended: 9 Nov 2011; Ord. 2011-14)		P		P	P	P	C	P		C ¹⁴	C	P	P	P	P	P	P	
Boardinghouses (s. 4.08(11)) (Amended: 9 Nov 2011; Ord. 2011-14)				P	P	P	P	P					P	P	P	P	P	
Conservation Subdivisions (Ch. 6)(Added 4 April 2011; Ord. 2011-05)		P		P	P	P	P	P		P	P	P	P	P			P	
Duplexes				P ¹³		P	P ¹³						P	P ¹⁶	P ¹⁶	P ¹⁶	P ¹³ P ¹⁶	
Dwellings for Agricultural Production & Processing Workers (s. 4.08(7)) (Added: 25 June 1996; Ord. 16-96)				P		P	P											P ¹⁴
Farm Related Residences (s. 4.08(2)) (Amended: 30 Sept., 2010; Ord. 2010-13)(Amended: 11 Dec., 2012 Ord. 2012-25)		P		P	P	P	P ¹⁵	P										
Manufactured Homes (s. 4.08(4))						P	P ¹⁴						P	P				
Manufactured Home Parks (s. 4.08(5))						C	C ¹⁴						C	C				
Multiple Occupancy Developments (s. 4.08(8)) (Amended: 5 Oct. 1998; Ord. 22-98)														C ⁷	C ⁷	C ⁷	C ⁷	

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
RESIDENTIALS USES (Continued)																		
Nonfarm Residential Lots (s.4.08(2a)) (Added: 11 December 2012; Ord. 2012-25)			C															
Secondary Dwelling Units (s.4.08(9)) (Added: 4 April 2011; Ord. 2011-04)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Single Family Residences (Amended: 30 Sept. 2010; Ord. 2010-13)		P	P ¹⁹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Single Family Residences Separated From Farm Parcels (s. 4.08(1)) (Amended: 30 Sept. 2010; Ord. 2010-13) (Amended: 11 Dec. 2012; Ord. 2012-25)		P		P	P	P	P ¹⁵	P										
Temporary Manufactured Homes (s. 4.08(6)) (Amended: 30 Sept. 2010; Ord. 2010-13)		P	P ¹⁹	P	P	P	P	P		P	P	P	P	P		P	P	
MISCELLANEOUS USES																		
Airports (s. 4.09(1))				C		C												
Airstrips and Landing Fields (s. 4.09(1))				C	C	C	C											
Animal Shelters/Pounds (s. 4.09(3))				C	C	C									C	C		
Municipal/Commercial Parking Lots															C	C	C	C
Utility Facilities - Type A (s. 4.09(2)) (Amended: 28 March 2000; Ord. 05-00) (Amended: 30 Sept. 2010; Ord. 2010-13)		C	C ²¹	C	C	C	C	C	P	C	C	C	C	C	C	C	C	C
Utility Facilities - Type B (s. 4.09(2)) (Amended: 30 Sept. 2010; Ord. 2010-13)		C	C ²¹	C	C	C	C	C		C	C	C	C	C	C	C	C	C
Mobile Service Support Structures and Related Facilities (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015)			-----As regulated by Chapter 14 of this ordinance-----															

KEY: P = Permitted uses.

S = (Deleted: 27 May 2008; Ord. 2008-04)

C = Uses permitted as conditional uses.

