

TOWN OF LIBERTY GROVE PUBLIC MEETING

December Board Meeting *Via Zoom*

Date: Wednesday, December 1, 2021

Time: 7:00 PM

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

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: 11/17/2021
5. Payment of bills
6. Administrator's report
7. Public Input
8. Election Inspectors for 2022-2023 Term
9. 2022 Hourly wages from Personnel Committee
10. Personnel Committee recommendation for Clerk/Treasurer Contract
11. Personnel Committee recommendation for Assistant to Administrator Contract
12. Year-end Bonus for Full-time Employees
13. Short-Term Rental License(s)
14. Fire Department Apparatus Consultant Recommendation(s)
15. Variance application: Deborah Rusy & Mark Schessler – parcel 018-01-27312821B, variance from Section 3.02(3)(a) to maintain 15' setback from the side lot line.
16. Resolution 18-21, Extension of Health Emergency
17. Correspondence
18. Future meetings
19. Adjourn

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

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

Anastasia Bell, Clerk/Treasurer

Members of the Town Board or any other Town Committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended, and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town Committee or Board.

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

<https://us02web.zoom.us/j/87410461599?pwd=ZndVUmtKdGFjZTElbnYyYyE0UHFwUT09>

Meeting ID: 874 1046 1599

Password: 864340

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

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

(312) 626-6799 US (Chicago)

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

(646) 558-8656 US (New York)

(346) 248-7799 US (Houston)

(253) 215-8782 US (Seattle)

(669) 900-9128 US (San Jose)

Town of Liberty Grove
Minutes of the Town Board meeting on November 17, 2021
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: 11/3/2021, Sp. Board 11/9/2021
5. Payment of bills
6. Treasurer's report
7. Public input
8. Door County North activities
9. Life, dental, and health insurance plans for full-time employees
10. Ord 9-21, Establish Procedures for the Liberty Grove Town Marina(s) and Town Launch Ramps
11. Ord 10-21, Administration of Liberty Grove Cemeteries
12. Ord 11-21, Regulating Short-Term Rentals
13. Refine research for Town-wide garbage service with designated funds
14. Excess Room Tax funds and budget application
15. Short-Term Rental License(s)
16. Correspondence
17. Future meetings
18. Adjourn

Chairman John Lowry called the meeting to order at 6:53pm. Supervisors Cathy Ward, Paul Schwengel, Janet Johnson, and Nancy Goss were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell, Deputy Clerk/Treasurer Doug Curzon, and 4 members of the public via Zoom.

Ward moved, Johnson second to approve the agenda as posted. Passed 5-0.

Lowry moved, Goss second to approve the minutes from the 11/3/21 Town Board meeting as corrected. Passed 5-0.

Johnson moved, Lowry second to approve the minutes from the 11/9/21 Special Town Board as presented. Passed 5-0.

Payment of bills – Ward moved, Lowry second to approve the payment of bills as presented, with a total of \$19,684.87. Passed 5-0.

Treasurer's report – Bell reported the following Town account balances as of October 29, 2021:

Municipal Checking	1,187,986.74
Money market acct.	649,092.63
Checking	209,016.54
Utility Dist.	585,958.46

As of October 29, 2021, total in all Town accounts was \$2,632,054.37. **Lowry moved, Ward second** to approve the Treasurer's report as presented. Passed 5-0.

Public input – None.

Door County North – Mickie Rasch reported that the membership renewal process continues, and the annual meeting went well.

Life, dental, and health insurance – Curzon reported on the premium increases and other plan options. Major facilities were identified on the coverage map for the other companies, but Door County providers were not specifically identified. **Lowry moved, Johnson second** to continue with Anthem health coverage with renewal of the current plan. Passed 5-0. **Lowry moved, Goss second** to continue with Delta Dental as the renewal was presented. Passed 5-0.

Ord 9-21, Establish Procedures for the Liberty Grove Town Marina(s) and Town Launch Ramps – Ward indicated the intent of the changes in section 8 is to alleviate kayaks occupying significant launch areas when they're not being used. **Lowry moved, Johnson second** to adopt Ordinance 9-21 as presented. Roll call vote with Schwengel, Lowry, Johnson, Goss, and Ward voting aye, no nays. Passed 5-0. The full ordinance can be viewed on the Town website or at the Town Hall.

Ord 10-21, Administration of Liberty Grove Cemeteries – Ward noted that the only exception for when items are allowed on graves is Memorial Day and Section 5 was modified to specifically include wreaths. Section 3 (O) (a) was modified to read "...immediately prior to care facility or campy residency to be eligible...". **Lowry moved, Johnson second** to adopt Ordinance 10-21 as corrected. Roll call vote with Ward, Lowry, Johnson, Schwengel, and Goss voting aye, no nays. Passed 5-0. The full ordinance can be viewed on the Town website or at the Town Hall.

Ord 11-21, Regulating Short-Term Rentals – The last line of license section (B)(1) was modified to read "The number of Town licenses required for any one Property Owner will be equal to the number of DCTZC licenses issued to that Property Owner in Liberty Grove." The last line of license section (B)(5) will read "...all information requested and identify changes since the previous application." **Lowry moved, Goss second** to adopt Ordinance 11-21 as adjusted. Roll call vote with Schwengel, Johnson, Lowry, Goss and Ward voting aye, no nays. Passed 5-0. The full ordinance can be viewed on the Town website or at the Town Hall.

Town-wide garbage service – Lowry requested the amount of funds for research be defined and that informational meetings will occur after the research is complete, prior to implementation. Johnson noted this cost will be minimal, she has the list and can review it differentiating commercial vs residential, and to identify the condominiums that will need to be asked if they want to transition or maintain their current operations.

Room Tax funds and budget application – Lowry noted the Fire Department may have an increased in maintenance costs and inquired if these funds could be set aside in a separate account for use by the Fire Department if needed. Johnson noted excess funds have been designated for a purpose at the end of each calendar year and this idea could be shared with the Village at the next Fire Board meeting since excess maintenance will be a split cost.

Short-Term Rental License(s) – the list of applications received was reviewed and the following was noted:

- Holding tanks don't typically have a bedroom design capacity because they just require more frequent emptying based on use.
- The State needs to change the definition because STRs are a residential use.
- The owner could be required to reside at the location for a specified amount of time.
- Granicus performance evaluation should be discussed for services in 2022.

James Quick requested his application be approved since he has rentals booked for early 2022. **Johnson moved, Goss second** to approve the STR license for James & Lisa Quick at 448 Isle View Road. Passed 5-0.

Correspondence – The Dougherty amendments were approved by the County, Madsen has requested speed signs on Hill Road, and there are changes to the cyber insurance.

The next Town Board meeting will be Wednesday, December 1, 2021 via Zoom following the conclusion of the Personnel Meeting.

