

TOWN OF LIBERTY GROVE PUBLIC MEETINGS

Plan Commission

Date: Wednesday, July 13, 2022

Time: 7:00 PM

Place: Town Hall, 11161 Old Stage Road

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 6-8-22
5. Public input
6. Rezoning request for Maria & Ion Nistor, parcel 018-65-0002, Highway 42
7. Consider recommendation to Town Board regarding Nistor request
8. Correspondence
9. Future meeting dates
10. 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
Minutes of the Plan Commission meeting on May 11, 2022**

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 5-11-22
5. Public input
6. Conditional Use Permit Application: Patrick & Jill Hockers – parcel 018-01-02312834B, establish a campground on the property
7. Variance Application: Joseph & Judith Richardt – parcel 018-03-04322924H, setback from ordinary high water mark and setback from side lot line
8. Correspondence
9. Future meeting dates
10. Adjourn

Chair Nancy Goss called the meeting to order at 7:00pm. Commissioners Anne Miller, Dan Watts, Cathy Ward, Cheryl Culver, Paul Bokelmann, and Bill Surbaugh were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell, and 14 members of the public.

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

Surbaugh moved, Goss second to approve the 5/11/22 minutes as presented. Carried 7-0.

Public Input – None.

CUP Hockers parcel 018-01-02312834B – Jim Thomas, Sumac Lane, referenced the DOT reported 2 accidents since February and requested an additional traffic lane be considered due to the anticipated 20% traffic increase with large vehicles accelerating/decelerating. Air pollution may increase due to diesel vehicles and campfires. He requested screening on the south and clarification on the future zoning. Michael O'Brien, White Pine Lane, indicated the Hockers have been good neighbors and asked that consideration be made to lower the speed on County ZZ between Old Stage Road and Fitzgerald's operation, or if truck traffic can be rerouted. He also noted there is significant flooding on the East side of White Pine Lane and inquired if the cabins would be protected from the quarry water. Jodi Bensyl, Buckhorn Lane, noted her concern with the entrance location due to the accident history. She also asked about plans to preserve the current wetlands. Doug Bensyl, Buckhorn Lane, reported 20 accidents at the curve in the last 10 years and noted his concern regarding traffic since there is now additional restaurant housing in the same area. His other questions related to the general operations and enforcement of quiet hours. Pete Hearth of Baudhuin Engineering representing the Hockers, indicated the goal is to keep as many pine trees as possible for screening between the sites and the road. The driveway is as far north as feasible to maintain separate business access points. The natural grade of the land is beneficial for the conventional gravity sanitary system. The County will determine if additional traffic lanes are required, and they can be installed. The Hockers are planning for quiet hours after 10pm and will be available for enforcement. The current zoning allows for a campground, and this use is more favorable than extending the current quarry operations. Pat Hockers, Sumac Lane, noted the White Pine subdivision flooding originates from Hill Road, has been resolved by installing culverts and diverting water to the quarry. The sites are currently 3 times larger than County minimum standards. Matt Hockers, White Pine Lane, noted the camp sites will primarily be seasonal and the cabins may be used year-round. Miller noted diesel regulations are strict and require DEF systems to minimize emissions. Goss thanked the Hockers for the well-prepared application and advised that the County would need to be approached for speed limit changes or additional cautionary signage. Watts noted the tone of operations will dictate the behaviors. Culver indicated the site sizes are very comparable to other campgrounds in the Town.. **Goss moved, Miller second** to recommend to the RPC approval of the campground CUP for parcel 018-01-

02312834B, Patrick and Jill Hockers, with the condition that the County consider lowering the speed limit and/or adding cautionary signage on the short radius curve of County ZZ. Roll call vote: Watts, Culver, Goss, Miller, Surbaugh, Ward, and Bokelmann voting aye, no nays. Carried 7-0.

Variance Richardt parcel 018-03-04322924H – Judith and Joseph Richardt stated that this is currently a small cottage from the 1970s and they would like to add space for this to be a year-round residence. The shoreline of the neighboring property has significantly eroded, and since this is used to measure the ordinary high water mark it has limited their build-out options. The previous zoning administrator was involved when riprap was placed, and the new measurements are significantly different. Goss stated the law requires all three criteria to be met and only the minimum variance can be granted if the property would not allow the project to be completed in another fashion. This may be a case for administrative appeal based on the previous measurements provided. Watts reiterated that the State has a very narrow definition of hardship. Kalms noted that the DNR may be able to mark the shoreline. **Goss moved, Miller second** to recommend the Town Board pass this variance on to the County Board of Adjustment without prejudice due to confusion created from the information received from a previous Zoning Administrator regarding the Ordinary High Water Mark measurement. Roll call vote: Culver, Goss, Miller, Bokelmann, Ward, Surbaugh, and Watts voting aye, no nays. Carried 7-0.

Correspondence – None.

The next tentative meeting will be Wednesday, June 22, 2022 and/or July 13, 2022 at 7:00 pm if a need arises.

Miller moved, Goss second to adjourn at 9:04pm. 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

Kristin Rankin, Zoning Administrator

Direct line: (920) 746-2266

Main office line: (920) 746-2323

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

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

June 23, 2022

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

Re: Proposed rezoning of tax parcel 018-65-0002: Located on State Highway 42

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 July 20, 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.

Maria and Ion Nistor are proposing to rezone parcel # 018-65-0002 located on STH 42 from Heartland-5 (HL5) to Mixed Use Commercial (MC) in order to establish a Multiple Occupancy Development.

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,

Kristin Rankin
Zoning Administrator

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

Request for Town Recommendation

Maria and Ion Nistor are proposing to rezone parcel # 018-65-0002 located on STH 42 from Heartland-5 (HL5) to Mixed Use Commercial (MC) in order to establish a Multiple Occupancy Development.

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.



County of Door LAND USE SERVICES DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

DRAFT STAFF REPORT Petition for Zoning Amendment - Map

Applicant Information

- **Name & property address:** Maria and Ion Nistor, east side of STH 42 at the intersection of STH 42, Porcupine Bay Road, and Hanson Drive
- **Parcel identification number:** 018-65-0002
- **Petition Request:** Rezone from Heartland-5 (HL5) to Mixed Use Commercial (MC)
- **Purpose of the proposed rezoning:** Owner proposes to establish a Multiple Occupancy Development.

Background/History

- In 2002, a regular zoning permit and sanitary permit were issued for a single-family home. The sanitary permit expired, the residence was never constructed, and the parcel remains vacant.

Description of Subject Property and Surrounding Area

Lot Configuration:

- **Lot area, width, and depth:** Vacant, irregularly-shaped, 5.01 acres
- **Road Frontage:** Access is taken from STH 42, with 450' of frontage.

