

NOTICE OF PUBLIC MEETING
DOOR COUNTY RESOURCE PLANNING COMMITTEE

DOOR COUNTY GOVERNMENT CENTER
421 NEBRASKA STREET
STURGEON BAY, WI 54235

The Door County Resource Planning Committee will conduct a regular business meeting on **Thursday, February 6th, 2020** in the Chambers Room (Room C102, first floor), Door County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin, beginning at approximately 3:30 p.m., after public hearings scheduled to begin at 3:00 p.m.

AGENDA

- 1.0 Open meeting.
- 2.0 Verification of proper notice and posting procedures; quorum present; adoption of the agenda.
- 3.0 Public comment.
 - a) Information may be received from members of the public, *except* information related to a pending hearing (e.g., zoning amendment or conditional use permit).
 - b) Extensive discussion and all action must be deferred until and unless specific notice of the subject matter is included on the agenda.
- 4.0 Correspondence:
 - January 15, 2020: Attorney Michele McKinnon to Corporation Counsel Grant Thomas.
 - January 17, 2020: Corporation Counsel Grant Thomas to Attorney Michele McKinnon.
 - January 16, 2020: E-mail from Don Freix to RPC members.

All of the above relate to county communication tower regulations and broadband access.
- 5.0 Read and act on minutes of January 16th, 2020 meeting.
- 6.0 Zoning matters.
 - 6.1 John L. Anderson (d.b.a. Beantown Campground); conditional use permit to expand the existing campground via ten (10) additional sites south of the existing campsites, resulting in 108 total campsites; 8300/8400 CTH F; Countryside (CS) zoning district; Baileys Harbor.
 - 6.2 Burgess Nelson Partnership, LLC (d.b.a. Nelsons of Fish Creek, LLC); conditional use permit to construct 8,200 sq. ft. addition to existing 15,628 sq. ft. hardware store for a total of 23,828 square feet (retail is a permitted use but retail structure exceeding 20,000 square feet requires conditional use permit); 3449 STH 42; General Commercial (GC) zoning district; Gibraltar.
- 7.0 Addressing program: Continued discussion/potential action regarding address sign replacement request.
- 8.0 Future meeting schedule.

February 20, 2020	-	Quarry Bluff zoning hearing at ADRC. 3:00 hearing start.
March 5, 2020	-	?
March 19, 2020	-	?

AGENDA
RESOURCE PLANNING COMMITTEE
February 6, 2020

9.0 Meeting per diem code.

10.0 Adjourn.

** Deviation from the order shown may occur. **

Ken Fisher, Chair
Resource Planning Committee
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

MKG/SV/lr
01/30/20

Notice in compliance with the Americans with Disabilities Act: Any person needing assistance to participate in this meeting should contact the Office of the County Clerk at (920) 746-2200. Notification 48 hours prior to a meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

**NOTICE OF PUBLIC HEARINGS BEFORE THE
DOOR COUNTY, WISCONSIN RESOURCE PLANNING COMMITTEE**

DOOR COUNTY GOVERNMENT CENTER

**421 NEBRASKA STREET
STURGEON BAY, WI 54235**

Public hearings will be held by the Door County Resource Planning Committee on **Thursday, February 6, 2020** in the **Chambers Room of the Door County Government Center (Room C-102, First Floor)** at **421 Nebraska Street**, Sturgeon Bay, Wisconsin. The purpose of the hearings is to give consideration to the following applications for conditional use permit as specified in the county comprehensive zoning ordinance.

Starting at 3:00 p.m.:

TOWN OF BAILEYS HARBOR

John L. Anderson (d.b.a. Beantown Campground) requests a conditional use permit as required by Sections 2.05(3)(a), 4.07(2), and 11.04. The applicant is proposing to expand the existing campground via ten (10) additional sites south of the existing campsites, resulting in 108 total campsites. The property is located at 8300/8400 CTH F in Section 18, Town 30 North, Range 28 East and in a Countryside (CS) zoning district.

TOWN OF GIBRALTAR

Burgess Nelson Partnership, LLC (d.b.a. Nelsons of Fish Creek, LLC), requests a conditional use permit as required by Door County Comprehensive Zoning Ordinance Sections 2.05(3)(b) (Footnote 3) and 11.04. The applicant proposes to construct an 8,200 square foot addition onto the existing 15,628 square foot hardware store for a total of 23,828 square feet. A retail store (hardware store) is a permitted use in the General Commercial (GC) zoning district; however, a retail store with a floor area that exceeds 20,000 square feet must be authorized by a conditional use permit. The property is located at 3449 STH 42 in Section 27 Town 31 North, Range 27 East and in a General Commercial (GC) zoning district.

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.

The Door County Resource Planning Committee (RPC) decision to approve, approve with conditions, or deny the CUP must be supported by substantial evidence. A conditional use permit applicant has the burden of proof. S/he must demonstrate, by substantial evidence, that the application and all requirements and conditions established in the ordinance and by the RPC relating to the conditional use are or shall be satisfied. If an applicant meets their burden of proof, then the RPC must grant the CUP. If an applicant fails to meet their burden of proof, the CUP will be denied. The CUP may also be denied if there is substantial evidence opposing the conclusions and evidence of the applicant, as the RPC's decision need only be supported by substantial evidence.

Testimony and exhibits offered by persons other than the applicant, whether in support of or opposition to the CUP, must also constitute substantial evidence.

Substantial evidence is defined by state statute as "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."

The purpose of the hearing is to allow parties to explain how their interests are affected, how the public is affected, and to bring out any facts pertinent to the case related to public health, safety, convenience, and general welfare. All interested parties are urged to attend and give testimony.

Written testimony will also be accepted on 8 1/2" x 11" paper at the Door County Land Use Services Department, 421 Nebraska Street, Sturgeon Bay, WI 54235 (FAX 920-746-2387) until **3:30 p.m.** on February 5, 2020. Letters will be available for public inspection during normal business hours. Letters will be entered into the record; a summary of all letters will be presented at the hearing, but individual letters will not be read. Anonymous correspondence will not be accepted. **Please note that any correspondence or testimony you may have submitted for any town-level proceedings regarding these matters does NOT get forwarded to the county.**

A regular meeting of the Resource Planning Committee will follow the public hearings.

Ken Fisher, Chair
Door County Resource Planning Committee
Door County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

The list of names to which this notice was sent is available upon request in the office of the Door County Land Use Services Department, 421 Nebraska Street, Sturgeon Bay, WI 54235 (phone 920-746-2323).

All application materials may be viewed at the Door County Land Use Services Department, 421 Nebraska Street, Sturgeon Bay, Wisconsin during normal business hours, 8:00 a.m. to 4:30 p.m., Monday-Friday. Application materials may also be viewed on-line beginning approximately four business days before the hearing at <http://map.co.door.wi.us/Agendas-Minutes/Resource%20Planning/>. Please note that if additional information is submitted to the Land Use Services Department after the packet has been posted on the website, another packet may be posted late afternoon the day before the hearing.

Thomas M. Olejniczak
 Frederick L. Schmidt
 R. George Burnett
 Gregory A. Grobe
 Tori L. Kluess
 Robert M. Charles
 Brick N. Murphy
 Jodi Arndt Labs
 David H. Weber
 Ross W. Townsend
 Michele M. McKinnon
 Kurt A. Goehre
 James M. Ledvina
 Steven J. Krueger
 Robert R. Gagan
 Laura J. Beck
 Jill J. Ray
 Joshua M. Koch
 Matthew M. Van Nuland
 John M. Calewarts



Law Firm of
CONWAY, OLEJNICZAK & JERRY, S.C.

Since 1976

Retired:
 J. Michael Jerry

Gregory B. Conway
 1944-2017 (Founder)

Telephone: (920) 437-0476

Facsimile: (920) 437-2868

MMM@lcojlaw.com
 www.lcojlaw.com

January 15, 2020

RECEIVED
 JAN 15 2020
 DOOR COUNTY
 LAND USE SERVICES DEPARTMENT

VIA E-MAIL: gthomas1@co.door.wi.us
 Attorney Grant P. Thomas
 Door County Corporation Counsel
 County Government Center
 421 Nebraska Street
 Sturgeon Bay, WI 54235

**Re: Chapter 14 – Zoning Ordinances
 Communication Support Structures and Related Facilities**

Dear Attorney Thomas:

We represent Door County Broadband, LLC (“DCB”) and are in receipt of the red-lined version of Chapter 14 of the Zoning Ordinances (the “Ordinance”) you sent on December 16, 2019. As a local provider of fixed-wireless broadband services, DCB wishes to comment on the proposed changes. Unfortunately, despite our lengthy meeting on October 18, 2019, it appears that the Ordinance continues to contain significant barriers for residents who wish to obtain internet service through use of a fixed-wireless tower.

We do not believe there is any dispute that increased availability of reliable internet service throughout Door County is an overwhelming need. It appears that the County’s revisions to Section 14.04 are intended to mirror on the Broadband Forward! Community Model Ordinance issued by the Public Service Commission of Wisconsin (the “PSC”); however, Section 14.04(8) continues to incorporate all of the application, design, setback, and other requirements imposed on larger mobile towers via Section 14.01. At our last meeting, DCB urged the County to acknowledge the fundamental differences between fixed-wireless towers (governed by Section 14.04) and mobile towers (governed by Section 14.01), rather than treat them on par with one another. Specifically, fixed-wireless towers are much shorter in height, much narrower in diameter, and carry a significantly lighter wind load. Due to these differences, fixed-wireless towers do not impose the same “health and safety” concerns as do mobile towers.