ZONING DISTRICT Development Type	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁶ (feet)	Max. Imperv. Surface Ratio ⁷	Side Prin- cipal (feet)	Side Acces- sory (feet)	Rear Prin- cipal (feet)	Rear Acces- sory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min. Preser. Open Space
RURAL RESIDENTIAL (RR)											
All Other Development	40,000	150	35%	20	15	50	20	25	n/a	n/a	n/a
Duplex	60,000	200	35%	20	15	50	20	25	n/a	n/a	n/a
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	10,000 ¹²	65 ¹²	n/a	40 ²	30 ²	50 ²	40 ²	25	3.7 acres	1.63	40%
Manufactured Home Park	4,500 ⁵	50 ⁵	n/a	40 ²	40 ²	40 ²	40 ²	25	5 acres	6.00	25%
HIGH DENSITY RESIDENTIAL (HD)											
All Other Development	20,000	100	45%	10	5	20	10	25	n/a	n/a	n/a
• unsewered	16,200	90	45%	10	5	20	10	25	n/a	n/a	n/a
• with public sewer											
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	10,000 ¹²	65 ¹²	n/a	20 ²	10 ²	40 ²	20 ²	25	1.8 acres	3.27	30%
Manufactured Home Park	4,500 ⁵	50 ⁵	n/a	40 ²	40 ²	40 ²	40 ²	25	5 acres	6.00	25%
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 October 1998, Ord. 22-98) -----										
COMMERCIAL CENTER (CC)											
All Other Development	20,000	100	75%	10	5	20	10	25	n/a	n/a	n/a
• unsewered											
• with public sewer	16,200	90	75%	10	5	20	10	25	n/a	n/a	n/a
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
MIXED USE COMMERCIAL (MC)											
All Other Development	20,000	100	45%	10	5	20	10	25	n/a	n/a	n/a
• unsewered											
• with public sewer	16,200	90	45%	10	5	20	10	25	n/a	n/a	n/a
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
RECREATIONAL COMMERCIAL (RC)											
All Other Development	20,000	100	45%	10	5	20	10	25	n/a	n/a	n/a
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	10,000 ¹²	65 ¹²	n/a	20 ²	10 ²	20 ²	20 ²	25	1.8 acres	3.27	30%
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
LIGHT INDUSTRIAL (LI)											
All Development	60,000	200	60%	20 ⁷	10 ⁷	20 ⁷	10 ⁷	25	n/a	n/a	n/a

PETITION FOR ZONING AMENDMENT-MAP

To: Door County Board of Supervisors
Door County Government Center
Sturgeon Bay, WI 54235

Mail To: Door County Land Use Services
421 Nebraska Street
Sturgeon Bay, WI 54235

The undersigned owner of the property herein described hereby petitions your honorable body for an amendment to the Door County Zoning Ordinance Map to effect a change in the Zoning Classification of real estate in the Town of Liberty Grove Door County, Wisconsin, located at Fire No. 11642, Old Stage Road/Highway/ Street, more particularly described as follows (attach copy of deed, tax bill, or survey):

from Light Industrial Zoning District to Light Industrial & Mixed Use Commercial Zoning District.
Please describe in detail how the land will be used if the amendment is adopted. Submittal of detailed site and building plans is encouraged.

RECEIVED

see attachment

DEC 28 2021

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

Dated this 22 day of Dec, 2021.

Respectfully submitted,

Charles Henriksen - Henriksen Fisheries
NAME

Chenriksen3@gmail.com
EMAIL

11214 N Sand Bay Ln
MAILING ADDRESS (STREET)

Sister Bay, WI 54234
CITY, STATE & ZIP CODE

(920) 421-1640
TELEPHONE

Charles W. Henriksen
LEGAL SIGNATURE

12-22-21
DATE

ACTION TAKEN

(By County Planning Committee)

DATE _____
Approved _____ Denied _____

(By Board of Supervisors)

DATE _____
Approved _____ Denied _____

PARCEL

NO.: 0 _____

DATE FILED: _____

FEE PAID (Date) 12-28-21 /#
Receipt No: 5114 Fee: (\$750.00) 11658
(Make check payable to: Door County Treasurer)

1/8/2021

Henriksen Fisheries Inc & Door County Caviar

11214 N Sand Bay Lane
Sister Bay, WI 54234

920-421-1640
chenriksen3@gmail.com

Healthy, Fresh, Local, Sustainable

Charles W Henriksen -President
Will Henriksen - Vice President

Petition for Zoning Amendment

December 22, 2021

Real Estate in the Town of Liberty Grove, located at 11642 Old Stage Rd.
Parcel # 0180221322841A