Surrounding Area: All of the surrounding properties are zoned Heartland-3.5, Heartland-5, and Heartland-10 and contain primarily low-density residential and agricultural uses. See attached air photos and zoning map.

Zoning Considerations

- **Section 2.03(19): Purpose of the Heartland-5 (HL5) zoning district:** "This district is intended for mostly rural areas of the interior of Door County where agricultural activity has been declining, or where a mixture of rural residential and agricultural use is desired or existing. The district provides for residential development at densities slightly less than the Heartland-3.5 district in order to maintain a generally rural environment. The district also provides for agricultural uses and certain other nonresidential uses that require relatively large land areas and/or which are compatible with surrounding residential uses. Lot sizes of at least 5 acres 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.** Please see the attached Table of Principal Uses to compare the types of uses allowed in the existing zoning district as opposed to the proposed zoning district. 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.

- **Zoning District Requirements.** Please see the attached Table of District Requirements to compare minimum lot size requirements, maximum impervious surface ratios, and setbacks.

Issues for the RPC to consider in evaluating petitions to rezone are below. A brief staff opinion regarding these matters is at the end of the list of questions. The RPC needs to reach its own determinations, though.

- 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?
- Will rezoning allow for higher intensity or higher density uses than those allowed on surrounding properties?
- 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.)

All of the properties surrounding the subject lot are zoned Heartland-3.5, Heartland-5, and Heartland-10, with those respective minimum lot size requirements. Mixed Use Commercial zoning requires a minimum lot size of 20,000 square feet; the requested rezoning would therefore allow for the lot to be split into a number of lots. A rezoning to Mixed Use Commercial would also allow a much greater intensity of commercial and/or residential uses on the existing parcel or any smaller parcels if created. The current and surrounding zoning is consistent with how the area is being used, which is primarily for low-density residential and agricultural uses. In summary, a rezoning to Mixed Use Commercial would create an island of commercial zoning within an area that is currently being used for low-density residential and agricultural purposes.

Comprehensive Plan Considerations

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

The subject lot has the Rural Agricultural future land use designation as described below and shown on the attached map.

Rural Residential – Areas designated as “Rural Residential” are intended to develop with predominantly single-family residential uses, generally on larger parcels and in areas removed from designated community centers, core areas, or “downtowns.” These areas consist primarily of wooded uplands, areas where agricultural activity has greatly diminished, and certain areas adjacent to existing developed areas. Typically, public sewer is not available, though some of these areas have been platted or are beginning to develop at relatively low densities. Development in these areas should continue at modest densities and be consistent with the generally rural character of these areas. Commercial activity should be discouraged except for uses that are compatible with lower density residential development.

A rezoning from Heartland-5 to Mixed Use Commercial is not consistent with the Rural Residential future land use category due to the greater density and intensity of uses that are allowed in the Mixed Use Commercial zoning district versus Heartland-5. The Rural Residential future land use category is intended to keep development as primarily single-family residential. Also, the surrounding properties all have the Rural Agricultural, Rural Residential, and Woodland/Wetland/Natural future land use designations, except for the lot directly to the north which has an Institution/Government future land use designation and contains a church. Any multiple occupancy development on the subject property would not be in keeping with the Plan’s intention to keep this area generally rural in character. Also, the Mixed Use Commercial district may allow activities that are not compatible with the surrounding low-density residential development.

- **Relevant goals/objectives/action items from comprehensive plan.** None.

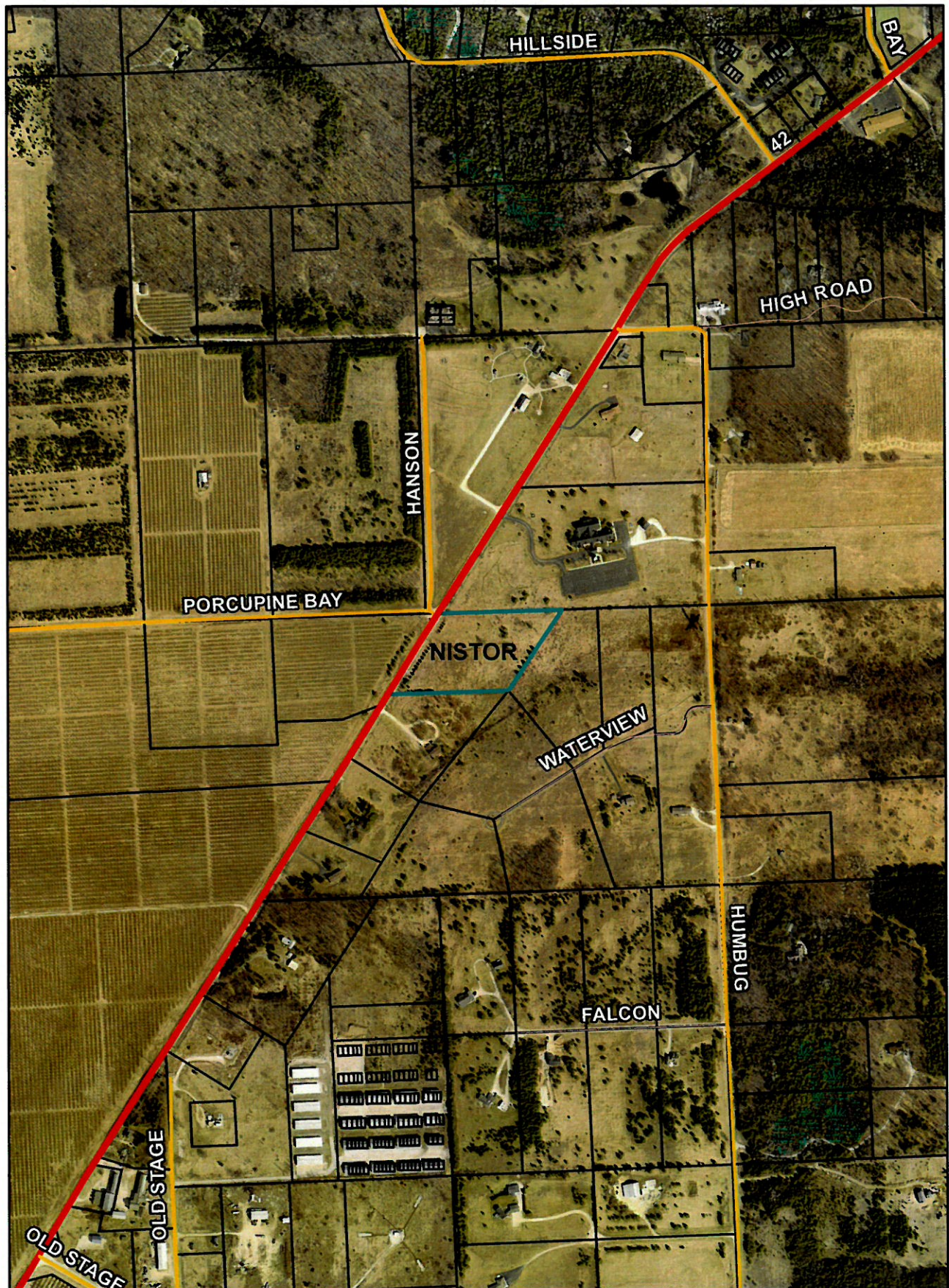
- **Other relevant text from county comprehensive plan.** None.