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January 15, 2020

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Chapter 14, as edited, does not achieve the PSC's stated goal of encouraging the developing broadband access. Rather, the Ordinance will have one of three negative impacts: either (1) residents will be denied availability of broadband services due to the administrative obstacles and costs, or (2) those residents who can afford the cost of private towers will each construct their own private tower, which will litter the Door County landscape with towers that are duplicative and unnecessary, or (3) municipalities will acknowledge the barriers caused by the Ordinance and will opt-out.

These impacts can be avoided altogether by expanding the exemption in either Section 14.01(4)(d) or Section 14.01(4)(e), which are made applicable to fixed-wireless towers by virtue of Section 14.04(4). Recall that fixed-wireless towers were, in fact, exempt in the 2004 version of the Ordinance; the nature of the fixed-wireless towers did not change but, for some reason, the Ordinance did. The County can easily revise the Ordinance to return to the exemption the towers once had by providing an exemption for either:

- (d) Structures for residential satellite dishes, residential television antennas, fixed-wireless internet, or other antennas that are used to provide services to residential users only, provided further that the use constitutes ancillary or secondary use, and not primary use of the property.

OR

- (e) Fixed-wireless internet support structures 125' in height or less.

Expanding the exemption, as proposed above, would alleviate residents from the requirement that they obtain a written agreement from neighbors waiving setback and fall zone requirements. This requirement could create an insurmountable obstacle for many residents who seek to construct a fixed-wireless tower on their parcel. Uncooperative neighbors might simply ignore the request, barring a resident from services altogether. As I recall, the County's main concern here is that the failure of a tower could create health and safety issues for neighbors. But DCB has explained that the height, width, and weight of the fixed-wireless towers are *di minimus* in comparison to mobile towers, and simply do not pose the same risk of injury or harm to neighbors or their property. Also, because each tower is limited in the amount of equipment it can accommodate, providers have no incentive to "overload" towers, as doing so would subject them to independent liability.

Also, expanding the exemption would relieve residential property owners of the requirement to put financial assurances in place at the start of the licensing requirement. Remember that these property owners are not *commercial* entities – they are Door County *residents*. The County already has procedures that allow it demand removal of structures that become dilapidated or

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January 15, 2020

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dangerous. There is no logical reason to require more “financial assurances” from residential home owners for building a fixed-wireless internet tower than for any other structure.

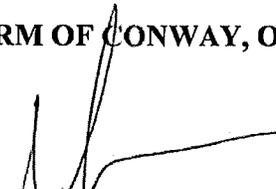
Lastly, the exemption would allow a resident to place a fixed wireless tower on their own property and, if the size of the tower permits, allow residential neighbors to also access services from that same tower (thereby avoiding “dotting” the landscape with more towers than are actually necessary). While one neighbor might charge the other for sharing space on the tower, the County should not interpret that as a “commercial” endeavor. In reality, it is no different than one neighbor charging another for an access or driveway easement.

The Ordinance, as currently proposed, will cause fixed-wireless providers to focus their service in areas of Door County that are not governed by the Ordinance and, indirectly, will likely cause many more municipalities to affirmatively opt-out of the Ordinance. It seems counterintuitive that the County would seek to adopt an Ordinance that requires municipalities to choose between two undesirable options: force its residents to live without affordable and reliable internet availability or opt-out of the County’s Ordinance.

Very truly yours,

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.

By: _____


Michèle M. McKinnon

MMM:mmm/3296648

C: Ken Pabich (kpabich@co.door.wi.us)
Jim Schussler (jim@doorcountybusiness.com)



**County of Door
CORPORATION COUNSEL**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Grant P. Thomas
Corporation Counsel
(920) 746-2228
Fax No. (920) 746-2339
gthomas1@co.door.wi.us

January 17, 2020

Michele M. McKinnon
Attorney at Law
Conway, Olejniczak & Jerry, S.C.
P.O. Box 23200
Green Bay, WI 54305-3200

RE: Ch. 14, DCCZO
Towers & Facilities

Dear Attorney McKinnon:

This is in response to your January 15, 2020 letter...and to some of the comments made at yesterday's Resource Planning Committee meeting.

Counties, and other local units of government, are largely at the mercy of the state. The state has great authority to determine what counties, and other local units of government local governments may and may not do.

Counties, and other local government units, have the authority to regulate in this area. It's fair to say that Wisconsin has, for the most part, left regulation of these towers and facilities to local government units.

The obvious exceptions are §66.0404, Wis. Stats. (effective 07-01-2013) and §66.0414, Wis. Stats. (effective 07-11-2019), which limit the authority of local government units to regulate certain towers and facilities. The actions of the State legislature, in creating these statutes, was an attempt to rein in or avoid perceived regulatory excesses by some local government units.

Ch. 14, DCCZO is consistent with Door County's authority. It is not more restrictive than what the statutes (state legislature) allows.

A balanced approach was taken, where all parties' interests were considered, in crafting the proposed amendments to Ch. 14, DCCZO. These amendments address, in some form or fashion, the vast majority of the concerns raised by your client.

We believe it is both unwise and unnecessary to exempt support structures (wireless or otherwise) up to 125' in height from any regulation. 50' in height is what the State has deemed reasonable and fair. The proposed amendment of Ch. 14, DCCZO does exempt support structures 50' or less in height.

Bottom line is ... we do not want to let the safety 'net down'. By 'safety net', I mean:

- Setbacks;
- Fall zone;
- FAA / BOA considerations;
- Critical public safety communications corridor; and
- Removal and restoration after operations cease.

The revised ordinance reasonably and fairly allocates risk and responsibility, and affords applicants flexibility in satisfying each requirement.

By way of example...there are two 'outs' for the setback / fall zone requirements. Those being:

- Written waiver by adjacent property owner; or
- Engineer's certificate showing that the tower is designed to collapse within a smaller area (e.g., in sections) and therefore does not need as large a fall zone or setback.

Neither option seems overly burdensome, particularly in view of the fact that it is truly only an issue when there is no feasible alternative location.

Your client has asserted that its towers differ from others ... and do not pose the same risk as others. While I understand the argument, the assertion is unsubstantiated. I'm not sure any adjacent landowner would be comforted by these bare assertions (versus a written opinion by a licensed structural engineer) when faced with the prospect of a 125' tower looming on their property boundary line.

In view of the above ... whether or not, and to what extent, Ch. 14, DCCZO is an 'obstacle' to wireless service is fairly debatable. We would argue that such regulations protect the environment, public health and safety ... and respect the obvious benefits of reliable and robust wireless service.

We are compelled to point out that Door County did achieve Broadband Forward! Community Certification under §196.0504, Wis. Stats. The State (PSC or other sub-unit) did not, and has not...in so far as I am aware...expressed concerns about Door County regulations.

Hopefully this sheds some light on our perspective.

Thank you.

Respectfully,

CORPORATION COUNSEL OFFICE



Grant P. Thomas, Corporation Counsel

c: Ken Pabich, County Administrator

GOODE, MARIAH

From: FreixCompany 2012 <draftdepot04@yahoo.com>
Sent: Thursday, January 16, 2020 9:19 PM
To: Fisher, Kenneth
Cc: Koch, Jon; Chomeau, Vinni; Virlee, Richard 'Biz'; Enigl, David; THOMAS, GRANT; GOODE, MARIAH; PABICH, KEN
Subject: Thanks RPC for Informative Meeting

Ken,

Appreciate the slightly less than formal conduct of the informational meeting on the tower regulations for broadband RPC chairman, and thanks Mr Enigl for finally making a motion to postpone action and seek further information before tackling the ordinance changes.

Door County Broadband, was it Mr Vos, is correct about their services if one ignores the caveats in their own website literature about providing broadband under the most ideal transmission circumstances and the most recent definition of the term that I was able to easily discover, the 2015 FCC's definition:

"2015 FCC definition: Bandwidth that provides speeds of 25 Mbit/s down, and 3 Mbit/s up."

the rate sheet for the DC Broadband subscribers is here:

<https://doorcountybroadband.com/service/residential-service/>

Now consider that "almost," full broadband service (if you have an ideal location) is only available with Door County Broadband at about \$200 a month, right there in line with the financially elite people like Mr Worrick, our recently retired Door County Memorial hospital CEO, but likely no-so-much with a struggling young family with children attending the local schools needing internet access for homework while struggling with less than living wage jobs in the county.

Thus my comment about wireless broadband being a short term enhancement for those with the money and not a long-term solution to help aspiring youth or the rest of us of lesser financial circumstances. So as a county let's just ignore them or the majority of us?

Best to all

Peace and Resolve,

Donald Freix
 Fish Creek, WI

920 868 9513

RECEIVED

JAN 17 2020

**DOOR COUNTY
 LAND USE SERVICES DEPARTMENT**

**MINUTES OF MEETING
DOOR COUNTY RESOURCE PLANNING COMMITTEE**

January 16, 2020

1.0 Open meeting.

Chair Fisher called a meeting of the Resource Planning Committee to order at 3:00 p.m. in the Chambers Room (Room C102, first floor) of the Door County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin.

Present:	<u>RPC Members</u>	<u>Others</u>	
	Ken Fisher	Mariah Goode	David Englebert
	David Enigl	Chris Moe	Jim Schuessler
	Jon Koch	Grant Thomas	Kevin Voss
	Richard Virlee	Chris Olson	Jessie Hatch
	Vinni Chomeau	Aaron LeClair	Nathan Drager
		Tammy Sternard	Nate Bell
		Don Freix	David Studebaker
		Jerry Worrick	Karen Studebaker

2.0 Verification of proper notice and posting procedures; quorum present; adoption of the agenda.

After verification of proper notice and posting procedures, there was a motion by Koch, seconded by Chomeau, to adopt the agenda as presented. Motion carried unanimously.

