

TOWN OF LIBERTY GROVE PUBLIC MEETINGS

Plan Commission

Date: Wednesday, April 12, 2023

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: 3-22-23
5. Public input
6. Conditional Use Permit Application: Jonathan and Megan Orrick – parcel 018-38-0004, establish a Trade and Contractor Establishment as a home business.
7. Petition for Variance: Lakeview Lodge LLC – parcels 018-01-01312821K and 081-01-01312821A1, Ordinary High Water Mark Setback and Wetland Setback
8. HL-10 Text Amendment Language Clarification
9. Correspondence
10. Future meeting dates
11. 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 March 22, 2023

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 3-8-23
5. Public input
6. HL-10 Text Amendment Language Clarification
7. Review of Current and Future Town Zoning Maps
8. Correspondence
9. Future meeting dates
10. Adjourn

Chair Nancy Goss called the meeting to order at 7:00pm. Commissioners Cathy Ward, Anne Miller, Paul Bokelmann, Cheryl Culver, Bill Surbaugh, and Dan Watts were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell, and approximately 21 members of the public.

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

Ward moved, Surbaugh second to approve the 3/8/23 minutes as presented. Carried 7-0.

Public Input – None.

Heartland-10 Text Amendment – Craig Bleitz stated he is not in favor because this will result in spot zoning, will create enforcement issues, and cannot be revised upon property sale. Larry Gales agreed with Bleitz and asked if the Commission would consider broad land use instead of these changes with profound negative impacts. Mike Mahoney, indicated this amendment eliminates residency and would encourage light industrial activities with absent landlords. Elizabeth Mahoney requested creation of a land use plan for future growth which would level the playing field, identify expectations, and could group uses in areas to limit the impact as a whole. Tim Erskine noted his support of the previous comments. Goss stated this text amendment has been in process for two years and these added uses would be subject to the Conditional Use Permit (CUP) process, the task today is to clarify language as requested by the County Land Use Department. The County will assist with the language if they understand the Town's intention. It was the consensus that the text amendment reflect compliance with footnote 8 in section 3.02(3)(b) of the Door County Ordinance General Requirements. Billy Appel stated a loft in areas of the building would work for storage and office space as the height of a building may be necessary to conduct maintenance on large equipment. Jonathan Orrick noted a 5,000 sq. ft. is not large building for a 10-acre parcel and screening will be required. Miller noted the Town Hall is 11,000 sq.ft. Goss noted this is a compromise. Liberty Grove has a lot of HL-10 areas, the population has not grown as originally anticipated, and residents will need such services as the move to the area. Goss noted Mariah Goode recommended tying the building to the primary use and confirmed the property owner must be the business owner. Any additional buildings would be accessory. It was the consensus to ask the County Land Use Department the following questions. 1-Can the owner could build a house on the property later? 2-Can a second building be built if there is currently a barn? The commissioners were not supportive of accessory buildings-the number of buildings per parcel will be one. The building will be limited to 5,000 sq.ft foot print with up to 7,500 sq.ft. of usable space. Goss noted a CUP terminates if a business ceases and Kalms confirmed that any structure greater than 3,000 sq. ft. would become a non-conforming accessory building if the primary property use was to return to residential. It was noted that barns from before the current zoning ordinances are exempt and many were built for agricultural purposes.

Town Zoning Maps – Liz Mahoney requested the commissioners continue to comprehensively look at light industrial areas. Tim Erskine expressed the same request. Dan Fadtker stated he purchased his land based on what was available, the current neighbors, and future land maps, he asked if the Town could

work with current landowners and expand the Light Industrial areas as designated on future maps. Goss noted a land owner would need to make a formal request and follow the rezoning process for any current parcels to transition to a future land use. Countryside is the other option which would allow 18 new uses without a CUP. The issue found is that future land use maps are suggestions, it would depend on the current land owner to want to change and/or sell the land. Watts noted the CUP was the best option available because the Town would have an opportunity for input before the business is established whereas Countryside opened the door for a lot of other things without Town input.

Correspondence – There will be a CUP and a Variance discussed at the next meeting.

The next meeting will be Wednesday, April 12, 2023 at 7:00pm.

Miller moved, Goss second to adjourn at 8:31pm. Carried 7-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer



City of Door
LAND USE SERVICES DEPARTMENT
City Government Center
Nebraska Street
Door County, WI 54235

Kristin Rankin, Zoning Administrator

Direct line: (920) 746-2266

Main office line: (920) 746-2323

FAX: (920) 746-2387

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

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

March 17, 2023

Town of Liberty Grove
C/o Anastasia Bell, Clerk
(Via Email)

Re: PIN 018380004, 11345 Wildwood Ct. - Conditional Use Permit Application

Greetings:

We are sending you this letter to notify the town that there will be a hearing regarding a request for a conditional use permit regarding a property in Liberty Grove at an upcoming Door County Resource Planning Committee meeting. The scheduling process for the hearing will begin on April 14, 2023, 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.

Enclosed is a "Town Recommendation Worksheet" which we ask you to complete and send back to the Door County Land Use Services Department. As a reminder, comments may be submitted to the Land Use Services Department up to 3:30 p.m. the day before the public hearing, and/or the town may offer verbal testimony at the hearing.

Jonathan T. and Megan R. Orrick are requesting a Conditional Use Permit to establish a Trade and Contractor Establishment as a home business. An existing 40' X 60' pole building will be converted into a workshop and storage space. The property is located at 11345 Wildwood Ct.

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 discussing this matter at a future meeting.

If you have any questions, please feel free to contact the Door County Land Use Services Department at 920-746-2323.

Sincerely,

Kristin Rankin
Zoning Administrator

Enc.: Town recommendation worksheet, draft staff report & application packet

Cc: Jonathan T. and Megan R. Orrick, via email (w/ enclosure)
Neighboring property owners within 300' of subject lot (to receive letter only)

Door County Land Use Services Department Request for Town Recommendation

Jonathan T. and Megan R. Orrick are requesting a Conditional Use Permit to establish a Trade and Contractor Establishment as a home business. An existing 40' X 60' pole building will be converted into a workshop and storage space. The property is located at 11345 Wildwood Ct.

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 conditional use permit.

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 conditions:

Town Clerk Signature

Date

***See reverse for conditional use permit 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.

CONDITIONAL USE PERMIT

(See also Door County Zoning Ordinance section 11.04.)

A conditional use permit application is a request to establish or expand a use that is allowed in that zoning district as a conditional use if it is determined that the use or expansion can be made compatible with the surrounding area. A conditional use permit is also required if a property owner wishes to expand a non-conforming use (a use previously established which would not be allowed under current zoning regulations). For areas under county zoning in Door County, the Resource Planning Committee holds a public hearing and makes the final decision on such applications. Appeals of those decisions are decided at a public hearing before the county Board of Adjustment, which would render a decision based on the same criteria as outlined below. Appeals of Board of Adjustment decisions proceed to the court system.

General criteria by which to evaluate conditional use permit applications

- Will the project affect the public interest? If yes, how?
- Would the proposal negatively affect public health, safety, and welfare? If yes, how?
- Would the use negatively affect the character of the surrounding area? If yes, how?
- Does the use meet the zoning ordinance's stated purpose and intent?

Specific potential criteria to evaluate, if applicable

- Effect on neighboring property values
- Similarity to other uses in the area
- Consistency with official comprehensive plan
- Sanitary waste disposal
- Potable water supply
- Solid waste disposal
- Noise, odor, dust
- Vehicular and pedestrian access
- Impact on neighborhood traffic flow
- Emergency services adequacy and ability to service site
- Surface water drainage
- Visual harmony with buildings in the neighborhood
- Exterior lighting glare or spillover
- Removal of natural vegetation or alteration of topography



County of Door LAND USE SERVICES DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

STAFF REPORT DRAFT Conditional Use Permit Application

Applicant Information

- **Name & property address:** Jonathan T. & Megan R. Orrick Trust, 11345 Wildwood Ct
- **Parcel identification number:** 018-38-0004
- **Zoning district:** Heartland-10 (HL10)

Petition request, including sections of zoning ordinance requiring permit: The applicant is requesting a Conditional Use Permit to establish a Trade and Contractor Establishment as a home business. An existing 40' X 60' pole building will be converted into a workshop and storage space.

Sections: 2.05(3)(a), 4.04(7) & 11.04 of the Door County Comprehensive Zoning Ordinance.

Background/History

The Orrick's purchased the property in November 1999. The single-family residence and garden shed were constructed in 2001. A 40' X 60' pole barn and a 12' X 20' horse barn were constructed in 2005. The attached garage addition was added in 2019.

The trade and contractor business (landscaping) has been operating on another nearby parcel for approximately 5 years without permits. The landscaping business is being moved from the other parcel because the zoning did not allow for it to be authorized. They have received a permit for a tree/shrub nursery on the other parcel along with the existing agricultural use.

Description of Subject Property and Surrounding Area

Subject Property

- **Lot size:** Rectangular shaped lot; 5 acres in area.
- **Frontage - water, road:** 630 lineal feet of road frontage along Wildwood Ct
- **Existing uses/structures:** Existing structures include a single-family residence with attached garage, pole building, garden shed, and horse barn. The existing pole building is as close at 50' to the south lot line.
- **Access:** There are 3 existing driveways off of Wildwood Ct.
- **Water and sanitation:** There's an existing sanitary system on-site for the residence. The Trade and Contractor Establishment will not be open to the public. There is a bathroom facility with a private entrance for employees in the single-family residence.

Surrounding Area (include zoning districts)

- The subject lot is located on the west side of Wildwood Ct, a dead-end town road north of Wildwood Rd. Wildwood Ct serves an area that has been subdivided into 12 lots ranging in size from 3.5 to 10 acres, all zoned Heartland-10 (HL10). Besides the Orrick home, four of these lots have single-family homes. The area outside of this subdivision consists of parcels also all zoned Heartland-10 (HL10) that range in size from 1.15 acres to 40 acres. This area contains largely agricultural uses and open space, but also a smattering of single-family homes.

Zoning Considerations

Purpose of zoning district: DCCZO Section 2.03(4): “Heartland-10 (HL10): This district is intended to help maintain the rural character of areas of the interior of Door County, particularly cleared and other open areas where agricultural activity has been diminishing. The district provides for residential development at low densities, agricultural uses, and other nonresidential uses that require relatively large land areas and/or which are compatible with the surrounding rural character. Lot sizes of at least 10 acres are required for new lots.”

- **Does the use meet the zoning ordinance’s stated purpose and intent?** Yes.
- **Specific requirements for proposed use and/or possible conditions that may be relevant.** If the Resource Planning Committee determines the conditional use permit should be approved, the following are possible conditions that may be relevant:
 - 1) The use shall be established within 12 months of the issuance of the conditional use permit.
 - 2) *The entire project shall be completed by _____, 20__.*
 - 3) The project(s) shall comply with all applicable local, state, and federal building codes and ordinances.
 - 4) Any outdoor lighting erected in conjunction with this use shall utilize fixtures whose lens, hood, or combination thereof allow no direct beams to be seen from off the property or cast skyward, and the lighting elements of which shall not be visible from adjacent properties.
 - 5) The home business shall be conducted by residents of the dwelling unit. Other persons may be employed as well.
 - 6) *Days and times of operation shall be limited to: _____ (activities including loading/unloading/grinding/processing rock/woodchipping/general operations)*
 - 7) *Days and times to be open to the public?*
 - 8) Such use shall not involve any outdoor display of any articles offered for sale or produced on the premises in conjunction with the home business.
 - 9) All outside storage areas and parking of trucks and machinery used in conjunction with the establishment shall be screened from all adjacent properties and public roads by a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements.
 - 10) *Define and/or limit outdoor stage areas?*
 - 11) Such use shall not include the conduct of any retail or wholesale business except for the sale of products or services produced by the home business.

Comprehensive Plan Considerations

- **County comprehensive plan land use map designation(s) and description(s):**

The subject parcel is designated as Rural Residential on the county’s future land use map, 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.

The Rural Residential future land use designation states that commercial uses should be discouraged except for those compatible with lower density residential development. A Trade and Contractor Establishment is allowed by conditional use permit in the HL10 district. Also, the HL10 zoning district allows for “nonresidential uses which require relatively large land areas.” As such, presumably, any

concerns with protecting the surrounding residential development can be alleviated with appropriate conditions.

- **Relevant goals/objectives/action items from comprehensive plan:** None.
- **Other relevant text from county comprehensive plan:** None.

KR/RYP/MKG
03/15/2023

Aerial Map (neighborhood)

Orrick Trust: 018-38-0004

Proposed Use: Trade and Contractor Establishment as a Home Business



Aerial Map (close-up)

Orrick Trust: 018-38-0004

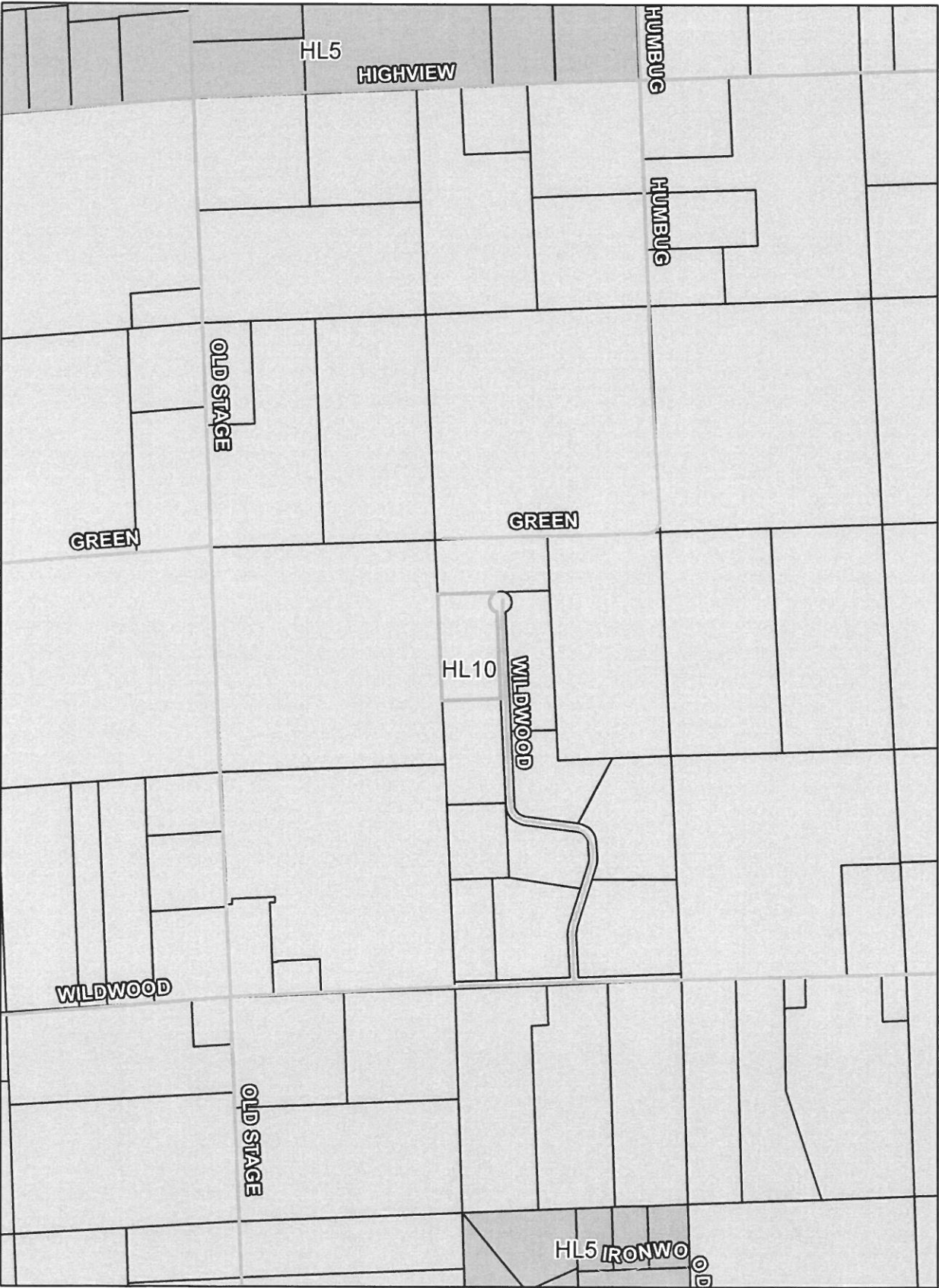
Proposed Use: Trade and Contractor Establishment as a Home Business