KLR/RYP/MKG June 21, 2022

Aerial Map (neighborhood)

Nistor: 018-65-0002

Proposed rezoning: Heartland 5 (HL5) to Mixed Use Commercial Center (MC)



Aerial Map (close-up)

Nistor: 018-65-0002

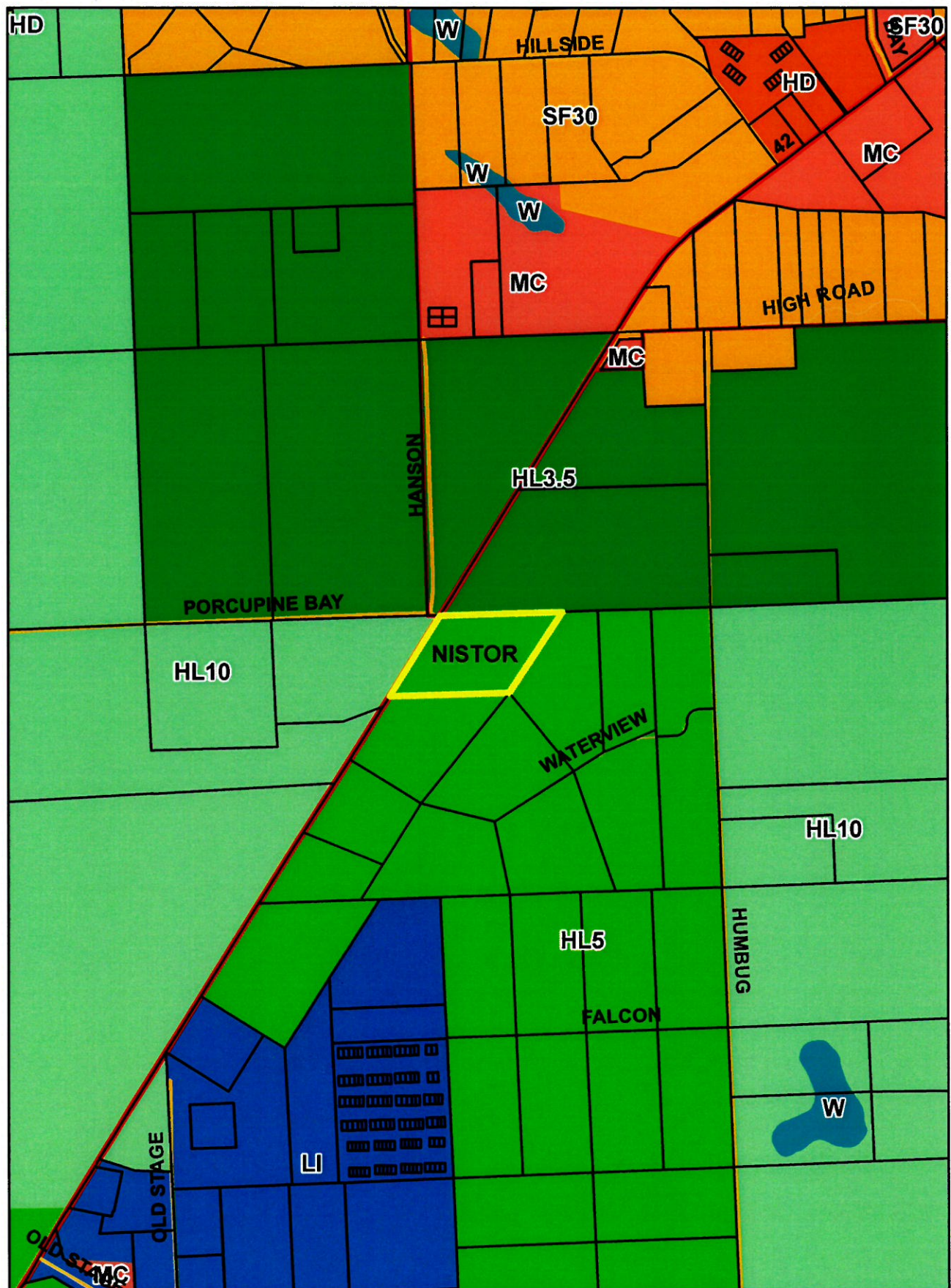
Proposed rezoning: Heartland 5 (HL5) to Mixed Use Commercial Center (MC)



