

TOWN OF LIBERTY GROVE PUBLIC MEETING

February Board Meeting *Via Zoom*

Date: Wednesday, February 2, 2022

Time: 7:00 PM

Place: Town Hall, 11161 Old Stage Rd *Via Zoom*

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: Board 1/19/2022
5. Payment of bills
6. Administrator's report
7. Public Input
8. Status of House at 12695 Highway 42
9. Finley Services for the Town
10. Rezoning request for Charles Henriksen, portion of parcel 018-02-21322841A
11. Ordinance 1-22, Adopting Notice of Records Access
12. Ordinance 2-22, Naming of Roads-Forest Glenn Road
13. Review Ordinance 1-21, Regulating Certain Activities in Town Parks and on Town Property
14. Rescind motion from 10-20-21 regarding Town-wide garbage
15. Town-wide garbage
16. Short-Term Rental License(s)
17. Correspondence
18. Future meetings
19. Adjourn

****All agenda items will include discussion and possible action. Deviation from listed order may occur****

****Audience members must ask for permission, during public input, to speak on agenda items ****

Anastasia Bell, Clerk/Treasurer

Members of the Town Board or any other 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 Zoom Meeting enter the following on your computer:

<https://us02web.zoom.us/j/81214932615?pwd=WTJKBWhFQWslYnRUeEZaUnlIa1AvQT09>

Meeting ID: 812 1493 2615

Password: 919456

If the link doesn't work, go to <https://zoom.us/>, click the "Join a meeting" button and enter the meeting ID and Password when prompted.

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)

(346) 248 7799 US (Houston)

(301) 715 8592 US (Washington D.C.)

(253) 215 8782 US (Tacoma)

(646) 558 8656 US (New York)

(669) 900 9128 US (San Jose)

Town of Liberty Grove
Minutes of the Town Board meeting on January 19, 2022
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Adjourn to closed session per Wi. Stat. 19.85 (1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and Wi. Stat. 19.85 (1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved—notice of lawsuit over public records request, legal representation, WWTP agreement
5. Reconvene into open session
6. Announcements from closed session
7. Approve Minutes: 1/5/2022
8. Payment of bills
9. Treasurer's report
10. Public input
11. Door County North activities
12. WTA 2022 District meetings: authorization to attend
13. ***Engagement letter for auditing services from CliftonLarsonAllen***
14. Short-Term Rental License(s)
15. Assessment error parcels 018-87-0003 & 018-87-0004
16. Town-wide garbage process
17. Correspondence
18. Future meetings
19. Adjourn

Chairman John Lowry called the meeting to order at 6:59pm. Supervisors Cathy Ward, Nancy Goss, Janey Johnson, and Paul Schwengel were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and 1 member of the public via Zoom.

Goss moved, Johnson second to approve the agenda as posted. Carried 5-0.

Lowry moved, Goss second to adjourn to closed session per Wi. Stat. 19.85 (1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and Wi. Stat. 19.85 (1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved—notice of lawsuit over public records request, legal representation, WWTP agreement. Roll call: Schwengel, Lowry, Goss, Ward, and Johnson voted aye, no nays. Carried 5-0.

Lowry moved, Goss second to reconvene into open session. Roll call: Johnson, Lowry, Goss, Ward, and Schwengel voted aye, no nays. Carried 5-0. 2 members of the public joined the

Lowry noted that the Board was discussing several items with the new legal firm.

Ward moved, Johnson second to approve the minutes from the 1/5/22 Town Board as amended. Carried 5-0.

Payment of bills – Lowry moved, Goss second to approve the payment of bills as presented, with a total of \$2,598,469.54. Carried 5-0.

Treasurer's report – Bell reported the following Town account balances as of December 31, 2021:

Municipal Checking	2,282,683.42
Money market acct.	1,354,541.91
Checking	612,925.99
Utility Dist.	587,696.90

As of December 31, 2021, total in all Town accounts was \$4,837,848.22. **Lowry moved, Ward second** to approve the Treasurer's report as presented. Carried 5-0.

Public input – Johnson requested the status of the Mariner Park house be on a future agenda. Kalms noted that Steven Jenkins has resigned from DCEDC and Chris Moe has resigned as the Deputy County Treasurer.

Door County North – Mickie Rasch reported that the new website is live and work continues to develop a model to have successful events considering current staffing and pandemic concerns. The CEO of Destination Door County would like to speak to the Board at a future meeting.

WTA Meetings – There will be virtual Board of Review training at the district meeting. The consensus was to discuss possible attendance at a future meeting.

CliftonLarsonAllen Engagement Letter – Kalms reported this is a formality to have this firm conduct the Town audit. **Lowry moved, Johnson second** to engage auditing services of CliftonLarsonAllen. Carried 5-0.

Short-Term Rental License(s) – **Goss moved, Ward second** to approve short-term rental license for 9993 highway 57, 11573 Beach Road, 12567 Door Bluff Road, and 1098 County ZZ as they have met all requirements of the application. Carried 5-0.

Assessment Error Parcels 18-87-0003 & 018-87-0004 – Bell reported that these two parcels were incorrectly assessed because there was no structure present at year-end. **Schwengel moved, Goss second** to correct the over taxed amounts and to follow the Associated Appraisal letters dated 1/6/2022 for parcels 018-87-0003 and 018-87-0004. Carried 5-0.

Town-wide Garbage – It was the consensus that informational meetings will be held but the ultimate decision will be upon the Board. A reconsideration of the 10/20/2022 motion will be discussed at the next meeting.

Correspondence – A final rule has been issued for the ARPA funding.

The next Town Board meeting will be Wednesday, February 2, 2022 at 7:00pm via Zoom.

Lowry moved, Schwengel second to adjourn at 8:33pm. Carried 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Town of Liberty Grove
Minutes of the Plan Commission meeting on January 26, 2022
(This meeting was correctly posted)

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

Chair Nancy Goss called the meeting to order at 6:58pm. Commissioners Anne Miller, Paul Schwengel, Paul Bokelmann, Cathy Ward, Dan Watts, and Bill Surbaugh were present along with Clerk/Treasurer Anastasia Bell and 2 members of the public via teleconference (Zoom).

Ward moved, Surbaugh second to approve the agenda as posted. Carried 7-0.

Surbaugh moved, Ward second to approve the 1/12/22 minutes as presented. Carried 7-0.

Public Input – None.

Rezoning Application, parcel 018-02-21322841A – Charlie Henriksen stated that the County recommended rezoning because of the operations and have indicated 4 parking spaces would be required for 1,000 sq. ft. of retail space. He also provided a brief history of the business and the significance to the community noting their intentions are to sell product, not open a restaurant or compete with other current fishing businesses. Goss reported that the letter of support from DCEDC had inaccuracies regarding what is allowed in Light Industrial areas and that precedence has been set with the Renards where commercialization of a retail space was allowed by the County. This current request is not likely to be accepted by the County as it would result in spot zoning and does not fit within the future land use maps, limiting the rezoning to the commercial space may help. **Goss moved, Schwengel second** to recommend to the Town Board the rezoning of a portion of parcel 018-02-21322841A which includes only the retail space, to Mixed Use Commercial (MC), and that retail space not to exceed 1,500 sq. ft. **Goss moved, Schwengel second** to amend the motion to add “and the retail space be contained within the same structure as the commercial processing facility which will remain zoned Light Industrial” to the motion. Roll call vote: Surbaugh, Miller, Goss, Schwengel, Watts, Ward, and Bokelmann voting aye, no nays. Carried 7-0. Roll call vote (on amended motion): Bokelmann, Ward, Surbaugh, Goss, Schwengel, Watts, and Miller voting aye, no nays. Carried 7-0.

Correspondence – None.