Zoning Map

Orrick Trust: 018-38-0004

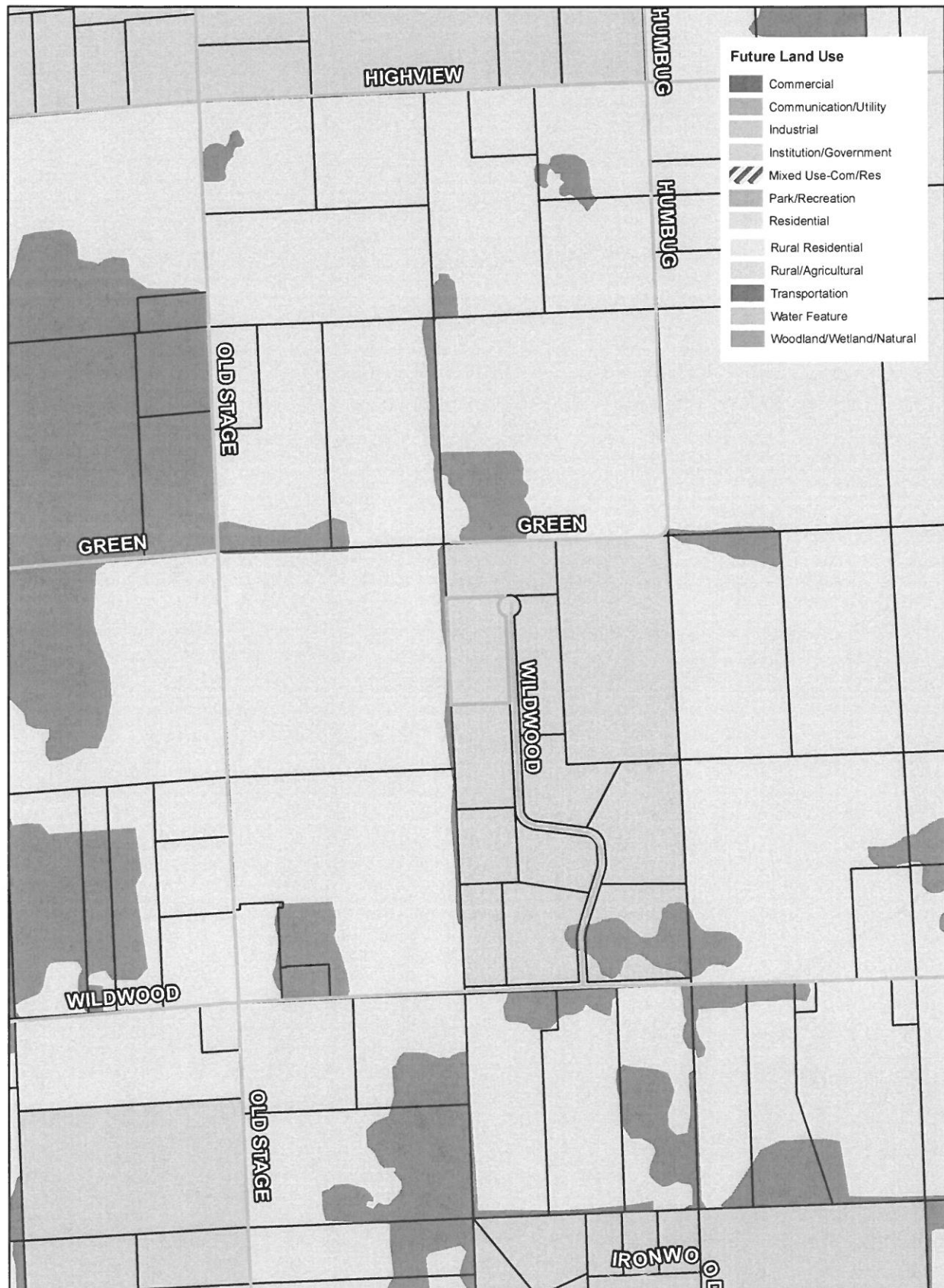
Proposed Use: Trade and Contractor Establishment as a Home Business



Future Land Use Map

Orrick Trust: 018-38-0004

Proposed Use: Trade and Contractor Establishment as a Home Business





8 0 4 4 1 3 0

Tx:4018872

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between Jonathan T. Orrick and Megan R. Orrick, husband and wife("Grantor," whether one or more), and Jonathan T. Orrick and Megan R. Orrick, as trustees of the Jonathan T. Orrick and Megan R. Orrick Trust dated April 24, 2019, and their successor trustee(s)

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Door County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):**Lot Four (4) of Cedar Grove Acres Plat as recorded in the Office of the Register of Deeds for Door County, Wisconsin in Volume 203 of Hangars, Pages 5 and 6, located in the Town of Liberty Grove, Door County, Wisconsin.**

DOC #: 821413

RECORDED ON:

05/03/2019 09:06:34 AM

CAREY PETERSILKA

REGISTER OF DEEDS

DOOR COUNTY, WI

FEE AMOUNT PAID: 30.00

TRANSFER FEE AMT:

FEE EXEMPT: 77.25(16)

Recording Area

Name and Return Address

Pinkert Law Firm LLP:rah

454 Kentucky Street

P.O. Box 89

Sturgeon Bay, WI 54235

018-38-0004

Parcel Identification Number (PIN)

This is homestead property.
(is) (is-not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied in the year of 2019.

Dated April 24, 2019_____(SEAL) Jonathan T. Orrick _____(SEAL)
* Jonathan T. Orrick_____(SEAL) Megan R. Orrick _____(SEAL)
* Megan R. Orrick**AUTHENTICATION**

Signature(s) _____

authenticated on _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Attorney Richard A. Hauser**Pinkert Law Firm LLP, Sturgeon Bay, WI 54235****ACKNOWLEDGMENT**STATE OF WISCONSIN)_____) ss.
DOOR COUNTY)Personally came before me on April 24, 2019,
the above-named Jonathan T. Orrick and Megan R. Orrickto me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.* Richard A. HauserNotary Public, State of WisconsinMy commission (is permanent) (~~expires~~ _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 1-2003

*Type name below signatures. F:\Clients\O\Orrick Jonathan & Megan\WD to Trust 08-27-18.doc

CONDITIONAL USE PERMIT APPLICATION OVERVIEW AND ON-SITE INSPECTION AUTHORIZATION

A "conditional use" is one that has been determined to be compatible in a particular area, not a use that is always compatible at a specific site within that area. The use is subject to requirements and conditions, and is only allowed under a conditional use permit (CUP) issued by Door County. A conditional use permit is also required if an owner wishes to expand a non-conforming use (i.e., a use previously legally established which would not be allowed under current zoning regulations).

(I) (We)

Full name(s): Jonathan Orrick and Megan Orrick

Propose to:

Use our home and building as a base of operation for our light excavation and landscape business. We have outgrown our Home Occupation Permit and are in need of more space for storage and parking equipment.

The existing use of structure or land in question is:

The existing structures are being used under a Home Occupation Permit for our light landscaping business.

AUTHORIZATION FOR INSPECTION:

I hereby authorize the Zoning Administrator to enter upon the premises for which this petition is made at any reasonable time for all purposes of inspection related to this petition.

SIGNATURE OF APPLICANT/AGENT: Jonathan Orrick

DATE: 02/26/2023

APPLICATION FOR CONDITIONAL USE PERMIT – ADDENDUM

A conditional use permit applicant has the burden of proof. S/he must demonstrate that the application and all requirements and conditions established by the Resource Planning Committee relating to the conditional use are or shall be satisfied, all of which must be supported by substantial evidence. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

If an applicant meets this burden of proof, the Resource Planning Committee will grant the conditional use permit. If an applicant fails to meet this burden of proof, the conditional use permit application will be denied.

To aid in its review of the proposed project, the Committee will consider the Door County Comprehensive Zoning Ordinance criteria set forth below. Answer all portions of all questions completely. State "not applicable," if appropriate, offering an explanation as to why facts and information were not provided.

Please provide the Resource Planning Committee members substantial evidence regarding:

- 1) Whether the proposed project will adversely affect property values in the area.

No. Per the conditional use permit, it will be screened from all directions. Our operations have existed for over 25 years in various different forms as our business has grown and evolved. We simply need more space for storage than our Home Occupation Permit currently allows. There will be limited to no additional noise, visual, dust, or odor disturbance of the property or surrounding properties due to the Trade and Contractors Establishment. Our primary purpose is to have a place to park our equipment and store some organic landscaping material.

- 2) Whether the proposed use is similar to other uses in the area.

What we are proposing to do is just a continuation of what is already occurring on the property. In addition, there are multiple different businesses in the area such as a painting and mechanic shop, a plumber with a Conditional Use Permit with a home-based business, and multiple landscape/excavation businesses with many additional home-based businesses within a mile radius of our property.

- 3) Whether the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan or any officially adopted town plan.

Yes, the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan.

- 4) Provision of an approved sanitary waste disposal system.

_____ Public Sewer X Private Onsite Wastewater Treatment System (POWTS)

Check One

 X Existing
_____ New

Check One

 X Conventional Septic
_____ Other In-ground System
_____ Holding Tank

- 5) Provision for a potable water supply.

_____ Public Water Supply
(Liberty Grove Sanitary District #1 and Maplewood only) X Well

Check One

 X Existing

Check One

 X Private Well

CONDITIONAL USE PERMIT ADDENDUM – PAGE 2

6) Provisions for solid waste disposal.

 X Commercial hauler
 Private delivery to collection site
 Other _____

7) Whether the proposed use creates noise, odor, or dust.

Noise: Our equipment utilizes low RPM hydraulic motors so there will be limited additional noise from the equipment on-site. In addition, our operations on the property will be mostly be as a base of operations to store our equipment and some landscape materials. This will keep additional noise to a minimum as we are not operating fast, loud equipment on the property, just using the space as a base of operations to then take our equipment and material off-site to perform landscaping services.

Odor: No odor is generated as a result of operating our small landscape business.

Dust: Dust will be kept to a minimum as we have the ability to water any materials that produce dust. Historically we have petitioned the Town of Liberty Grove to double-chip seal the dead-end gravel road to reduce dust. However, this past year they have blacktopped the road so there is no dust on the road itself. In addition, our small gravel area that we park equipment is not going to generate much dust since we are not utilizing the gravel area on-site for fast vehicle movement thus, keeping to dust to a minimum.

8) Provision of safe vehicular and pedestrian access.

Vehicular Access

 X Existing Driveway(s) to Wildwood Ct.
(Road Name)
 New Driveway(s) to _____
(Road Name)

The roadway and driveway are already existing and there's very limited traffic as we are located on a short, dead-end road.

Pedestrian Access

 Sidewalks
 Path or Trail
 X No Pedestrian Traffic

Our property is located at the end of a dead-end road. Due to the location and sparse residential homes in the area, there is minimal pedestrian traffic on the road.

9) Whether the proposed project adversely impacts neighborhood traffic flow and congestion.

Existing traffic: _____ High Levels _____ Medium Levels X Low Levels

We should not cause increased noise or traffic for residents as we are located on the end of a dead-end road. In addition, we are using our property as a base of operations where we will store equipment and organic materials. Our property already has a home occupation permit so the Conditional Use Permit we are requesting will not be increasing traffic.

CONDITIONAL USE PERMIT ADDENDUM – PAGE 3

10) Adequacy of emergency services and their ability to service the site. PLEASE SEE SEPARATE PAGE.

11) Provision for proper surface water drainage.

- ☒ Natural Infiltration (explain below)
☐ Some Grading of the Site (explain below)
☐ Engineered Stormwater and/or Erosion Control Plan (attach)

We have been here since 2001 with no issues of standing water.

12) Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.

The building is already existing. The only addition to the building is two 12 X 60 lean-tos on the north and south side of the building. These lean-tos will meet all legal setbacks requirements. These will be open structures (on three sides) so they will not affect the visual harmony of the existing building or neighborhood.

13) Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.

No exterior lighting will be left on overnight. Our operations primarily occur during daylight hours.

14) Whether the proposed project leads to a major change in the natural character of the area through the removal of natural vegetation or alteration of the topography.

- Natural Vegetation: ☒ No Removal
☐ Some Removal
☐ Significant Removal (provide Landscape Plan)
-
-
-

- Topography: ☒ No Change
☐ Some Change
☐ Major Change (provide Grading Plan)

CONDITIONAL USE PERMIT ADDENDUM – PAGE 4

15) Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.
None.

16) Whether, and to what extent, site-specific conditions should be imposed to mitigate potentially problematic impacts of the use.
None.

17) The impact of the proposed project on public health, public safety, or the general welfare of the County.
There is no negative impact of our services to the public health, safety or general welfare of the County. We provide extremely necessary and useful services to the residents of Northern Door County including light landscaping, property maintenance, and light excavation services.

The Resource Planning Committee will establish a completion date for the proposed project.

By what month and year will the project be completed? March, 2027

The Resource Planning Committee is allowed to consider topics in addition to the above. Please provide information on additional topics you think the Committee should or may consider in evaluating this project.
Our business has been in operation for over 25 years, providing valuable and necessary services. This proposed Trade and Contractors Establishment is an extension to our Home Occupation Permit that we have simply outgrown. These operations are already permitted and existing, we just need a little more space for equipment and material storage. Since this proposed Conditional Use Permit is simply an extension of our existing Home Occupation Permit, the impacts are minimal.

Note that a conditional use permit will generally remain in effect as long as the conditions and requirements upon which the permit was issued are followed. Subsequent owners of the property are generally allowed to continue the use, subject to those conditions and requirements. An affidavit is to be recorded with the deed to provide successors in interest notice of the conditional use permit and conditions and requirements.

The Resource Planning Committee may, however, impose conditions regarding the permit's duration, transfer, or renewal, in addition to any other conditions pertaining to ordinance standards or the specific criteria listed above. For example, the Committee may grant a limited term conditional use permit if a reasonable basis exists for such limitation. Any limited term conditional use permit may be subject to renewal after a re-evaluation of the use via a hearing before the Resource Planning Committee.