3.0 Public comment.

- a) Information may be received from members of the public, *except* information related to a pending hearing (e.g., zoning amendment or conditional use permit).
- b) Extensive discussion and all action must be deferred until and unless specific notice of the subject matter is included on the agenda.

Public comments pertaining to the importance of making broadband access as easy as possible in Door County were made by Jerry Worrick, David Studebaker, Kevin Voss, and Jim Schuessler. Don Freix also spoke in public comment about broadband access, but noted that he thought current options were a "short term" fix, and that he was concerned about the possibility of there being no regulations, including no requirement for towers to be removed when obsolete or in disrepair.

4.0 Correspondence: BUG Fire Department and Town of Gardner, both re: address sign replacement needs. (See also agenda item 6.0.)

- Committee members noted that the two correspondence items received and placed in packets would be discussed under agenda item 6.0.
- Additional correspondence received after packets posted, distributed by staff at the meeting, also pertaining to agenda item 6.0: Town of Brussels letter to the Land Use Services Department regarding address sign replacement.
- Additional correspondence submitted at the meeting by David Englebert, also pertaining to agenda item 6.0: Town of Union letter to the county Public Safety Committee regarding address sign replacement.

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
January 16, 2019**

- Additional correspondence received after packets posted, distributed by staff at the meeting: Attorney Michele M. McKinnon to Corporation Counsel Grant Thomas pertaining to the proposed amendments to Chapter 14, Communications Support Structures and Related Facilities.

5.0 Read and act on minutes of December 19th, 2019 meeting.

Motion by Chomeau, seconded by Virlee, to approve the minutes as presented. Motion carried unanimously.

6.0 Addressing program: Discussion & potential action on correspondence from BUG Fire Department and Town of Gardner regarding address sign replacement and related addressing program matters.

Goode, Thomas, Moe, and Olson provided a brief overview of the addressing program to date, which included the following items:

- The county addressing program was established in 2000. The ordinance and manual with standards as to sign type (one-sided), size, placement (parallel to the road), color (green with white lettering), etc. were created at that time. Sign standards remain unchanged.
- No fees were charged for address signs until late July 2009, at which point a fee of \$40 per sign was adopted by the county board. The county paid up until that point for the construction and installation of all signs, with the number of individual address signs estimated to be about 16,000 by July 2009. Summary signs are not included in that figure.
- A full-time staff person ran all aspects of the program for about ten years, administrative (clerical, billing, ordering, coordination with E911 and dispatch systems and software) and field-related (installation, inspection of all signs annually to ensure prompt replacement, etc.).
- Since the address system staff person's retirement, program responsibilities have been split between two positions (both now in Land Use Services), one dealing with all administrative aspects (currently Chris Moe) and one dealing with the field work (currently Chris Olson).
- In 2019, fees were changed to \$75 for new signs and \$25 for replacement signs.
- Replacement signs have been ordered and installed largely on an as-requested basis since the retirement and subsequent elimination of the full-time addressing staff position. Generally, requests come from property owners, but in late 2019, the Town of Forestville provided the department a list of approximately 75 signs town officials felt needed to be replaced. So far about 45 of those signs have been replaced; the other property owners have not yet responded to the mailing indicating they needed to submit the replacement fee. The replacement of the signs took Olson about three weeks, spliced in amongst his regular Sanitarian responsibilities.

Land Use Services staff, Thomas, RPC members, LeClair, Sternard, and Englebert then discussed the correspondence and requests facing the committee from the BUG Fire Department and the Towns of Brussels and Gardner (similar correspondence is anticipated from Union) to, at the very least, replace the faded signs in their area, and preferably, to replace all the signs in their towns with double-sided signs. Moe researched costs for producing double-sided signs; they would be about \$6 more per sign than the single-sided (approximately \$24 compared to approximately \$18). The cost for new replacement signs for all three towns is estimated to be about \$66,000. (There are currently 2,650 signs, although that figure is for individual address signs only – it does not include “summary” signs at the beginning of shared driveways and in other unusual situations.) Lengthy discussion then ensued as to the significant issue of the time that would be required to replace all of the signs, and likely reinstall the posts, as they would need to be rotated to accommodate the double-sided signs. Olson indicated that, depending on terrain, soil depth, etc., installation of a post and sign can take anywhere from ten to 60 minutes per sign. Also discussed was what sort of process might work best if such a wholesale replacement were to be undertaken, even on “just” a

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
January 16, 2019**

town-by-town basis, as there are currently about 18,000 individual signs in county jurisdiction and an unknown number of summary signs.

Motion by Enigl, seconded by Koch, to have staff revisit the ordinance and manual to determine what changes would need to be made to shift to a long-term goal of installation on a town-by-town basis of double-sided signs, and to develop potential proposals regarding the process and cost-sharing options which could be used. Motion carried unanimously.

7.0 Zoning matter: Consider sponsorship of zoning text amendments to Door County Comprehensive Zoning Ordinance Chapter 14, Communications Support Structures and Related Facilities.

Goode and Thomas reviewed and discussed the proposed amendments with RPC members and audience members as recognized by the chair. The amendments put forth would do the following:

- Exempt from ordinance requirements all towers and support structures that are 50 feet or less in height, regardless of type of usage (individual property owner or shared or commercial). The ordinance would no longer exempt all towers (regardless of height) for individual use, though.
- Exempt from ordinance requirements all small wireless facilities, as defined by the state, whether in or out of road rights-of-way.
- Allow neighbors to waive setback requirements for any tower, private or shared or commercial.
- Clarify submittal requirements for applicants to show FCC and FAA compliance (or non-applicability).
- Allow for required engineering information to come from any licensed engineer (as opposed to one licensed in/by Wisconsin).
- Allow for recordation at Register of Deeds of a statement of assurance that a tower will be removed when obsolete (as opposed to requiring provision of a letter or credit or performance bond).

Audience members who spoke all were in favor of completely exempting most if not all broadband towers – but definitely private-use towers – from the ordinance requirements.

Discussion topics also included the five towns that have opted out of the county ordinance. RPC members expressed interest in finding out whether the proposed amendments might cause any towns to opt back in, and what projects exactly those towns have pursued that they could not have pursued under the county regulations.

Motion by Enigl, seconded by Koch, to postpone the discussion to a later meeting which would afford more time to discuss the topic, and at which information could be reviewed regarding the towns' thoughts on the proposed amendments and projects that they have pursued since opting out of the county ordinance. Motion carried unanimously.

8.0 Future meeting schedule.

January 16, 2020	-	6:00 p.m. meeting at ADRC re: flooding issues, processes, resources.
February 6, 2020	-	Zoning hearing(s), planning meeting.
February 20, 2020	-	Zoning hearing.

RPC members noted that they planned on attending the flooding meeting that evening at ADRC.

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January 16, 2019**

Virlee may be late February 6th, the hearings for which were already advertised to start at 3:00.

The February 20th meeting will likely be the hearing for the proposed quarry development. All five RPC members indicated they are available to attend that day. The ADRC dining room has been reserved for the meeting. 3:00 would be the earliest possible start time due to the lunch program, which doesn't end until about 1:30. Fisher, Thomas, and Goode will meet next week to determine if those offering testimony need to sign up to do so in advance, and if time limits will be placed on testimony.

Meeting schedule as discussed noted.

9.0 Meeting per diem code.

Chair Fisher assigned code 116.

10.0 Adjourn.

Motion by Koch, seconded by Virlee, to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 4:37 p.m.

Reported by,

Mariah Goode
Land Use Services Director

Sue Vanden Langenberg
Zoning Administrator

MKG/SV/lr

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

APPLICATION FOR CONDITIONAL USE PERMIT

TO THE ZONING ADMINISTRATOR. The undersigned hereby makes application for a **CONDITIONAL USE PERMIT** for the work described and located as shown herein. The undersigned agrees that all work shall be done in accordance with the requirements of the Door County Comprehensive Zoning Ordinance.

1. OWNER NAME AND MAILING ADDRESS

Name John L Anderson
No. PO Box 433 Street _____
City Baileys Harbor State WI Zip 54202
Home Phone # 920 - 839 - 2635
Daytime Phone # _____ - _____ - _____
Email: jbench1962@yahoo.com

2. BUILDING SITE LOCATION

Fire # 8300 Road CTH F
Town of Baileys Harbor
Local Phone # _____ - _____ - _____

3. DEVELOPER NAME AND MAILING ADDRESS

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

4. PROPERTY IDENTIFICATION

Parcel No. _____ - _____ - 0020318302842D

5. USE

Proposed use of land or structure:
Additional campsites

6. SANITARY PERMIT

Type of System Dosing Conventional
Sanitary Permit No. 427141
Date of Issuance April 1, 2003
Approximate date of installation July 2004

7. 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".

8. ROCKHOLES

A rockhole is any depression or opening in the ground surface through which gathered surface water enters bedrock and eventually joins groundwater.

To the best of your knowledge, do any rockholes exist on the lot?

No Yes

If yes, show location on Site Plan.

9. FEE \$500.00

Make check payable to the Door County Treasurer.

10. 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.

11. SIGNATURE OF APPLICANT OR AGENT

[Signature]
Date 12/29/19

Shoreland Zoning (Yes/No) Zoning District CS (FOR OFFICE USE ONLY)

Inspections:

Date	Inspector	Remarks

Permit Issued: (by) _____ (date) _____ (for) _____

(w/conditions) _____

Permit Denied (by) _____ (date) _____ for the following reasons: _____

Receipt No. _____
Date Permit Issued: _____
Certificate of Compliance: Date _____
Fee 500 - Date 11-26-19

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

NOV 26 2019

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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: 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/topic/Wetlands/identification.html> OR CONTACT THE DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER.