Lowry moved, Johnson second to adjourn at 8:33pm. Roll call vote with Ward, Lowry, Johnson, Schwengel, and Goss voting aye, no nays. Passed 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

**Town of Liberty Grove
Election Inspector List for Town Board Approval**

December 1, 2021 for the 2022-2023 term:

Yvonne Dwonch
Trudy Fandrei
Susan Hass*
Janet Johnson
Linda Johnson
Julie Kingsbury
Liz Mahoney
Patsy Michelsen
Anne Miller
Carol Mooney*
Joanne Peterson
Catherine Tryon
Cathy Ward
Jodi Yocum

*Chief inspector

Property Address	Owner Name	Maximum Occupancy	POWTS Design Capacity	DATCP license #	DCTZ license #	Insurer
2570 County Rd Q	Sara Unketer	2 1 BDRM	2 1 BDRM	YES	YES	ON FILE
11501 Beach Rd	DC GC LLC	4 2 BDRM	4 2 BDRM	YES	YES	ON FILE
2107 Plateau Rd	Appel Homestead LLC	4 2 BDRM	4 2 BDRM	YES	YES	ON FILE
501 Europe Lake Rd	Roman/Claudia Apuzzo	4 2 BDRM	4 2 BDRM	YES	YES	ON FILE
10104 Townline Dr	Michael L Bowers	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
1068 Wagon Trail	Wagon Trail 18 LLC	5 3 BDRM	5 3 BDRM	YES	YES	ON FILE
10704 Lake Wood Ln	Zack Ezzell/Shannon Donegon	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
11318 Beechwood East	Megan/Scott Welter	4 3 BDRM	4 3 BDRM	YES	YES	ON FILE
12223 Blackberry Rd	Stephen/Jennifer Christy	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
12278 Europe Lake Ln	Cheryl Carlson	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
1276 Garrett Bay Rd	Mary Ann Rademacher	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
12770 n Porte Des Morts Dr	William Bell	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
12786 N Porte Des Morts Dr	Jeremy Jeffery, DC Cabins LLC	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
1288 Garrett Bay Rd	Mary Ann Rademacher	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
1602 Bluebird Trail	Jennifer Gaddes	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
650 County NP	Laura Nunez/Kelly Majewski	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
803 Europe Bay Rd	Daniel/Valerie Austgen	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
928 Cottage Rd	Daniel Schwarz	6 3 BDRM	6 3 BDRM	YES	YES	ON FILE
12009 Hwy 42	Noorland Resort	36 30 BDRM	36 30 BDRM	YES	YES	ON FILE
10189 Settlement WoodTrail	Jeff Krumenauer	8 4 BDRM	8 4 BDRM	YES	YES	ON FILE
10242 Kinsey Bay Ln	Keith Hanson/Louise Wolf	8 4 BDRM	8 4 BDRM	YES	YES	ON FILE
11210 N Sand Bay In	Jonathan Ocker	8 4 BDRM	8 4 BDRM	YES	YES	ON FILE
1141 Wagon Trail Cir	Phylliss Anselmino Trust	8 4 BDRM	8 4 BDRM	YES	YES	ON FILE
12462 Timberline Rd	Randall Daubner	8 4 BDRM	8 4 BDRM	YES	YES	ON FILE
12625 State Hwy 42	Charlene/Dwain Risenhoover	4 4 BDRM	4 4 BDRM	YES	YES	ON FILE
2776 Pioneer Rd	BARC Haus LLC	10 5 BDRM	10 5 BDRM	YES	YES	ON FILE
1081 County Rd ZZ	Donald A./Mary L. Cole	6 6 BDRM	6 6 BDRM	YES	YES	ON FILE
1058 Wagon Trail Cir	Micah DiSalvo	12 85 BDRM-condo	12 85 BDRM-condo	YES	YES	ON FILE
1060 Wagon Trail Cir Dr	Charles Kraemer 1060 Wagon Trail	11 85 BDRM-condo	11 85 BDRM-condo	YES	YES	ON FILE
1076 Wagon Trail	Edward/Jill Donbrowski	7 85 BDRM-condo	7 85 BDRM-condo	YES	YES	ON FILE
1096 Garrett Bay Rd	William Berry	8 Hold 2 BDRM	8 Hold 2 BDRM	YES	YES	ON FILE
1265 Garrett Bay Rd	Susan M. Szabo/ Mark A. Beecher	4 Hold 2 BDRM	4 Hold 2 BDRM	YES	YES	ON FILE
10290 Any Old Rd	Hinter Haven Cottage	7 Hold 3 BDRM	7 Hold 3 BDRM	YES	YES	ON FILE
1040 Crescent Ln	Joseph/Katrina Malcore	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
1057 N Elm Rd	Rex Kahr	8 Hold 3 BDRM	8 Hold 3 BDRM	YES	YES	ON FILE
1066 Cottage Rd	Ken Hays/Sally Wheelock	5 Hold 3 BDRM	5 Hold 3 BDRM	YES	YES	ON FILE
11697 Mink River Rd	Myron Beard	5 Hold 3 BDRM	5 Hold 3 BDRM	YES	YES	ON FILE
11977 Bay Ln	Randall Andrus	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
12044 State Hwy 42	Willow Pfeiffer	7 Hold 3 BDRM	7 Hold 3 BDRM	YES	YES	ON FILE
12443 Cedar Dell Ln	Kayla Gensler	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
12699 S Port Des Morts Dr	Kira Connolly-Nelson/Mohanram Ganesan	8 Hold 3 BDRM	8 Hold 3 BDRM	YES	YES	ON FILE
1575 Old School Rd	Emel Marks	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
1825 Waters End Rd	Glen/Laurie Moegenburg	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
2576 Grove Rd	Ann Miller/Jim Gordon	4 Hold 3 BDRM	4 Hold 3 BDRM	YES	YES	ON FILE
418 Europe Lake RD	Joan M Carlson	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
890 Wisconsin Bay Rd	Daniel/Cynthia Schaulis	6 Hold 3 BDRM	6 Hold 3 BDRM	YES	YES	ON FILE
2602 Grove Rd	Ann Miller/Jim Gordon	4 Hold 3 BDRM	4 Hold 3 BDRM	YES	YES	ON FILE
9890 State HWY 57	Mary Henson Trust	10 Hold 3BDRM	10 Hold 3BDRM	YES	YES	ON FILE
11693 Tipperary Lane	Edwin Banderowicz	8 Hold 4 BDRM	8 Hold 4 BDRM	YES	YES	ON FILE