The next meetings will be 2/9/2022 and 2/23/2022 at 7:00pm via Zoom if materials are available for discussion. Goss noted that the commissioners should prepare to review the current/future Town Zoning Maps and there may be a joint meeting with the Economic Development Committee to investigate the creation of business “nodes” to promote development while maintain the rural qualities of the Town.

Miller moved, Bokelmann second to adjourn at 7:55pm. 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

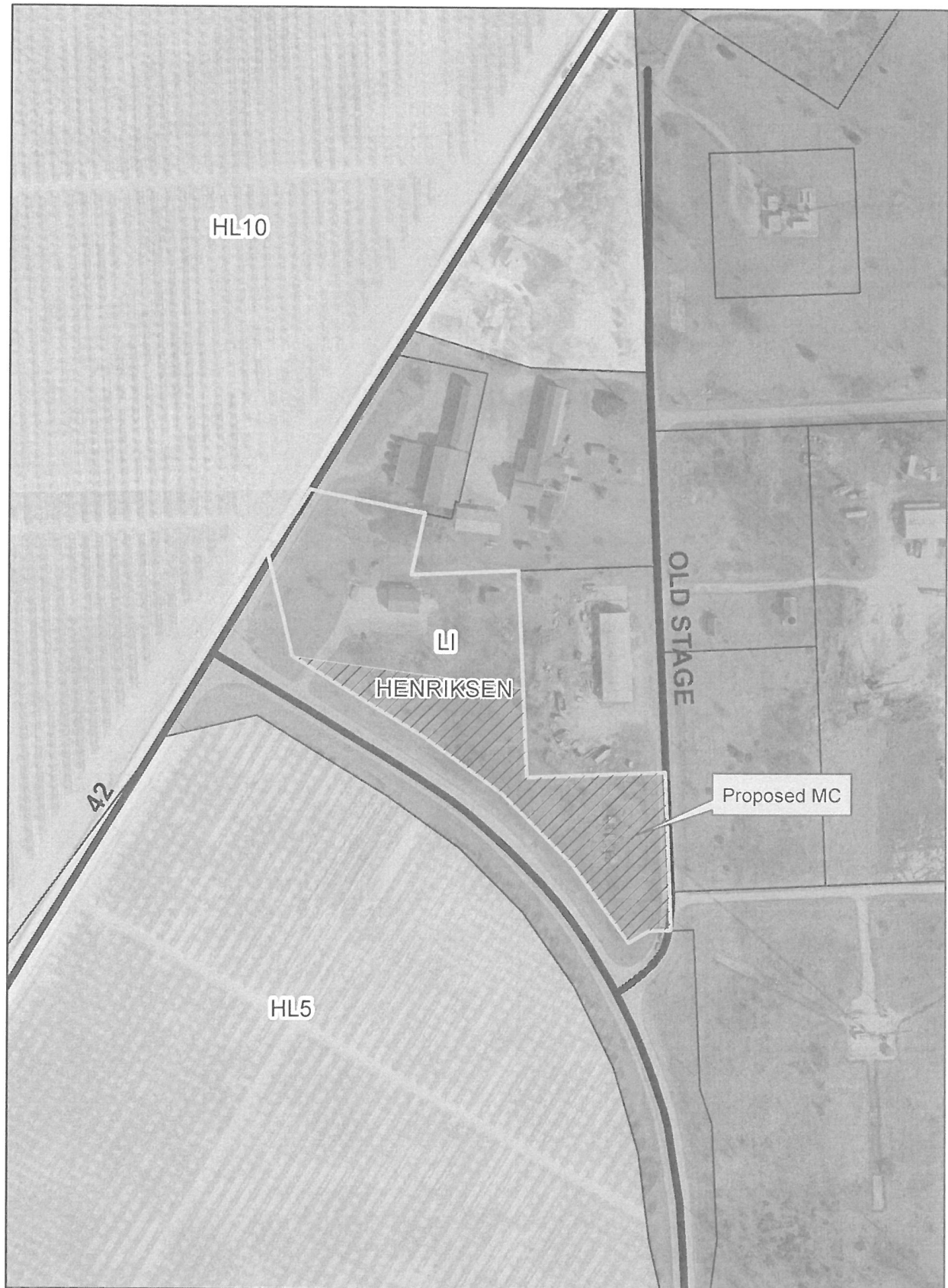
Proposed Re-Zoning: Light Industrial to Mixed Use Commercial



Zoning Map

Henriksen: 018-02-21322841A

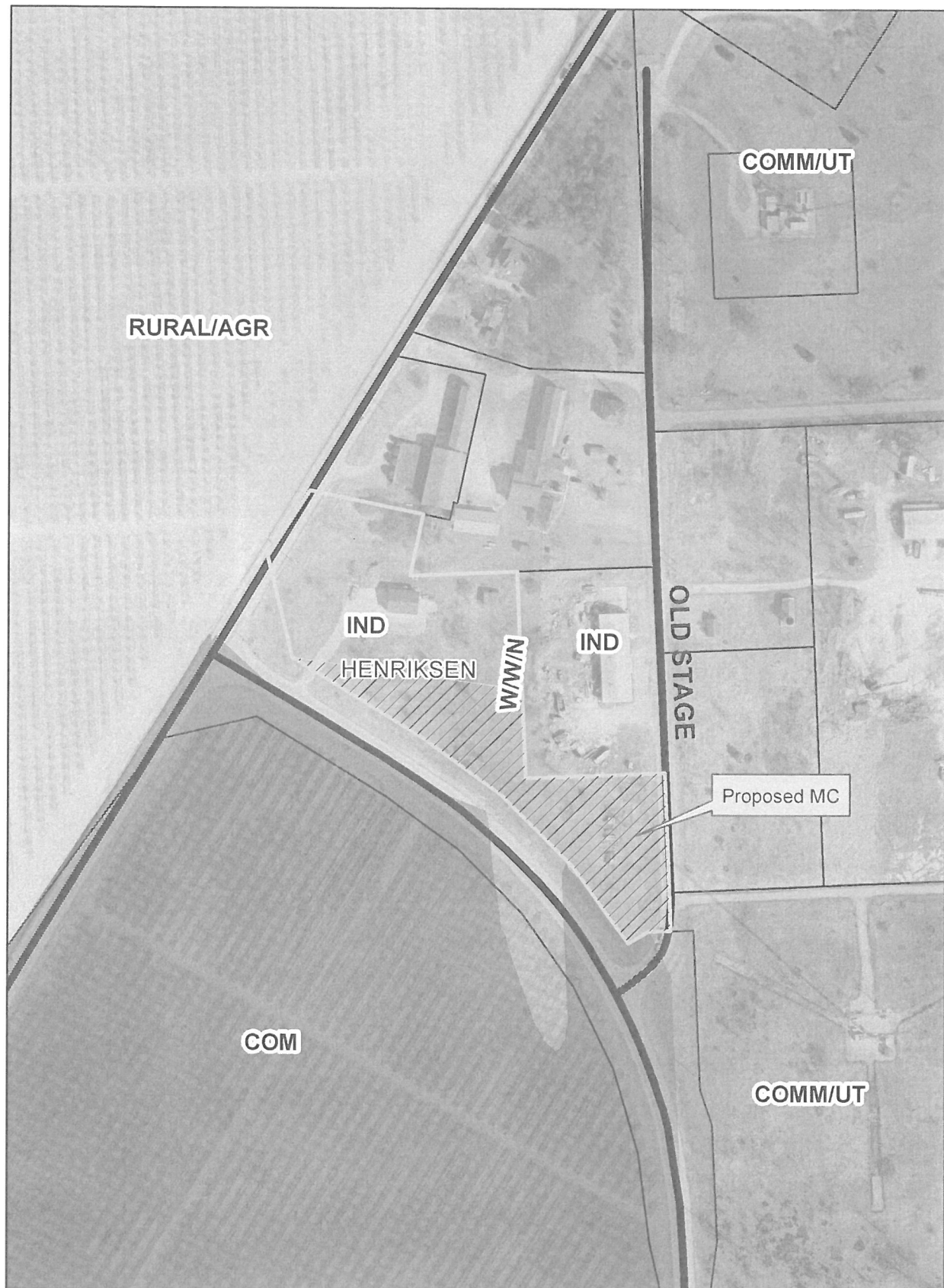
Proposed Re-Zoning: Light Industrial to Mixed Use Commercial