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

PROPERTY OWNER NAME: John Anderson

SIGNATURE: *John Anderson* DATE: 12/19/19

PARCEL NUMBER: _____ - _____ - _____

FIRE NUMBER & STREET ADDRESS OF PROJECT: _____

RECEIVED

NOV 26 2019

DOOR COUNTY
LAND USE SERVICES DEPARTMENT



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PROJECT SCOPE DECLARATION

[2017 Wisconsin Act 68; Effective November 29, 2017]

Please provide a description of your project.

additional campsites are being proposed

§ 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):

John L Anderson

Signature John L Anderson

Date: 12/19/19

Signature: _____

Date: _____

Parcel Number (of Project): _____ - _____ - 0020318302842D

Fire Number & Street Address (of Project): 8400 CTH F, Baileys Harbor, WI 54202

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, project area is an expansion to existing campground and will be buffered by trees around the perimeter.

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

Yes, existing campground to the north.

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

The current project area is indicated as residential per the future land use map. However, the project is an expansion of an existing land use (parks and recreation), which is currently designated on the north end of the parcel on future land use map.

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

Public Sewer (blank) Private Onsite Wastewater Treatment System (POWTS) (checked)
Check One Existing (checked) Check One Conventional Septic (checked)
Check One New (blank) Check One Other In-ground System (blank)
Check One Holding Tank (blank)

- 5) Provision for a potable water supply.

Public Water Supply (Liberty Grove Sanitary District #1 and Maplewood only) (blank) Well (checked)
Check One Existing (checked) Check One Private Well (checked)
Check One New (blank) Check One Shared Well (blank)

- 6) Provisions for solid waste disposal.

Commercial hauler (checked)
Private delivery to collection site (blank)
Other (blank)

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

Noise: Construction equipment used to haul and grade imported aggregate and strip topsoil.

Odor: None expected

Dust: Related to hauling and grading aggregate, sand and soil

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8) Provision of safe vehicular and pedestrian access.

Vehicular Access

Existing Driveway(s) to CTH F (Road Name)
_____ New Driveway(s) to _____ (Road Name)

Pedestrian Access

_____ Sidewalks
_____ Path or Trail
 No Pedestrian Traffic

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

Existing traffic: _____ High Levels _____ Medium Levels Low Levels

10) Adequacy of emergency services and their ability to service the site.

Take this form to the local Fire Chief with a copy of the plans for review. Have Fire Chief complete and sign below.

As Fire Chief of the BAILEY HARBOR Fire Department, I have reviewed the plans of this project. Our Department (can/cannot) access this site for fire protection purposes.

Other Fire Chief comments: A SECONDARY ACCESS TO THIS PROJECT MUST BE PROVIDED. AT PRESENT TIME THERE IS ONLY ONE ACCESS AT THIS TIME CAN BE DESIGNATED AS EMERGENCY ACCESS.

[Signature] Fire Chief 11-14-19 (Date)

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)
See attached plan. Some grading is expected.

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

No buildings currently proposed.

CONDITIONAL USE PERMIT ADDENDUM – PAGE 3

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

No additional lighting proposed

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
 X _____ Some Removal
 _____ Significant Removal (provide Landscape Plan)

remove topsoil from proposed gravel areas

Topography: _____ No Change
 X _____ Some Change
 _____ Major Change (provide Grading Plan)

majority of proposed gravel is expected to match existing elevations

15) Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.

None; this is an established business with adequate finances

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.

None

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

By what month and year will the project be completed? _____ May _____, _____ 2020

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.

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.

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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1/30/20 11:37:25

ASSESSMENT INQUIRY
0020318302842D R 2020

INQ 91

N 8400 COUNTY HWY F
ANDERSON, JOHN L

+

Geo.Loc: 15 002 4 30 28 18 4 02 000

MAIL TO:

ANDERSON
JOHN L

P O BOX 433
BAILEYS HARBOR WI 54202

1840

LEGAL DESCRIPTION

18 30 28 AC 17.22
LOT 1 CSM #3061 V.18 PG.314
ALSO INCL COM 1520.98'N62*W
896.64'N42*W&304.31'N67*E
SE COR SEC18:N67*E351.68'N
279.89'N17*W50.26'S67*W467.
60'S23*E308.95'BG.
MORE LEGAL AVAILABLE

CURRENT TAX ASSESSMENT AS OF 2019

CODE	ACRES	LAND	IMPROVE	TOTAL
L2	17.22	241200	733900	975100

BILL NO:

COMMENTS

TOTALS 17.22 241200 733900 975100

F3-Exit F5-Owners F7-Tax Detail F8-Legal F9-Directory F10-Survey Index
 F11-Districts F12-Prev Scrn F17-Fire# F18-DOA Site
 F21-Geo Location F6-Vol/Page Detail

Aerial Map #3

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Door County, Wisconsin
... for all seasons!



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Aerial Map #2

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Aerial Map #1

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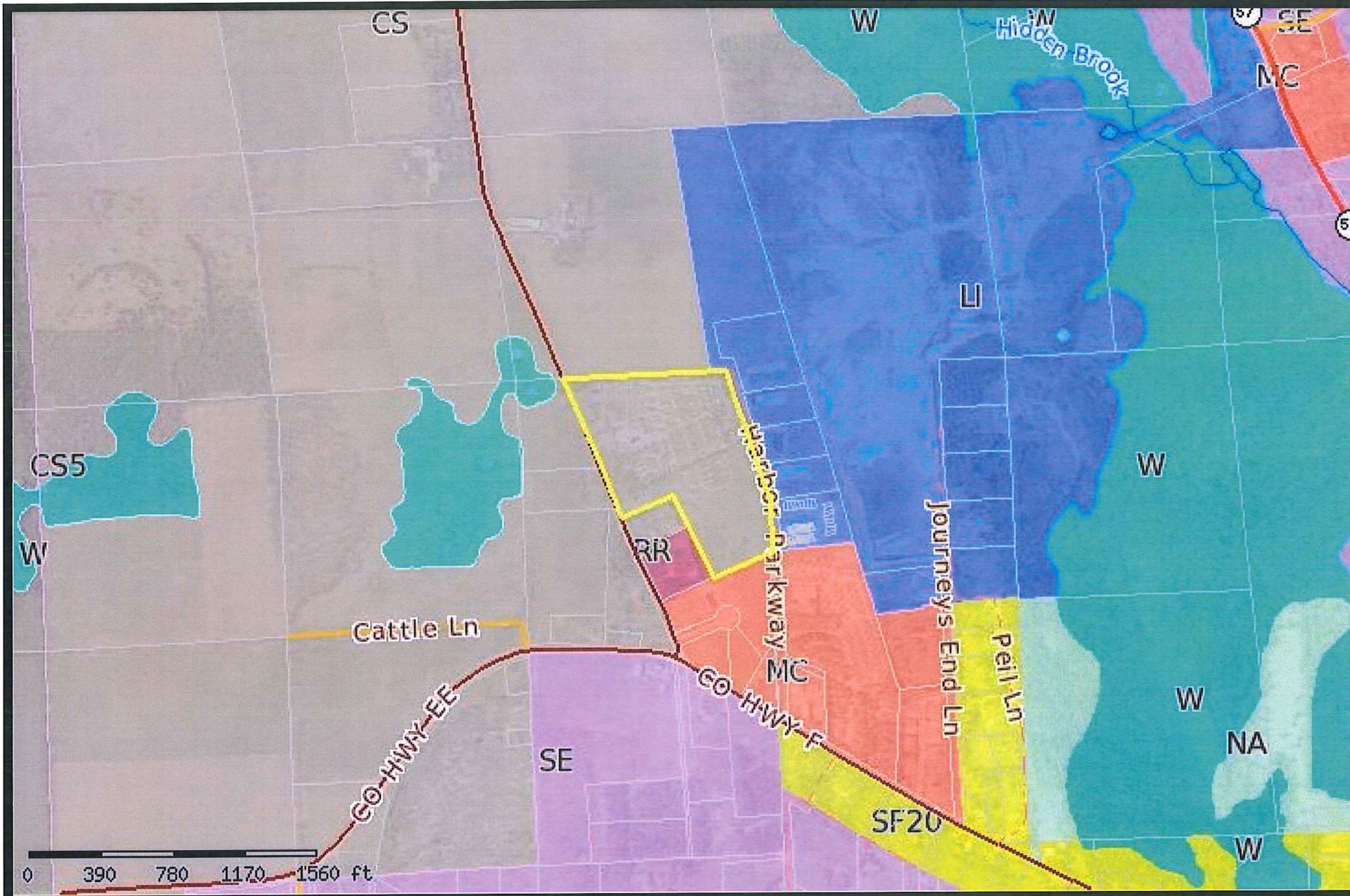
Zoning Map #1