Property Address	Owner Name	Maximum Occupancy	POWTS Design Capacity	DATCP license #	DCTZ license #	Insurer
971 Cottage Rd/ 973 Cottage Rd	David/Patricia Bernhard	12 Hold 4 BDRM	YES	YES	YES	ON FILE
11098 N Sand Bay Lane	Kimberly Hazen	10 Hold 5 BDRM	YES	YES	YES	ON FILE
11162 N sand Bay Ln	Tom/Tanya Wismar	5 Hold 5 BDRM	YES	YES	YES	ON FILE
12317 Maplewood Lane	Kimberly Hazen	10 Hold 5 BDRM	YES	YES	YES	ON FILE
12653 State Hwy 42	David/Susan Steeno	8 Hold 5 BDRM	YES	YES	YES	ON FILE
464 Europe Lake Rd	Scott Smith	10 Hold 5 BDRM	YES	YES	YES	ON FILE
464 Europe Lake Rd	Scott Smith	10 Hold 5 BDRM	YES	YES	YES	ON FILE
468 Europe Lake Rd	Scott Smith	10 Hold 5 BDRM	YES	YES	YES	ON FILE
9770 Winding Lane	James Kullerstrand	10 Hold 5 BDRM	YES	YES	YES	ON FILE
10372 S Appleport Ln	Kathleen Callahan	6 Hold 6 BDRM	YES	YES	YES	ON FILE
11174 North Sand Bay Lane	Judith C Giessel Trust	12 Hold 6 BDRM	YES	YES	YES	ON FILE
12232 Blackberry Rd	Chad/Pamela Ewald	5 Hold 6 BDRM	YES	YES	YES	ON FILE
12723 State Hwy 42	Michael/Georgina Schwandt	5 Hold 6 BDRM	YES	YES	YES	ON FILE
12869 Tip of the Door	TOTD LLC	6 Hold 6 BDRM	YES	YES	YES	ON FILE
12917 On the Rocks Rd	Michael L. McGraw	6 Hold 6 BDRM	YES	YES	YES	ON FILE
464 Europe Lake Rd	Scott Smith	12 Hold 6 BDRM	YES	YES	YES	ON FILE
995 Cottage Rd	S&G Rental Properties LLC	12 Hold 6 BDRM	YES	YES	YES	ON FILE
119996 Lakeview Rd	Deborah Taubert-Gehan	6 Hold 6 BDRM	YES	YES	YES	ON FILE
10903 State Hwy 42	Sharon Anderson	2 Hold 8 BDRM	YES	YES	YES	ON FILE
10931 State Hwy 42 #102	Tom/Kaye Boiling	12 LGUD #1	YES	YES	YES	ON FILE
10985 ST Hwy 42	Yacht Haven LLC	6 LGUD #1	YES	YES	YES	ON FILE
11039 Hillcrest Rd	1847 Minnesota LLC	4 LGUD #1	YES	YES	YES	ON FILE
11068 Beach Rd	George/Bonnie Morris	10 LGUD #1	YES	YES	YES	ON FILE
11075 State Hwy 42	John/Kathy Dickson	6 LGUD #1	YES	YES	YES	ON FILE
11077 State Hwy 42	Nicole Dickson	4 LGUD #1	YES	YES	YES	ON FILE
11092/11096 ST HWY 42	Kim Erzinger	10 LGUD #1	YES	YES	YES	ON FILE
11105 State Hwy 42	Shawn/Kimberly Marshall	8 LGUD #1	YES	YES	YES	ON FILE
1111 Beach Rd	David/Deborah Cresto	16 LGUD #1	YES	YES	YES	ON FILE
1913 State Hwy 42	Paul O'Keefe	7 LGUD #1	YES	YES	YES	ON FILE
2209 Hillcrest Ln	Sunwise Turn LLC	2 LGUD #1	YES	YES	YES	ON FILE
1008 Cottage Ln	ABM Properties LLC	8 3 BDRM	YES	YES	YES	ON FILE
11428 Beach Rd	Peder Nelson	10 3 BDRM	YES	YES	YES	ON FILE
11688 lakeview Rd	Kevin/Deby Statz	12 3 BDRM	YES	YES	YES	ON FILE
12398 Northern Door Rd	JHS Rentals LLC	8 3 BDRM	YES	YES	YES	ON FILE
197 Isle View Rd	Hoffman's Up North LLC	12 3 BDRM	YES	YES	YES	ON FILE
2022 Old Orchard Rd	James Arneson	9 3 BDRM	YES	YES	YES	ON FILE
9993 Hwy 57	Ruby Lou Properties	12 4 BDRM	YES	YES	YES	ON FILE
1260 HWY ZZ	Ann Hostetler/Mervin Smucker	12 5 BDRM	APPLIED	YES	YES	ON FILE
11573 Beach Rd	John Carstens	10 Not available	APPLIED	YES	YES	ON FILE
12098 Hwy 42	Tim Raduenz	4 2 BDRM	APPLIED	YES	YES	ON FILE
1230 Garrett Bay Rd	Thomas/Jennifer Hanrahan	4 3 BDRM	APPLIED	YES	YES	ON FILE
1615 Big Pine Lane	Linda Hale	15 Hold-condo	APPLIED	YES	YES	ON FILE
2263 Waters End Rd	Jon Murphy	8 LGUD #1	APPLIED	YES	YES	ON FILE
11640 Humbug Rd	Tim Raduenz	16 8 BDRM	APPLIED	APPLIED	ON FILE	ON FILE
12717 Kenosha Dr	Nick/Michelle Backes	12 Hold 6 BDRM	APPLIED	APPLIED	ON FILE	ON FILE
1136 Wagon Trail Cir	Arica Hirsch	6 85 BDRM-condo	APPLIED	YES	Pending new ins info	



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

Tara McKeefry, Zoning Administrator

Direct line: (920) 746-2222

Main office line: (920) 746-2323

FAX: (920) 746-2387

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

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

November 5, 2021

Town of Liberty Grove
C/o Anastasia Bell, Clerk
11161 Old Stage Rd
Sister Bay, WI 54234

Re: Petition for variance for 9713 N Bay Rd

Greetings:

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 December 2, 2021, 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.

Deborah Rusy & Mark Schessler are requesting a variance from Section 3.02(3)(a) of the Door County Comprehensive Zoning Ordinance which requires all accessory structures to maintain a 15' setback from the side lot line.

The applicants propose to construct a 20' x 24' one-story detached garage which will be located as close as 10' to the side lot line.

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,

Tara McKeefry
Zoning Administrator

Enc.: Variance application packet and town recommendation worksheet
C.C.: Deborah Rusy & Mark Schessler, with enclosure (via e-mail)
Adjacent property owners within 300', without enclosure

**Door County Land Use Services Department
Request for Town Recommendation**

Deborah Rusy & Mark Schessler are requesting a variance from Section 3.02(3)(a) of the Door County Comprehensive Zoning Ordinance which requires all accessory structures to maintain a 15' setback from the side lot line.

The applicants propose to construct a 20' x 24' one-story detached garage which will be located as close as 10' to the side lot line.

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?*
 - *Is there a unique physical property limitation? (See above.)*
 - *The variance is not warranted if the physical character of the property allows a landowner to develop or build in compliance with the zoning ordinance.*
 - *Financial hardship is not grounds for a variance.*
 - *Self-imposed hardship or personal preference are not grounds for a variance. (Note that "self-imposed hardship" has been determined by courts to mean either current or former owners.)*
 - *The hardship cannot be one that would have existed in the absence of zoning.*

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.)