Zoning Map

Nistor: 018-65-0002

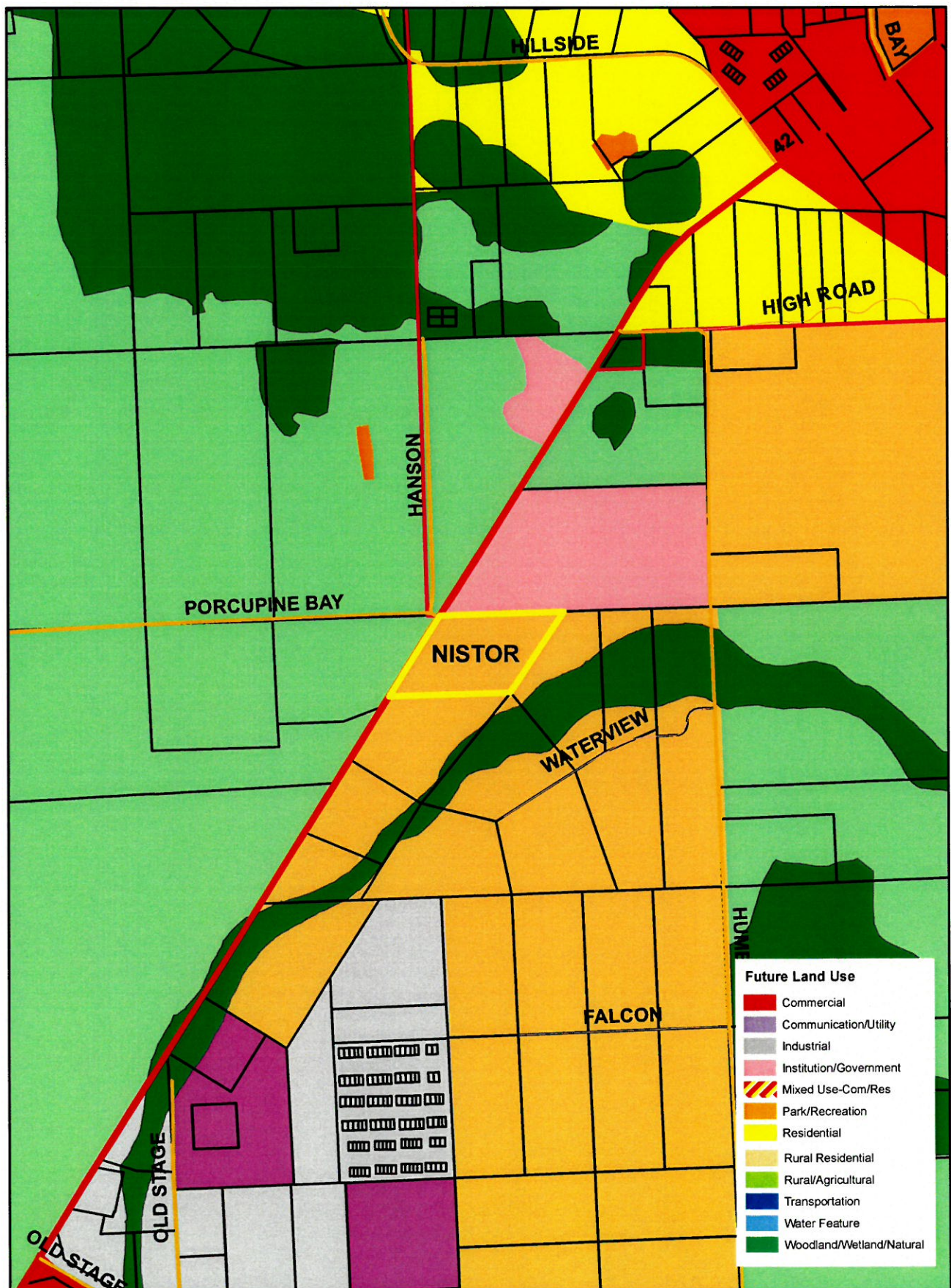
Proposed rezoning: Heartland 5 (HL5) to Mixed Use Commercial Center (MC)



Future Land Use Map

Nistor: 018-65-0002

Proposed rezoning: Heartland 5 (HL5) to Mixed Use Commercial Center (MC)



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

Type of Use	Zoning Districts												
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	R1
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					
Greenhouses (Amended: 30 Sept 2010; Ord. 2010-13)			p ¹⁷	P	p ¹	P	P	p ¹					
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						
Assembly Hall (s. 4.04(17)) (Added: 5 Aug. 2013; Ord. 2013-13)				C ¹⁴	C	C	C ¹⁴	C					
Auto Repair (s. 4.04(5))				C		C							
Auto/Recr. Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14)													
Banks													
Carwash (Added: 27 August 2002; Ord. 12-02)													
Commercial Fishing Facilities				P		P							
Commercial Trucking Establishments (Amended: 30 Sept 2010; Ord. 2010-13)			C ^{3,17}	C ³									
Commercial Storage Facilities (s. 4.04(8))													
Community Commercial Kitchen (s. 4.04(16)) (Added: 28 May 2012; Ord. 2012-13)													
Conference Facilities													
Day Care Centers (s. 4.04(14))													

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

Type of Use	Zoning Districts												
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	R1
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	F
Farm Implement Sales/Service (Amended: 30 September 2010; Ord. 2010-13)			C ²²	C	C	C							
Ferry Terminals													
Fertilizer Distribution Plants (Amended: 30 Sept., 2010, Ord. 2010-13)			C ²²	C	C	C							
Fitness Centers, Tanning Salons & Spas (Added: 30 January 2003; Ord. 01-03)													
Funeral Homes													
Gas Stations													
Grain Mills (Amended: 30 September 2010; Ord. 2010-13)			C ²²	C	C	C							
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
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	F
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	F
Indoor Recreation													
Kennels (s. 4.04(2))				P	P	P							
Laundromats and Laundry Service													
Lumber/Building Supply Yards (s. 4.04(6))													
Medical/Dental Clinics													
Model Homes (s. 4.04(4))							C	C	C	C	C	C	F

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

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Type of Use	Zoning Districts												
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	R
INDUSTRIAL USES (Continued)													
Sawmills/Planing Mills (s. 4.05(1)) (Amended: 30 Sept 2010; Ord. 2010-13)		C	C ²²	P	C	P	C						
Sewage Disposal/Treatment Plants (Amended: 30 Sept 2010; Ord. 2010-13)				C		C	C						
Slaughterhouses				C		C							
Solid Waste Facilities (s. 4.05(5)) (Amended: 30 Sept 2010; Ord. 2010-13)				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
Wholesale Establishments/Distributorships													
INSTITUTIONAL USES													
Auditorium (Added: 25 June 2013; Ord. 2013-12)													
Cemeteries (Amended: 30 Sept 2010; Ord. 2010-13)		P	C ²⁰	P	P	P	P	P		P ¹⁴	P	P	P
Churches (Amended: 30 Sept 2010; Ord. 2010-13)		C	C ²⁰	C	C	C	C	C		C ¹⁴	C	C	C
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					
Fire/Police Stations (Amended: 30 Sept 2010; Ord. 2010-13)				C		C	P	C				C	C
Hospitals													
Institutional Residential				C		C							
Libraries/Museums (Amended: 28 June 2006; Ord. 2006-11)							C			C ¹²			
Post Offices													
Private Schools (Amended: 30 Sept 2010; Ord. 2010-13)			C ¹⁷	C		C	C	C				C	C

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

Type of Use	Zoning Districts												
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	R
INSTITUTIONAL USES (Continued)													
Public Schools (Amended: 30 Sept., 2010; Ord. 2010-13)			C ²⁰	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
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
Travelers' Information Centers													
OUTDOOR RECREATIONAL USES													
Amusement Park													
Campgrounds/Trailer Camps (s. 4.07(2)) (Amended: 24 Feb. 2004; Ord. 2004-04)		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
Commercial Riding Stables (s. 4.07(4)) (Amended: 28 May 1996; Ord. 11-96)		C		C	C	C	C						
Golf Courses						C	C ¹⁴	C				C ¹⁴	
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						
Marinas/Excursion Boating/Charter Fishing (s. 4.07(5))													
Outdoor Active Recreation Facility (Added: 26 Feb. 2013; Ord. 2013-07) (s.4.07(9))		C		C	C	C	C	C					
Outdoor Theatre													