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BEANTOWN CAMPGROUND

Town of Baileys Harbor, Door County, WI
For: Beantown Campground, Inc

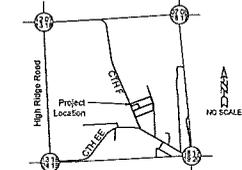
LEGEND

---CATV---CATV	Underground Cable TV	○	Sanitary Man / Tank / Base	□	CATV Pedestal
---FB---FB	Underground Fiber Optic	○	Clean Out / Curb Stop / P.U. Box	□	Gas Regulator
---DI---DI	Overhead Electric Lines	○	Storm Manhole	□	Raised Signal
---SA---SA	Sanitary Sewer	○	Manhole	□	Sign
---SS---SS	Storm Sewer	○	Catch Basin / Yard Drain	○	Tower / Pole
---E---E	Underground Electric	○	Water Man / Valve	○	Post / Guard Post
---T---T	Underground Telephone	○	Hydrant	○	Sanitary Dish
---W---W	Water Main	○	Utility Valve	○	Large Rock
---F---F	Fence - Steel	○	Utility Meter	○	Flag Pole
---F---F	Fence - Wood	○	Light Pole	○	Decorative Tree
---F---F	Fence - Barbed Wire	○	Light Pole / Signal	○	Coniferous Tree
---H---H	Highway	○	City Wire / Pump	○	Eachy Hedge
---T---T	Tireline	○	Electric Pedestal	○	Shrub
---R---R	Railroad Tracks	○	Electric Transformer	○	Marsh
---C---C	Curb	○	Air Conditioner	○	Soil Boring
---I---I	Index Contour	○	Telephone Pedestal	○	Benchmark
		+	Telephone Manhole	○	Asphalt Pavement
		+779.9	Ex Spot Elevation		Concrete Pavement

Existing Parcel Area:	723,107 SF
Allowable Impervious (per current zoning):	180,776 SF (25.0%)
Impervious Area (2015 Survey by Basdahl Inc.):	145,766 SF
Additional Impervious Area (2016 Site Plan by Davel Engineering):	6,656 SF
Additional Impervious Area (2018 Site Plan by Davel Engineering):	19,374 SF
Total Impervious:	171,824 SF (23.6%)

LOCATION MAP

SE 1/4 SEC 18, T 30 N, R 28 E,
TOWN OF BAILEYS HARBOR,
DOOR COUNTY, WI



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DOOR COUNTY
LAND USE SERVICES DEPARTMENT

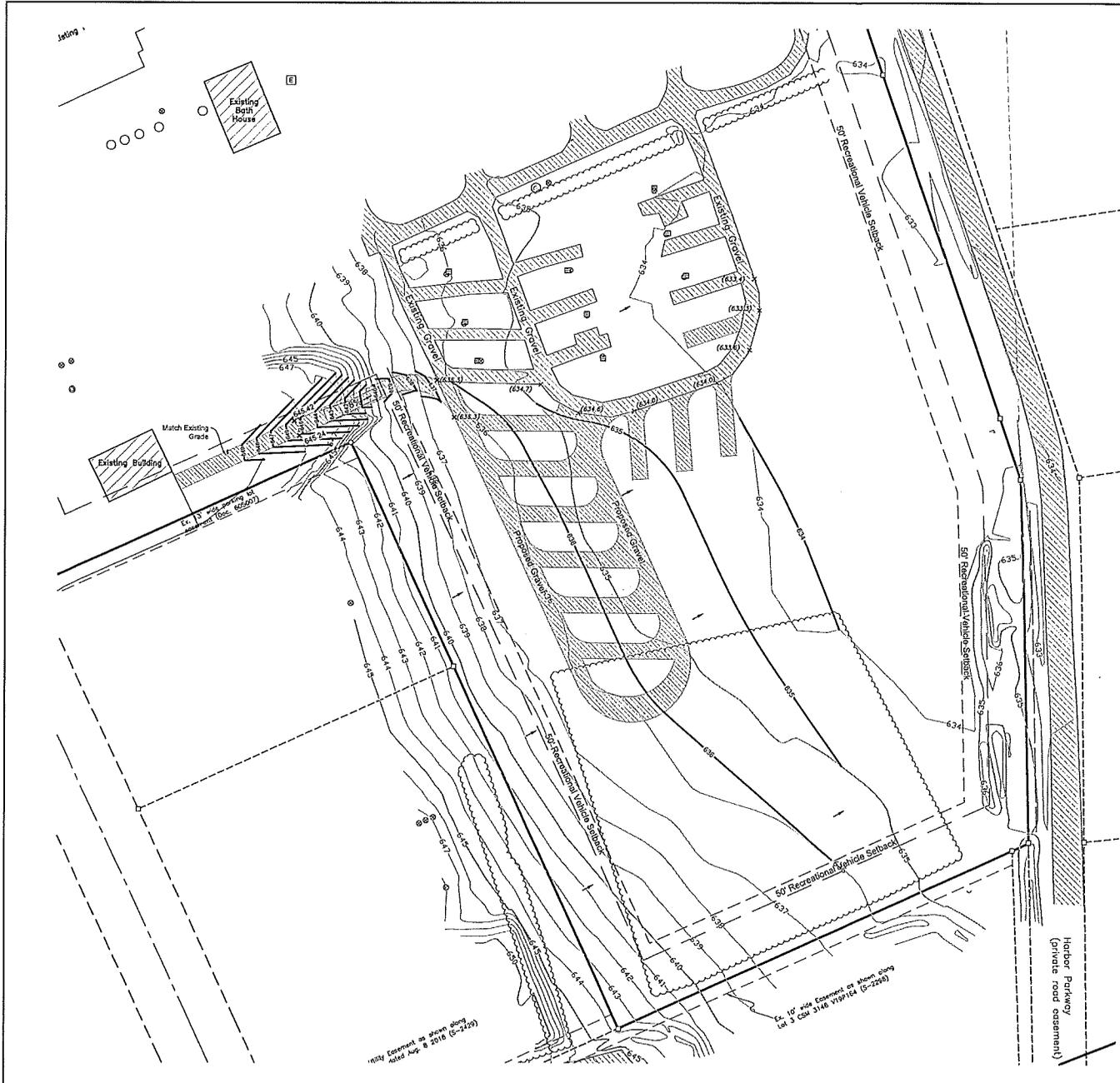
SHEET INDEX	
Sheet	Page
Site Plan	1.0
Topographic Survey	1.1
Drainage and Grading Plan	1.2
Erosion & Sediment Control Plan	1.3
Landscape Plan	1.4
Erosion Control and Construction Details	2.1

SITE PLAN

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
CIVIL ENGINEERING CONSULTANTS
 1811 Racine Street, Menasha, WI 54952
 Ph: 920-991-1868 Fax: 920-930-9595
 www.davelpro

Project Number: 4467
December 10, 2019 Page 1.0

12/10/2019 3:04 PM J:\Projects\4467\Drawings\Civil_301-4467.dwg Printed by: mlsh



LEGEND

— GUY —	Underground Cable TV	○	Sanitary Man/Tank / Base	□	GATV Pedestal
— RG —	Underground Fiber Optic	○	Chim. Gas / Gas Stop / Fuel Box	□	Box Regulator
—	Overhead Electric Lines	○	Sum. Manhole	□	Road Sign
—	U By Guy Wire	○	Man	□	Sign
—	Sanitary Sewer	○	Cast. Basin / Vent Drain	○	Tower / Silo
—	Storm Sewer	○	Water M/H / Well	○	Post / Guard Post
—	Underground Electric	○	Hydrant	○	Cast. Dish
—	Underground Gas Line	○	Utility Valve	○	Large Book
—	Underground Telephone	○	Utility Meter	○	Flag Pole
—	Water Main	○	Light Pole Signal	○	Decorative Tree
—	Fence - Steel	○	Light Pole Signal	○	Decorative Tree
—	Fence - Wood	○	Electric Pedestal	○	Bush / Hedge
—	Fence - Barbed Wire	○	Electric Transformer	○	Stump
—	Valve	○	Air Condenser	○	Marsh
—	Transformer	○	Telephone Pedestal	○	Soil Boring
—	Railroad Tracks	○	Telephone Manhole	○	Benchmark
—	CULVERT	○	Ex Spot Elevation	○	Asphalt Pavement
—	Index Contour	○	Proposed Storm Manhole	○	Concrete Pavement
—	Intermediate Contour	○	Proposed Curb/Hat	○	
—	Proposed Storm Sewer	○	Prop. Catch Basin / Vent Drain	○	
—	Proposed Contour	○	Proposed Easement	○	
—	Proposed Easement	○	Proposed Flag Pole	○	
—	Proposed Culvert	○	Prop. Drabage Direction	○	
—	Prop. Hydraulic Spill Elev.	○	FF=000.0	○	
—	Prop. Top of Walk Elev.	○		○	
—	Existing Grade	○		○	

- NOTES:**
- Existing utilities shown are indicated in accordance with available records and field measurements. The contractor shall be responsible for obtaining exact locations & elevations of all utilities, including sewer and water from the owners of the respective utilities. All utility owners shall be notified by the contractor 72 hours prior to excavation. Contact Digger's Hotline (1-800-242-8511) for exact utility locations.
 - The Contractor shall verify all staking and field layout against the plans and field conditions prior to constructing the work and immediately notify the Engineer of any discrepancies.
 - Silt fence shall be installed at the toe of all newly constructed fill slopes and shall be maintained until slope vegetation is established. Silt fence shall be installed prior to site grading.
 - 10ft protection shall be installed around the upstream end of new culvert pipes and inlets, in accordance with Wisconsin DOT Standard Detail Drawing EE10-2.
 - Stone access shall be provided to the construction site. Tracking of mud on existing streets shall be cleaned up daily.
 - Vegetation beyond slopes shall remain.
 - The contractor shall minimize the area disturbed by construction as the project is constructed. Disturbed areas shall be seeded as soon as final grade is established. Contractor shall replace topsoil and then seed, fertilize and mulch all lawn areas within 1 week of topsoil placement.
 - Contractor shall remove all excess materials from the site. Earthwork contractors shall verify topsoil depth.
 - All sediment and erosion control devices and methods shall be in accordance with the Wisconsin DNR Technical Standards.
 - The contractor shall make weekly inspections and inspections within 1 day of any rainfall exceeding 0.5 inches of the sediment and erosion control devices throughout construction. The contractor shall repair or maintain erosion control devices as necessary. The inspection reports shall be made available to the owner at the end of the construction or upon demand during construction.
 - Updated survey and EIS search have not been authorized and the boundary and easements shown may be inaccurate or incomplete.