DOOR COUNTY LAND USE SERVICES
421 Nebraska Street – Door County Government Center
Sturgeon Bay, Wisconsin 54235
Phone: (920) 746-2323 - FAX: (920) 746-2387

RECEIVED

OCT 28 2021

PETITION FOR GRANT OF VARIANCE

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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.

1. OWNER NAME AND MAILING ADDRESS

Name Deborah Rusy and Mark Schessler
No. 9713 Street North Bay Dr.
City Baileys Harbor State WI Zip 54202
Phone # 608 - 220 - 5155
Cell Phone # 608 - 220 - 5155
Email: darusy@wisc.edu

2. BUILDING SITE LOCATION

Fire # 9713 Road North Bay Dr.
Town of Liberty Grove

Parcel No. 0180127312821B

3. BUILDER NAME AND MAILING ADDRESS

Name _____
No. _____ Street _____
City _____ State _____ Zip _____
Phone # _____ - _____ - _____
Cell Phone # _____ - _____ - _____
Email: _____

4. SURVEYOR/ENGINEER CONTACT INFORMATION

(If applicable)

Name _____
No. _____ Street _____
City _____ State _____ Zip _____
Phone # _____ - _____ - _____
Cell Phone # _____ - _____ - _____
Email: _____

5. BUILDING PLANS AND SITE PLAN

TO SCALE BUILDING PLAN AND SITE PLAN REQUIRED. IF PLANS EXCEED AN 11" X 17" FORMAT, SUBMIT ONE COPY OF EACH SHEET REDUCED TO 11" X 17".

6. PETITION

7. VARIANCE CRITERIA

(See attached forms and examples for numbers 5-7)

8. FEE \$500.00

Make check payable to the Door County Treasurer.

Receipt # 4347 Fee 500 Date 10-28-21

9. AUTHORIZATION FOR INSPECTION

I hereby authorize the Zoning Administrator(s) to enter and remain in or on the premises for which this application is made at any reasonable time for all purposes of inspection relative to this petition.

10. SIGNATURE OF APPLICANT OR AGENT

Deborah Rusy MD, MBA

Date October 22, 2021

RECEIVED

OCT 28 2021

PETITION

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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): Deborah Ann Rusy / Mark Alan Schessler

Propose to:

Build a 20 x 24 foot accessory building on the property

The existing use of structure or land in question is:

Residential

The building would be outside of the 15 foot side set-back by 5 feet. Thus 10 foot side setback.

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:

Deborah Rusy MD, MBA

DATE:

October 22, 2021

PETITION FOR GRANT OF VARIANCE

DEBORAH RUSY & MARK SCHESSLER

ATTACHMENT A

The applicants hereby petition the Door County Board of Adjustment for a variance from Section 3.02(3)(a) of the Door County Comprehensive Zoning Ordinance which requires all accessory structures to maintain a 15' setback from the side lot line.

The applicant proposes to construct a 20' x 24' one-story detached garage which will be located as close as 10' to the side lot line.

BACKGROUND:

This parcel is located in the southeastern part of Liberty Grove on North Bay of Lake Michigan and is bound by CTH Q to the west and bisected by the town road named N Bay on the waterside. Wetlands are found on the western part of the parcel.

The existing residence is non-conforming since it does not meet the current side yard setback or road right-of-way setback. In the SF-30 zoning district, the side yard setback for a principal structure is 20' and the house is about 10' away. The town road right-of-way setback is 65' from the centerline and the house is approximately 47' to the centerline of the right-of-way.

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QUESTIONS

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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:

By using a 10 foot side setback, we would preserve several 40 foot tall mature cedar trees.

We are hoping to preserve the mature trees on both sides of the open area where the accessory building would sit. (See pictures). This would allow for keeping mature trees on all 4 sides of the structure, thus maintain the natural scenic beauty of the property.

There are wetlands on the back side of the property which prevent building back farther. This proposed structure would adhere to the wetland setback.

No deforestation would be needed if we can use the 10 foot side setback.

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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:

This is the only open area on our property which would allow for an accessory structure without the deforestation of mature trees. To do this, we are asking for a 10 foot side setback.

There are trees on the outside of this setback, which will help to hide the structure from view, and would be kept in place.

If allowed to use a 10 foot setback, we will not need to cut down the mature row of trees to the left of the proposed building, which will maintain the scenic building, and also act to shield the bulding. Also, wetland and mature forest prevent building at the rear of the property.

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LAND USE SERVICES DEPARTMENT

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:

This will not affect public health, safety and welfare. This will not affect water quality.

This will actually help to preserve the scenic beauty, as if we must build in the 15 foot side setback, it would require the loss of several mature trees.

This will not affect the next door neighbors.

By using a 10 foot side setback, we would build only in the current open space, and maintain trees on all 4 sides which would hide the structure from the eye , and be a deep setback from the road, and out of sight.

STAFF REPORT

Petition for Grant of Variance

Parcel Number: 0180127312821B - TOWN OF LIBERTY GROVE

PDF Map#: 27 12

PLSS Section-Town-Range: NE of NW 27-31-28

Property Address: 9713 N BAY DR

Owner Name: DEBORAH A RUSY

Co-Owner: MARK A SCHESSLER

Mailing Address:

412 FARWELL DR
MADISON, WI 53704

Legal Description (See recorded documents for a complete legal description):

COM 2291.10'N20°W CNTR SEC 27:N21°W ALG E LN CTH "Q" 100.29' N63°E226' TO HWM SE
LY ALG HWM 100' S63°W229' BG.