Currently the 3.5 acres owned by William T Henriksen is zoned Light Industrial (LI), which has Commercial Fishing Facility as a permitted use.. We would like to rezone a portion of the property to Mixed Use Commercial (MC) which allows retail. The zoning text says MC is " ...near existing communities, but it is also intended for outlying or smaller nodes of development'. The land use plan identifies the orchard property just across Old Stage to the south as proposed commercial

The highway corridor from Ellison Bay near us has diverse but similar uses that our facility will complement. The Liberty Grove Historical Society, Shepherd of the Bay Church, Clay Bay Pottery, Woodrow Engineering, Seaquist Farm Market and the proposed Escarpment Discovery Center are all nearby.

We purchased this property in April 2017, because we intended to eventually construct a much needed modern processing facility that meets state and federal code. The old cherry Plant we rent has outlived it's usefulness. We cleaned up the land immediately and constructed a storage/workshop building in 2020. We have expanded our product line in a temporary rental and now require a commercial kitchen and retail outlet . Combining them with a processing facility is our plan. Ideally we would break ground in May or June 2022 and open in early 2023. Site plan, Design and soil testing are completed.

Our petition is to rezone a portion of parce #0180221322841A from LI to MC

Thanks for your consideration




Staking Plan

LOCATED IN:

THE NE 1/4 OF THE SE 1/4 OF SECTION 21, T. 32 N., R. 28 E.,
TOWN OF LIBERTY GROVE, DOOR COUNTY, WISCONSIN

PREPARED FOR:

CURRENT OWNER:
WILLIAM T. HENRIKSEN
11214 NORTH SAND BAY LANE
SISTER BAY, WI 54234

PROPERTY ADDRESS:
11644 OLD STAGE ROAD

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.
BRIAN D. FRISQUE
PROFESSIONAL LAND SURVEYOR
3121 MATHEY ROAD
STURGEON BAY, WI 54235
(920) 743-7163

SURVEYOR'S NOTES:

BEARINGS AND BOUNDARY BASED FROM PREVIOUS
REVISED SURVEY, DATED FEBRUARY 24, 2018

BUILDING 1 LOCATION DEPICTS THE EXTENT OF THE
STRUCTURE, INCLUDING EAVES & OVERHANGS



LEGEND

- = U.S. PUBLIC LAND SURVEY CORNER
(EXISTING DOOR COUNTY ALUMINUM MONUMENT)
- = EXISTING 1" IRON PIPE
- ▲ = EXISTING MAG NAIL