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Type of Use	Zoning Districts												
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	R
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	I
Private Riding Stables (s. 4.07(4)) (Amended: 30 Sept., 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P				P	
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
Retreat Centers (s. 4.07(7)) (Amended: 18 Dec 1997; Ord. 40-97)		C		C		C	C	C					
Ski Resorts													
RESIDENTIAL USES													
Accessory Residences (s. 4.08(3)) (Amended: 27 July 2000; Ord. 17-00) (Amended: 17 April 2012; Ord. 2012-14)													
Bed & Breakfast Establishments (s. 4.08(10)) (Amended: 9 Nov 2011; Ord. 2011-14)		P		P	P	P	C	P		C ¹⁴	C	P	
Boardinghouses (s. 4.08(11)) (Amended: 9 Nov 2011; Ord. 2011-14)				P	P	P	P	P					
Conservation Subdivisions (Ch. 6) (Added 4 April 2011; Ord. 2011-05) (Amended: 22 Feb. 2022; Ord. 2022-03)		P		P	P	P	P	P		P	P	P	P
Duplexes (Amended: 22 Feb. 2022; Ord. 2022-03)				P		P	P						I
Dwellings for Agricultural Production & Processing Workers (s. 4.08(7)) (Added: 25 June 1996; Ord. 16-96) (Amended: 22 Feb. 2022; Ord. 2022-03)				P	P	P	P						
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)) (Amended: 22 Feb. 2022; Ord. 2022-03)						P	P						
Manufactured Home Parks (s. 4.08(5))						C	C ¹⁴						
Multiple Occupancy Developments (s. 4.08(8)) (Amended: 5 Oct. 1998; Ord. 22-98)													

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

Type of Use	Zoning Districts												
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RU
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
Single Family Residences (Amended: 30 Sept. 2010; Ord. 2010-13)		P	P ¹⁹	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
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							
Municipal/Commercial Parking Lots													
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
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
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.

(3)(a) Table of district requirements – General. This table shall apply as appropriate wherever this Ordinance

ZONING DISTRICT Development Type	Individual Lot Requirements			Yards					(C) Manual
	Min. Lot Area	Min. Lot Width ⁶ (feet)	Max. Imperv. Surface Ratio ¹	Side Principal (feet)	Side Access- sory (feet)	Rear Principal (feet)	Rear Access- sory (feet)	Front (feet)	Min. Arc
HEARTLAND-5 (HL5) All Other Development Conservation Subdivision(Added: 4 April 11, Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022- 05) Manufactured Home Park (Added: 28 May 1996; Ord. 13-96)	5 acres 10,000 4,500 ⁵	250 65 50 ⁵	25% n/a n/a	40 ³ 40 ² 40 ²	20 20 ² 40 ²	50 50 ² 40 ²	40 40 ² 40 ²	25 25 25	n/a 10 ac 20 ⁴ a
HEARTLAND-10 (HL10) All Other Development Conservation Subdivision(Added: 4 April 2011, Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022- 05) Manufactured Home Park (Added: 28 May 1996; Ord. 13-96)	10 acres ⁸ 10,000 4,500 ⁵	300 65 50 ⁵	25% n/a n/a	40 ³ 40 ² 40 ²	20 20 ² 40 ²	50 50 ² 40 ²	50 50 ² 40 ²	25 25 25	n/a 10 ac 20 ⁴ a
ESTATE(ES) All Other Development Conservation Subdivision(Added: 4 April 2011;Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022-05)	5 acres 10,000	250 65	25% n/a	25 25 ²	20 20 ²	50 50 ²	40 40 ²	25 25	n/a 10 ⁸ a
SINGLE FAMILY RESIDENTIAL- 10,000 (SF10) All other Development (with public sewer) (Amended: 22 Mar. 2022; Ord. 2022-05)	10,000	65 ¹¹	45%	10	5	20	10	25	n/a
SINGLE FAMILY RESIDENTIAL- 20,000 (SF20) All Other Development • unsewered • with public sewer Conservation Subdivision (Added: 4 April 2011;, Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022- 05)	20,000 16,200 10,000	100 90 65	45% 45% n/a	10 10 20 ²	5 5 10 ²	40 40 40 ²	10 10 20 ²	25 25 25	n/a n/a 1.8 ac
SINGLE FAMILY RESIDENTIAL- 30,000 (SF30) All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022-05)	30,000 10,000	150 65	35% n/a	20 40 ²	15 30 ²	50 50 ²	20 40 ²	25 25	n/a 2.8 ac
SMALL ESTATE RESIDENTIAL (SE) All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022- 05)	1.5 acres 10,000	150 65	25% n/a	20 40 ²	15 30 ²	50 50 ²	20 40 ²	25 25	n/a 6 ac

(3)(a) Table of district requirements – General. This table shall apply as appropriate wherever this Ordinal

<u>ZONING DISTRICT</u> Development Type	Individual Lot Requirements			Yards				
	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)
<u>RURAL RESIDENTIAL (RR)</u>								
All Other Development (Deleted: 22 Mar. 2022; Ord. 2022-05)	40,000	150	35%	20	15	50	20	25
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022- 05)	10,000	65	n/a	40 ²	30 ²	50 ²	40 ²	25
Manufactured Home Park	4,500 ⁵	50 ⁵	n/a	40 ²	40 ²	40 ²	40 ²	25
<u>HIGH DENSITY RESIDENTIAL (HD)</u>								
All Other Development	20,000	100	45%	10	5	20	10	25
• unsewered	16,200	90	45%	10	5	20	10	25
• with public sewer								
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022-05)	10,000	65	n/a	20 ²	10 ²	40 ²	20 ²	25
Manufactured Home Park	4,500 ⁵	50 ⁵	n/a	40 ²	40 ²	40 ²	40 ²	25
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Octob							
<u>COMMERCIAL CENTER (CC)</u>								
All Other Development	20,000	100	75%	10	5	20	10	25
• unsewered								
• with public sewer	16,200	90	75%	10	5	20	10	25
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oc							
<u>MIXED USE COMMERCIAL (MC)</u>								
All Other Development	20,000	100	45%	10	5	20	10	25
• unsewered								
• with public sewer	16,200	90	45%	10	5	20	10	25
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct							
<u>RECREATIONAL COMMERCIAL (RC)</u>								
All Other Development	20,000	100	45%	10	5	20	10	25
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) (Amended: 22 Mar. 2022; Ord. 2022- 05)	10,000	65	n/a	20 ²	10 ²	20 ²	20 ²	25
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct							
<u>LIGHT INDUSTRIAL (LI)</u>								
All Development	60,000	200	60%	20 ⁷	10 ⁷	20 ⁷	10 ⁷	25

Key: n/a – Not applicable.