School District: Gibraltar

Valuations: 2021

Taxes: 2020

Acres: 0.53

Real Estate Tax: \$1676.02

Land Value: \$70000

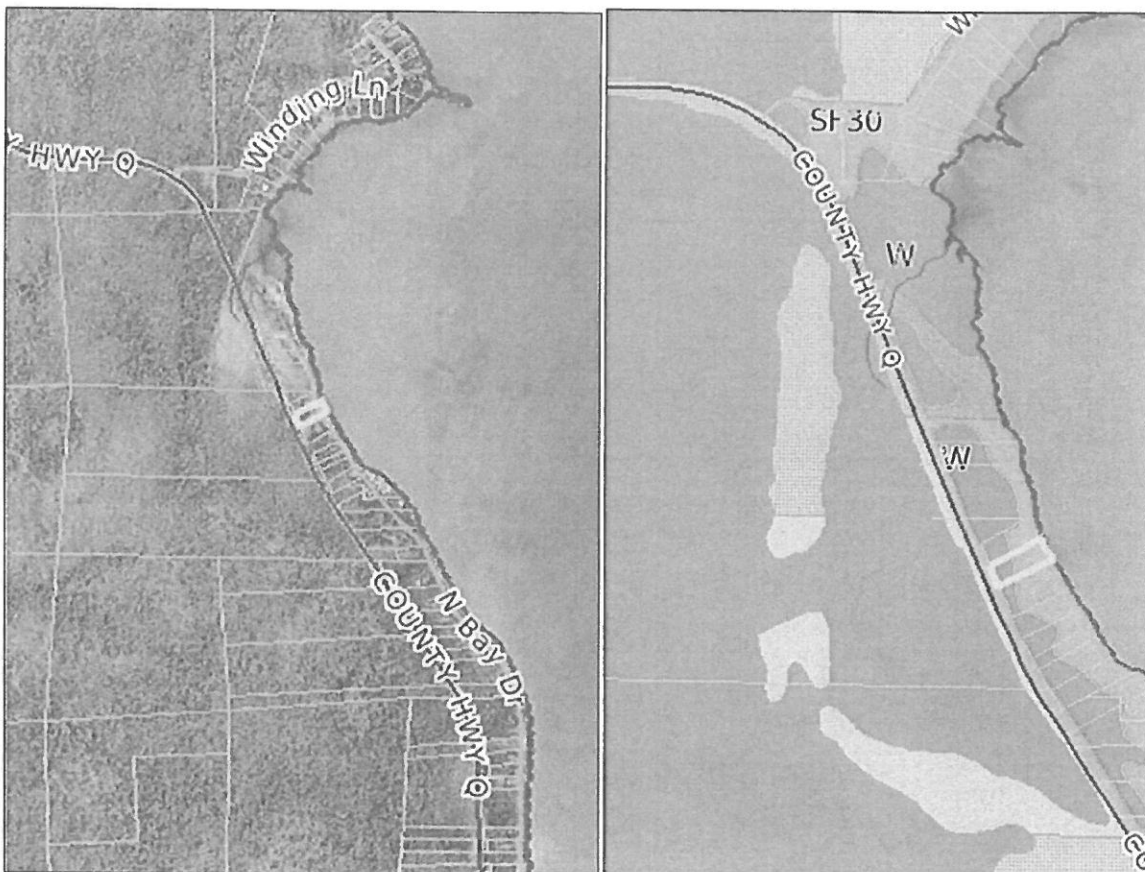
Special Tax: \$0.00

Improved Value: \$96600

Forest Tax: \$0.00

Forest Value: \$0

Est Fair-Market Value: \$167300



Aerial - Close-Up

Printed 11/04/2021 courtesy of Door County Land Information Office



... from the Web Map of ...
([//www.co.door.wi.gov](http://www.co.door.wi.gov))
Door County, Wisconsin
... for all seasons!

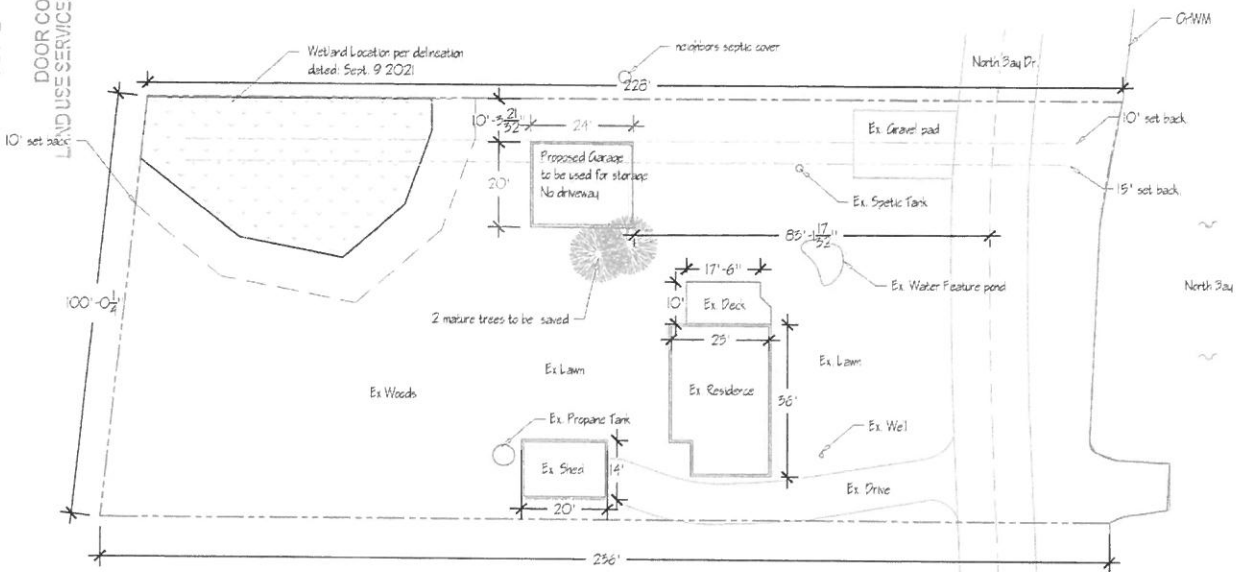


Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door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

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LAND USE SERVICES DEPARTMENT



Note: Dimensions and structures taken from survey dated 6-25-2017

Impervious calculations:

Lot size: 25,000 S.F.
Existing and proposed 5": 2,950 S.F.
Percentage: 12.7%

DATE: 9/21/21 +
PRINT: 17X11"
SCALE: 1" = 20'-0"

This design is the intellectual property of Glacier Landscape Inc. and may not be reproduced or implemented in whole or part by any method without the written consent of Glacier Landscape Inc.

0'-0" 20'-0" 40'-0"



Proposed Garage

Site Plan For:
Rosa/Schneider Residence
9715 North Bay Drive
Baileys Harbor WI 54202

Design Name: 1950285
Design ID: 305859664446
Estimate ID: 29158

MENARDS
Design & Buy™ GARAGE

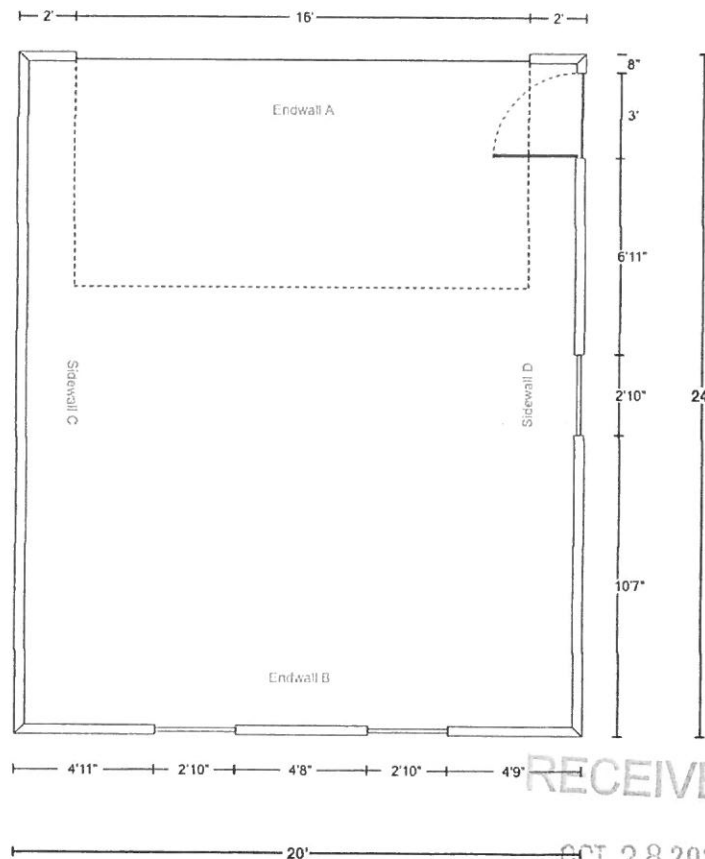
How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into the Garage Estimator Search Saved Designs page.
3. Apply the design to System V to create the material list.
4. Take the purchase documents to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Select the Garage Estimator from the Project Center.
3. Select Search Saved Design.
4. Log into your account.
5. Select the saved design to load back into the estimator.
6. Add your Garage to the cart and purchase.