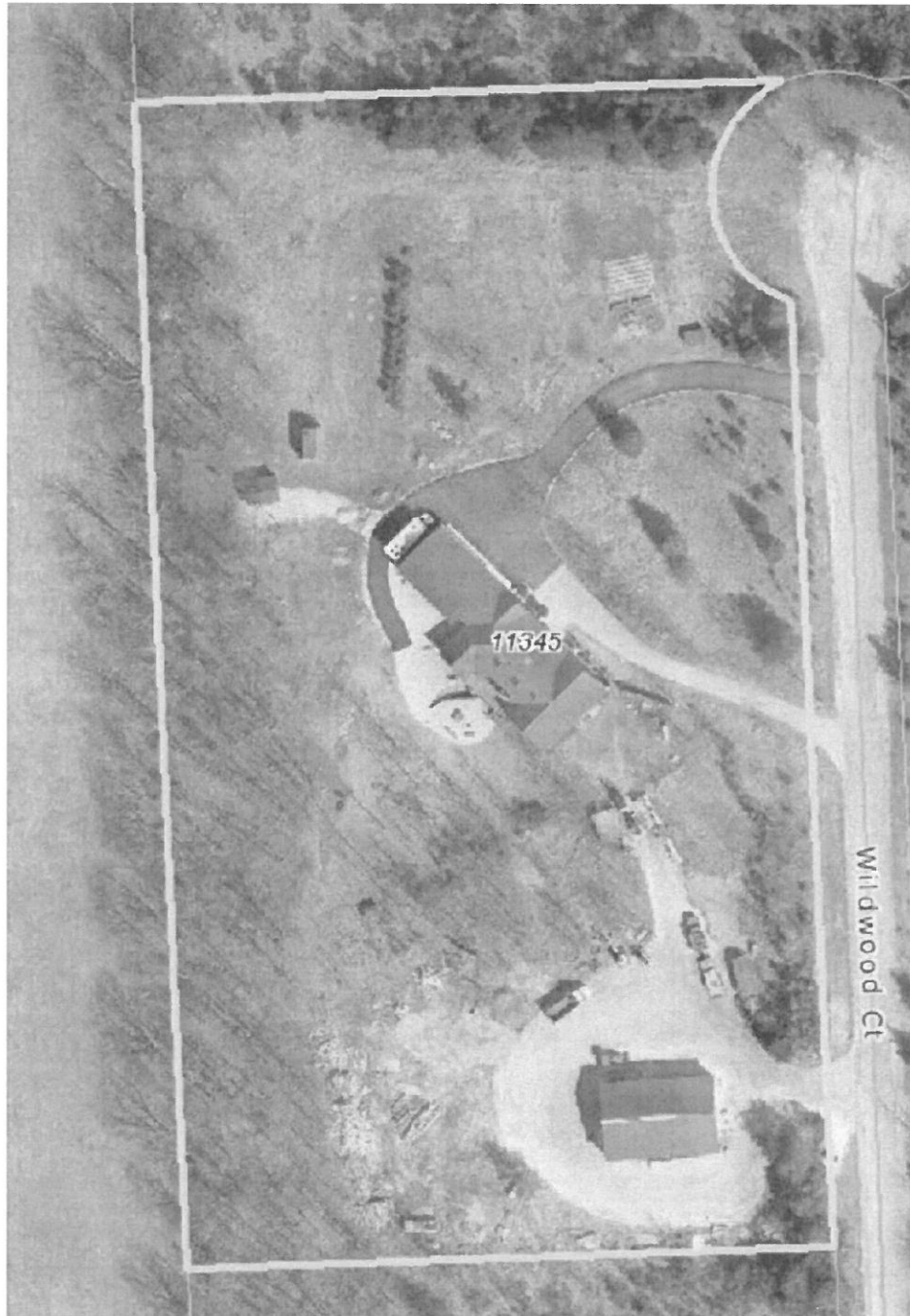
As Fire Chief of the Siskiyew & Liberty Grove Fire Department, I have reviewed the plans of this project. Our Department CAN / CANNOT (circle one) access this site for fire protection purposes.

Other Fire Chief comments: None

[Signature]
(Signature)

Fire Chief 2-26-23
(Date)

Conditional Use Permit Site Plan
Jonathan and Megan Orrick
11345 Wildwood Ct. Sister Bay, WI 54234



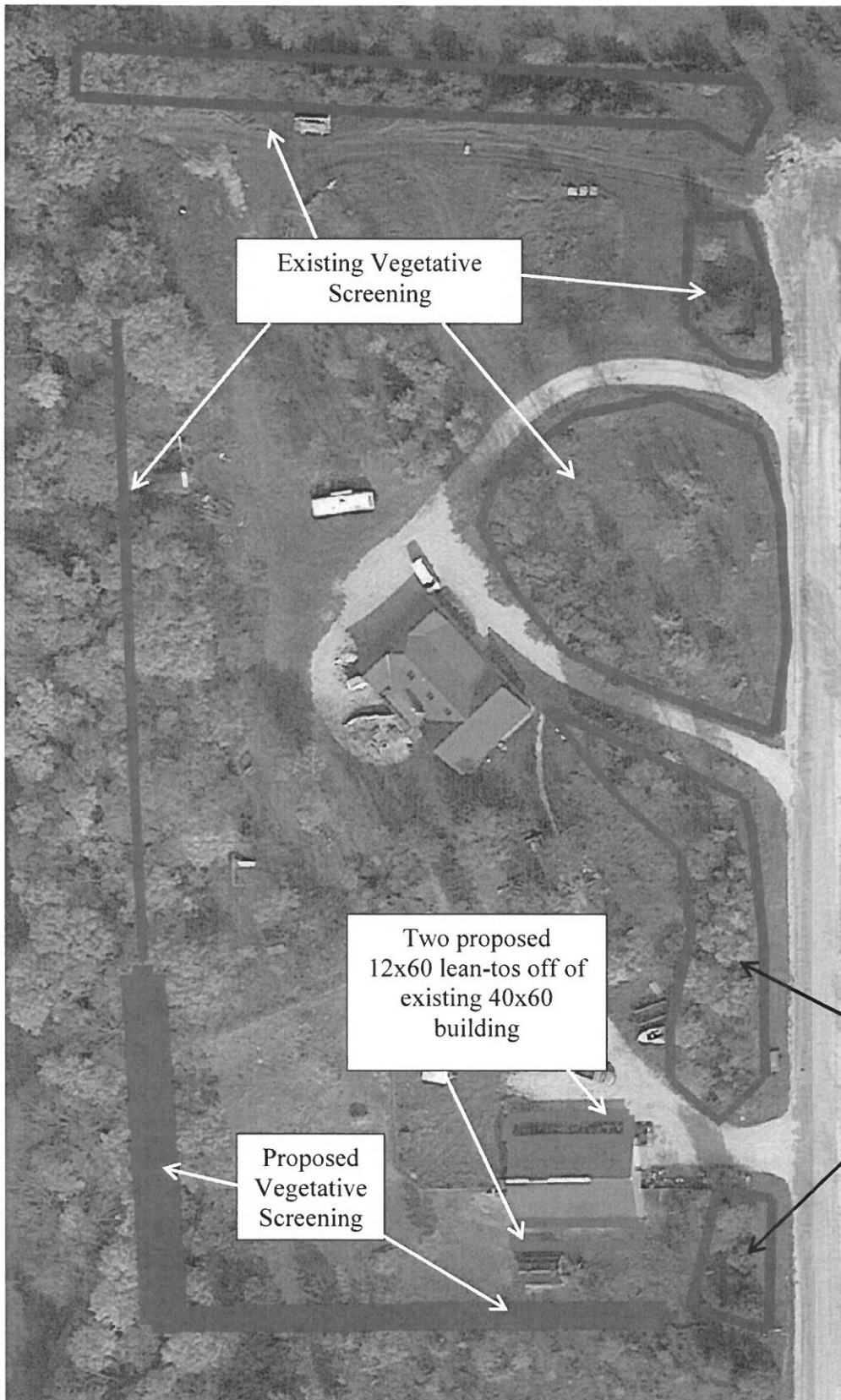


Image of two proposed
lean-tos (in red)



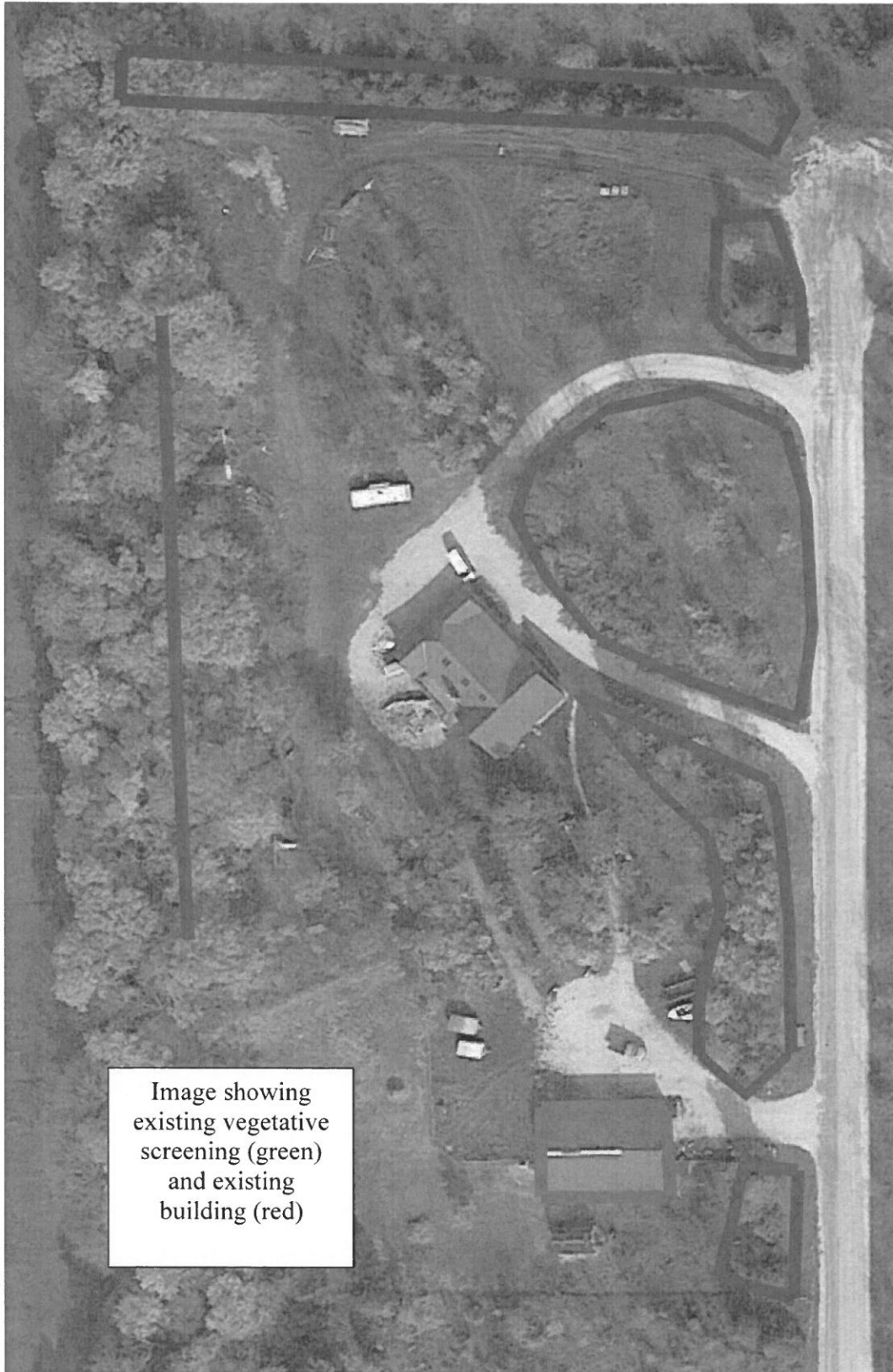


Image showing
existing vegetative
screening (green)
and existing
building (red)

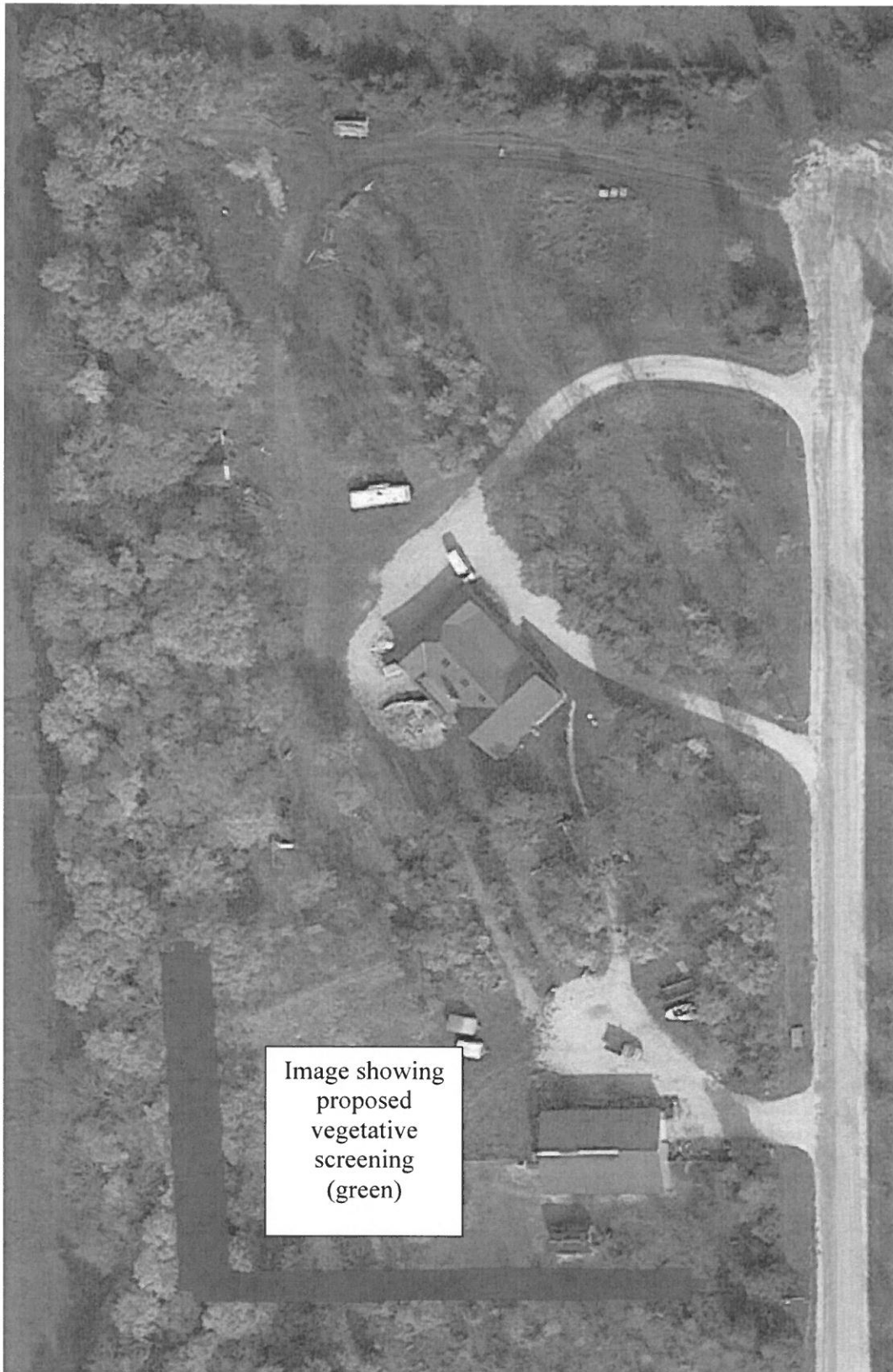


Image showing
proposed
vegetative
screening
(green)

Proposed secondary
use (green)





February 20, 2023

To Whom It May Concern:

My husband and I own the property directly across the road from Jonathan & Megan Orrick. We are writing to communicate to the zoning department that we are supportive of a Conditional Use Permit for 11345 Wildwood Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Bounds". The signature is written in a cursive, flowing style.

Rachel Bounds

815-509-6064

Rankin, Kristin

From: Megan Orrick <orrickmegan@gmail.com>
Sent: Wednesday, March 1, 2023 6:56 AM
To: Rankin, Kristin
Subject: Fwd: Conditional Use Permit

Kristin,
Here is a letter of support for our CUP from one of the bordering property owners.
Megan Orrick

Begin forwarded message:

From: Jan Kalms <jkalms@live.com>
Date: February 19, 2023 at 12:38:55 PM CST
To: Megan Orrick <orrickmegan@gmail.com>
Subject: Conditional Use Permit

February 19, 2023

To Whom This May Concern ~

We are in support of the issuance of a Conditional Use Permit to Jonathan and Megan Orrick, at 11345 Wildwood Court, Sister Bay.
This property borders our property at 11278 Old Stage Road, Sister Bay.

Steve and Jan Kalms



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

FAX: (920) 746-2387

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

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

March 22, 2023

Town of Liberty Grove
C/o Anastasia Bell, Clerk
(via e-mail)

Re: Petition for variance for Parcels 018-01-01312821K and 018-01-01312821A1: Ordinary High Water Mark Setback and Wetland Setback.

Dear Ms. Bell,

We are sending you this letter to notify the town that there will be a hearing regarding a request for a variance on a property in the Town of Liberty Grove at an upcoming Door County Board of Adjustment meeting. The scheduling process for the hearing will begin on April 28, 2023, 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. Comments may still be submitted to the Land Use Services Department concerning the proposal up to noon the day before the 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 after you review the case at an upcoming meeting.

Renee Borkovetz, on behalf of Lakeview Lodge LLC, owner is requesting a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance, which requires all structures to be located at least 75' from the ordinary high water mark, and a variance from section 5.10(2) of the Door County Comprehensive Zoning Ordinance which requires all structures to be located at least 10' from the edge of a wetland.