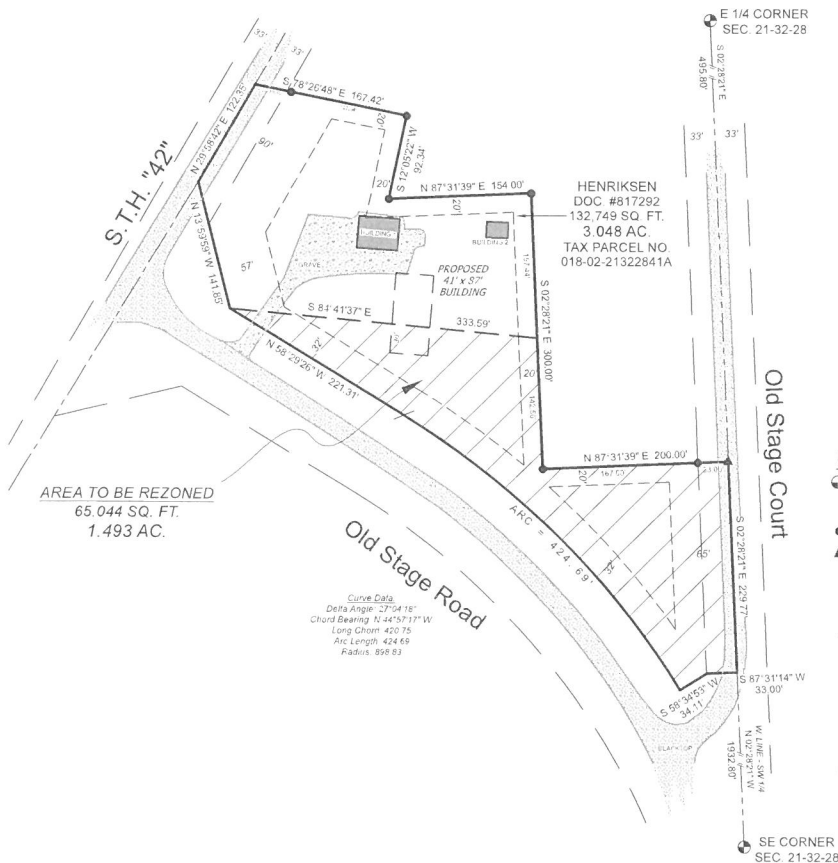
DESCRIPTION: PART OF TAX PARCEL NO. 018-02-21322841A FOR REZONING

A tract of land located in the Northeast one-quarter of the Southeast one-quarter of Section 21, Township 32 North, Range 28 East, Town of Liberty Grove, Door County, Wisconsin and described as follows:

Commencing at the East one-quarter corner of said Section 21, thence S 02°28'21" E along the east line of said Section 21, 495.80 feet to the point of beginning, thence continue S 02°28'21" E along said east line 229.77 feet to the intersection with the right-of-way of Old Stage Road, thence along said right-of-way as follows:
S 87°31'14" W 33.00 feet, S 58°34'53" W 34.11 feet to a point on a curve with a radius of 898.83 feet, 424.68 feet along the arc of said curve to the left whose chord bears N 44°57'17" W (Long Chord = 420.75, Delta Angle = 27°04'18"), and N 58°29'25" W 221.31 feet, thence S 84°41'37" E 333.59 feet, thence S 02°28'21" E 142.56 feet, thence N 87°31'39" E 200.00 feet to the point of beginning.

Said tract contains 1.493 acres of land.