Garage Image



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 LAND USE SERVICES DEPARTMENT

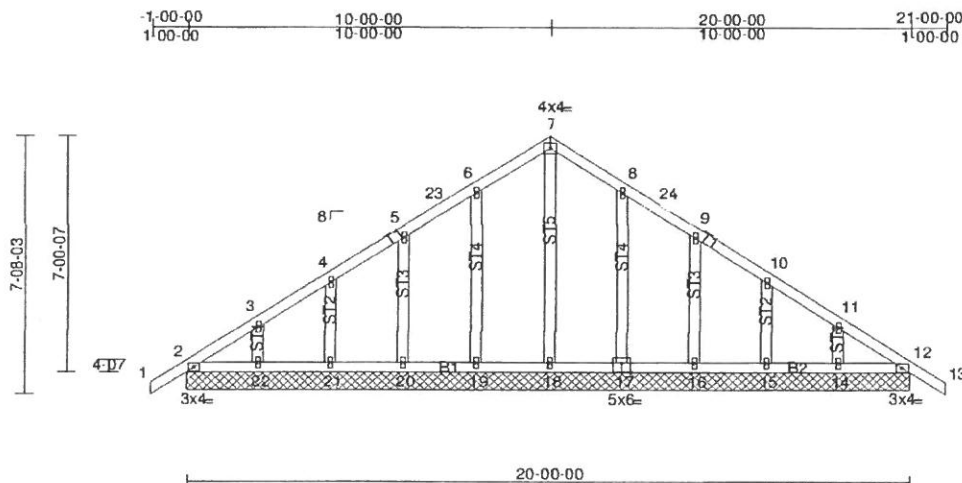
Job	Truss	Truss Type	Qty	Ply	Job Reference (optional)
qfrec0501016	T1E	COMMON	1	1	

Midwest Manufacturing, Eau Claire, WI

Run: 8.100 s Apr 9 2017 Print: 8.100 s Apr 9 2017 MITek Industries, Inc. Thu Apr 20 07:56:24 2017

Page: 1

ID: OIOPSK3I1hT2FZbAADbsP2zPSIV-f3le8QEW7TMZ1bYPygWvFURRes167D6IQzyD0MzOu65



Scale = 1:53.5

Plate Offsets (X, Y): [17:3-00,3-00]

Loading	(psf)	Spacing	2-00-00	CSI	DEFL	in	(loc)	l/d	L/d	PLATES	GRIP
TCLL (roof)	20.0	Plate Grip DOL	1.15	TC	Vert(LL)	n/a	-	n/a	999	MT20	197/144
Snow (Ps/Pg)	20.8/30.0	Lumber DOL	1.15	BC	Vert(TL)	n/a	-	n/a	999		
TCDL	7.0	Rep Stress Incr	YES	WB	Horiz(TL)	0.00	12	n/a	n/a		
BCLL	0.0*	Code	IRC2009/TPI2007	Matrix-R							
BCDL	10.0										
Weight: 90 lb FT = 0%											

LUMBER

TOP CHORD 2x4 SPF No 2
 BOT CHORD 2x4 SPF No 2
 OTHERS 2x4 SPF Stud

BRACING

TOP CHORD
 BOT CHORD

Structural wood sheathing directly applied or 6'-0" oc purlins.
 Rigid ceiling directly applied or 10'-0" oc bracing

MITek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS All bearings 20-00-00.

(lb) - Max Horiz 2=158(LC 8)

Max Uplift All uplift 100 (lb) or less at joint(s) 2, 12, 14, 15, 16, 17, 19, 20, 21, 22

Max Grav All reactions 250 (lb) or less at joint(s) 2, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22

FORCES

(lb) - Max. Comp/Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES

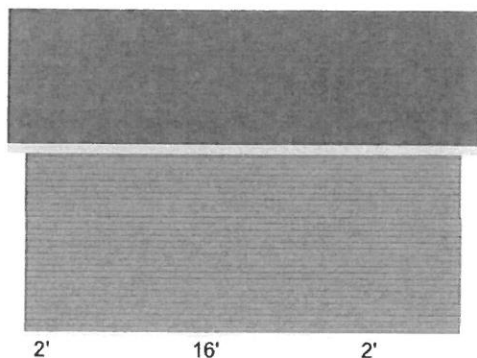
- Unbalanced roof live loads have been considered for this design.
- Wind: ASCE 7-05; 90mph; TCCL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; enclosed; MWFRS (low-rise) exterior zone and C-C Exterior(2) zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
- Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
- TCLL: ASCE 7-05; Pr=20.0 psf (roof live load; Lumber DOL=1.15 Plate DOL=1.15); Pg=30.0 psf (ground snow); Ps=20.8 psf (roof snow; Lumber DOL=1.15 Plate DOL=1.15); Category II; Exp B; Fully Exp.; Ct=1.1
- Roof design snow load has been reduced to account for slope.
- Unbalanced snow loads have been considered for this design.
- This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 20.8 psf on overhangs non-concurrent with other live loads.
- All plates are 1.5x4 MT20 unless otherwise indicated.
- Gable requires continuous bottom chord bearing.
- Gable studs spaced at 2'-0" oc.
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3'-6" tall by 2'-0" wide will fit between the bottom chord and any other members.
- Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 2, 19, 20, 21, 22, 17, 16, 15, 14, 12.
- This truss is designed in accordance with the 2009 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.

LOAD CASE(S) Standard

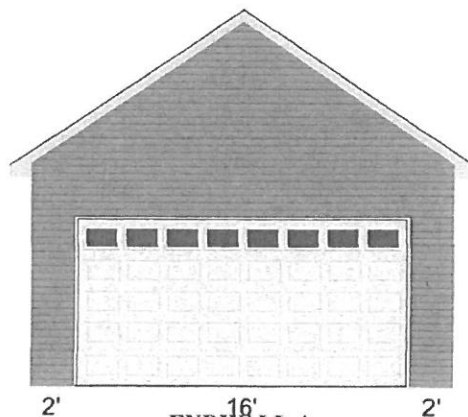
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LAND USE SERVICES DEPARTMENT



SEIDWALL C



ENDWALL A

Ideal Door® Traditional 16' x 8' White Insulated with Windows

*Some items like wainscot, gutter, gable accents, are not displayed if selected.