The applicant is proposing a bridge and driveway to be located across a navigable stream and a wetland to give access to the buildable area on the lot to the south. The proposed bridge is to be located as close as 9' to a wetland and a driveway to be located as close as 4' to a navigable stream. The bridge is an exempt structure under the shoreland zoning ordinance and does not require a variance.

The applicants have the responsibility to contact the Town of Liberty Grove (Anastasia Bell, Clerk: 920-854-2934) to determine if/when the town may discuss this matter at a future meeting.

Sincerely,
Kristin Rankin
Zoning Administrator

Enc.: Variance application packet and town recommendation worksheet
C.C.: Renee Borkovetz, via email
Lakeview Lodge LLC, via mail
Adjacent property owners within 300', letter only

Door County Land Use Services Department Request for Town Recommendation

Renee Borkovetz, on behalf of Lakeview Lodge LLC, owner is requesting a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance, which requires all structures to be located at least 75' from the ordinary high water mark, and a variance from section 5.10(2) of the Door County Comprehensive Zoning Ordinance which requires all structures to be located at least 10' from the edge of a wetland.

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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 variance._

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 conditions:

Town Clerk Signature

Date

***See reverse for variance 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.

PETITION FOR VARIANCE

(See Door County Zoning Ordinance section 11.06 and Wisconsin Statutes section 59.694.)

A petition for variance is a request to relax one or more of the dimensional requirements or restrictions of the ordinance (road, water, or property line setbacks; building size or height, etc.). The Door County Zoning Ordinance only allows so-called “area” variance petitions – it does not permit application for a variance where a use not allowed in that zoning district would be established (a “use” variance). Note that variances “run with the land” and not with the applicant; an approved variance is permanently attached to the parcel in question.

By state statute, petitions for variance from the county zoning ordinance are heard and decided upon at a public hearing before the board of adjustment or appeals (called the Board of Adjustment in Door County), members of which are appointed by the County Board of Supervisors. Appeals of Board of Adjustment decisions are heard in the court system.

Criteria for evaluating “area” variance petitions

(Note: Responses to the three bolded questions below should be “yes” in order to justify granting the variance in accordance with legal/case law criteria.)

- **Do physical limitations of the property prevent compliance with ordinance standards?**
Examples of physical limitations include wetland presence, parcel shape, steep slopes, etc.
- **Will granting the variance have no affect on the public interest?**
 - *Public interest includes additional runoff, affects on the quality of fish or wildlife habitat, impacts on scenic beauty, etc. Cumulative effects must be considered.*
 - *Public interest includes the interest of the public at large, not just that of nearby property owners.*
 - *Lack of local opposition does not in itself mean that a variance will not harm the public interest.*
 - *A variance should include only the minimal relief necessary to allow reasonable use of the property.*
 - *The board’s actions should be consistent with stated ordinance objectives.*
- **Is an “unnecessary hardship” present?**
 - *Does compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose, or is conformity with restrictions unnecessarily burdensome for the property owner?*
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One final consideration: Will granting the variance serve an overriding public interest? (If yes, granting the variance may possibly be justifiable even if other criteria point toward denial.)



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Petition for Grant of Variance

STAFF REPORT

Applicant Information

Current Owners: Lakeview Lodge LLC

Parcel: 018-01-01312821K, 10908 S Sand Bay Ln and 018-01-01312821A1

Request: Renee Borkovetz, on behalf of Lakeview Lodge LLC, owner is requesting a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance, which requires all structures to be located at least 75' from the ordinary high water mark, and a variance from section 5.10(2) of the Door County Comprehensive Zoning Ordinance which requires all structures to be located at least 10' from the edge of a wetland.

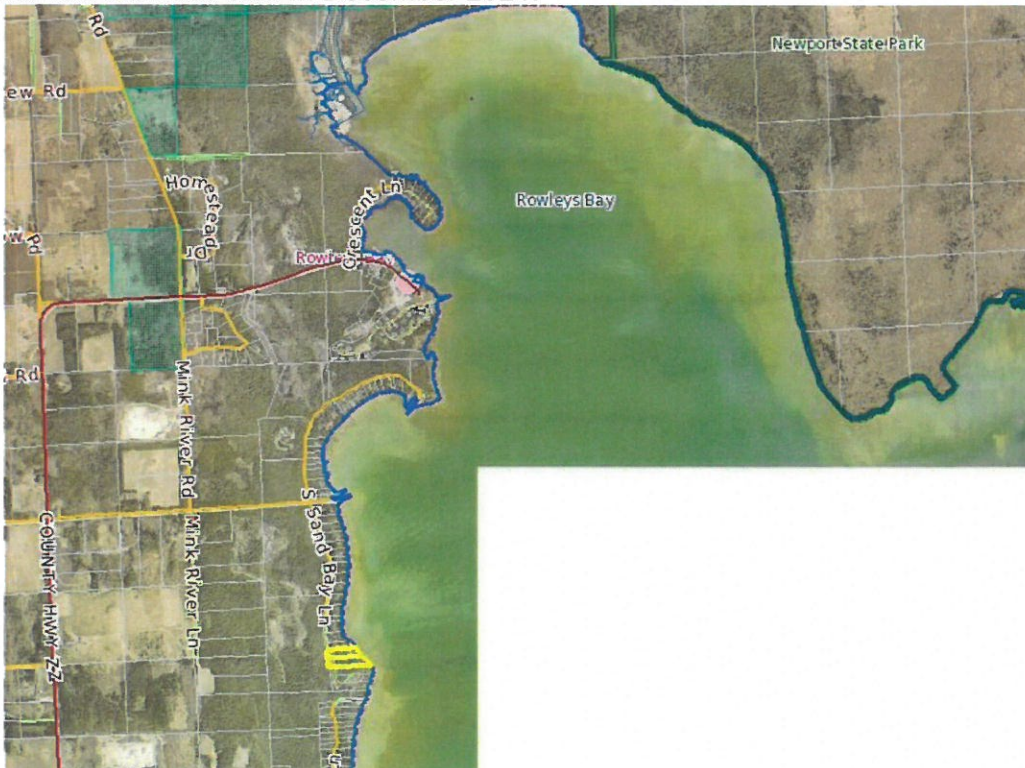
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Parcel Description: Parcel ending in 21K is 2.14 acres with approximately 200 feet of frontage along Lake Michigan. There is 165' of frontage along the private easement S Sand Bay Ln. Parcel ending in 21A1 is 2.38 acres with approximately 206' of frontage along Lake Michigan. There is 147' of frontage along the private easement S Sand Bay Ln.

There is a navigable stream that enters parcel 21A1 from the west and curves north, loops through parcel 21K then curves back down into 21A1 and continues south.

Zoning: Both parcels are zoned Single Family-30,000 (SF30). There are wetlands on the western third of parcel 21A1.

Background: The single family residence at 10908 S Sand Bay L. was constructed prior to zoning. A garage was built in 1984. A navigability determination was completed in 2015. The entire single family residence was built completely with the 75' setback. In 2016 vertical expansion of the nonconforming structure (single family residence) was built. A wetland delineation was done July 2021. A navigability determination was conducted by Door County Land Use Services staff in December 2021.



Plat of Survey

LOCATED:

PARTLY IN GOV'T LOT 1 OF SECTION 1, T. 31 N., R. 28 E.,
AND PARTLY IN GOV'T LOT 4 OF SECTION 36, T. 32 N., R. 28 E.,
ALL IN THE TOWN OF LIBERTY GROVE, DOOR COUNTY, WISCONSIN

PREPARED FOR:

CURRENT OWNER:

BNA, LLC

60 JOHN TRINION

877 NORTH LARCH AVENUE

ELMHURST, IL 60126

PROPERTY ADDRESS:

10968 SOUTH SAND BAY LANE

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.

JOHN S. BAUDHIN

PROFESSIONAL LAND SURVEYOR

3121 MATTHEY ROAD

STURGEON BAY, WI 54235

(920) 743-7183

LEGEND

● = U.S. PUBLIC LAND SURVEY CORNER
(EXISTING DOOR COUNTY MONUMENT)

● = EXISTING 1" IRON PIPE
(UNLESS NOTED)

⊙ = UTILITY POLE

--- OVERHEAD UTILITIES

SURVEYOR'S NOTES:

BEARINGS REFERENCED TO THE NORTH LINE OF THE
SW 1/4 OF SECTION 1, T. 31 N., R. 28 E.,
BASED FROM THE CONTROL SURVEY SUMMARY
DIAGRAM FOR THE TOWN OF LIBERTY GROVE-SOUTH.
THE APPROXIMATE ORDINARY HIGH WATER MARK ON
PARCEL 21K AS PER DOOR COUNTY PLANNING
DEPARTMENT, APPROXIMATE ORDINARY HIGH WATER
MARK ON PARCEL 21A1 AS PER PREVIOUS ARC
FISHER SURVEY DATED DECEMBER 12, 2006.

DESCRIPTION: TAX PARCEL NO. 018-01-01312821K

A parcel of land located in Government Lot 1 of Section 1, Township 31 North, Range 28 East, and Government Lot 4 of Section 36, Township 32 North, Range 28 East all in the Town of Liberty Grove, Door County, Wisconsin, more particularly described as follows:

Commencing at the west 1/4 corner of said Section 36; thence N 89°10'21" E, 2563.82 feet along the north line of the fractional Section 36 to the Center of said Section 36; thence S 01°05'46" W, 2793.11 feet to the point of beginning of lands to be described; thence S 00°57'37" E, 165.79 feet; thence N 86°29'16" E, 586.86 feet to a found 1/2" iron pipe near the shore of Lake Michigan; thence continue N 89°29'16" E, 214.4 feet to the high water mark of Lake Michigan; thence northerly, 209+/- feet along the high water mark of Lake Michigan; thence S 89°11'27" W, 13+/- feet to a found 1/2" iron pipe; thence N 36°03'55" W, 185.34 feet from the aforementioned 1/2" iron pipe; thence continue S 89°11'27" W, 489.59 feet to the point of beginning. Said parcel contains 2.14 acres +/-, and includes all riparian rights appurtenant thereto, said parcel is also subject to a road easement over the wetland 33 feet and also subject to 25 feet of a 50 foot wide access easement as recorded in Volume 371, Page 795.

DESCRIPTION: TAX PARCEL NO. 018-01-01312821A1

A parcel of land located in Government Lot 1 of Section 1, Township 31 North, Range 28 East, Township 32 North, Range 28 East, Door County, Wisconsin, more particularly described as follows:

Commencing at the west 1/4 corner of said Section 36; thence N 89°10'21" E, 2563.82 feet along the north line of the fractional Section 36 to the Center of said Section 36; thence S 01°05'46" W, 2793.11 feet; thence S 00°57'37" E, 165.79 feet to the point of beginning of lands to be described; thence continue N 86°29'16" E, 586.86 feet; thence N 89°29'16" E, 214.4 feet to the high water mark of Lake Michigan; thence northerly, 209+/- feet along the high water mark of Lake Michigan; thence S 89°11'27" W, 13+/- feet to a found 1/2" iron pipe; thence N 36°03'55" W, 185.34 feet from the aforementioned 1/2" iron pipe; thence continue S 89°11'27" W, 489.59 feet to the point of beginning. Said parcel contains 2.38 acres +/-, and includes all riparian rights appurtenant thereto, said parcel is also subject to a 66' wide road easement as recorded in volume 484, page 560.

W 1/4 CORNER
SEC. 36-32-28
N 86°10'21" E
2793.11'
N LINE: SW 1/4 (SEC. 36-32-28)
2563.82'

S 01°05'46" W
2793.11'

SET 30" SPIKE FOUND 17'
UNDER GRAVEL



0 25 50
SCALE: 1" = 50'

1" Scale

50' Wide Access Easement
(Vol. 371, Pg. 795)

South Sand Bay Lane

66' Wide Road Easement
(Vol. 484, Pg. 560)

BNA, LLC
DOC #703151
93,000 SQ. FT. ±
2.14 AC. ±
TAX PARCEL NO.
018-01-01-312821K

GARAGE

WELL
WOOD DECK

HOUSE

TANK

APPROX. SECTION LINE

WOOD DECK

34°12' P

100.31'

34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

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34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

34°12' P

Lake Michigan

BNA, LLC
DOC #703151
104,000 SQ. FT. ±
2.38 AC. ±
TAX PARCEL NO.
018-01-01-312821A1

IRON

IRON

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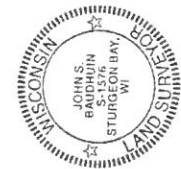
IRON

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SURVEYOR'S CERTIFICATE

I, John S. Baudhin, Professional Land Surveyor for Brian Frisque Surveys Inc., do hereby certify that I have surveyed the property described herein and to the best of my knowledge and belief the adjacent map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures, boundary fences, apparent easements, roadways and visible encroachments, if any. I further certify that this map complies with Chapter A-E 7 of the Wisconsin Administrative Code.

This survey is made for the use of the present owners of the property and also those who purchase, mortgage or guarantee title thereto.

Dated 4-18-16

John S. Baudhin
P.L.S. S-1570

3/8/23 KJR



Wetland
Flay

Bridge

4'