12-22-21
D-063014-15-21B-SP.dwg
Drawn By: J.J.B.
JOB#: D-063014-15-21B



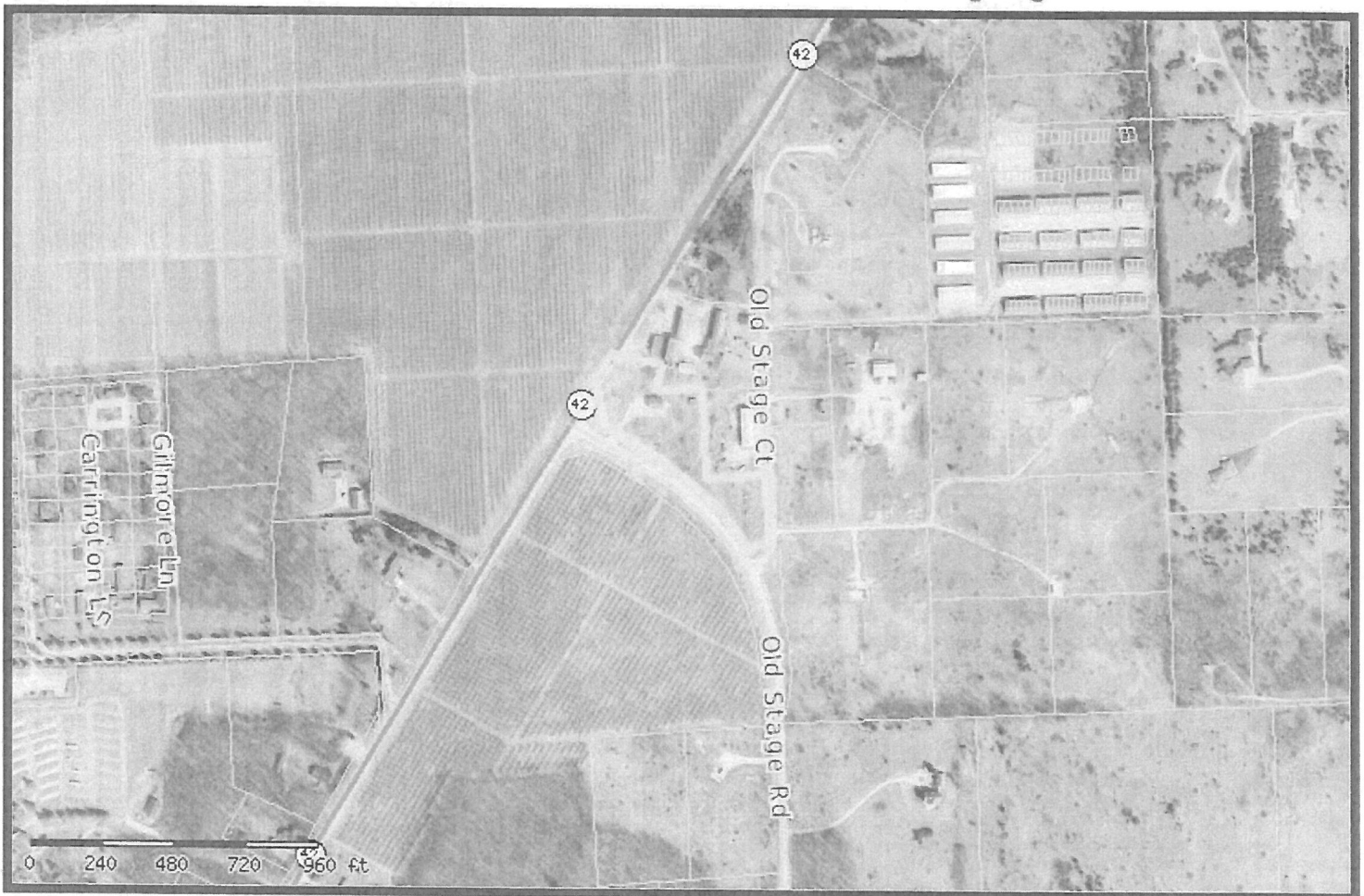
Map

Printed 12/22/2021 courtesy of Door County Land Information Office

... from the Web Map of ...
([//www.co.door.wi.gov](http://www.co.door.wi.gov))



Door County, Wisconsin
... for all seasons!