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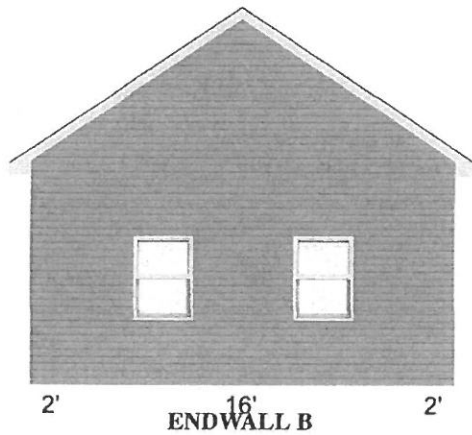
OCT 26 2021

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

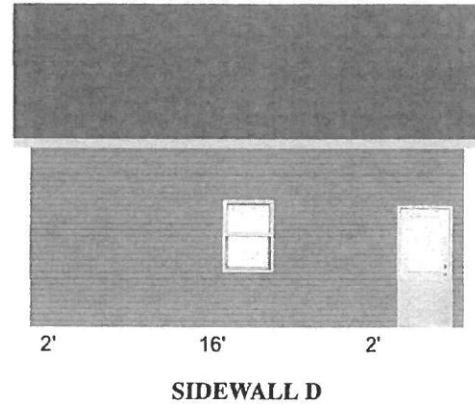
Dimensions

Wall Configurations

*Illustration may not depict all options selected.



34"W x 48"H JELD-WEN® Vinyl Double Hung
34"W x 48"H JELD-WEN® Vinyl Double Hung



Mastercraft® 36"W x 80"H Primed Steel Half Lite
34"W x 48"H JELD-WEN® Vinyl Double Hung

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Materials

Building Info

Building Location Zip Code:	53704
Building Width:	20'
Building Length:	24'
Building Height:	10'
Wall Framing Stud:	2" x 4"
Roof Framing:	Truss Construction
Truss Type:	Scissor
Roof Pitch:	8/12 Pitch
Eave Overhang:	1'
Gable Overhang:	1'
Concrete Block Option:	None
Anchor bolt:	Grip Fast 1/2" x 10" HDG Anchor Bolt w/ Nut & Washer
Custom Garage Plan:	Yes I need a custom building plan

Wall Info

Siding Material Types:	Vinyl
Vinyl Siding:	ABCTO® Cedar Creek™ Double 4" Dutchlap - Slate Blue
Accent Material Type:	Vinyl
Vinyl Accent:	Cedar Impressions® Double 7" Straight Edge Rough-Split Shakes - Sterling Gray
Endwall A Accent:	yes add gable accent
Endwall B Accent:	yes add gable accent
Wainscot Material Type:	None
Wall Sheathing:	7/16" OSB (Oriented Strand Board)
House Wrap:	Kimberly-Clark BLOCK-IT®9'x75'House Wrap
Gable Vents:	None

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Roof Info

Roof Sheathing:	1/2" OSB (Oriented Strand Board)
Roofing Material Type:	Architectural Shingle
Architectural Roofing:	Owens Corning® TruDefinition® Duration® Limited Lifetime Warranty Architectural Shingles (32.8 sq. ft.) - Onyx Black
Roof Underlayment:	#15 Felt Roofing Underlayment 3' x 144' (432 sq. ft.)
Ice and Water Barrier:	Owens Corning® WeatherLock® G Granulated Self-Sealing Ice and Water Barrier 3' x 66.7'(200sq.ft)
Fascia material Type:	Aluminum Fascia
Fascia:	6" x 12' Aluminum Rustic Fascia - White
Soffit material Type:	Aluminum Soffit
Soffit:	16" x 12' Aluminum Vented Soffit - White
Gutter material Type:	None
Ridge Vent:	Owens Corning® VentSure® 11-1/4" x 20' Shingle Over Ridge Vent
Roof Vents:	None

Openings

Entry Door:	Mastercraft® 36"W x 80"H Primed Steel Half Lite
Overhead Door:	Ideal Door® Traditional 16' x 8' White Insulated with Windows
Overhead Door Trim Type:	Vinyl
Vinyl Trim Color:	White
Windows:	34"W x 48"H JELD-WEN® Vinyl Double Hung
Windows:	34"W x 48"H JELD-WEN® Vinyl Double Hung
Windows:	34"W x 48"H JELD-WEN® Vinyl Double Hung

Additional Options

Ceiling Insulation:	None
Wall Insulation:	None
Ceiling Finish:	None
Wall Finish:	None

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Preserve
Trees-

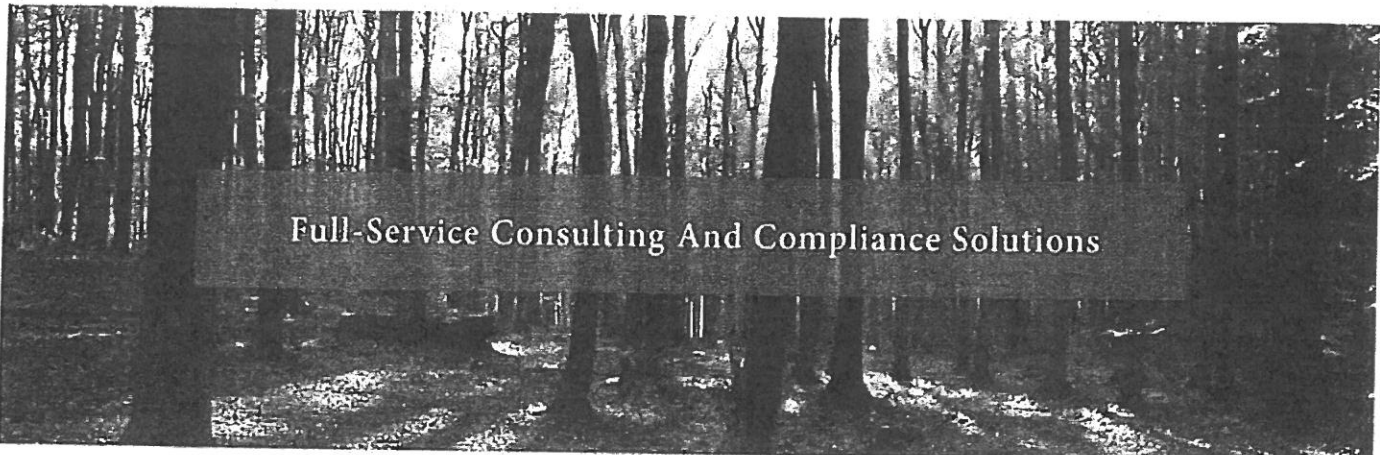


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LAND USE SERVICES DEPARTMENT