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		As regulated in s. 59.69(15), Wis. Stats.																
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	

(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 ¹	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	10,000 ¹²	65 ¹²	n/a	20 ²	10 ²	40 ²	20 ²	25	1.8 acres	3.27	30%
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)											
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	16,200	90	75%	10	5	20	10	25	n/a	n/a	n/a
• with public sewer											
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	16,200	90	45%	10	5	20	10	25	n/a	n/a	n/a
• with public sewer											
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)

PARCEL

NO.: 0 - - - - -

DATE

Approved

Denied

DATE FILED:

(By Board of Supervisors)

FEE PAID (Date)

12-28-21

/#

Receipt No: 5114

Fee: (\$750.00)

11658

(Make check payable to: Door County Treasurer)

DATE

Approved

Denied

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

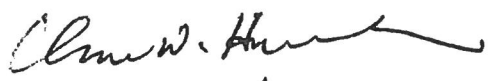
Currently the 3.5 acres owned by William T Henriksen is zoned Light Industrial (LI), which has Commercial Fishing Facility as a permitted use.. We would like to rezone a portion of the property to Mixed Use Commercial (MC) which allows retail. The zoning text says MC is " ...near existing communities, 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) 743-7183



LEGEND

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

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.

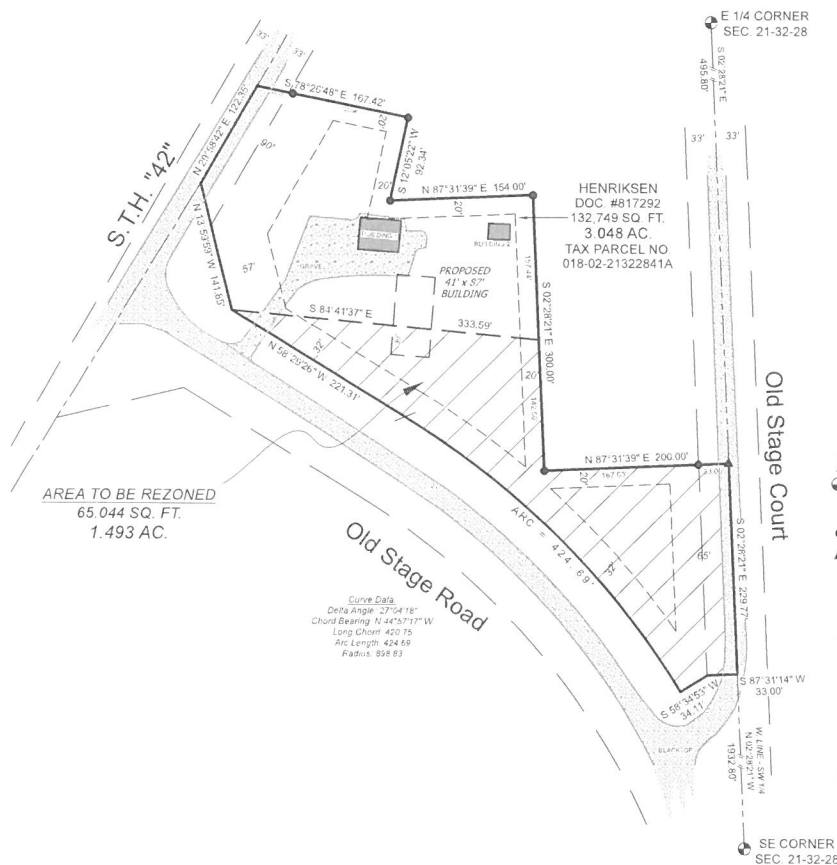
DESCRIPTION: PART OF TAX PARCEL NO. 018-02-21322841A FOR REZONING

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, 424.69 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

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Door County, Wisconsin
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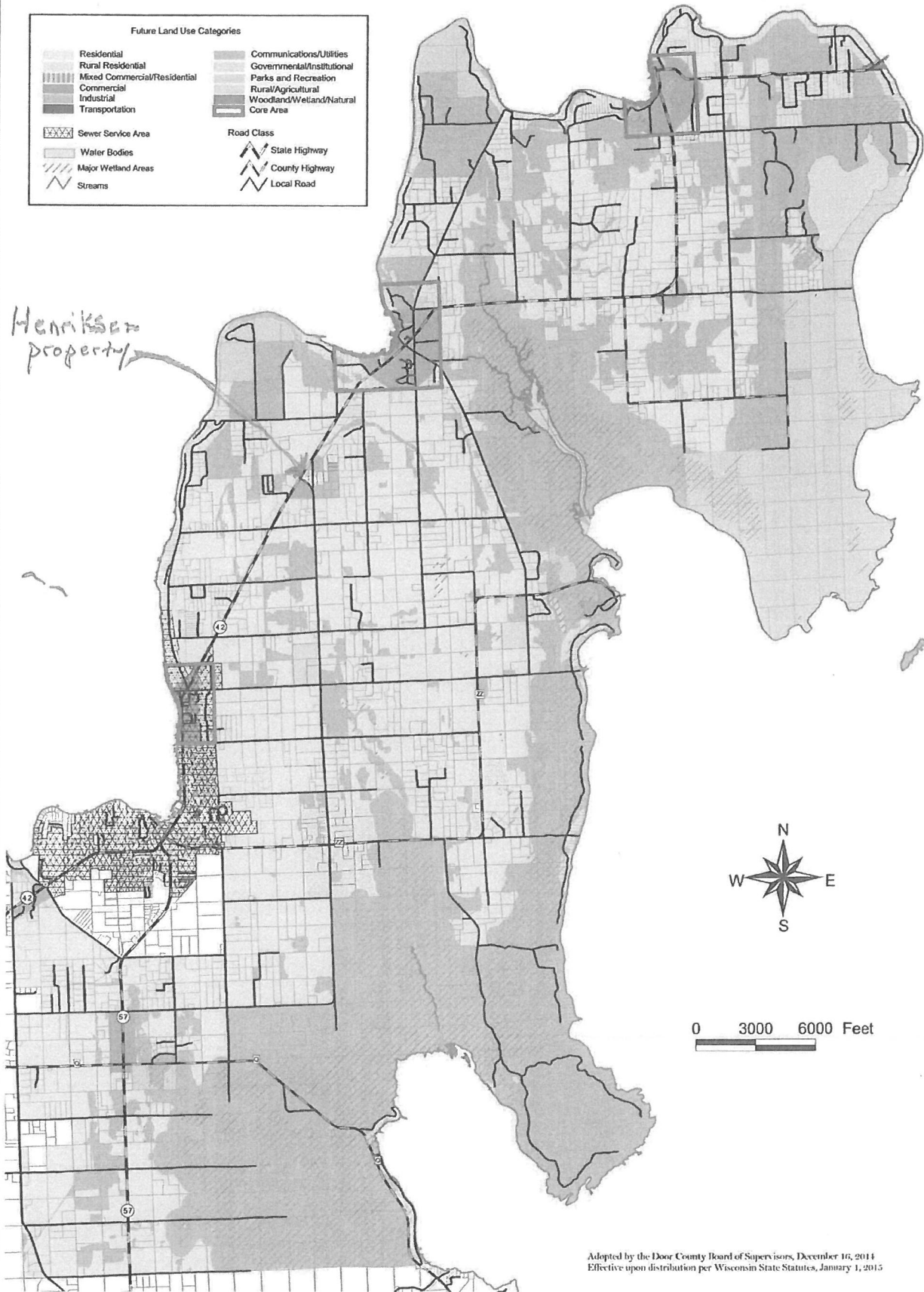
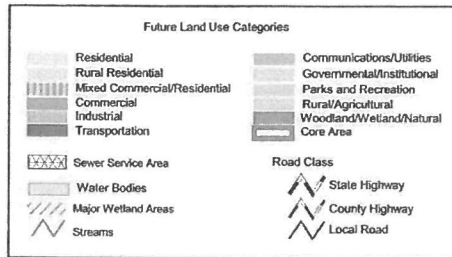
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Door County Planning Dept.
421 Nebraska Street
Sturgeon Bay, WI 54235
(920) 746-2323
map.coord.wisconsin/planning