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DAVEL ENGINEERING & ENVIRONMENTAL, INC.
 CIVIL ENGINEERING CONSULTANTS
 1811 South Street, Menasha, WI 54952
 PH: 920-991-1800 FAX: 920-938-9595
 www.davelinc.com

DRAINAGE & GRADING PLAN

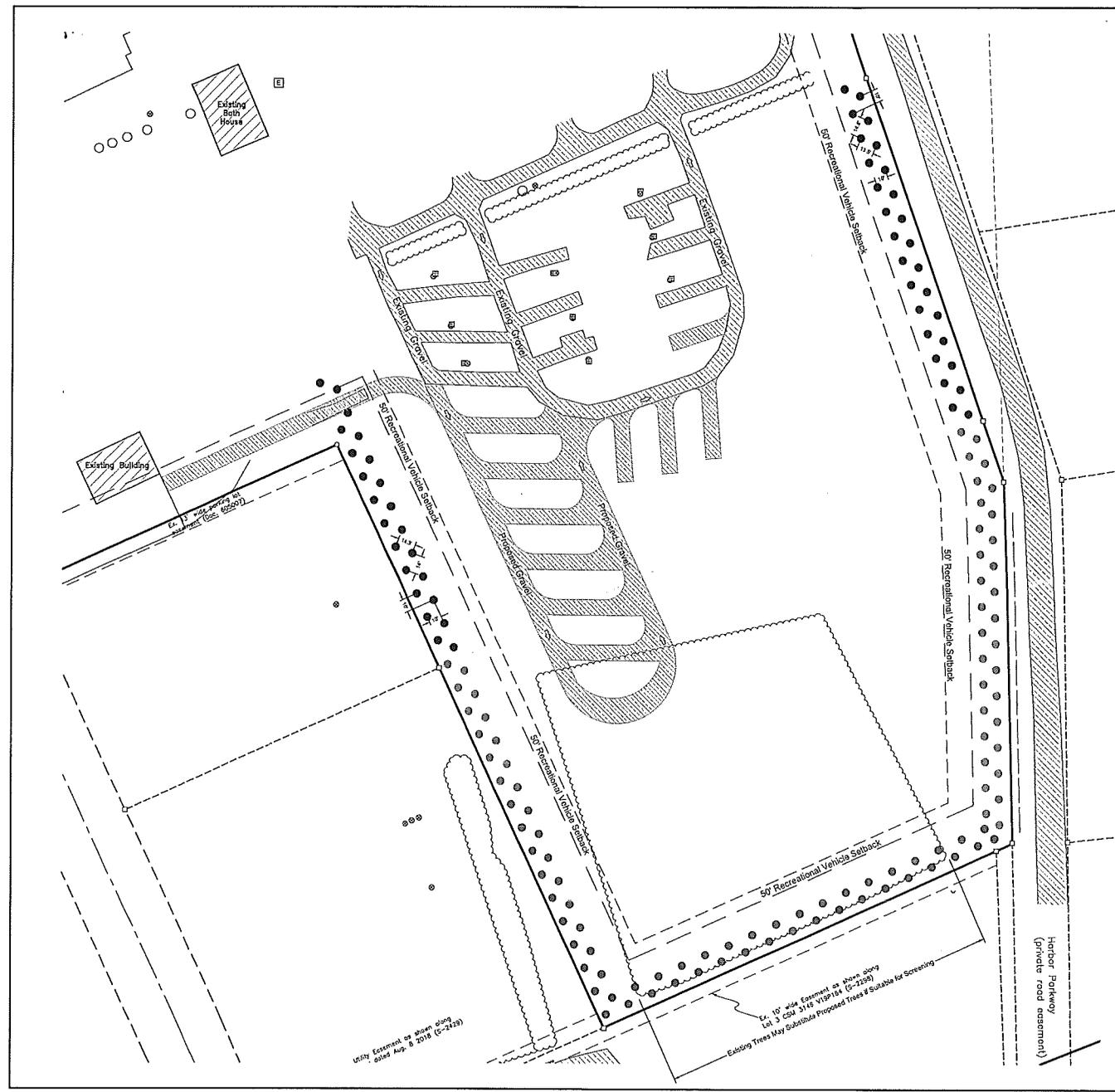
BEANTOWN CAMPGROUND
 Town of Baileys Harbor, Door County, WI
 For: Beantown Campground, Inc

12/10/2019
 Date: 12/10/2019
 Project: 4467engr.dwg
 Author: MDB
 Linc Rev'd by: mlitch
 Page: 1.2

100% Easement as shown along
 dated Aug. 8 2018 (S-2429)

CA 10' wide Easement as shown along
 CA 3 Cont 3/46 1/16/16 (S-2265)

Harbor Parkway
 (private road easement)



LEGEND

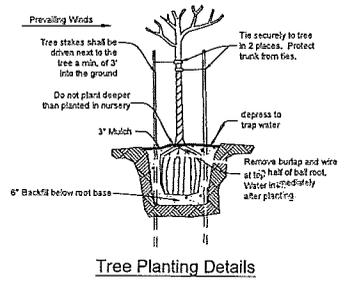
--- CATV	Underground Cable TV	○	Sanitary Manhole	□	CATV Pedestal
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--- SB	Sanitary Sewer	○	Sanitary Sewer	○	Tower / Pole
--- SB	Storm Sewer	○	Sanitary Sewer	○	Post / Guard Post
--- SE	Storm Electric	○	Sanitary Sewer	○	Satellite Dish
--- U	Underground Gas Line	○	Sanitary Sewer	○	Large Rock
--- UT	Underground Telephone	○	Sanitary Sewer	○	Flag Pole
--- WM	Water Main	○	Sanitary Sewer	○	Decorative Tree
--- F-Steel	Fence - Steel	○	Sanitary Sewer	○	Coniferous Tree
--- F-Wood	Fence - Wood	○	Sanitary Sewer	○	Deciduous Tree
--- F-Backed	Fence - Backed Wire	○	Sanitary Sewer	○	Shrub / Hedge
--- Y	Yardstick	○	Sanitary Sewer	○	Bump
--- T	Tire	○	Sanitary Sewer	○	Manch
--- RT	Raised Track	○	Sanitary Sewer	○	Soil Boring
--- C	Culvert	○	Sanitary Sewer	○	Asphalt Pavement
--- IC	Index Contour	○	Sanitary Sewer	○	Concrete Pavement
--- 79	Intermediate Contour	○	Sanitary Sewer	○	

● Tree to Remain from 2016 Plan (51 total)
 ○ Tree to be Replanted from 2016 Plan (43 total)
 ○ Proposed Tree (63 total)

Plant Schedule - Buffer

Plant	Code	Common Name	Genus/Species	Qty
Tree-Evergreen	AA	American Arborvitae	Thuja occidentalis	49
Tree-Evergreen	BH	Black Hills Spruce	Picea glauca var. densata	49
Tree-Evergreen	EN	Eastern Redcedar	Juniperus virginiana	49
				147

* Evergreen Trees must be a minimum height of 24 inches when planted
 * Trees may be substituted for an alternative evergreen tree, if desired
 Landscape buffer requirements per Chapter 3 (General Requirements), Section 3.10(4) of the Door County Comprehensive Zoning Ordinance.



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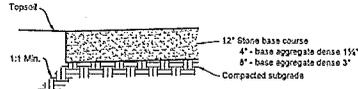
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 Author: MDB
 Last Saved by: mitch
 Page: 14

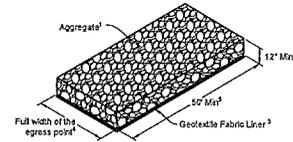
LANDSCAPE PLAN

BEANTOWN CAMPGROUND
 Town of Baileys Harbor, Door County, WI
 For: Beantown Campground, Inc

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
 CIVIL ENGINEERING CONSULTANTS
 1111 W. Wisconsin Ave., Suite 200, Waubesa, WI 54601
 P.O. Box 1011, Waubesa, WI 54601-0111
 www.daveleng.com



GRAVEL SECTION

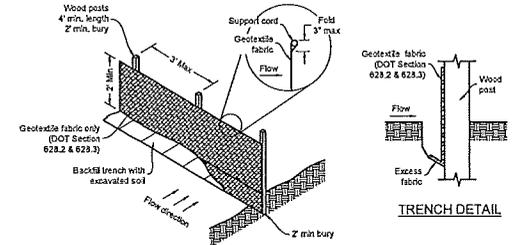


TRACKING PAD DETAIL

Notes:
 Note 1 Use hard, durable, angular stone or recycled concrete meeting the gradation in Table 1. Where this gradation is not available, meet the gradation in Wisconsin Department of Transportation (DOT) 2018 Standard Specification, Section 312, Select Crushed Material.
 Note 2 Slope the stone tracking pad in a manner to direct runoff to an approved treatment practice.
 Note 3 Select fabric type based on soil conditions and vehicles loading.
 Note 4 Install tracking pad across full width of the access point, or restrict existing traffic to a dedicated egress lane at least 12 feet wide across the top of the pad.
 Note 5 If a 50' pad length is not possible due to site geometry, install the maximum length practicable and supplement with additional practices as needed.