Preserve Trees-



Full-Service Consulting And Compliance Solutions

2920 S Webster Ave Ste C Green Bay, WI 54301 800.576.2436 www.bayenvironmental.com

WETLAND DELINEATION REPORT



SCHessler PROPERTY
9713 N. BAY DRIVE
TOWN OF LIBERTY GROVE, DOOR COUNTY, WI
PARCEL ID No.: 0180127312821B

September 9, 2021



ENVIRONMENTAL HEALTH & SAFETY EXPERTS

WETLAND DELINEATION REPORT

SCHessler PROPERTY
9713 N. BAY DRIVE
TOWN OF LIBERTY GROVE, DOOR COUNTY, WI
PARCEL ID No.: 0180127312821B

Prepared For:

Mr. Mark Schessler
412 Farwell Drive
Madison, WI 53704

Prepared By:



Bay Environmental Strategies, Inc.
2920 S. Webster Avenue, Suite C
Green Bay, Wisconsin 54301

Mark Love
Project Manager
Assured Wetland Delineator

Jim Rabideau, PG, PSS
President



Legend

- Sample Points
- ▨ Wetland Boundary
- Project Area



**RICHARD H ERBE
904 AUGUSTA ST
WATERFORD, WI 53185**

**KENNETH R ERBE
26310 DEKLETH DR
WIND LAKE, WI 53185**

**PHILLIP A TATLOW
233 W JEWEL AVE
KIRKWOOD, MO 63122**

**ALEXANDER R JR HENDERSON
127 N BARKER ST
NEW BUFFALO, MI 49117**

**THE NATURE CONSERVANCY
633 W MAIN ST
MADISON, WI 53073**

**PAUL C & KAY A WILSON TRUST
PO BOX 167
EPHRAIM, WI 54211**

**DEBORAH A RUSY
412 FARWELL DR
MADISON, WI 53704**



Town of Liberty Grove

We're Like Nowhere Else

November 10, 2021

To: Adjacent landowners of Deborah Rusy & Mark Schessler

Ref: Application for Petition for Grant of Variance, Parcel # 018-01-27312821B, 9713 N Bay Rd

This letter comes to you as notice that Deborah Rusy & Mark Schessler petitions for a variance from Section 3.02(3)(a) of the Door County Comprehensive Zoning Ordinance which requires all accessory structures to maintain a 15' setback from the side lot line. The applicants propose to construct a 20' X 24' one-story detached garage which will be located as close as 10' to the side lot line.

The Town Plan Commission will discuss and act on this application at a teleconference (Zoom) meeting to be held Monday, November 29, 2021 beginning at 7:00 PM at the Liberty Grove Town Hall at 11161 Old Stage Road. The Plan Commission will hear comments on this petition and make a recommendation to the Door County Board of Adjustment.

You or your representative may attend this meeting on November 29th and comment on this variance 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

Zoom link: <https://us02web.zoom.us/j/81928583064?pwd=MUIwR0owUGhUT3pLVFhyVjJ4UzRFQT09>
Meeting ID: 819 2858 3064
Password: 647166



Town of Liberty Grove

We're Like Nowhere Else

November 10, 2021

To: Deborah Rusy & Mark Schessler

Ref: Petition for Grant of Variance, parcel # 018-01-27312821B, 9713 N Bay Rd.

This letter comes to you as notice that the Town of Liberty Grove has received a copy of your Petition for Grant of Variance for parcel # 018-01-27312821B

The Town Plan Commission will discuss and act on this application at a teleconference (Zoom) meeting to be held Monday, November 29, 2021 beginning at 7:00 PM at the Liberty Grove Town Hall at 11161 Old Stage Road. The Plan Commission will hear comments on this petition and make a recommendation to the Door County Board of Adjustment.

You or your representative may attend this meeting on November 29th and comment on this variance 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

Zoom link: <https://us02web.zoom.us/j/81928583064?pwd=MUIwR0owUGhUT3pLVFhyVjJ4UzRFQT09>
Meeting ID: 819 2858 3064
Password: 647166

**TOWN OF LIBERTY GROVE
RESOLUTION 18-21**

EXTENSION OF HEALTH EMERGENCY

THE TOWN BOARD OF THE TOWN OF LIBERTY GROVE DOES HEREBY DECLARE AS FOLLOWS:

WHEREAS, The worldwide pandemic attributable to the COVID-19 virus has been found to be present in the State of Wisconsin and also the County of Door

WHEREAS, Door County and Liberty Grove residents are particularly susceptible to the virus due to an aged population;

WHEREAS, The Door County and Liberty Grove area is a popular tourist destination and contains many seasonal residents, leading to an influx of people that could spread the virus;

WHEREAS, The Wisconsin Supreme Court has authored a decision which makes the Wisconsin Governor's "Safer at Home" unlawful and not able to be enforced, with the Governor and Wisconsin Legislature not able to put forth any rulings or guidelines to address this COVID-19 virus;

WHEREAS, Liberty Grove Resolution 2-20 declared a health emergency in the Town on March 17, 2020 which was subsequently extended by Resolutions 4-20, 7-20, 9-20, 16-20, 3-21, and 11-21 and currently expires on December 31, 2021;

WHEREAS, In order to continue the protection of the health and well-being of its residents, the Town of Liberty Grove must avail itself of all resources at its disposal to respond to and contain the presence of COVID-19 in the Town;

THEREFORE, BE IT HEREBY RESOLVED by the Town Board of the Town of Liberty Grove, Door County, Wisconsin, to extend the health emergency as declared in Resolutions 2-20, 4-20, 7-20, 9-20, 16-20, 3-21, and 11-21 to continue as follows:

1. Pursuant to the powers available under Wisconsin Statutes Sections 323.11, 323.14, 323.15 and all other applicable provisions of Wisconsin Law, a Public Health Emergency is hereby declared in the Town of Liberty Grove.
2. The Town of Liberty Grove is authorized under this declaration to make use of volunteer health practitioners to maintain and restore the health, safety, protection and welfare of persons and property within the Town.
3. The Town of Liberty Grove is authorized under this declaration to undertake whatever actions are necessary and expedient for the health, safety, protection and welfare of persons and property and in doing so may bar, restrict, or remove all unnecessary traffic, both vehicular and pedestrian, from the highways and Town streets. This includes hours of operation and limitations of occupancy for the Town businesses.

4. The Town of Liberty Grove may employ personnel, facilities, and other resources consistent with an emergency plan adopted to cope with the problems of local disasters.
5. John Lowry, Town chairman, and/or his designee is authorized to undertake and direct the activities outlined herein on behalf of the Town of Liberty Grove.
6. The period of this emergency declaration extension shall be limited to a 181-day sunset clause that may be extended or ended by order of the Liberty Grove Town Board, said 1812 days to expire June 30, 2022 at 11:59 PM.

This resolution was adopted at a properly noticed meeting of the Town Board of the Town of Liberty Grove on the 1st day of December, 2021.

John Lowry, Chairman

VOTE: Aye 5 Nay 0

ATTEST:

Anastasia Bell, Town Clerk