Door County Comprehensive and Farmland Preservation Plan 2035

Town of Liberty Grove Future Land Use



Adopted by the Door County Board of Supervisors, December 16, 2014
Effective upon distribution per Wisconsin State Statutes, January 1, 2015



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,

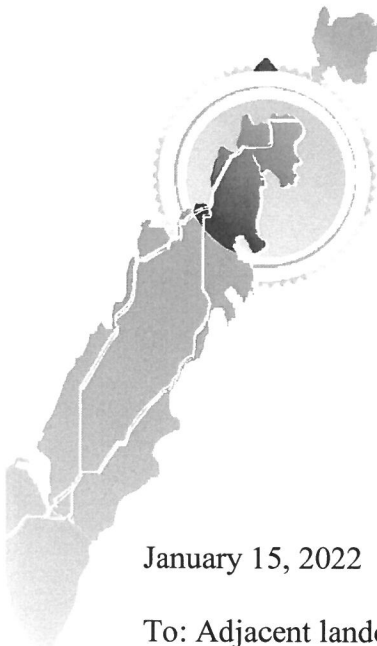

Anastasia Bell, Clerk/Treasurer
Town of Liberty Grove

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.

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 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



Town Clerk <tlibertygrove@gmail.com>

Henriksen rezoning

1 message

Melanie <office@actionelectric.biz>
To: tlibertygrove@gmail.com

Tue, Jan 25, 2022 at 8:15 AM

To Whom It May Concern:

I just wanted to voice my support for the proposed rezoning of the property owned by Charlie Henriksen at 11642 Old Stage Road in the Town of Liberty Grove. I feel like this an appropriate use of this property and not detrimental to the area.

Sincerely,

Mike Maltby

Maltby Enterprises



MEMORANDUM

Date: January 24, 2022

To: Resource Planning Committee and Town of Liberty Grove

From: Door County Economic Development Corporation

Re: Henriksen Rezoning Request

We are writing in opposition to the need for the Henriksen rezoning. If the County insists a rezoning is indeed required, we support the rezoning of a portion of the Henriksen property from Light Industrial to Mixed Use Commercial.

- A. It can be argued Staff erred in their interpretation of the Zoning Code and no rezoning is required to allow a fish processing plant, with small retail area, in a Light Industrial zoning district.**

Table (3)(a) of the Door County Zoning Ordinance allows '*Commercial Fishing Facilities*' as a 'COMMERCIAL USE' in the LI zoning district. *Please note the code doesn't classify such use as INDUSTRIAL, rather it is classified as COMMERCIAL.* Unless a footnote prohibits sales, the code doesn't have any standards regarding sales at a COMMERCIAL USE, regardless of the zoning district. If you look at other COMMERCIAL USES allowed in the Light Industrial zoning district, you'll note, again, sales are not addressed, but it can be assumed such sales would occur. For example, Grain Mills are classified as a COMMERCIAL USE, allowed in the LI district, and it can be assumed grain is sold on site (and it is, often as are other products not produced on site, like pesticides). Other permitted COMMERCIAL USES in the LI district—with no regulations regarding sales—are Community Commercial Kitchens (such uses typically have a sales component, and, someone working with the users to market and sell the product); Farm Implement Sales/Service (the name itself allows sales in a LI zone); and Lumber Supply Yards (aka Lamperts, with a large retail area of items not produced on site). So, although the code allows retail sales at all these uses, for some reason, staff does not allow retail sales at a fish processing plant (which again is a COMMERCIAL use, not INDUSTRIAL use, per the code, in a LI zone).

The only COMMERCIAL use in a LI district where sales are prohibited (per code), is at a Winery/Brewery. And, the code specifically states, in a footnote, 'sales are not allowed'. If the code designates 'no sales' at one use, but not another, a reasonable interpretation is 'sales are allowed at the other uses'.

Additionally, when you read the 'purpose and intent' section of the code regarding LIGHT INDUSTRIAL (Sec. 2.03(20)), there is no mention the intention is *not* to allow sales. As a matter of comparison, even the purpose and intent section on MIXED USE COMMERCIAL doesn't mention sales. So as long as the use is allowed, does the code really prohibit retail sales? And, if the code intends for sales to be limited, wouldn't that use be permitted as a CONDITIONAL USE, rather than a PERMITTED USE (so sales can be regulated)?

185 East Walnut Street • Sturgeon Bay, Wisconsin 54235

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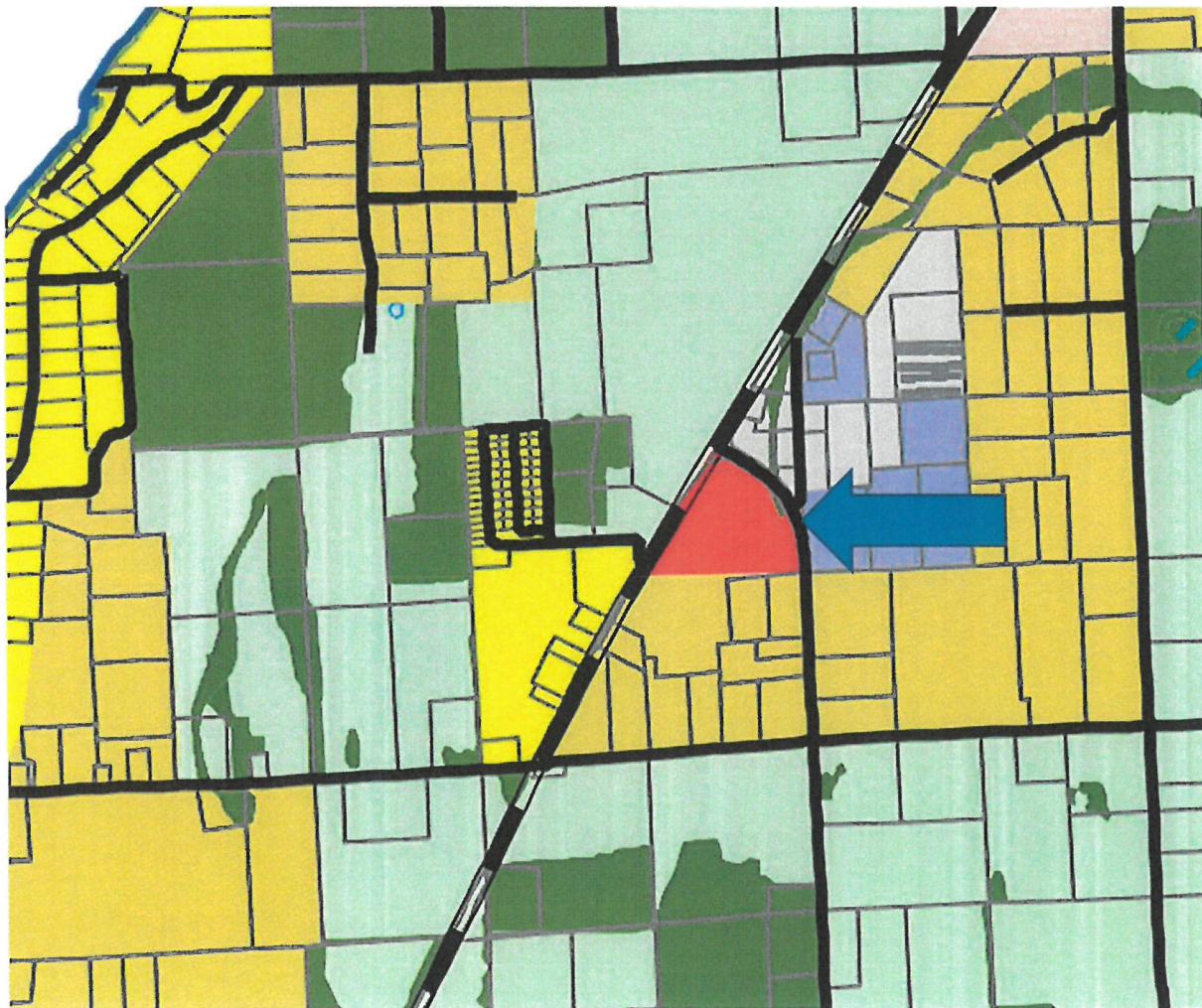
Henriksen Rezoning Proposal