FOOTNOTES:

1. Regarding impervious surface ratio regulations:

- a. For lots existing as provided in s. 3.04(5), lots created prior to the effective date of this Ordinance, the maximum impervious surface ratio on the lot shall be as it existed on the effective date of this Ordinance or as required here, whichever is greater. (Amended: 20 Sept. 2016; Ord. 2016-14)
- b. For lots in zoning districts with impervious surface ratio allowances less than 30%, where a portion of but not the entire lot, is subject to the Door County Shoreland Zoning Ordinance, the shoreland ordinance allowances only shall be applied to the entire lot. (Added: 20 Sept. 2016; Ord. 2016-14)
- c. For conservation subdivisions and manufactured home parks, the maximum impervious surface ratio shall be calculated using the entire development, with the maximum being no more than that allowed for an individual lot in the district. (Amended: 17 April 2012; Ord. 2012-14) (Amended: 27 May 2014; Ord. 2014-10)
- d. Property owners seeking to exceed the allowable impervious surface ratio shall be required to obtain an Impervious Surface Authorization permit as described in s. 11.03. (Added: 20 Sept. 2016; Ord. 2016-14)

2. For conservation subdivisions and manufactured home parks, the yards refer to minimum yard requirements as measured from perimeter of site area devoted to development. (Amended: 17 April 2012; Ord. 2012-14)

3. For lots existing as provided in s. 3.04(5), lots created prior to the effective date of this Ordinance, the minimum side yard requirements shall be 20% of the lot width or 50 feet in the EA, GA, and PA district or 40 feet in the CS, HL3.5, HL5, and HL10 districts, whichever is less. In the Heartland zoning districts in the Town of Gibraltar, the minimum side yard requirement for lots existing as provided in Section 3.04(5) shall be 20% of the lot width or 20 feet, whichever is less. (Amended 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006) (Amended: 27 May 2014; Ord. 2014-10) (Amended: 20 Sept. 2016; Ord. 2016-14)

4. This minimum area requirement shall include areas which are one half of one-sixteenth of a section as shown on the original United States Government Survey, such areas being 20 acres, or nearly so, in size.

5. Refers to minimum area or minimum width requirements for individual manufactured home sites within a manufactured home park. (Amended: 25 June 1996; Ord. 16-96)

6. (Amended: 22 October 1996; Ord. 29-96) (Deleted: 20 Sept. 2016; Ord. 2016-14)

7. For side and rear lot lines that coincide with district, such yard requirements shall be double (96)

8. This minimum area requirement shall include quarter sections (1/64th of a section) as described on Government Survey, said parcels being 10 acres. (Added: 22 October 1996; Ord. 33-96) (Amended: 4 April 2012; Ord. 2012-14)

9. Minimum lot area in the Countryside (CS) and Harbor shall be 5 acres. (Added: 26 June 2008; Ord. 2008-16)

10. The minimum lot width in the Countryside and Baileys Harbor shall be 250'. (Added: 26 June 2008; Ord. 2008-16)

11. The minimum lot width for corner lots shall be 250'. (Added: 22 February 2011; Ord. 2011-03)

12. (Added: 17 April 2012; Ord. 2012-14) (Deleted: 20 Sept. 2016; Ord. 2016-14)

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. 018, 65 0002 Road/Highway/ Street, more particularly described as follows (attach copy of deed, tax bill, or survey):

from Hearland-5 Zoning District to 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.

Dated this 4 day of 15, 2022.

Respectfully submitted,

Marie Nistor
NAME

EMAIL
2295 Hill road #1
MAILING ADDRESS (STREET)

Sister Bay WI 54234
CITY, STATE & ZIP CODE

920-850-1921
TELEPHONE

[Signature]
LEGAL SIGNATURE

4-15-2022
DATE

RECEIVED

APR 15 2022

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

ACTION TAKEN

(By County Planning Committee)

DATE _____
Approved _____ Denied _____

(By Board of Supervisors)

DATE _____
Approved _____ Denied _____

PARCEL
NO.: 0 018 65 0002

DATE FILED: _____

FEE PAID (Date) _____
Receipt No: _____ Fee: (\$750.00)
(Make check payable to: Door County Treasurer)

1/8/2021





Town of Liberty Grove

We're Like Nowhere Else

June 23, 2022

To: Maria & Ion Nistor

Ref: Proposed rezoning of a tax parcel: 018-65-0002

This letter comes to you as notice that the Town of Liberty Grove has received a copy of your proposed rezoning of tax parcel 018-65-0002.

The Town Plan Commission will discuss and act on this application at a meeting to be held Wednesday, July 13, 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 July 13th 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

Anastasia Bell, Clerk/Treasurer
Town of Liberty Grove



Town of Liberty Grove

We're Like Nowhere Else

June 23, 2022

To: Adjacent landowners of Maria & Ion Nistor, parcel # 018-65-0002

Ref: Proposed rezoning of a tax parcel 018-65-0002

This letter comes to you as notice that Maria & Ion Nistor have submitted a proposal to rezone the whole parcel from Heartland-5 (HL5) to Mixed Use Commercial (MC) in order to establish a Multiple Occupancy Development. The property is located On State Highway 42

The Town Plan Commission will discuss and act on this application at a meeting to be held Wednesday, July 13, 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 July 13th 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

MARIA NISTOR
2295 HILL RD #1
SISTER BAY, WI 54234

THOMAS HAFT
8310 DOLOMITE LN
MADISON, WI 53719

LIBERTY GROVE HISTORICAL SOCIETY INC
PO BOX 94
ELLISON BAY, WI 54210

SHEPHERD OF THE BAY LUTHERAN
CHURCH
PO BOX 27
ELLISON BAY, WI 54210

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

RANDALL ALAN PARKER
415 DAWOW AVE
EVANSTON, IL 60202

JOHN R MINOGUE TRST
430 NEWPORT DR
NAPERVILLE, IL 60565

WALLACE LHOST
11770 STATE HIGHWAY 42
ELLISON BAY, WI 54210

MICHELLE A MINDEL
1231 GREEN ACRES
LN NEENAH, WI 54956



Town Clerk <tlibertygrove@gmail.com>

Parcel between our house and shepherd of the bay

K Lhost <[REDACTED]>
To: Tlibertygrove@gmail.com

Mon, Jun 27, 2022 at 1:03 PM

Hello all

My name is Kaila Lhost and I am the wife of Wallace and we are located just south of the parcel of property that is trying to get the zoning changed. We really do not want an apartment or a hotel right next to our property we bought the property knowing that only houses could be built around us. I don't understand why a 5 acres of property can build a home for 5 families when you can only put 1 residential home at the same size lot. And if those lots are with our lot wouldn't all of us who are in the subdivision have to agree to this? Thank you

Kaila Lhost

DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS
FOR
ORCHARD HILL PROPERTIES

This Declaration of Covenants, Restrictions and Easements, made this 5th day of April, 1996, by Donald D. Koepsel and Donna L. Koepsel, husband and wife (hereinafter collectively referred to as "Owner").