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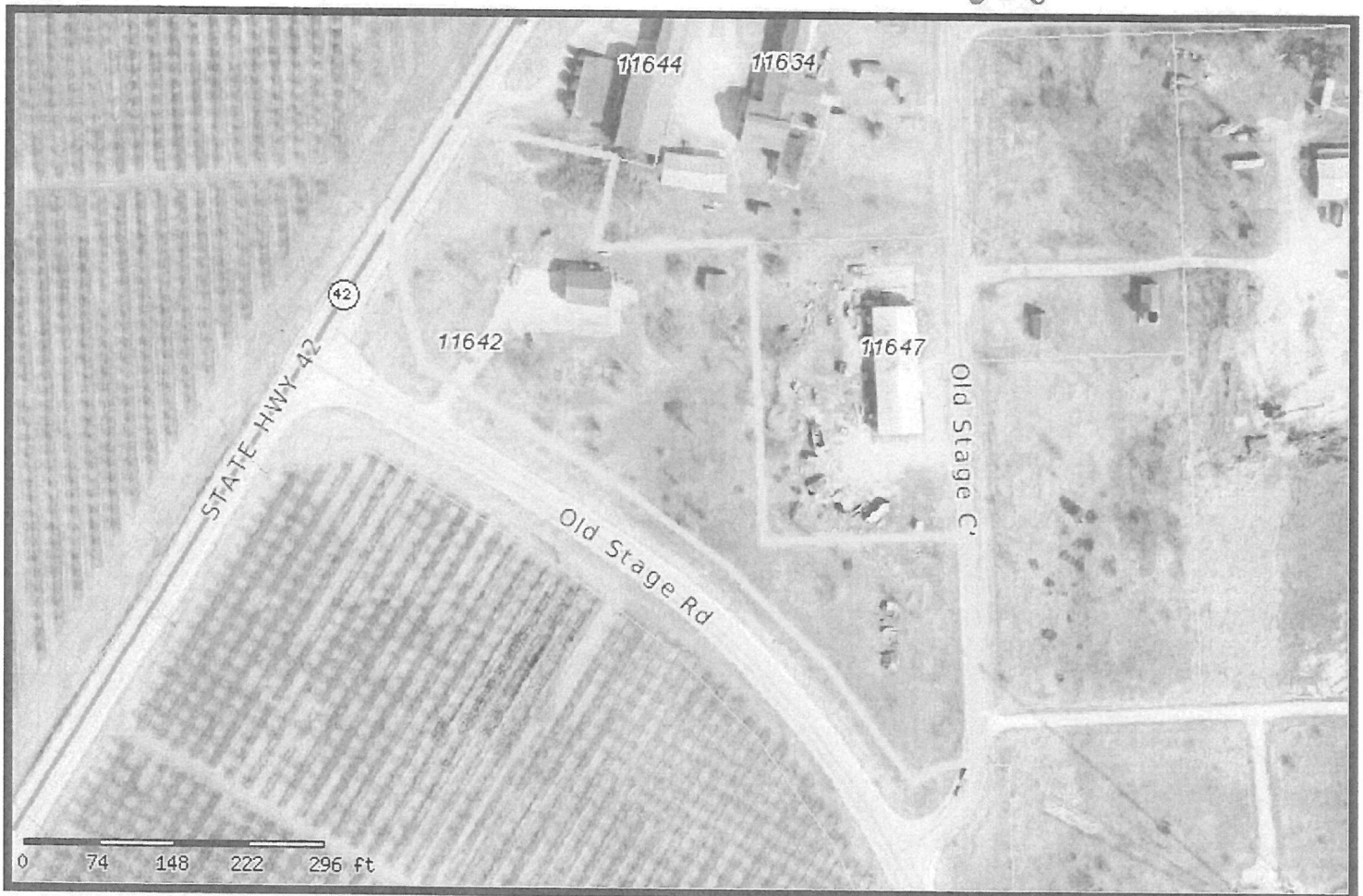
Map

Printed 12/22/2021 courtesy of Door County Land Information Office

... from the Web Map of ...
([//www.co.door.wi.gov](http://www.co.door.wi.gov))



Door County, Wisconsin
... for all seasons!