The primary use of the fish processing facility is processing. Doesn't it make sense it be allowed in the LI zone? Yes, there will be a retail sales area, but as mentioned above, the code allows—without limitation—retails sales in LI. Afterall, Door County considers a fish processing facility a COMMERCIAL use.

The Henriksen retail sales area, which is limited in area, and is *an incidental use to the main use on the property*, will allow some limited locally made products that complement their product (which will help sell their product). This sales area will sell other locally *manufactured* products (not products from overseas). A small retail area highlighting the manufacturing sector in the county, is more inline with the intent of the LI district than, for example, a Lumber Yard that sells nothing manufactured on site.

B. If the county insists on the property being rezoned, then it makes sense it be rezoned Mixed Use Commercial.

On the Staff Report staff fails to note that on the *Future Land Use Map*, the town designated a large area across the road as Commercial. Rezoning a portion of the Henriksen lot—but not all of (Henriksen only proposed the area along the road be Commercial)—allows a smooth transition between commercially planned land and the LI zoned lands. The preferred land use map is below.



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Henriksen Rezoning Proposal

Keep in mind, land use decisions are to support adopted Land Use Plans and Maps. 2009 Wisconsin Act 372, Section 66.1001(3) requires general zoning...enacted or amended after January 1, 2010, *must be consistent with the comprehensive plan*. 'Consistent with' means furthers or does not contradict the objectives, goals, and policies...we recognize the county has not adopted new zoning maps to be reflective of the adopted future land use map, but rezoning a portion of the Henriksen property allows them to get one step closer to allowing a land use transition, and, allowing compliance with Comprehensive Goals 3, 4 and 6, discussed below.

The Staff Report also said 'no circumstances have changed' to warrant a zone change. We disagree. At one time Door County had a readily available workforce; however, now companies must change their operations to be less reliant on workers. It is not uncommon to see a company consolidate operations to utilize fewer employees. Henriksen's proposal to address a workforce issue by downsizing from two operations to one is applaudable, and is reflective of today's trends and circumstances. Planning/Land Use Services is supposed to be following these trends, and incorporating code changes to be reflective of the trends. In the absence of code amendments, businesses themselves must take the initiative and be proactive to ensure they have the employees needed to run their companies.

The staff report also says the rezoning is to benefit 'just one property owner' and there is 'no overriding public good to be gained by rezoning the property'. We disagree. First, if approved, Henriksen will be vacating a commercial space in Ellison Bay, which will help house one of several businesses waiting for available commercial property (there is a shortage of available commercial properties); he will be supporting small home crafters by selling their product and allowing them to circulate more money into the local economy (and build their businesses); and the new facility will allow for more fish processing (than current operations), which will provide nutrition in an area with limited grocers and healthy food choices.

Does Planning staff know... The project is located in a median income tract, but adjacent to low income areas with a somewhat high rate of hunger or food insecurity (*Feeding America* notes an 8.4% food insecurity rate, 2019). Their fish, containing more omega-3 fatty acids than pink and sockeye salmon, can help address food insecurity issues in the area?

Does Planning staff know...Henriksen sells to restaurants and farm markets which help the Sister Bay community meet their nutritional needs?

Does Planning staff know...A USDA calculator shows a \$500,000 investment in a retail fish sales *facility* will result in an economic impact of \$738,092. Add to that, according to JobsEq, for every \$75,000 in sales, another \$40,000 is indirectly added to the community, and for every one person paid \$41,000 (an entry level manager), another \$14,000 is infused into the community. The multiplier for the retail staff wages will be 1.19, and the kitchen staffs' wages each has a multiplier of 1.21.

Per the above, we disagree with Staff's position the project is to benefit *just the owner*, and *does not serve a greater public good*. We further disagree with Staff that the rezoning only satisfies the economic development policy mentioned (bottom of P. 7 of the Staff Report). Other relevant goals of the Comprehensive Plan:

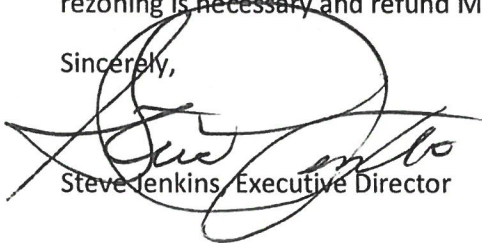
Henriksen Rezoning Proposal

- Goal 3: *Protect existing agriculture and promote sustainable agricultural operations.* We think sometimes the public forgets fish harvesting *is* an agricultural operation, and the processing thereof a sustainable method. Allowing operations to be consolidated, and thereby making a business more efficient, and the operations more cost effective, is one way the county can support this goal of 'protecting' and 'promoting'.
- Goal 4: *Maintain, preserve, and enhance the community's rural atmosphere and agricultural heritage.* The fishing industry in Door County is centuries old; like cherry growing, the fishing industry is an agricultural operation with rich history and is a critical piece of Door County's history. Supporting ordinance changes (the map change) is one way Door County can show their support for the fishing industry.

Lastly, Staff indicates the rezoning request is *not* the result of a mapping error, but does say part of the property was inadvertently mapped 'Woodland/Wetland/Natural' ...so, *there were mapping errors* on this parcel. Perhaps if the maps had not shown woodlands, wetlands, etc. there would have been more of an inclination to initially map it for Mixed Use.

In conclusion, it is unfortunate the Zoning Map does not reflect the preferred land use shown on the Town's adopted *Future Land Use* map, since the future land use map does show a heavy concentration of commercial in the area, and, rezoning a portion of the Henriksen property can create a smooth transition between commercial and industrial by allowing a quasi-commercial industrial use. Keep in mind though, *there is no code restriction prohibiting some sales from an LI property*, so it is possible the property does not even need to be rezoned and the use can continue as proposed. Due to the lack of a sales prohibition in a LI zone; code ambiguity; future land use map designating commercial in that immediate area; and, initial mapping errors which may have resulted in the subject parcel being designated differently, we encourage the Committee to approve the rezoning request, OR, deem no rezoning is necessary and refund Mr. Henriksen his application fee.