R E C I T A L S:

WHEREAS, Owner is the record owner of that property described in the attached Exhibit A (hereinafter referred to as "subject property"). Said property has been surveyed into ten (10) tracts by Lee E. Telfer, being designated as Lots 1 through 10 of Orchard Hill Properties, together with a road easement serving certain of the properties as set forth hereinbelow. Each lot shall be created of record at the time of the sale thereof; and

WHEREAS, Owner desires to preserve the natural beauty and character of the subject property and to provide for the harmonious, compatible and careful development of said property for the benefit of the Purchasers of said lots, their respective heirs, successors and assigns.

THEREFORE, Owner does now make the following Declaration of Covenants, Restrictions and Easements:

1. Lots, and any part thereof, shall be used and occupied for residential purposes only. No lot shall be used or occupied for commercial purposes, including, without limitation, retail, wholesale or industrial, except those home occupations permitted by the Door County Zoning Ordinance and any amendments thereto.
2. There shall not be more than one single-family residence erected on any lot. Each residence shall have an attached garage of not less than fourteen (14) feet in width. One outbuilding may be constructed on each lot; such outbuilding, if any, shall not exceed 1,000 square feet in area. No metal structures or pole buildings may be constructed on any of the lots.
3. Ground floor area of a single-family residence, exclusive of open porches and garages, shall be not less than 1,500 square feet for a one-story residence, nor less than 1,000 square feet for a residence of more than one story.
4. The exterior of any building constructed on the subject property shall be completed within one (1) year from the date of commencement of general construction on the lot.
5. No lot shall be used or occupied for camping or tenting. No tent, trailer, camper, mobile home or temporary structure of any kind shall be used for dwelling purposes on any lot at any time.

6. No boat, camper, trailer or other item of personal property may be stored on any lot, except in the garage on said lot.

7. No cattle, horses, poultry, goats or other similar animals shall be boarded or kept on any lot. This provision shall not be interpreted as to prohibit cats, dogs, or other household pets.

8. No public or private nuisance of any kind shall be permitted on any lot. For the purposes of this Declaration, "nuisance" shall include, but not be limited to, the following:

A. Any act, omission, object or course of conduct which may be construed by a court of law to constitute a public or private nuisance.

B. The burning of vegetation or refuse outside of the residence.

C. Any substantial failure to maintain the condition of the residence, including exterior surfaces, siding, roofing, doors and windows and other exposed components of such buildings. Residences shall be maintained in good condition at all times, such maintenance to include necessary painting, repair or replacement of warped or damaged siding, repair or replacement of damaged roofing and replacement of all broken glass.

D. Any substantial failure to maintain the conditions of the grounds, including lawns, shrubs, gardens and trees. Grounds shall be properly maintained at all times, including regular cutting of lawn areas, neat trimming of all shrubs and bushes, pruning of trees and removal of dead branches and removal of unsightly weeds.

9. The private road and utility easement described in the attached Exhibit A benefits and burdens Lots 1, 2, 3, 4, 5, 8, 9 and 10, and the owners of said lots shall share equally in the maintenance, repair and snow removal expenses of said private road. Notwithstanding the foregoing, it is understood that construction vehicles may cause damage to the private road during the construction of a residence on the subject property, and it shall be the responsibility and obligation of the owner of the property on which construction activities are taking place to repair and maintain that portion of the private road being used by such construction vehicles throughout the construction at such owner's sole expense.

10. The private road is to be used for purposes of ingress and egress to the benefitted lots, but shall not be used for parking.

11. The private road and utility easement includes easements for the installation, construction, reconstruction, maintenance, repair, operation and inspection of buried

telephone, electric or other public or private utility services serving each lot listed in Paragraph 9 above. All utilities serving said lots shall be buried and in no event shall overhead wires or utilities be installed or maintained on the premises, excepting those in place on the date hereof.

IN WITNESS WHEREOF, this Declaration of Covenants, Restrictions and Easements is executed this 5th day of April, 1996.

Donald D. Koepsel
Donald D. Koepsel

Donna L. Koepsel
Donna L. Koepsel

STATE OF WISCONSIN)
COUNTY OF DOOR)

Personally came before me this 5th day of April, 1996, the above-named Donald D. Koepsel and Donna L. Koepsel to me known to be the persons who executed the foregoing document.

Notary Public, State of Wisconsin
My commission: 6-27-99

Lorraine M. Shields, owner of a Land Contract vendor's interest in the subject property, hereby consents to the Declaration of Covenants, Restrictions and Easements set forth hereinabove.

Lorraine M. Shields
Lorraine M. Shields

STATE OF ~~ILLINOIS~~ Wisconsin)
COUNTY OF ~~Kankakee~~ Door)

Personally came before me this 2nd day of May, 1996, the above-named Lorraine M. Shields to me known to be the person who executed the foregoing document.

Notary Public, State of Illinois
My commission: 10-26-99

Return
This document drafted by:
Attorney Collin J. Dahl

'96 MAY 30 PM 1 31

DOOR COUNTY, WI
MARILYN JADIN
REGISTER OF DEEDS

18⁰⁰

EXHIBIT A - PAGE 1 OF 2

That portion of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) and the Northwest Quarter (NW 1/4) of said Northwest Quarter (NW 1/4), Section Twenty-two (22), Township Thirty-two (32) North, Range Twenty-eight (28) East, Town of Liberty Grove, Door County, Wisconsin, described as follows: Beginning at the North 1/4 corner of said Section 22 marked by a Door County aluminum monument; thence South 89 degrees 43 minutes 44 seconds West along the Northerly line of said Section 22 33.00 feet to a 3/4" iron pipe; thence continue South 89 degrees 43 minutes 44 seconds West along said Northerly line 1208.36 feet to a 3/4" iron pipe on the Easterly R/W of State Trunk Highway 42; thence continue South 89 degrees 43 minutes 44 seconds West along said Northerly line 39.66 feet to the center of said State Trunk Highway 42; thence South 33 degrees 25 minutes 32 seconds West along said center 807.39 feet; thence South 56 degrees 34 minutes 28 seconds East perpendicular to said center 33.00 feet to a 3/4" iron pipe on said Easterly R/W; thence continue South 86 degrees 34 minutes 28 seconds East 384.15 feet to a 3/4" iron pipe; thence South 33 degrees 25 minutes 32 seconds West 540.62 feet to a 1" iron pipe on the Southerly line of said NW 1/4, NW 1/4; thence North 89 degrees 27 minutes 08 seconds East along said Southerly line 379.06 feet to a 1" iron pipe; thence continue North 89 degrees 27 minutes 08 seconds East along the Southerly line of said NE 1/4, NW 1/4 1299.48 feet to a 1" iron pipe on said Westerly R/W of High Road; thence continue North 89 degrees 27 minutes 08 seconds East along said Southerly line 33.00 feet to the N-S 1/4 line of said Section 22; thence North 00 degrees 47 minutes 40 seconds West along said N-S 1/4 line 1333.65 feet to the place of beginning, containing 47.1301 acres. The Easterly 33.00 feet of this tract and the Westerly 33.00 feet of this tract are subject to rights of the public for highway purposes.