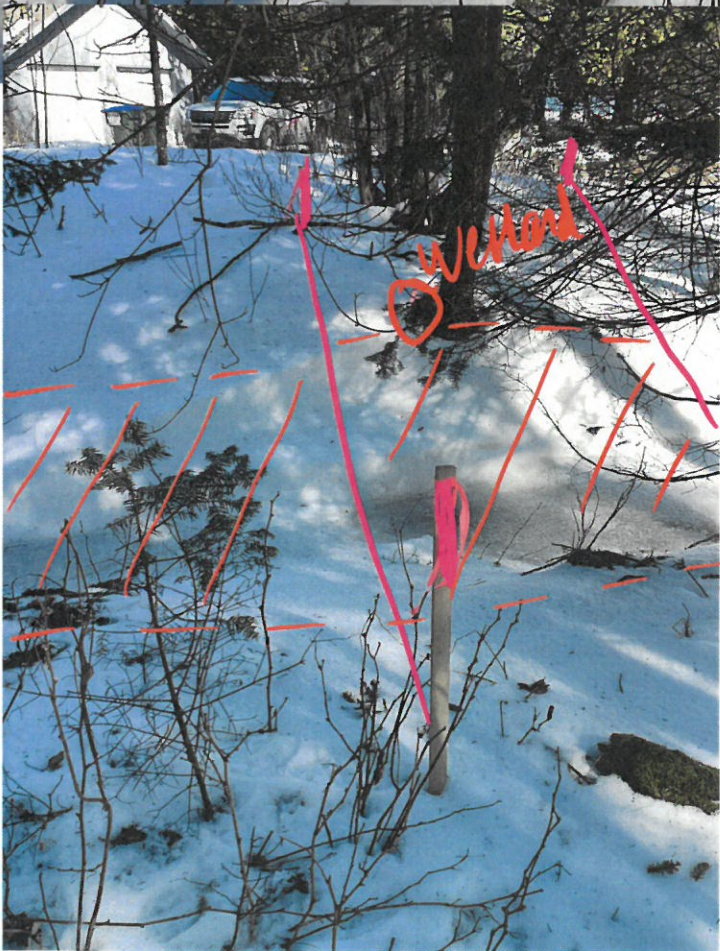
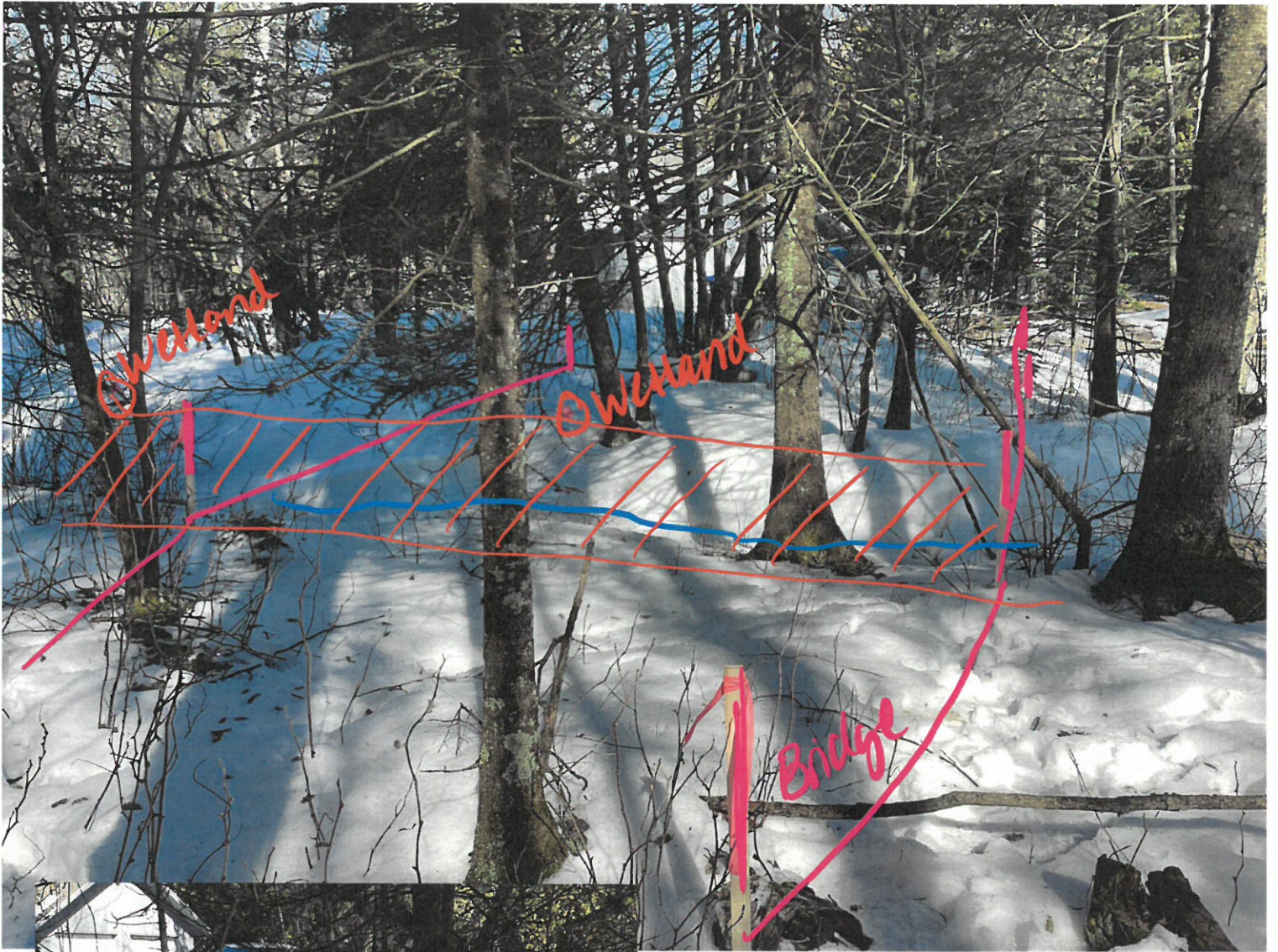
Wetland
OHWM

Wetland
OHWM

Bridge

4'

OHWM



PETITION

A variance is a relaxation of a standard in a land use ordinance. Variances are decided by the zoning board of adjustment. The zoning board is a quasi-judicial body because it functions almost like a court. The board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws, court decisions and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

PETITION: (I) (We)

Full name(s): Renee Borkovetz, Professional Engineer at Stantec Consulting Services, on behalf of the property owner Lakeview Lodge LLC

Propose to:

Build a new residence on parcel 018-01-01-312821A1 in the identified upland buildable area. The new driveway to access this residence will share the existing driveway on parcel 018-01-01-312821K and then branch off, crossing an existing wetland and creek, leading to the proposed residence. A bridge structure will be installed for the driveway to cross the wetland and creek without disturbing either of these resources.

The wetland was identified and located per the wetland delineation, dated July 21, 2021. The creek location was identified and located by Door County Land Use Services.

We are requesting a variance for this proposed driveway for the following:

- 1 –The footings of the proposed bridge structure, which will be located in the 10' wetland buffer setback area. The wetland and creek will remain undisturbed, and
- 2 – The proposed driveway, which will be located within the 75' shoreland setback area.

The existing use of structure or land in question is:

Both parcels identified are zoned SF30 for single family residential use. The proposed residence and associated driveway are in keeping with this existing land use.

QUESTIONS

Please provide complete responses regarding a), b), and c) below. Attach additional pages if necessary. To qualify for a variance, the applicant must demonstrate that their request/situation meets the following three requirements:

a.) UNIQUE PROPERTY LIMITATIONS

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

Unique features of this property prevent compliance with the terms of the ordinance, including:

Parcel 018-01-01-312821A1 is currently undeveloped and zoned for SF30 Single Family Residential use.

The owners plan to build a residence on this parcel in the available upland buildable area as identified on the attached site plan. The unique features on this parcel include wetland areas and a navigable creek, along with their respective structure setback distances, that limit the driveway placement to access this buildable area and proposed residence.

b.) UNNECESSARY HARDSHIP

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restrictions effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests.

Unnecessary hardship is present because:

Without the requested variance to install the proposed driveway, the owners would not be able to access the proposed residence on this parcel. The proposed residence is designed and located to meet all required zoning setbacks and requirements.

c.) NO HARM TO PUBLIC INTERESTES

A variance may not be granted which results in harm to public interests. In applying this test, the Board of Adjustment must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public. These interests are listed as objectives in the purpose statement of an ordinance and may include:

- Public health, safety and welfare
- Water quality
- Fish and wildlife habitat
- Natural scenic beauty
- Minimization of property damages
- Provision of efficient public facilities and utilities
- Achievement of eventual compliance for nonconforming uses, structures and lots
- Any other public interest issues

A variance will not be contrary to the public interest because:

The proposed driveway elements requiring this variance request do not harm public interests for the following reasons:

1. The location of the proposed bridge structure is located and positioned so that it crosses the wetland and creek at its narrowest location therefore minimizing potential infrastructure impact to both resources.
2. The proposed bridge structure size is based on the maximum width needed to span the wetland and avoid any wetland disturbance. Therefore, the footings of the bridge structure are located outside of and as close as 9-inches to the wetland. By keeping this bridge structure outside of the wetland, the wetland and creek will be left in their current state without any soil or vegetation disturbance, therefore maintaining its natural qualities and benefits to the environmental habitat and wildlife.
3. The proposed bridge structure will be span the existing creek and provide adequate open area between the creek bed and under body of the structure to continue providing creek flow when active. This creek is not constantly flowing year-round, but does have enough flow occasionally to constitute it as a navigable creek. By installing the proposed bridge structure as designed, the

water flowing through the creek, even when at it's peak, will not be impeded, therefore public safety is addressed by preventing water flow from being blocked or causing potential flooding issues upstream.

4. The proposed driveway will be sloped up when crossing this bridge structure on both sides, therefore surface water runoff from the driveway and bridge structure will flow with the driveway, away from the bridge structure, before flow to either side of the driveway. When the surface runoff flows off the driveway, it will flow across the upland area before reaching the wetland or creek. By designing the bridge and driveway surface elevations in this way, water quality is being provided by directing this impervious surface runoff from the driveway to be pre-treated by the vegetated 10' wetland buffer before reaching the wetland and creek.
5. Outside of the bridge structure, the proposed driveway is located so it is outside of the 10' wetland setback, at a minimum. This 10' buffer does provide water quality from surface water runoff from the proposed driveway before reaching the surrounding wetland and creek.

Lastly, the proposed bridge structure is submitted for DNR and US Army Corps of Engineers for plan approval and permitting. The proposed bridge structure follows DNR and USACE standards.

AUTHORIZATION FOR INSPECTION:

I hereby authorize the Zoning Administrator to enter upon the premises for which this petition is made at any reasonable time for all purposes of inspection related to this petition.

CERTIFICATION:

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

SIGNATURE OF PETITIONER/AGENT:

A handwritten signature in black ink, appearing to read "Renee Bokuniewicz", is written over a horizontal line.

DATE: 3/1/23

Rankin, Kristin

From: Borkovetz, Renee <Renee.Borkovetz@stantec.com>
Sent: Thursday, March 16, 2023 1:26 PM
To: Rankin, Kristin
Cc: Al Shefchik (ashefchik@portsidebuilders.com)
Subject: FW: Lakeview Lodge LLC Clear Span Bridge

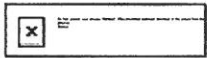
Kristin,

Army Corps reviewed the proposed clear span bridge structure at Hildebrand's and they're response is below, stating that no permit from the Corps is needed for this project.

Thanks,

Renee Borkovetz P.E.
Civil Engineer
Renee.Borkovetz@stantec.com

Office: 920-743-8211
Direct: 920-298-1760
312 N. 5th Ave.
Sturgeon Bay, WI 54235



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From: Woboril, Samuel J CIV USARMY CEMVP (USA) <Samuel.J.Woboril@usace.army.mil>
Sent: Thursday, March 16, 2023 9:10 AM
To: Borkovetz, Renee <Renee.Borkovetz@stantec.com>
Subject: Lakeview Lodge LLC Clear Span Bridge

Hi Renee,

I have reviewed the project plans for the Lakeview Lodge LLC project and I have confirmed that the proposed project will not result in a discharge of dredged or fill material into a water of the U.S. Therefore, no permits are required to complete this work.

Please let me know if you have any questions.

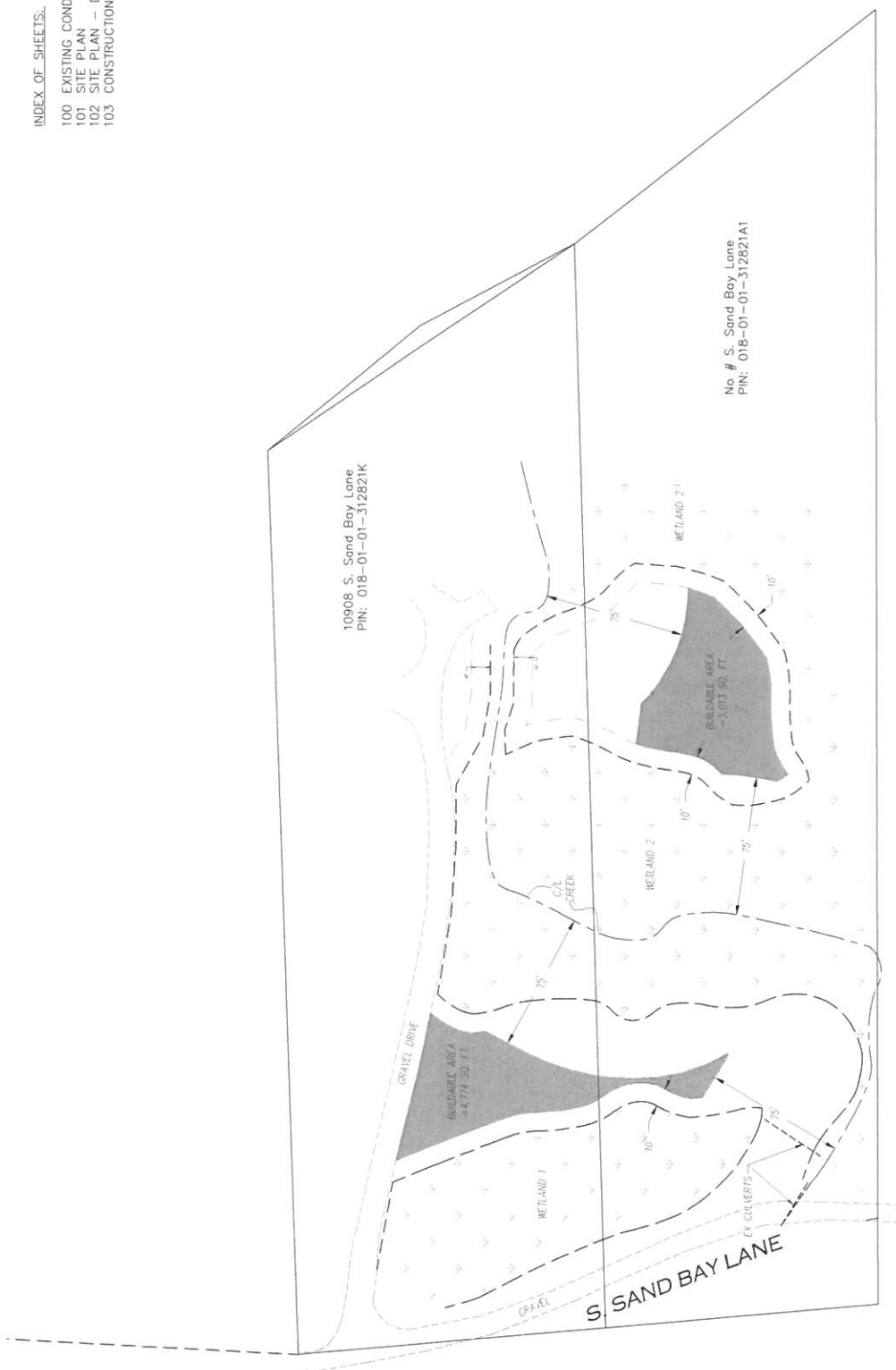
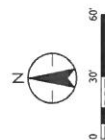
Thanks,

Sam Woboril – Lead Project Manager
USACE – St. Paul District, Regulatory Division
2926 Post Road, Suite B
Stevens Point, Wisconsin 54481

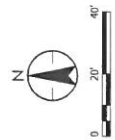
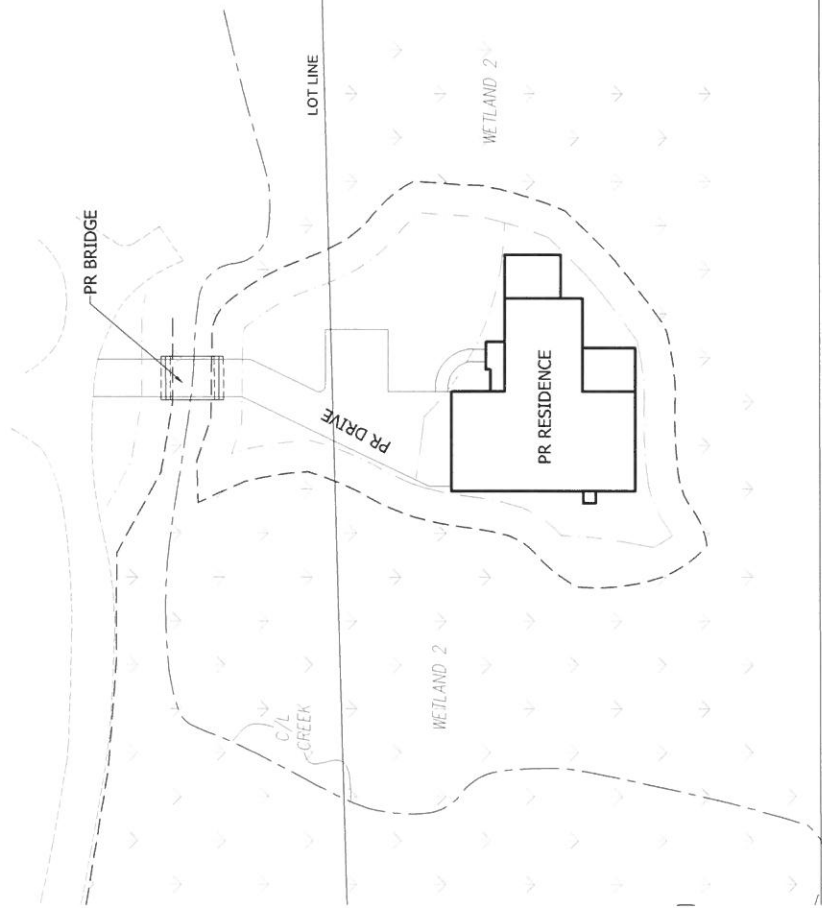
(651) 290-5878
samuel.j.woboril@usace.army.mil

INDEX OF SHEETS:

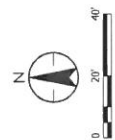
100 EXISTING CONDITIONS
101 SITE PLAN
102 SITE PLAN - DRIVE
103 CONSTRUCTION DETAILS



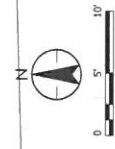
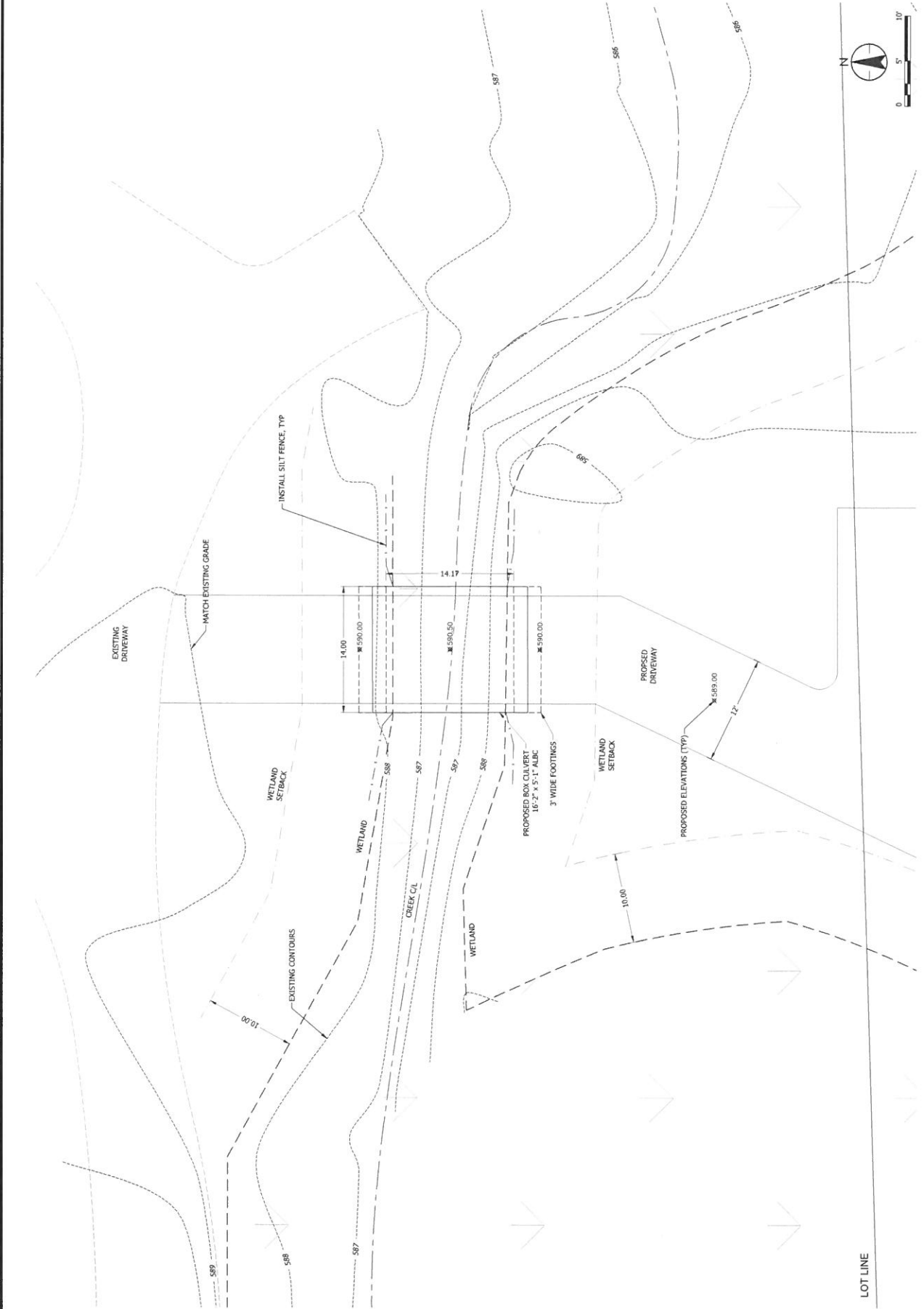
SITE PLAN

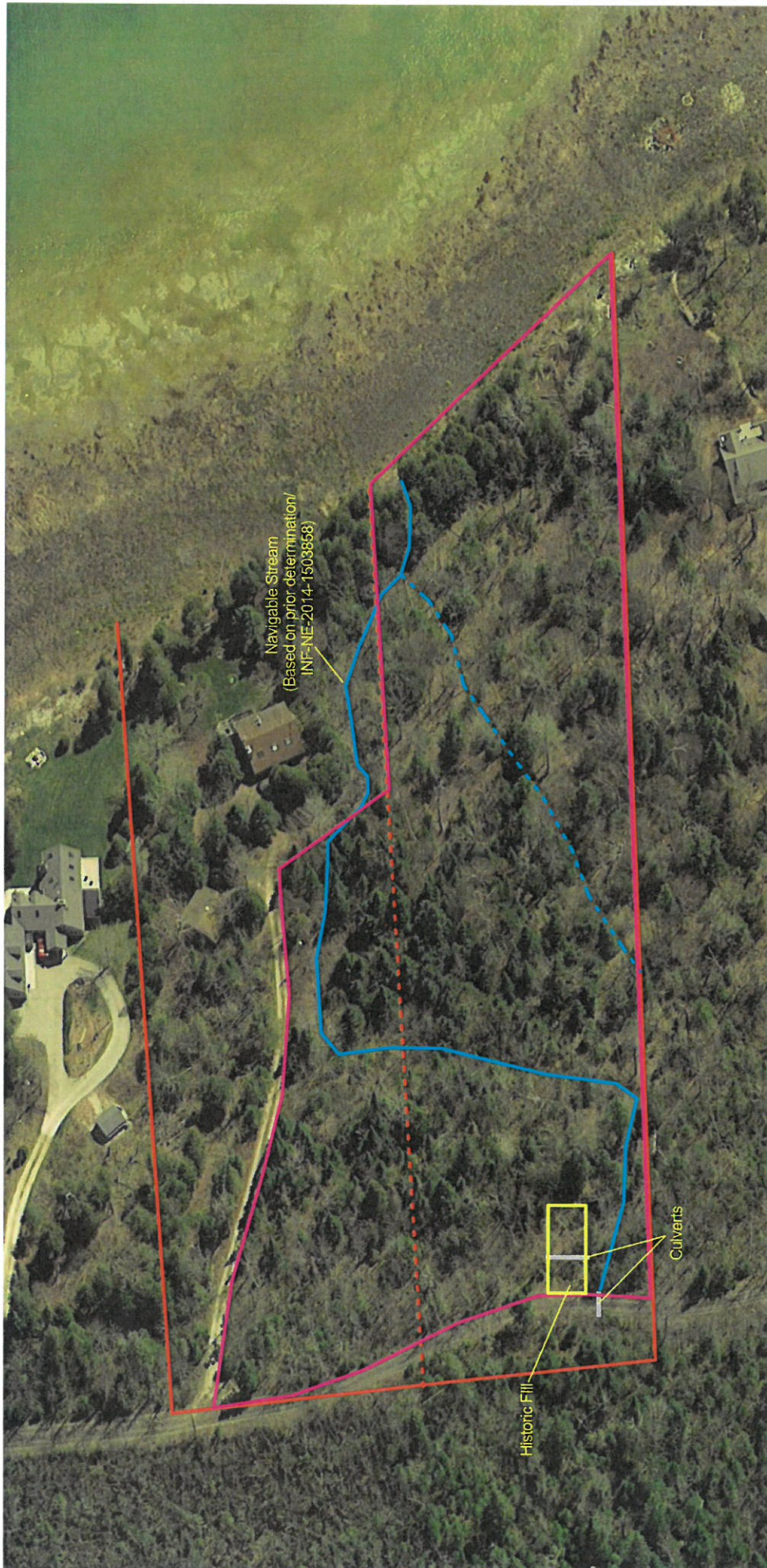


EXISTING CONDITIONS



DATE OF ISSUANCE	MARCH 1, 2023
REVISION	DATE
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Note: Parcel boundary based on Door County GIS Mapping

LEGEND

- Parcel Boundary
- Project Area Boundary

Figure 2 - Site Detail Map		
Hildebrand Property 10908 S. Sand Bay Lane Liberty Grove, Door County, WI	Client: Hildebrand	
Door County GIS/2015 Aerial Photo		Date: July 2021
Scale: 1"= 65' (+/-)		Drawn By: MOL
		



Note: Parcel boundary based on Door County GIS Mapping

LEGEND

Parcel Boundary
Project Area Boundary



Figure 4 - NRCS Soils Map

Hildebrand Property
10908 S. Sand Bay Lane
Liberty Grove, Door County, WI

Client:
Hildebrand

Date: July 2021

Scale: Not to Scale

Drawn By: MCL

Figure 4 - NRCS Soils Map

Hildebrand Property
10908 S. Sand Bay Lane
Liberty Grove, Door County, WI

Client:
Hildebrand

Date: July 2021

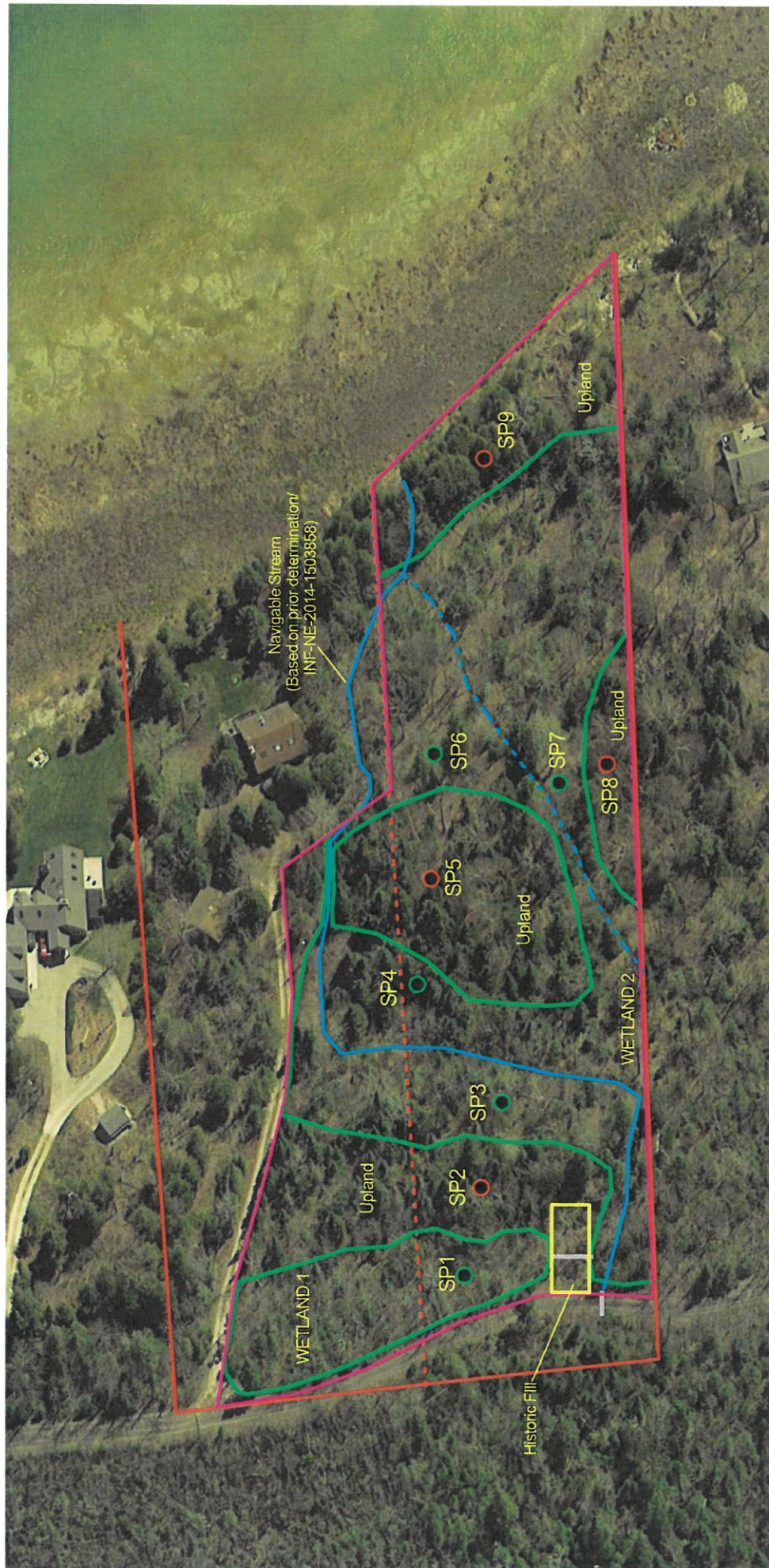
Scale: Not to Scale

Drawn By: MCL

Hydric Rating by Map Unit (WI)—Door County, Wisconsin				
Map Unit Symbol	Map Unit Name	Hydric Percent of Map Unit	Hydric Category	Landform Hydric Minor Components
ApC	Alpena gravelly sandy loam, 0 to 12 percent slopes	0	WI Nonhydric	—
Ax	Angelica loam, 0 to 2 percent slopes	95	WI Predominantly Hydric	—
Cm	Cathro muck	100	WI Hydric	Depressions

LEGEND

Project Area Boundary



Note: Parcel boundary based on Door County GIS Mapping

LEGEND

- Parcel Boundary
- Project Area Boundary
- Wetland Boundary
- Wetland Area
- Wetland Sample Point
- Upland Sample Point

		
Hildebrand		
Client:		
Date: July 2021		
Scale: 1" = 65' (+/-)		
Drawn By: MOL		
Figure 5 - Wetland Delineation Map		
Hildebrand Property 10908 S. Sand Bay Lane Liberty Grove, Door County, WI		
Door County GIS/2015 Aerial Photo		
		

PROJECT NUMBER	2023
SHEET NUMBER	1 of 1

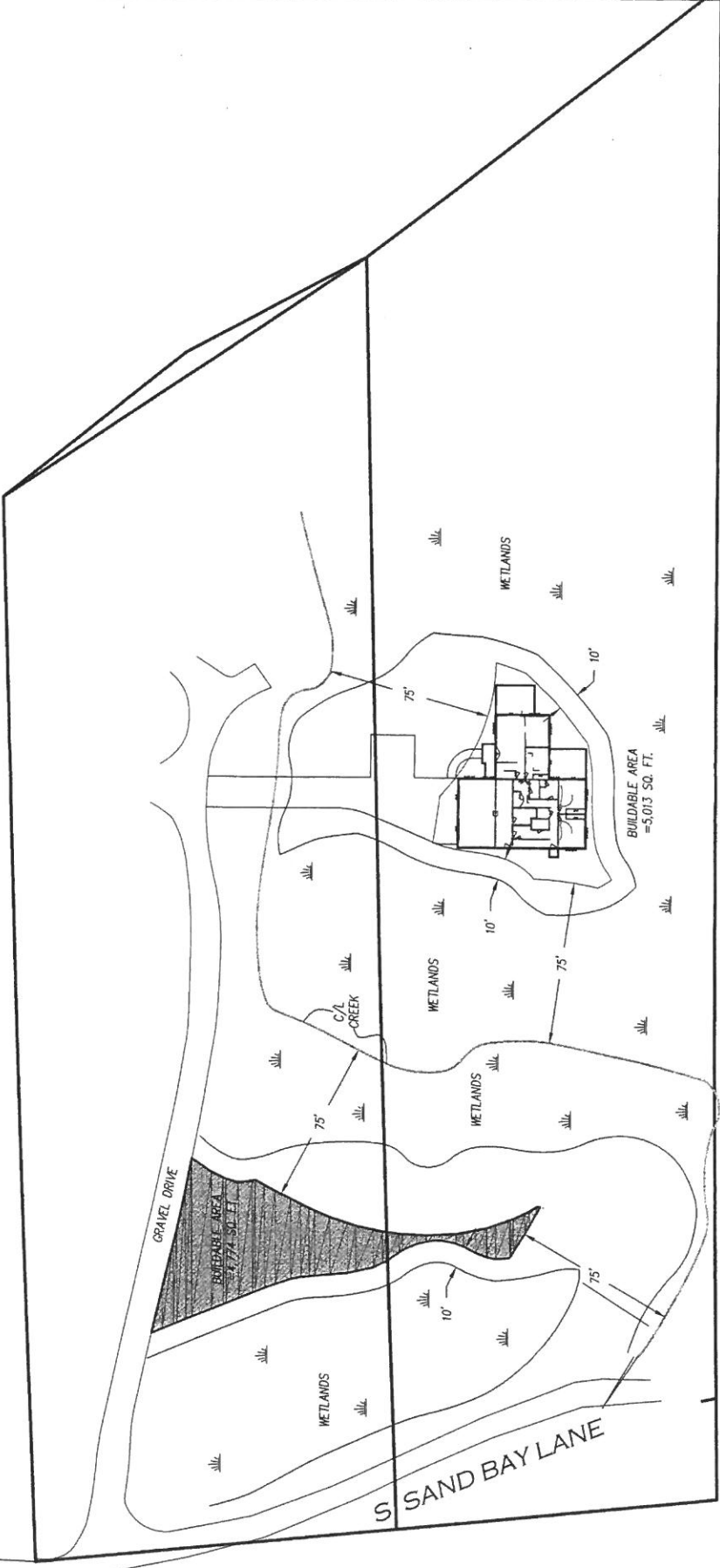
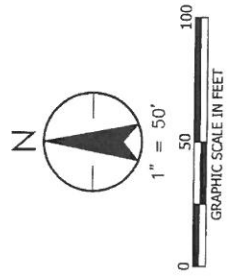
SITE MAP
 PORTSIDE HILDEBRAND
 SOUTH SAND BAY LANE
 SISTER BAY, WI
 54234