TABLE 1: GRADATION FOR STONE TRACKING PADS

Stone Size	Percent by weight passing
3"	100
2-1/2"	90-100
1-1/2"	25-60
3/4"	0-20
3/8"	0-5



- Silt fence notes:
 1. Detail of construction not shown on this drawings shall conform to criteria set by authorities having jurisdiction and by DNR Technical Standard 1054.
 2. When possible, the silt fence should be constructed in an arc or horseshoe shape with the ends pointing upslope to maximize both strength and effectiveness.
 3. Attach the fabric to the posts with wire staples or wooden lash and nails.
 4. 8'x2' post spacing allowed if a woven geotextile fabric is used.
 5. Trench shall be a minimum of 4" wide and 6" deep to bury and anchor the geotextile fabric. Fold material to fit trench and backfill and compact trench with excavated soil.
 6. Geotextile fabric shall be reinforced with an industrial polypropylene netting with a maximum mesh spacing of 3/4" or equal. A heavy-duty nylon top support fabric or equivalent is required.
 7. Steel posts shall be studded "tee" or "u" type with a minimum weight of 725 lbs/linear foot (without anchor). Pin anchors shall be a minimum size of 4" diameter or 1 1/2" x 3 1/2", except wood posts for geotextile fabric reinforced with netting shall be a minimum size of 1 1/8" x 1 1/8" oak or hickory.

SILT FENCE INSTALLATION

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12/10/2019

Date:	12/10/2019
Filename:	4467 engr.dwg
Author:	MDB
Last Saved by:	mltich
Page:	2.1



County of Door PLANNING DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

STAFF REPORT Conditional Use Permit Application

Applicant Information

- **Name & property address:** John L. Anderson; 8300/8400 CTH F
- **Parcel identification number:** 002-03-18302842D
- **Zoning district:** Countryside (CS)
- **Petition request, including sections of zoning ordinance requiring permit:**
John L. Anderson is requesting a Conditional Use Permit for the expansion of an existing "campground" (i.e., Beantown Campground) on the property addressed 8300/8400 County Highway F (PIN 002-03-18302842D) which is zoned Countryside (CS). The applicant is proposing to expand the existing campground via the addition of ten (10) additional sites south of the existing campsites, resulting in 108 total campsites within the campground.

Ordinance sections: 2.05(3)(a), 4.07(2), and 11.04.

Description of Subject Property and Surrounding Area

Subject Property

- **Lot area, width, and depth:** 17.22 acres; 1,200' +/- of width, 795' +/- of depth.
- **Frontage - water, road:** No water frontage; 819.93' road frontage along CTH F & 1,014.89' road frontage along Harbor Parkway (private road).
- **Existing uses/structures:** Campground, bath house/recreation room, office/storage building, two storage buildings, and two camping cabins/shelter units.
- **Access:** Four existing access driveways from CTH F. One proposed additional emergency access driveway connecting proposed campsites to an existing driveway to CTH F. Access to proposed campsites will also be via extensions of the existing campground driveway(s).
- **Traffic patterns/road usage:** This is a county highway with low to moderate traffic levels.
- **Water and sanitation:** There is an existing private well and a conventional septic system on the property which serve the existing campsites and will serve the proposed campsites on the subject parcel. The existing conventional septic system is adequately sized for a maximum of 113 campsites.
- **Significant topography or vegetation:** There is a change in elevation of about 22 ft. from the west along CTH F sloping down to the east side of the parcel along Harbor Parkway. There is only approximately 2' – 4' of elevation change within the proposed campground expansion area.

Surrounding Area:

- **North:** To the north are mostly large vacant lots and some smaller lots containing residences zoned Countryside (CS). Approximately ½ mile north are large lots zoned Heartland 3.5 (HL3.5) which are mostly vacant with some residences. To the northeast of Harbor Parkway are large and small lots zoned Light Industrial (LI) consisting of the

Premiere Concrete nonmetallic mine. Hidden Brook is located less than ½ mile northeast with large vacant lots primarily zoned Wetland (W) surrounding Hidden Brook on both sides. Northeast of Hidden Brook are small residential lots zoned Small Estate Residential (SE).

- **South:** Adjacent to the south is a small commercial lot containing Door County Broadband's new building and two additional small vacant lots zoned Mixed Use Commercial (MC). South of CTH F are small residential lots zoned Single Family Residential 20,000 (SF20) and Small Estate Residential (SE). Further south are larger vacant and residential lots zoned Heartland 3.5 (HL3.5). Baileys Woods Campground is located less than ¼ mile southwest. Baileys Grove Travel Park is adjacent to the southeast. To the southeast, adjacent to the north of CTH F, are small lots zoned Mixed Use Commercial (MC) and Single Family Residential 20,000 (SF20) consisting of commercial, multi-family residential, and single-family residential uses. Quietside Apartments are located less than ¼ mile southeast. To the southeast, south of CTH F, are small residential lots zoned Single Family Residential 20,000 (SF20) and Small Estate Residential (SE), and a residential development zoned High Density Residential (HD) which primarily consists of duplexes. Downtown Baileys Harbor is located less than 1 mile southeast, which consists of many small lots consisting of commercial and some residential uses primarily zoned Mixed Use Commercial (MC) and Commercial Center (CC). Small residential lots zoned Single Family Residential 20,000 (SF20) are also located near downtown Baileys Harbor.
- **East:** To the east are large and small lots zoned Light Industrial (LI) consisting of the Premiere Concrete nonmetallic mine, storage unit buildings, and other commercial/industrial uses. Large, vacant wooded lots owned by The Ridges are located west of STH 57 and southeast of CTH Q. East of STH 57 and north of CTH Q are small residential lots zoned Small Estate Residential (SE).
- **West:** Adjacent to the west of the proposed campground expansion, east of CTH F, are two small residential lots zoned Countryside (CS) and Rural Residential (RR). West of CTH F are large, vacant lots zoned Countryside (CS) with some residences. Town of Gibraltar boundary is slightly over ½ mile west. There are large lots within the Town of Gibraltar zoned Countryside-5 (CS5). Less than 1 mile west are also two (2) large lots zoned Light Industrial (LI) consisting of a nonmetallic mine owned by Harbor Construction. Peil Creek is 1.5 miles west.

Background/History

Beantown Campground received a zoning permit for a 95-site campground in 2003 via the now-defunct Site Plan Review permit process. There were 12 conditions attached to the 2003 approval and are still applicable to the original campground. The campground was developed with only 90 sites at that time. In 2016, the applicant received a conditional use permit for a campground expansion via 8 additional sites (98 total sites). There were 9 conditions attached to the 2016 conditional use permit and are still applicable to the 2016 campground expansion.

The applicant is now proposing to expand the campground by adding 10 campsites on the subject parcel (108 total sites proposed), adjacent to the south of the existing campsites. Per John Teichtler, Door County Assistant Sanitarian, the existing sanitary system serving the campground is adequate for the proposed expansion. The proposed expansion complies with all minimum requirements of the Door County Comprehensive Zoning Ordinance.

Zoning Considerations

- **Purpose of zoning district: DCZO Section 2.03(6):** Countryside (CS). “This district is intended for mostly rural areas of the interior of the county where a mixture of low density residential, agricultural, and rural commercial activity exists or is desirable. The district provides for residential development at modest densities consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or which are compatible with surrounding rural land. The district also accommodates agricultural uses and, hence, can serve as a transitional district between the Exclusive Agricultural, Prime Agricultural, and General Agricultural districts and more intensely developed areas. Lot sizes of at least 10 acres are required for new lots.”
- **Does the use meet the zoning ordinance’s stated purpose and intent?** The proposed project is a relatively modest expansion of an existing use, allowed in this district under the current zoning regulations.
- **Specific requirements for proposed use and/or possible conditions that may be relevant.** If the Resource Planning Committee determines that the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety, or character of the surrounding area, the following are possible conditions that may be relevant.
 1. The use must be established within 12 months of the issuance of the conditional use permit.
 2. Any outdoor lighting erected in conjunction with this use shall utilize lighting fixtures whose hood, lens, or combination thereof allow no direct beams of light to be seen from off the property or to be cast skyward, and the lighting elements of which shall not be visible from adjacent properties.
(This is an existing condition for the 2016 campground expansion)
 3. The use shall comply with all applicable local, state, and federal building codes and ordinances.
 4. The campground expansion shall be screened by means of a vegetative screening, as described in Sec. 3.10(4), landscape buffer tree requirements, along all lot lines as shown on the “Landscape Plan” submitted on December 10, 2019.
(This is a similar condition to an existing condition for the 2016 campground expansion and is an ordinance requirement)
 5. A 10:00 p.m. curfew shall be required and all fires shall be extinguished by 12:00 a.m.
(This is an existing condition for all portions of the existing campground)
 6. A secondary emergency access, as shown on the site plan submitted on December 10, 2019, shall be installed.
 7. The proposed driveways (including the secondary emergency access driveway) serving the new campsites shall be a minimum of 12’ wide and driveway access shall be maintained such that emergency vehicles can drive through the parcel or turn around.
(This is a similar condition to an existing condition for the 2016 campground expansion)
 8. *The RPC will need to set a completion date for the project.*
 9. An affidavit shall be recorded with the CSM (Deed) to provide successors in interest notice of the conditional use permit and conditions and requirements.

Comprehensive Plan Considerations

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

The area of the parcel proposed for the campground expansion is designated on the county plan's future land use map as "Residential," as described below and shown on the attached map:

"Areas designated as "Residential" are intended to be developed predominantly with single-family uses, or, where allowed by zoning or other ordinance, mobile homes, group quarters, or non-transient multi-family buildings. Some parcels designated as "Residential" may currently contain duplexes, multi-family developments, or resorts, if those uses are located on parcels currently zoned for primarily single-family residential development, or if the municipality wished to ensure that the long-term development of the property would be primarily residential rather than commercial in nature. "Residential" areas include the majority of the county's shorelines and areas containing smaller lots and/or emerging small-lot residential development patterns."