A portion of the above being now described as follows:

Lot 10

That portion of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4), Section Twenty-two (22), Township Thirty-two (32) North, Range Twenty-eight (28) East, Town of Liberty Grove, Door County, Wisconsin, described as follows: Beginning at the North 1/4 corner of said Section 22 marked by a Door County aluminum monument; thence South 89 degrees 43 minutes 44 seconds West along the Northerly line of said Section 22 33.00 feet to a 3/4" iron pipe on the Westerly R/W of High Road; thence continue South 89 degrees 43 minutes 44 seconds West along said Northerly line 245.71 feet to a 1" iron pipe; thence South 00 degrees 47 minutes 40 seconds East 592.13 feet to a 1" iron pipe on the Northerly R/W of a 30.00 foot wide roadway; thence continue South 00 degrees 47 minutes 40 seconds East 15.00 feet to the center of said roadway; thence North 89 degrees 12 minutes 20 seconds East along said center 87.70 feet; thence continue along said center on a 58.00 foot radius curve to the left 91.11 feet (chord bearing North 44 degrees 12 minutes 20 seconds East 82.02 feet); thence continue along said center North 00 degrees 47 minutes 40 seconds West 7.00 feet; thence continue along said center on a 58.00 foot radius curve to the right 91.11 feet (chord bearing North 44 degrees 12 minutes 20 seconds East 82.02 feet); thence continue along said center North 89 degrees 12 minutes 20 seconds East 42.00 feet to said Westerly R/W of High Road; thence continue North 89 degrees 12 minutes 20 seconds East 33.00 feet to the N-S 1/4 line of said Section 22; thence North 00 degrees 47 minutes 40 seconds West along said N-S 1/4 line 461.58 feet to the place of beginning, containing 3.5007 acres. The Easterly 33.00 feet of this tract is subject to rights of the public for highway purposes. The Southerly 15.00 feet of this tract is subject to an easement for roadway and utility purposes.

EXHIBIT A - PAGE 2 OF 2

Lot 9

That portion of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4), Section Twenty-two (22), Township Thirty-two (32) North, Range Twenty-eight (28) East, Town of Liberty Grove, Door County, Wisconsin, described as follows: Commencing at the North 1/4 corner of said Section 22 marked by a Door County aluminum monument; thence South 89 degrees 43 minutes 44 seconds West along the Northerly line of said Section 22 33.00 feet to a 3/4" iron pipe on the Westerly R/W of High road; thence continue South 89 degrees 43 minutes 44 seconds West along said Northerly line 245.71 feet to a 1" iron pipe marking the place of beginning; thence South 00 degrees 47 minutes 40 seconds East 574.13 feet to a 1" iron pipe; thence South 68 degrees 00 minutes 39 seconds West 268.14 feet to the center of a 30.00 foot wide roadway; thence North 00 degrees 47 minutes 40 seconds West 16.71 feet to a 1" iron pipe on the Northerly R/W of said roadway; thence continue North 00 degrees 47 minutes 40 seconds West 656.64 feet to a 1" iron pipe on said Northerly line of said Section 22; thence North 89 degrees 43 minutes 44 seconds East along said Northerly line 250.01 feet to place of beginning, containing 3.5796 acres. A portion of the Southerly 15.00 feet of this tract is subject to an easement for roadway and utility purposes.

Private Road and Utility Easement

A 30.00 foot wide easement for roadway and utility purposes in that portion of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4), Section Twenty-two (22), Township Thirty-two (32) North, Range Twenty-eight (28) East, Town of Liberty Grove, Door County, Wisconsin, lying 15.00 feet on each side of the following described center line: Commencing at the North 1/4 corner of said Section 22 marked by a Door County aluminum monument; thence South 00 degrees 47 minutes 40 seconds East along the N-S 1/4 line of said Section 22 481.58 feet to the place of beginning of said easement center line; thence South 89 degrees 12 minutes 20 seconds West 33.00 feet to the Westerly R/W of High Road; thence continue along said center South 89 degrees 12 minutes 20 seconds West 42.00 feet; thence continue along said center on a 58.00 foot radius curve to the left 91.11 feet (chord bearing South 44 degrees 12 minutes 20 seconds West 82.02 feet); thence continue along said center South 00 degrees 47 minutes 40 seconds East 7.00 feet; thence continue along said center on a 58.00 foot radius curve to the right 91.11 feet (chord bearing South 44 degrees 12 minutes 20 seconds West 82.02 feet); thence continue along said center South 89 degrees 12 minutes 20 seconds West 154.09 feet; thence continue along said center on a 100.00 foot radius curve to the left 36.09 feet (chord bearing South 78 degrees 36 minutes 29 seconds West 36.78 feet); thence continue along said center South 89 degrees 00 minutes 39 seconds West 158.15 feet; thence continue along said center South 50 degrees 48 minutes 40 seconds West 513.32 feet to the center of a 50.00 foot radius cul-de-sac and including all that area within said 50.00 foot radius cul-de-sac.

July 8, 2022

Town Plan Commission/Board:

Options the Town Board has with a petition for a zoning change in Wis. Stat. 59.69:

59.69(5)(c): Board can approve the zoning change.

59.69(5) e. (3): If disapprove, Town Board files a certified copy of the disapproving resolution before, at or within 10 days after the public hearing on the application. Then—county may not recommend approval of the application without change but may only recommend approval with change or recommend disapproval.

59.69(5) e. 3m. The Town may extend its time for disapproving by 20 days if the Board adopts a resolution providing for the extension and files a certified copy of the resolution with the county clerk. The 20-day extension remains in effect until the Town Board adopts a resolution rescinding the 20-day extension and files a certified copy of the resolution with the County Clerk.