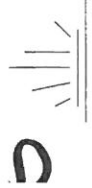
SURVEY BY: C.M.M. / A.R.W.
DRAWN BY: M.G.M.
DESIGNED BY: M.G.M.
CHECKED BY: M.G.M.
APPROVED BY: M.G.M.
DATE: 2-3-23

Sturgeon Bay Office
 312 N. 5th Avenue
 Phone: 920-743-8211
 Website: www.stantec.com

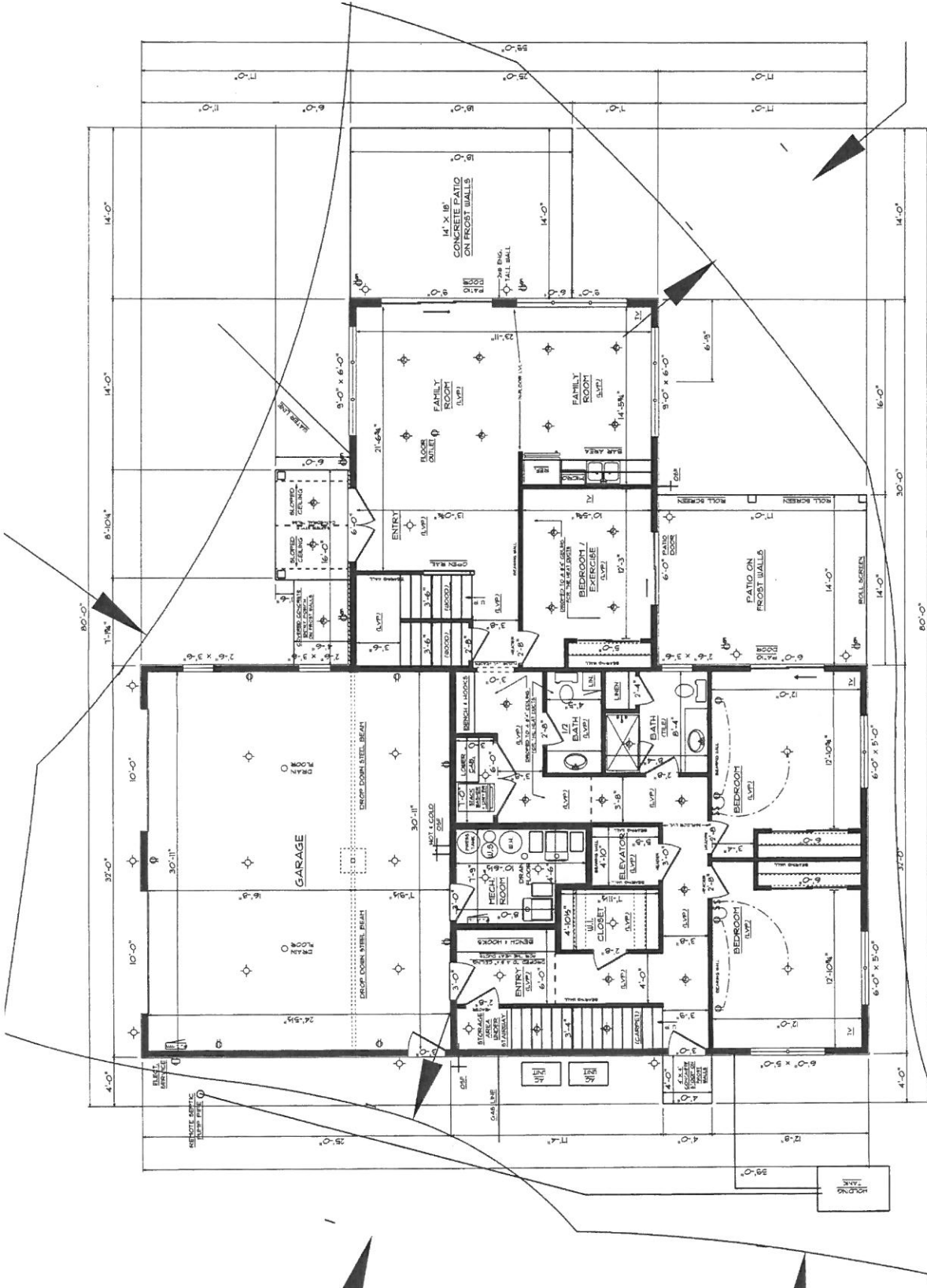


LOCATED IN:
 GOVERNMENT LOT 1 OF SECTION 1,
 TOWNSHIP 32 NORTH, RANGE 28 EAST,
 TOWN OF LIBERTY GROVE,
 DOOR COUNTY,
 WISCONSIN





5'5"

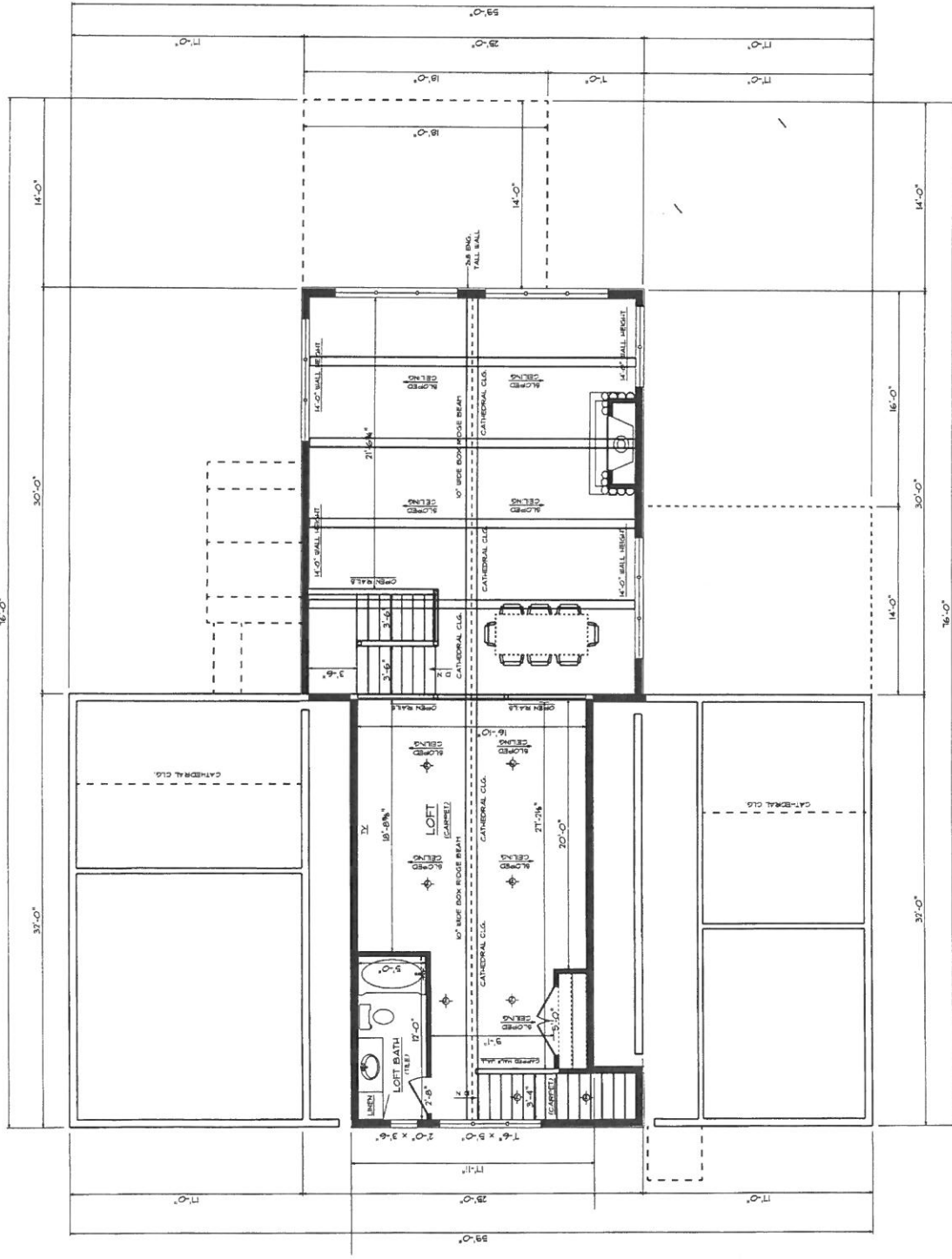


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FIRST FLOOR PLAN
1,843 SQ. FT. 1ST FLOOR
2,517 SQ. FT. 2ND FLOOR
540 SQ. FT. 3RD FLOOR
4,900 TOTAL SQ. FT.

NAMIE LEE & KIRSTEN HILDEBRAND
LOCATION: 9167 BAY
DATE: 9/12/22
DRAWN BY: ALAN SHEFCHIK
JOB NO:
SCALE: 1/8" = 10'





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3RD FLOOR PLAN

540 SQ. FT. # 3RD FLOOR

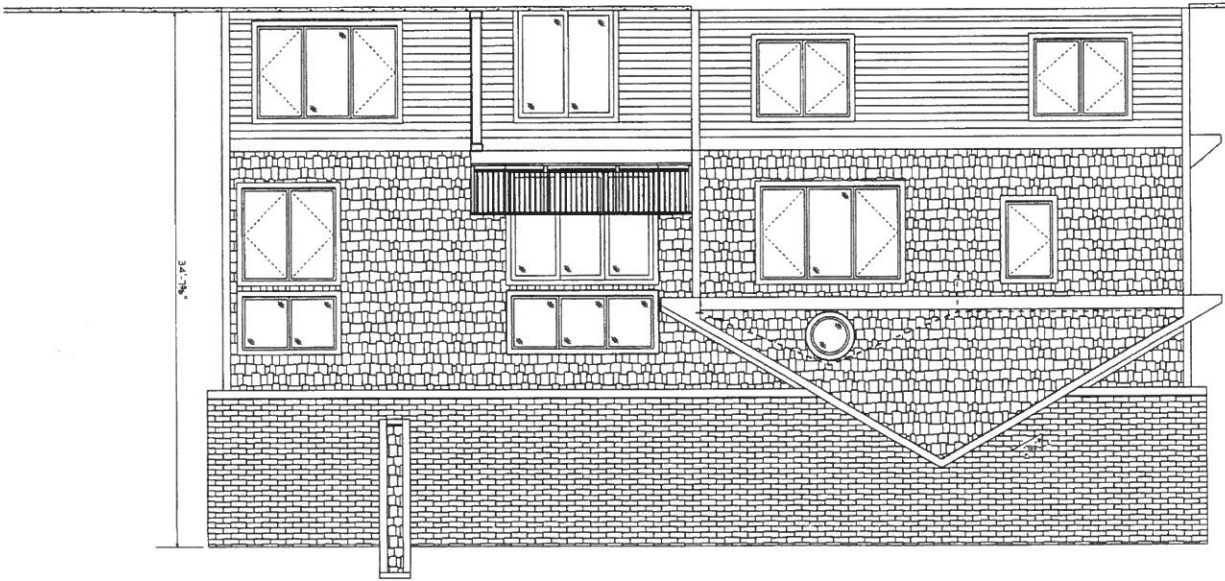
NAME: LEE & KIRSTEN HILDEBRAND
LOCATION: SISTER BAY
DATE: 9/2/22
DRAWN BY: ALAN SHEFCHIK
JOB NO.
SCALE: 1/8" = 1'-0"
PAGE