Sincerely,



Steve Jenkins, Executive Director



Julie Schmelzer, Director of Business Development

Henriksen rezoning application

Mitch <Mitch@ondeckclothing.com>

Mon, Jan 24, 2022 at 9:44 AM

To: "tlibertygrove@gmail.com" <tlibertygrove@gmail.com>

This letter is addressed to all plan commission members:

I support the rezoning of the Henriksen Parcel for the purpose of establishing a retail sales establishment.

My family has owned property in this area for the past 50 years, I currently on 22 acres of light industrial across the road.

Please confirm you receive this letter.

Sincerely,

Mitchell Larson

Mitchell Larson
Owner/buyer
mitch@ondeckclothing.com



Town Clerk <tlibertygrove@gmail.com>

Charles Henriksen , parcel #018-02-2132241A

Jeanne Aurelius <aurelius.jeanne@gmail.com>
To: tlibertygrove@gmail.com

Sat, Jan 22, 2022 at 9:38 AM

To whom it may concern,

We received the notice that Charles Henriksen has submitted a proposal to rezone the south 1.5 acres from Light industrial to mix Use Commercial in order to establish retail sales located at 11642 OldStage Road.

We are in favor of rezoning this parcel. We have no doubt that this retail space would be an asset to our neighborhood. The Henriksen family have shown through their storefront in Ellison Bay, their commitment to creating a welcoming retail space, beautifully maintained. Please grant their request.

Sincerely,
Jeanne and David Aurelius
11650 State Hwy 42
Ellison Bay WI. 54210
9208545027

TOWN OF LIBERTY GROVE
ORDINANCE 1-22
~~ORDINANCE~~ ADOPTING NOTICE OF RECORDS ACCESS

STATE OF WISCONSIN
Town of Liberty Grove
Door County

Ordinances 3-09, 1-12, and 4-12 ~~are and its notice of records access is~~ hereby repealed.

The Town Board of the Town of Liberty Grove, Door County, Wisconsin, has the specific authority under s. 19.34, Wis. Stats., to adopt this ordinance.

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, adopts the Notice of Records Access as contained herein, which, pursuant to s. 19.34 (1), Wis. Stats., contains a description of the town's organization and the established times and places at which, the legal custodian from whom, and the methods whereby the public may obtain, information from and access to records in the town's custody; make request for town records or obtain copies of town records; and the costs thereof.

NOTICE OF RECORDS ACCESS

The clerk of the Town of Liberty Grove, Door County, Wisconsin, by this notice states that the clerk of the Town of Liberty Grove has been designated under s. 19.33, Wis. Stats., as the legal custodian of records for the Town of Liberty Grove, except that elected officials are the custodians of their own records of office and chairpersons of committees of elected officials are custodians of the records of the committee.

The town clerk maintains regular office hours of 8:30 AM ~~to 11:30 AM and 1 PM to~~ 4:00 PM Monday thru Friday, except legal holidays, at 11161 Old Stage Road.

As required under s. 19.34(1), Wis. Stats., each Town Local Public Office is listed below. The public may obtain information and access to records in the custody of elected officials and chairpersons of committees of elected officials, as the custodians of their own records of office, make requests for records, or obtain copies of records, and learn the costs of obtaining copies of records from the elected official or chairperson in accordance with the contact information designated as follows:

Office of Town Clerk ~~Walter L. Kalms~~ **Anastasia Bell**
11161 Old Stage Road, Sister Bay 54234
Phone: 920-854-2934
Fax: 920-854-7366
Email: ~~tlibertygrove@dewis.com~~
tlibertygrove@gmail.com

The following are the fees for satisfying record requests under s. 19.35, Wis. Stats.:

- a. Photocopy and photocopy processing \$ 0.20 per page
- b. Locating a record if the cost is more than \$50 Actual hourly charge for town staff to find and copy said record
- c. Copying meeting to CD \$5.00
- d. Shipping and mailing paper or audio copies \$5.00 minimum or actual cost, whichever is greater
- e. Copying meetings to memory stick Market price (of memory stick)
- f. Transcription of professionally recorded meeting Actual cost, plus shipping

~~a. Photocopy and photocopy processing .20 per page~~
~~b. Locating a record if the cost is more than \$50 actual hourly charge for town staff to find and copy said record~~
~~c. Copying meeting to CD 5.00~~
~~d. Shipping and mailing paper or audio copies 5.00 min. or cost, whichever is greater~~
~~e. Copying meetings to memory stick market price~~
~~f. Transcription of professionally recorded meeting actual cost plus shipping~~

Implementation

This ordinance shall become effective upon passage and posting according to law.
Adopted at a regular meeting of the Liberty Grove Town Board on the 2nd day of February, 2022.

John Lowry, Chairman

I, ~~Walter L. Kalms, Clerk/Administrator~~ Anastasia P. Bell, Clerk/Treasurer of the Town of Liberty Grove, Door County, Wisconsin do hereby certify that the above is a true and correct copy of an ordinance which was adopted at a properly noticed, regular meeting, held on the 2nd day of February, 2022 by the Liberty Grove Town Board.

Dated this 2nd day of February, 2022.

Anastasia P. Bell, Clerk/Treasurer

**TOWN OF LIBERTY GROVE
ORDINANCE 2-22**

AN ORDINANCE FOR NAMING OF ROADS

1. Authority

Wisconsin Statute 82.03 (7) directs the Town Board to assign names to roads within the Town.

2. Description of road

Road off County Highway NP, beginning approximately 530 feet south of the intersection of State Highway 42 and County Highway NP, then running westerly for approximately 1,055 feet to its terminus, all in Section 13, Town 32 North, Range 28 East.

3. Name of road

The Liberty Grove Town Board hereby names the road as described as “Forest Glenn Road”.

4. Implementation

This ordinance shall become effective upon passage and posting according to law. Adopted at a regular meeting of the Liberty Grove Town Board on the 2nd day of February, 2022.

I, Anastasia Bell, Clerk/Treasurer of the Town of Liberty Grove, Door County, Wisconsin do hereby certify that the above is a true and correct copy of an ordinance which was adopted on the 2nd day of February, 2022 by the Liberty Grove Town Board.

Dated this 2nd day of February, 2022.