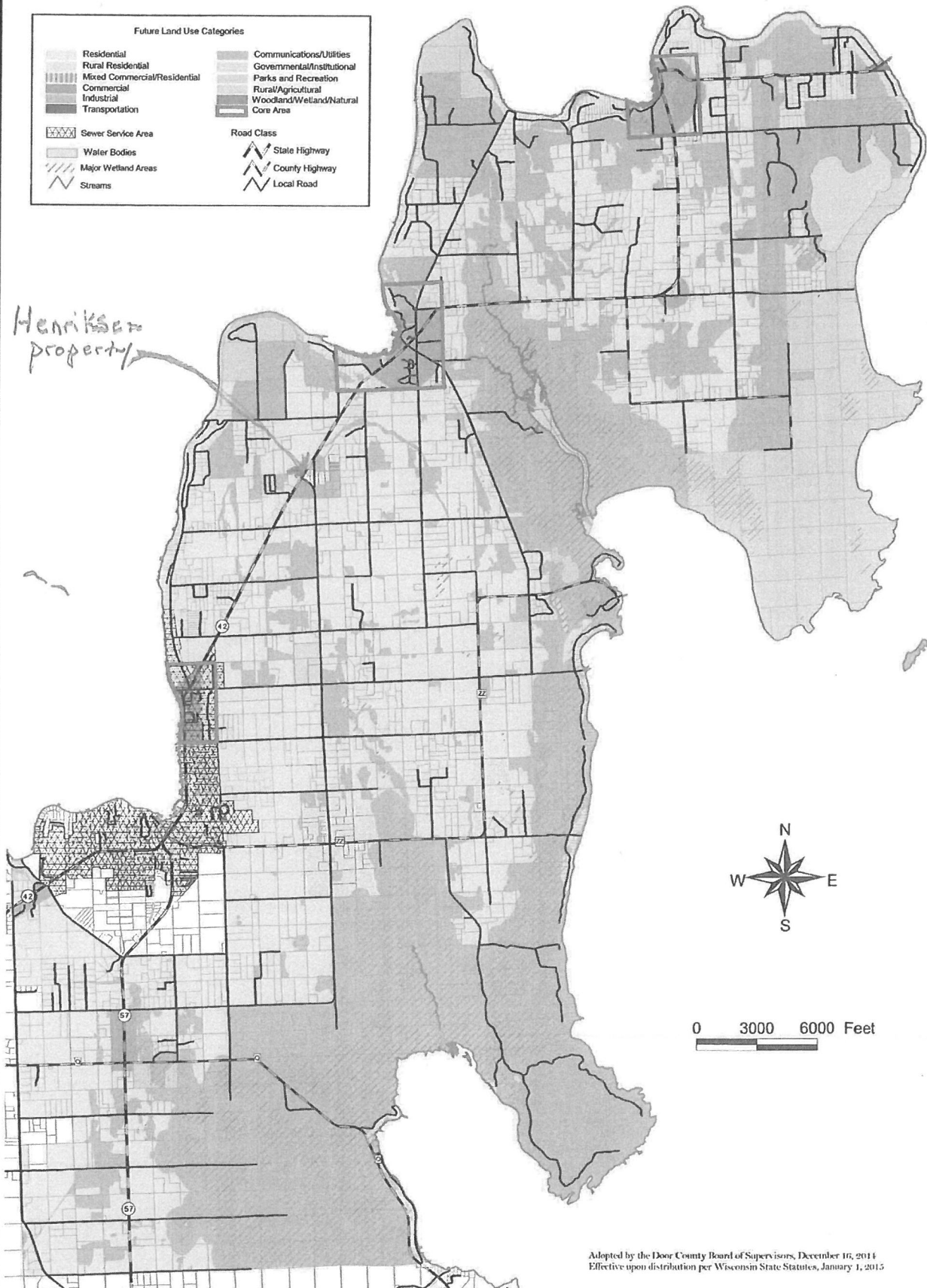
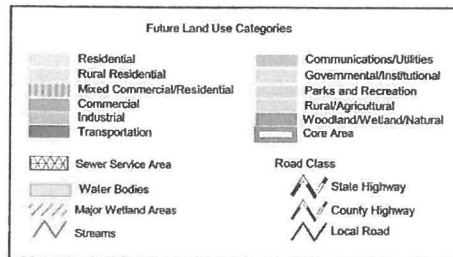
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Door County Planning Dept.
421 Nehalem Street
Sturgeon Bay, WI 54935
(920) 746-2923
map@door.wisconsin/planning

Door County Comprehensive and Farmland Preservation Plan 2035

Town of Liberty Grove Future Land Use





Town of Liberty Grove

We're Like Nowhere Else

January 15, 2022

To: Charles Henriksen

Ref: Proposed rezoning of a portion of tax parcel: 018-02-21322841A (1.50 acres)

This letter comes to you as notice that the Town of Liberty Grove has received a copy of your proposed rezoning of a portion of tax parcel 018-02-21322841A.

The Town Plan Commission will discuss and act on this application at a teleconference (Zoom) meeting to be held Wednesday, January 26, 2022, beginning at 7:00 PM at the Liberty Grove Town Hall at 11161 Old Stage Road. The Plan Commission will hear comments on this application and make a recommendation to the Door County Resource Planning Committee.