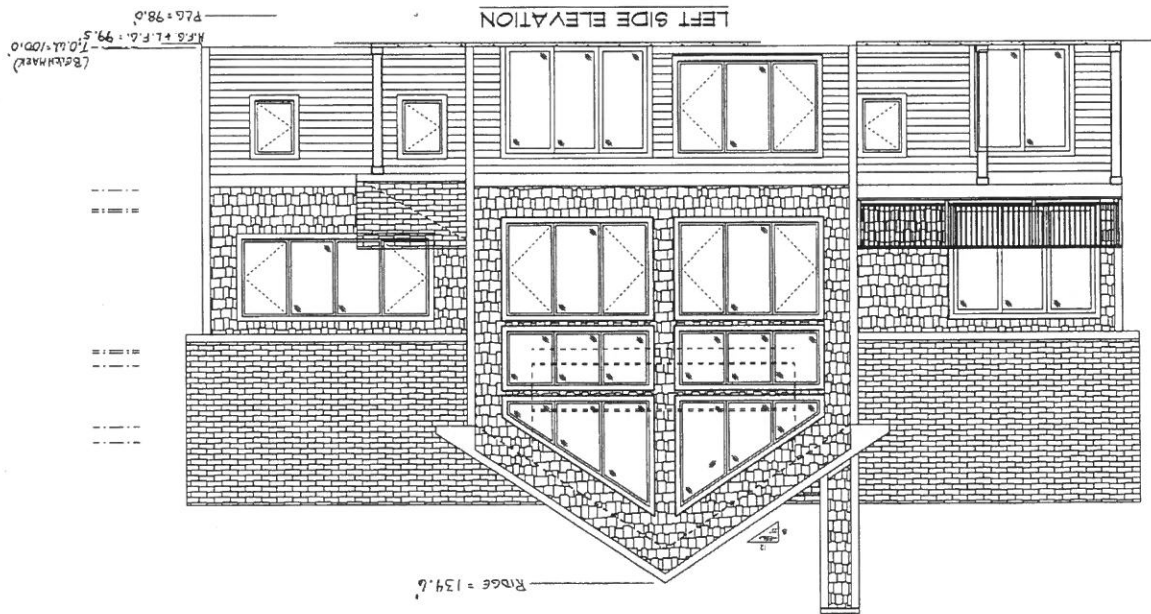
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 LOCATION: SISTER BAY
 DATE: 9/12/22
 DRAWN BY: ALAN SHEPCHIK
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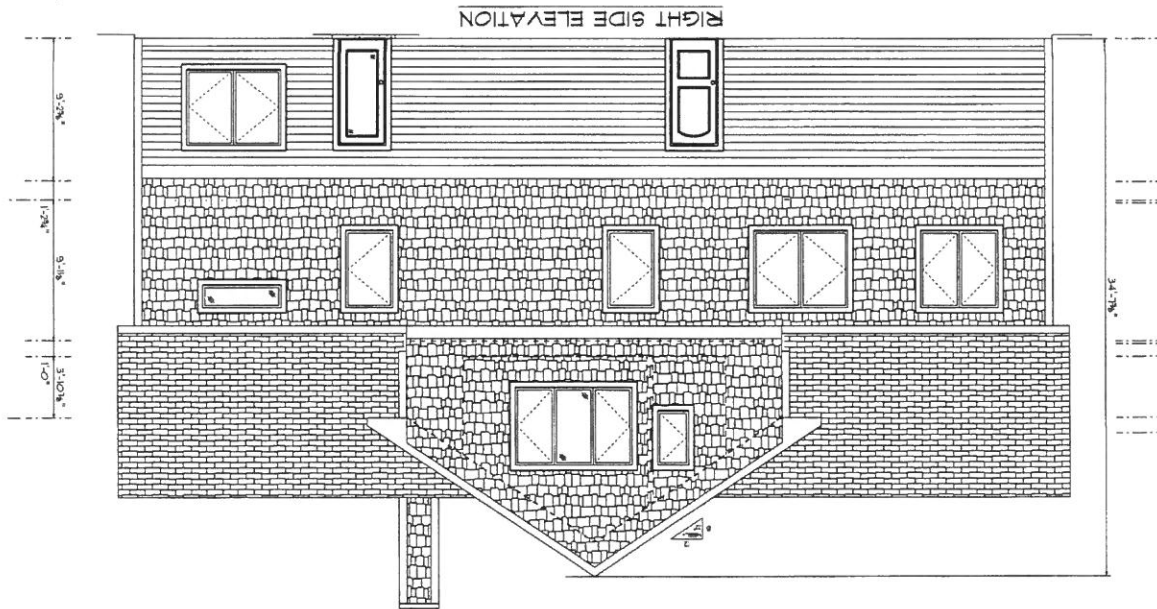
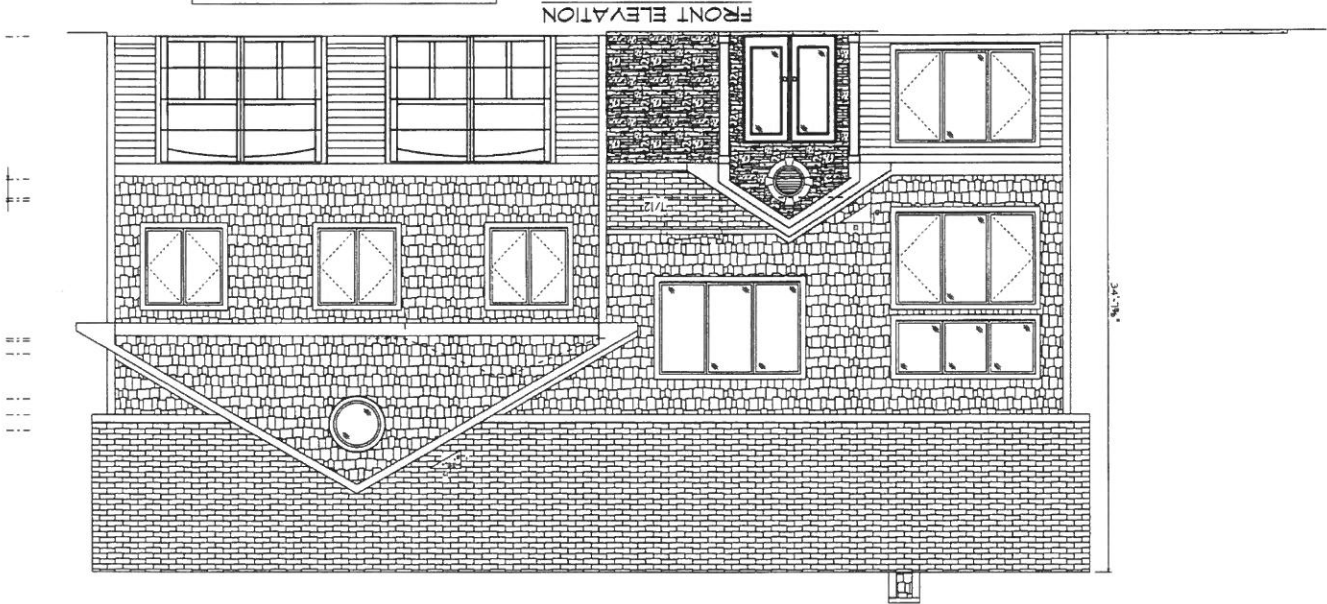
BACK ELEVATION

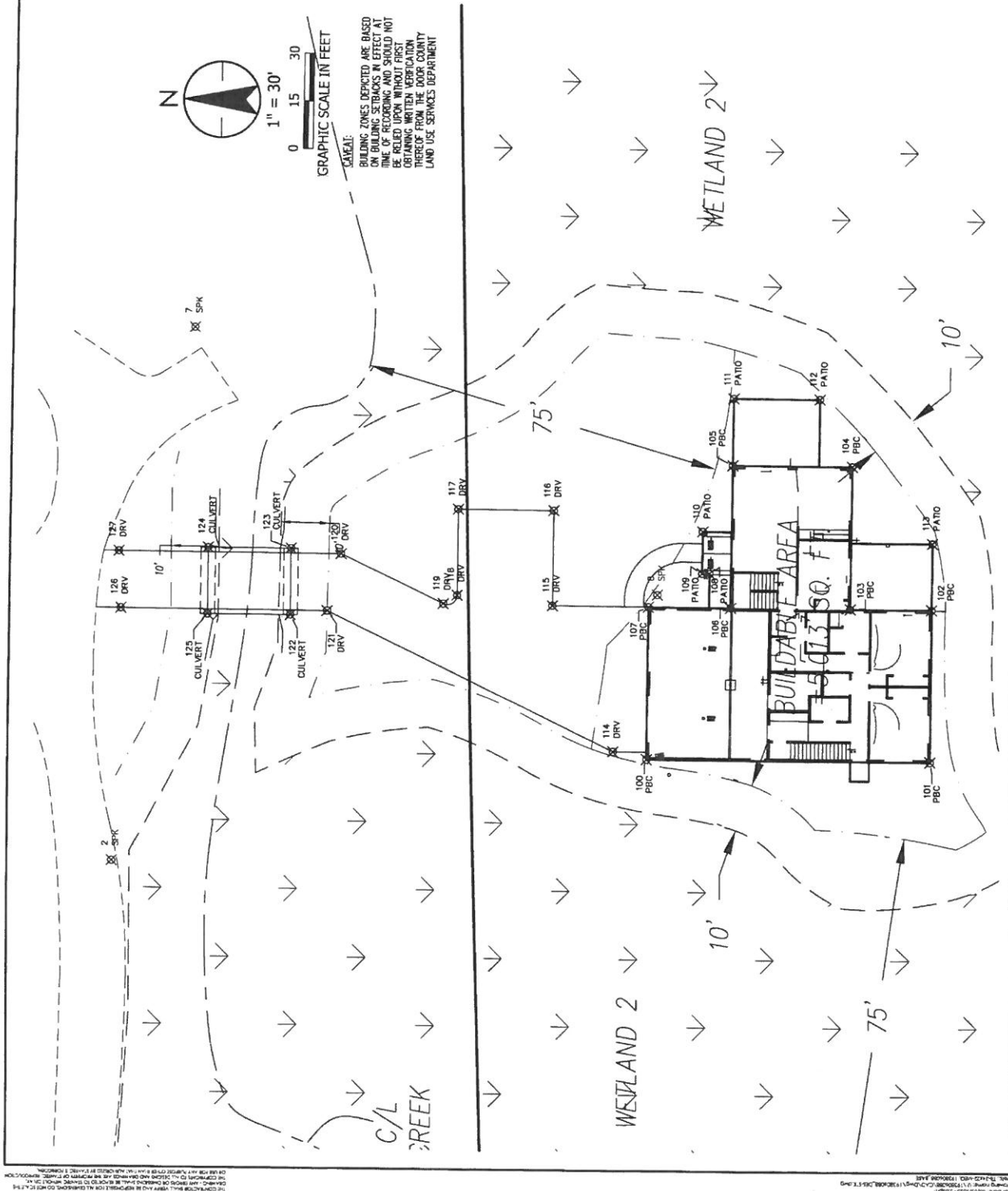


LEFT SIDE ELEVATION



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County of Door
LAND USE SERVICES
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Phone: (920) 746-2323
FAX: (920) 746-2387
Website: www.co.door.wi.gov/Land-Use-Services

Grade Sheet for Regular Zoning Permit Application

Complete and submit this form for **NEW PRINCIPAL STRUCTURES ONLY**.

This form is needed for: building(s) or other structure(s) which house(s) a primary use on a property, such as a new home or other new building containing any sort of dwelling unit, a commercial building, or an agricultural building, if the property contains an agricultural use.

This form is not needed for: additions to principal structures or for new accessory structures such as decks, garages, and sheds.

Owner of property: LEE & KRISTY HILDEBRAND LAKEVIEW LODGE LLC

Tax parcel number: 018 0101312821A1

1. Benchmark.

a. Describe benchmark and location.

NAIL IN TREE NEAR PROPOSED BUILDING

b. Elevation of benchmark: 100.0'

2. Preconstruction Grade.

Elevation of highest natural grade around footprint of new structure: 98.0'

3. Plans.

a. Show benchmark location and elevation on site plan.

b. On side elevation view of building, show preconstruction grade elevation (#2 above) and highest and lowest finished grade elevations.



County of Door
PLANNING DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Phone: (920) 746-2323
FAX: (920) 746-2387
Website: map.co.door.wi.us/planning

WETLAND NOTICE & ACKNOWLEDGMENT

According to 2009 Wisconsin Act 373, no permit may be issued until the property owner signs the statement below acknowledging that s/he received the following notice:

YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE at <http://dnr.wi.gov/wetlands/locating.html> OR CONTACT THE DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER.

By signing this, I acknowledge I have received this notice.

Lee + Kristen Miller Budo

PROPERTY OWNER NAME: LAKEVIEW LODGE LLC

SIGNATURE: [Signature] DATE: 2/2/23

PARCEL NUMBER: 0180101312821A1

FIRE NUMBER & STREET ADDRESS OF PROJECT: 3 SAND BAY LN.

Sturgeon Bay, WI.

54234



County of Door
LAND USE SERVICES
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Phone: (920) 746-2323
FAX: (920) 746-2387
Website: map.co.door.wi.us/planning

PROJECT SCOPE DECLARATION
(2017 Wisconsin Act 98, Effective November 28, 2017)

Please provide a description of your project.

NEW HOME
FOR CURTIS KROSS,
MEMBERS FOR PLANNING

§ 66.10015(2)(b), Wisconsin Statutes, provides as follows:

"If a project requires more than one approval or approvals from one or more political subdivisions and the applicant identifies the full scope of the project at the time of filing the application for the first approval required for the project, the existing requirements applicable in each political subdivision at the time of filing the application for the first approval required for the project shall be applicable to all subsequent approvals required for the project, unless the applicant and the political subdivision agree otherwise."

Please check which of the following two statements applies to this project.

- ☒ This is the first application filed for the project in which the full scope of the project has been identified. I acknowledge and understand that, for purposes of § 66.10015(2)(b), Wis. Stats., the full scope of the project is identified in this application.
- ☐ This is not the first application filed for this project where the full scope of the project was identified. The first application was filed with the Town/Village/City/County/State of _____ on the _____ day of _____, 20____. I acknowledge and understand that, for purposes of § 66.10015(2)(b), Wis. Stats., the full scope of the project was identified in the first application.

This Declaration is incorporated into and made part of the associated Door County application.

Property Owner(s) Name(s):

LAKE VIEW LODGE LLC (LEE + KISTEN)
HILOS BRAD

Signature: [Signature]

Date: 2/2/23

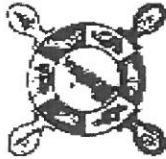
Signature: [Signature]

Date: 2/2/23

Parcel Number (of Project): 0180101312821A1

Fire Number & Street Address (of Project): S. SAND BAY LN.

STURGEON BAY, WI. 54234



County of Door
DOOR COUNTY LAND USE SERVICES
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

IMPERVIOUS SURFACE RATIO WORKSHEET

IMPERVIOUS SURFACE (IS): An area that releases as runoff all or a majority of the precipitation that falls on it which includes rooftops, sidewalks, driveways, parking lots, decks/patios, concrete asphalt, gravel, retaining walls pavers and private roads. *Public roads and public sidewalks within public rights-of-way are not considered impervious surfaces for calculation purposes.*

COMPREHENSIVE IMPERVIOUS SURFACE RATIO (ISR): A measure of the intensity of use of a parcel of land determined by dividing the total area of all impervious surfaces within the site by the total area of the site.
Example: 10,000 sq. ft. (IS area) / 40,000 Sq. ft. (lot area) = 0.25 or 25%

SHORELAND IMPERVIOUS SURFACE RATIO (ISR): For waterfront (riparian) lots and non-waterfront (non-riparian) lots that are located fully within 300' of the ordinary high water mark (OHWM), ISR shall be calculated by dividing the total area of all impervious surfaces located within 300' of the OHWM within the site by the total area of the site.
Example: 4,000 sq. ft. (IS area w/in 300' of OHWM) ÷ 40,000 Sq. ft. (lot area) = 0.10 or 10%

LOT AREA: The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.

*Complete the calculations below and make sure the site plan accurately reflects the impervious surfaces.

DIRECTIONS:

If your lot is not located within 300' of navigable water, only complete the columns below pertaining to the entire lot (2 & 4).

If your lot is located fully within 300' of navigable water, only complete the columns within 300' of the OHWM (1 & 3).

If your lot fronts navigable water and extends inland more than 300' from that water, complete all 4 columns.

TOTAL LOT AREA = 104,000 SQUARE FEET (21.38 Acres)

	EXISTING CONDITIONS (SQ. FT.)		FINAL/AS BUILT CONDITIONS (SQ. FT.)	
	COLUMN 1 IMPERVIOUS SURFACE WITHIN 300' OHWM	COLUMN 2 IMPERVIOUS SURFACE WITHIN ENTIRE LOT	COLUMN 3 IMPERVIOUS SURFACE WITHIN 300' OHWM	COLUMN 4 IMPERVIOUS SURFACE WITHIN ENTIRE LOT
MAIN BUILDING =	0	0	2639	2639
DRIVEWAY =			1340	1340
PARKING =			1466	1466
DECKS/PATIOS =			589	589
WALKWAYS =			92	92
GARAGE =			1466	1466
SHED =				
OTHERS (S) =				
OTHERS (S) =				
OTHERS (S) =				
TOTAL IS =				4660

TOTAL IS (WITHIN 300')		+ lot area =	0.45	x 100 =	4.5%
TOTAL IS (ENTIRE LOT)		+ lot area =	0.45	x 100 =	4.5%

I, (Signature) Doreen Pischke certify that the calculations submitted above for the Impervious Surface Ratio are accurate and complete to the best of my knowledge. Date: 2-3-23



Town Clerk <tlibertygrove@gmail.com>

text amendment language clarification needed

1 message

GOODE, MARIAH <mgoode@co.door.wi.us>
To: Town Clerk <tlibertygrove@gmail.com>

Wed, Mar 8, 2023 at 3:42 PM

Hi, Stacey –

The county has received the town's newly proposed HL 10 text amendments.

There are two things we need clarified before we move forward:

1. Does the 10-acre minimum lot size requirement include lots that meet the HL 10 size requirements described in footnote 8 in section 3.02(3)(b)? (See page 3-6 of the attached.) This provision allows for a lot that is not a true/full 40 acres to be subdivided into even fourths, as long as the parcel in question dates back to and is described in the original US surveys as being "a 40". This provision is a long-standing one, and many lots have been created in HL 10 using it.
2. Does the town intend to limit the size of the buildings within which auto repair and/or trade & contractor establishments would be allowed, or does it mean to only limit the size of structures that would be "accessory" to those uses? The auto repair and trade & contractor uses would by definition be principal uses if the text amendments are adopted, so there would be no size limit on those buildings with this language.

Please let me know if you need further clarification about the items for which we need clarification. 😊

Thank you!

Mariah Goode, Director

Door County Land Use Services Department

Door County Government Center

421 Nebraska Street

Sturgeon Bay, WI 54235

Direct line: (920) 746-2224

Main office line: (920) 746-2323

FAX: (920) 746-2387

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

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