Anastasia Bell, Clerk/Treasurer

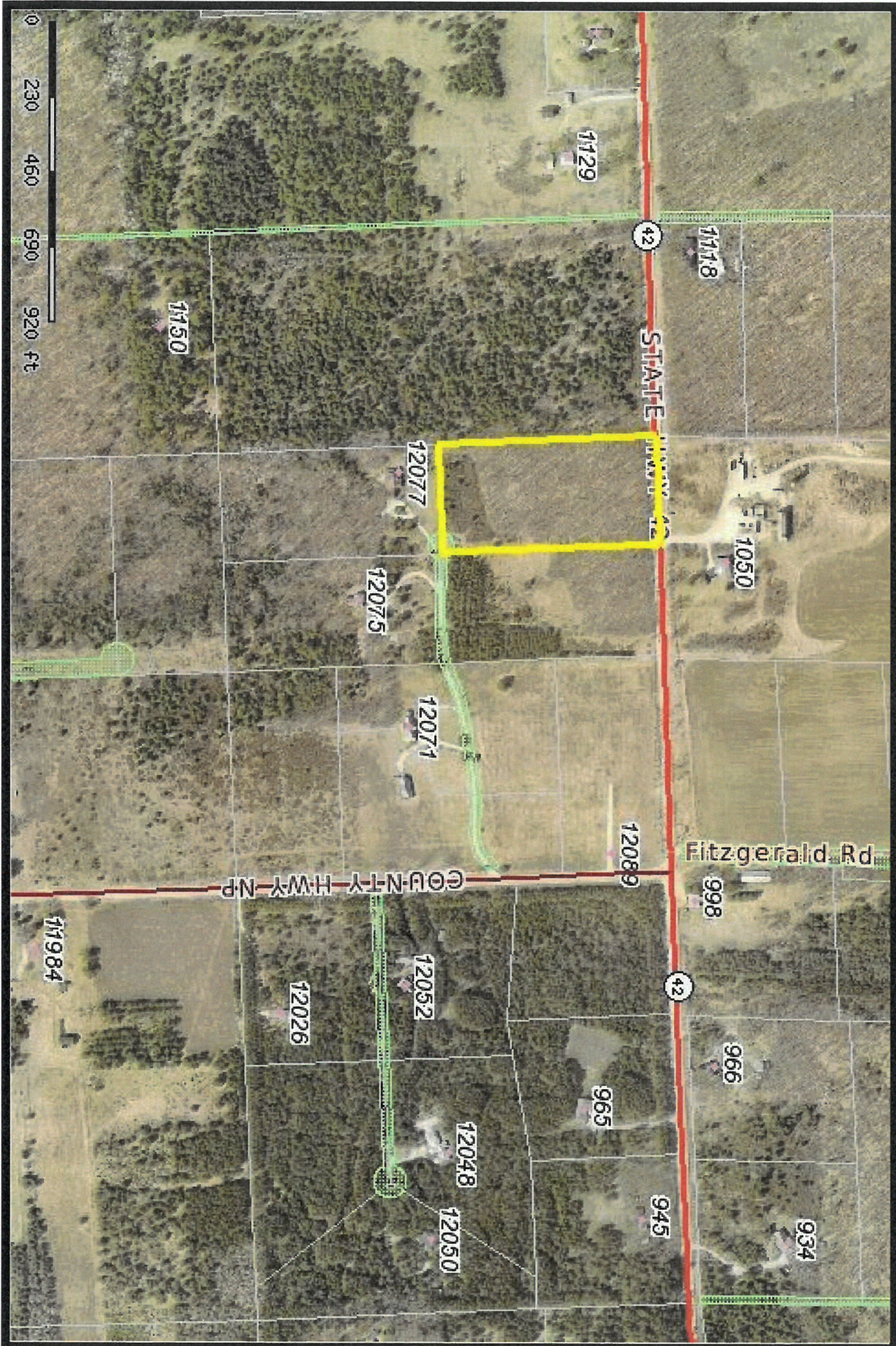
Map

Printed 01/19/2022 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!



Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.

ORDINANCE NO. 1-21
AN ORDINANCE REGULATING CERTAIN ACTIVITIES IN TOWN PARKS AND ON TOWN PROPERTY

The Town Board of the Town of Liberty Grove, Door county, Wisconsin, pursuant to Section 60.22(1), Wisconsin Statutes, does hereby ordain as follows:

Ordinance 1-85 is hereby repealed.
Ordinance 3-86 is hereby repealed.
Ordinance 6-05 is hereby repealed.
Ordinance 1-16 is hereby repealed
Ordinance 1-17 is hereby repealed
Ordinance 3-19 is hereby repealed

Sec. 1. Purpose.

To enact an ordinance regulating certain activities in Town parks and on Town property of the Town of Liberty Grove, Door County, Wisconsin, in order to enhance and promote to the fullest the public's use, enjoyment, safety of such designated areas.

Sec. 2. Definitions.

- (a) "Dog" means any canine regardless of age or sex.
- (b) "Cat" means any feline regardless of age or sex.
- (c) "Town Park" means any Town Park, property or launch ramp, including, but not limited to the parks known as: Mariner Park at Gills Rock, Ellison Bay Community Center; Fitzgerald, Sand Bay, Porte Des Morts, Will's Park, Hotz Memorial, Grand View, Wisconsin Bay Town Park; and the Ellison Bay, North Bay, Garrett Bay and Europe Lake launch ramps.
- (d) "Town Property" means any property, land or building, owned by or under the jurisdiction of the Town in addition to "Town Parks" as defined in subsection (c) above.
- (e) "Alcohol Beverages" means fermented malt beverages and intoxicating liquor as defined in Chapter 125, Wis. Stats., which definitions are adopted herein by reference.
- (f) "Personal effects" includes but is not limited to watercraft, trailers, vehicles, recreational equipment, and other items that are not the property of Liberty Grove.
- (g) "Private Enterprise" means any entity either individually owned and operated or owned and operated by a corporation for profit or not-for-profit.

Sec. 3. Curfew.

No person may enter, use, leave personal effects at, or remain in any Town Park in the Town of Liberty Grove between the hours of 10:00pm and 6:00am., for any purpose, without the written permission of the Town Board of Supervisors of the Town of Liberty Grove or their designee. This section does not apply to seasonal/transient dockage.

Sec. 4 Dogs/Cats.

No cats shall be allowed in any Town Park at any time. Dogs are allowed in Town parks and launch areas on leash only and are not allowed on the beach areas.

Sec. 5. Alcohol Beverages.

No alcohol beverages shall be consumed by any person in any Town Park between the hours of 10:00 pm and 6:00 am without the written permission of the Liberty Grove Town Board.

Sec. 6. Launching and Storing of Boats.

- (a) No agent or employee of the Town shall participate in the launching, retrieving, loading, or mooring of any watercraft.
- (b) No motorboat, sailboat, canoe, kayak, launch or any other boat or watercraft or equipment of any kind shall be parked, left unattended, stored or kept upon property of the Town, including any Town Park as specified above, other than in designated parking areas, such areas and times to be specified by written permission of the Town Board or its designee. Any watercraft or equipment left on Town property unattended or after the hours specified in Section 3 of this ordinance shall be subject to removal, towing charges, and fines to be paid by the owner as written in Section 9 of this ordinance.

Sec. 7. Rental of Town Parks other than Ellison Bay Community Center.

Rental of the following parks is permitted by written permission of the Town Board of Supervisors of the Town of Liberty Grove or their designee: Gills Rock Park, Wills Park, Mariner Park at Gills Rock, and Fitzgerald Park. These parks will remain open to the public for general use. Fees to rent these parks applies and are listed in the Town's current fees schedule.

Sec. 8. Operation and Launching of Boats in Ellison Bay Community Center.

No person shall operate or launch any motorboat, sailboat, canoe, launch or any other boat or watercraft of any kind within the swimming area of the Ellison Bay community Center. The swimming area is defined as the area bounded by the Community Center dock, a line from the northern tip of said dock in an easterly direction for a distance of 100 feet, thence southeast to the eastern edge of the Town of Liberty Grove property line, then west along the beach to the aforementioned Community Center dock.

Sec. 9. Private Enterprise Operations

- (a) Private enterprises as defined in Section 2(g) above shall not conduct any business in Town parks or in or on Town property except as provided in subsection (b) of this Section below.
- (b) Private enterprises as defined in Section 2(g) above may operate aquatic enterprises as outlined in Ordinance 5-05 in Town parks or in or on Town property provided all the necessary permits and proof of insurance are demonstrated and provided further that such private enterprise obtains the express written permission of the Town Board.

Sec. 10. Enforcement.

- (a) This ordinance may be enforced by the issuance of a citation to any violator of this ordinance by any Sheriff or Deputy Sheriff of the County of Door, State of Wisconsin, by any State of Wisconsin officer with police powers.
- (b) In the alternative, any forfeitures imposed by this ordinance may be sued for and recovered pursuant to Chapter 778, Wis. Stats., in the name of the Town of Liberty Grove.

Sec. 11. Penalties.

Penalties for violations of provisions of this ordinance shall be not less than \$50 nor more than \$300 plus the costs and disbursements of prosecution, for any violation which occurs under the terms of this ordinance. Each violation of any section constitutes a separate offense.