You or your representative may attend this meeting on December 22nd and comment on this application. If you cannot attend the meeting, you may send comments to the Town at the address below, by fax to 920-854-7366, or by email to tlibertygrove@gmail.com. Written, faxed, and emailed comments will be accepted until 4:00 PM on the day of the Plan Commission meeting. Documents relating to this project are available for inspection at the Liberty Grove Town Hall, by requesting a PDF file of the application from the Town Office, or at the Door County Government Center at 421 Nebraska Street in Sturgeon Bay.

Sincerely,

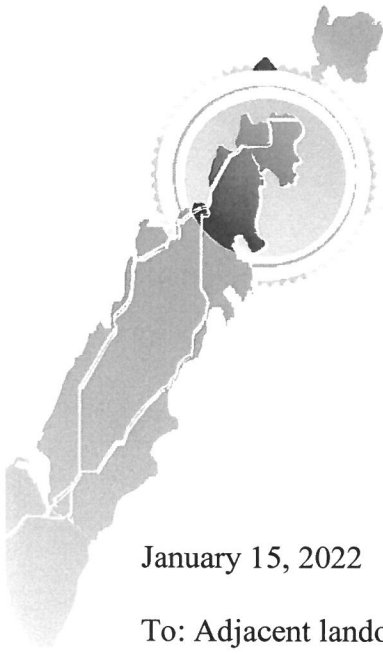
Anastasia P. Bell
Anastasia Bell, Clerk/Treasurer
Town of Liberty Grove

Zoom link:

<https://us02web.zoom.us/j/83628890171?pwd=c2RWSTBaSHdVSHRMMkdXMUQ0dTczdz09>

Meeting ID: 836 2889 0171

Password: 457175



Town of Liberty Grove

We're Like Nowhere Else

January 15, 2022

To: Adjacent landowners Charles Henriksen, parcel # 018-02-21322841A

Ref: Proposed rezoning of a portion of tax parcel: 018-02-21322841A (1.5 acres)

This letter comes to you as notice that Charles Henriksen is has submitted a proposal to rezone the south 1.50 acres from the Light Industrial (LI) to Mixed Use Commercial (MC) in order to establish retail sales within the southern portion of the proposed 41' x 87' Commercial Fishing Facility (processing) building. The property is located at 11642 Old Stage Road.

The Town Plan Commission will discuss and act on this application at a teleconference (Zoom) meeting to be held Wednesday, January 26, 2022, beginning at 7:00 PM at the Liberty Grove Town Hall at 11161 Old Stage Road. The Plan Commission will hear comments on this application and make a recommendation to the Door County Resource Planning Committee.

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Sincerely,

Anastasia P. Bell

Anastasia Bell, Clerk/Treasurer
Town of Liberty Grove

Zoom link: <https://us02web.zoom.us/j/83628890171?pwd=c2RWSTBaSHdVSHRMMkdXMUQ0dTczdz09>
Meeting ID: 836 2889 0171
Password: 457175

DAVID P AURELIUS
11650 STATE HIGHWAY 42
ELLISON BAY, WI 54210

SEAQUIST FAMILY FARMS LLC
2023 HIGHVIEW RD
ELLISON BAY, WI 54210

WILLIAM T HENRIKSEN
11214 N SAND BAY LN — owner
SISTER BAY, WI 54234

MICHAEL E & DONNA E BALL TRST
C/O WOODROW ENGINEERING CO
PO BOX 138
SISTER BAY, WI 54234

WISCONSIN EDUCATIONAL
COMMUNICATIONS BOARD
3319 W BELTLINE HWY
MADISON, WI 53713

MALTBY ENTERPRISES LLC
2071 GREEN RD
SISTER BAY, WI 54234

MITCHELL E LARSON TRST
PO BOX 280
FISH CREEK, WI 54212