Sec. 12. Conflicting Ordinances.

All ordinances in whole or in part of the Town of Liberty Grove which conflict with provisions of this ordinance are hereby repealed.

Sec. 13. Severance Clause.

If provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of the ordinance.

Adopted at a regular meeting of the Liberty Grove Town Board on March 17, 2021.

Motion to adopt: Lowry Second: Covotsos.

Vote: 5 aye 0 nay.

I, Anastasia Bell, Clerk/Treasurer of the Town of Liberty Grove, Door County Wisconsin hereby certify that the above is a true and correct copy of an ordinance which was adopted at a properly noticed meeting of the Liberty Grove Town Board on the 17th day of March, 2021.

Dated this 17th day of March, 2021.

Anastasia Bell, Clerk/Treasurer

Roll call vote with Ward, Johnson, Goss, and Schwengel voting aye, Lowry voting nay. Passed 4-1.

Resolution 14-21, Participation in Section 125 Premium Only Plan – Lowry moved, Johnson second to adopt resolution 14-21 as presented. Roll call vote with Ward, Lowry, Johnson, Schwengel, and Goss voting aye, no nays. Passed 5-0.

Variance for Yacht Haven LLC, parcel 018-02-32322844C5 – Russ Forkert stated this would be a launch ramp to the north of the marina. A variance and CUP are required by the County, and the DNR has granted a permit. Goss indicated that the current County definitions do not have provisions for docks/ramps and this ramp will increase traffic safety. **Goss moved, Ward second** to offer a letter of support to the Board of Adjustment to vary the OHWM setback for Yacht Haven LLC, parcel 018-02-32322844C5. Roll call vote with Schwengel, Goss, Ward, Lowry and Johnson voting aye, no nays. Passed 5-0.

 **Town-wide Garbage Service** – Goss noted that Going Garbage is willing to work the Town. Johnson noted that the unexpected income from the Wastewater Treatment Plant settlement would cover the first year and then it could be included as a special assessment on tax bills. **Johnson moved, Schwengel second** to research and implement Town-wide garbage service using Larson property and WWTP settlement money. Roll call vote with Johnson, Schwengel, and Goss voting aye, and Ward and Lowry voting nay. Passed 3-2.

Correspondence – Carl Madsen requested “speed zone ahead” signs on Hill Road and expressed concern with the maintenance of the lawn at the Little Sister Cemetery.

The next Town Board meeting will be Wednesday, November 3, 2021 at 7:00pm via Zoom. The budget hearing, Special Town Meeting, and Special Board meeting were scheduled to begin at 7:00pm on Tuesday, November 9, 2021 in-person at the Town Hall.

Lowry moved, Ward second to adjourn at 8:17pm. Passed 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer
Approved at the 11/3/2021 Town Board meeting.

Approved	Property Address	Owner Name	Maximum Occupancy	POWTS Design Capacity	DATCP license #	DCTZ license #	Insurer	Notes
	12649 Door Bluff Rd	Barton/Elizabeth Warner	10	5 BDRM	YES	YES	YES	All application requirements met
	113303 Beach Rd	Lucille Kirkegaard	6	3 BDRM	YES	YES	YES	All application requirements met
	1744 Hillside Dr #104	Greg Herman	6	Hold tank	YES	YES	YES	All application requirements met
	11602 Beach Haven Lane	Lianna/Chris Utley	4	2 BDRM	YES	YES	YES	All application requirements met
	12717 Kenosha Dr	Nick/Michelle Backes	12	Hold 6 BDRM	DATCP sent	YES	YES	Missing application items
	10228 Settlement Ln	Terrence H Rogers	6	3 BDRM	DATCP sent	YES	YES	Missing application items
	11695 Tipperary Ln	Terrence H Rogers	6	3 BDRM	DATCP sent	YES	YES	Missing application items
	12595 Hwy 42	Terrence H Rogers	6	3 BDRM	DATCP sent	YES	YES	Missing application items
	11428 Beach Rd	Peder Nelson	8	3 BDRM	YES	YES	YES	1/26/22 Peder indicated he will provide additional documents when available
	1519 E Door Bluff Rd	James/Carole Maronek	7	3 BDRM	YES	YES	YES	Need to lower advertising occupancy-letter sent 1/4/22
	11692 Tipperary Ln	Susan Beaumont	8	3 BDRM	YES	YES	YES	Need to lower advertising occupancy-letter sent 1/18/22

STR Ordinance Question

1 message

S. Keith Capp <skcapp@gmail.com>

Sat, Jan 29, 2022 at 12:21 PM

To: "Town Clerk" <tl@libertygrove.org>

Nancy and Walter,

Wanted to reach out regarding the short term rental ordinance and something that I have observed. My family recently purchased parcel 018860001 on Birch Field Lane in Liberty Grove. As I reviewed the minutes for the 1/19 board meeting I noticed that one of the neighbor's properties at 1519 Door Bluff Rd, Ellison Bay, WI 54210 or parcels 0180202322824A1, 0180202322824A2, and 0180202322824A3 is listed. One question I have is that if the ordinance requires compliance with the zoning code for short term rentals?

As I read the CZO, 4.08(9)i requires that a secondary dwelling unit shall not be rented for a period of less than 7 consecutive days in the Heartland zoning district. The Maronek's operate 2 rental houses on their property and these are available for rent on a nightly basis for weekends, weekdays, or monthly. (See screenshot below.) Per my conversation with DC land use services office, back in 2001 the Maronek's got a permit to use 672 sq feet of a barn for a home occupation, art gallery, and framing business. There is no mention of them renting their cabins as part of the business. At the very least, only one of the cottages should be available to rent nightly and the other should be only weekly.

Is my interpretation of the zoning code and the ordinance correct? If it is, why is this use allowed to happen contrary to the zoning code?

Thanks!

Stephen K Capp

018860001
0180202322824A1
0180202322824A2
0180202322824A3

Rates: <https://www.silverpoplar.com/rates.htm>



FIREBIRD

Maximum five persons.
Downstairs bedroom has two twin beds with adjacent bath (tub, shower, sink and toilet). Upstairs loft has three twin beds with adjacent bath (shower, sink and toilet). Full kitchen. Great room has living area, dining area, gas fireplace, local TV, radio, CD and DVD. Central heat and air conditioning. Year-round accommodation. An outdoor patio with gazebo and wood burning fireplace is adjacent.

Rates:

Weekends (Friday through Sunday) = \$175 per night (2 night minimum, except 3 night minimum on holiday weekends).
Weekdays (Mon, Tue, Wed, Thur) = \$160 per night. Weekly (Sun thru Sun, or Sat thru Sat) = \$1045.
Monthly rates available.



GRANARY

Maximum four persons (or as approved).
Upstairs bedroom has two full beds. (Stairs are steep.)
Downstairs has a day bed and a futon, with adjacent bathroom (shower, sink and toilet). Basic meal facilities are provided (microwave, mini refrigerator, toaster oven, coffee maker and outdoor BBQ). Screened porch.

Rates:

Weekends (Friday through Sunday) = \$135 per night (2 night minimum, except 3 night minimum on holiday weekends).
Weekdays (Mon, Tue, Wed, Thur) = \$125 per night. Weekly (Sun thru Sun, or Sat thru Sat) = \$815.
Monthly rates available.

- Please add 11% Sales and Room tax.
- All buildings are non-smoking.
- Security deposit required.
- Sorry, no pets.

(i) No secondary dwelling unit shall be rented for a period of less than seven (7) consecutive days. A restrictive agreement shall be recorded to this effect.
(Amended: 28 August 2018; Ord. 2018-16)