Although the proposed use is inconsistent with the future land use description for this area of the parcel, the project is simply a modest expansion of an existing use located on an adjacent area of the parcel designated on the future land use map as Commercial and Parks & Recreation. The RPC should via establishment of appropriate conditions be able to render the use compatible with surrounding properties.

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

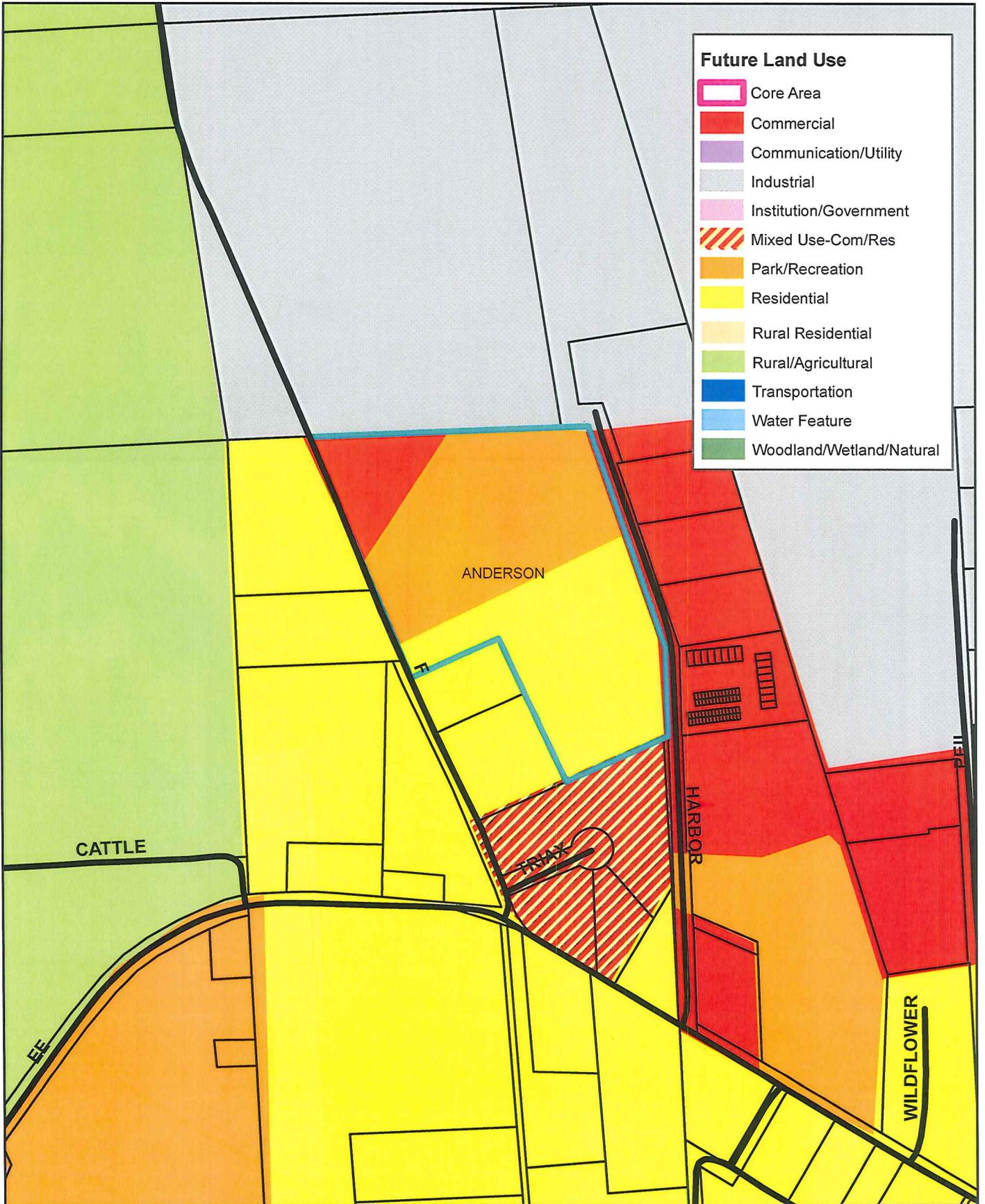
JJK/RVK/SV
1/30/20

Future Land Use Map

John L. Anderson: 002-03-18302842D

Conditional Use Permit

Proposed Use: Expansion of an existing campground (Beantown Campground)



JOHN ANDERSON
CUP
LETTERS IN FAVOR



2392 County Road F • P.O. Box 308
Baileys Harbor, WI 54202
Phone (920) 839-9509 • FAX (920) 839-9425
Email: tbaileysharbor@dcwis.com

January 14th, 2020

Door County Planning Department
421 Nebraska Street
Sturgeon Bay, WI 54235

Re: Application for Conditional Use Permit for, parcel 002-03-1830842D, 8300/8400 CTH F

The Baileys Harbor Plan Commission has reviewed the above referenced petition at a meeting held January 6th. The Plan Commission voted to recommend approval; the Plan Commission was in support of the owner adding more campsites. The motion carried, 5-0. The Town Board also made a motion to recommend approval at the Town Board meeting on January 13th. The motion carried, voted 5-0. If you have any questions, please don't hesitate to contact me.

Best regards,

Haley Adams
Clerk

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JAN 14 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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

APPLICATION FOR CONDITIONAL USE PERMIT

TO THE ZONING ADMINISTRATOR. The undersigned hereby makes application for a CONDITIONAL USE PERMIT for the work described and located as shown herein. The undersigned agrees that all work shall be done in accordance with the requirements of the Door County Comprehensive Zoning Ordinance.

1. OWNER NAME AND MAILING ADDRESS

Name NELSONS OF FISH CREEK, LLC
No. 3449 Street STH 42
City FISH CREEK State WI Zip 54212
Home Phone # _____
Daytime Phone # 720-854-5752
Email: AXCHF@Yahoo.com

2. BUILDING SITE LOCATION

Fire # 3449 Road STH 42
Town of GIBRATAAR
Local Phone # 720-868-2229

3. DEVELOPER NAME AND MAILING ADDRESS

Name PENINSULA BUILDING SYSTEMS, INC
No. 185 Street WALNUT
City STURGEON BAY State WI Zip 54235
Phone # 720-868-2229
Email: ERIK@P850ES16NB4LD.COM

4. PROPERTY IDENTIFICATION

Parcel No. 014-02-21312711C

5. USE

Proposed use of land or structure:
EXTENSION OF HARDWARE & SHOPPING

6. SANITARY PERMIT

Type of System HOLDING TANK CONTRACT
Sanitary Permit No. 528734
Date of Issuance 9-20-2011
Approximate date of installation 9-2011

7. 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".

8. ROCKHOLES

A rockhole is any depression or opening in the ground surface through which gathered surface water enters bedrock and eventually joins groundwater.

To the best of your knowledge, do any rockholes exist on the lot?

No Yes

If yes, show location on Site Plan.

9. FEE \$500.00

Make check payable to the Door County Treasurer.

10. 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.

11. SIGNATURE OF APPLICANT OR AGENT

[Signature]
Date 12-10-19

Shoreland Zoning Yes (No) Zoning District CC (FOR OFFICE USE ONLY)

Inspections:

Date	Inspector	Remarks

Permit Issued: (by) _____ (date) _____ (for) _____

Brian
920-495-3370

Receipt No. 4254 Fee 500.00 Date 12-13-19
Certificate of Compliance: Date _____

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CONDITIONAL USE PERMIT ADDENDUM - PAGE 2

8) Provision of safe vehicular and pedestrian access.

Vehicular Access

Existing Driveway(s) to STH 42
(Road Name)

New Driveway(s) to NONE -- CONTINUED USE OF EXISTING
(Road Name)

Pedestrian Access

Sidewalks

Path or Trail

No Pedestrian Traffic

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

Existing traffic: High Levels Medium Levels Low Levels

NO INCREASE TRAFFIC EXPECTED.

10) Adequacy of emergency services and their ability to service the site.

Take this form to the local Fire Chief with a copy of the plans for review. Have Fire Chief complete and sign below.

As Fire Chief of the Town of Gibraltar Fire Department, I have reviewed the plans of this project. Our Department (can / cannot) access this site for fire protection purposes.

Other Fire Chief comments: Ensure the following: Fire apparatus access road is a minimum of 20' wide, capable of supporting 80,000 lb. turns outside radius > 50' and ability to park 6.5' height from bldg especially at corners
[Signature], Fire Chief 11/11/19 (Date)

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)

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

NONE ADDITIONAL

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)

15) Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.

N/A

16) Whether, and to what extent, site-specific conditions should be imposed to mitigate potentially problematic impacts of the use.

N/A

17) The impact of the proposed project on public health, public safety, or the general welfare of the County.

NONE

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

By what month and year will the project be completed? APPROX AUGUST 2020

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.

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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: map.co.door.wi.us/planning

PROJECT SCOPE DECLARATION
[2017 Wisconsin Act 68; Effective November 29, 2017]

Please provide a description of your project.

BUILDING ADDITION TO EXISTING NELSON SHOPPING CENTER
& HARDWARE TO EXPAND STORAGE FOR INVENTORY AREA

§ 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):

NELSON'S OF FISH CREEK, LLC

Signature Gary Nelson Date: 12-10-19

Signature: _____ Date: _____

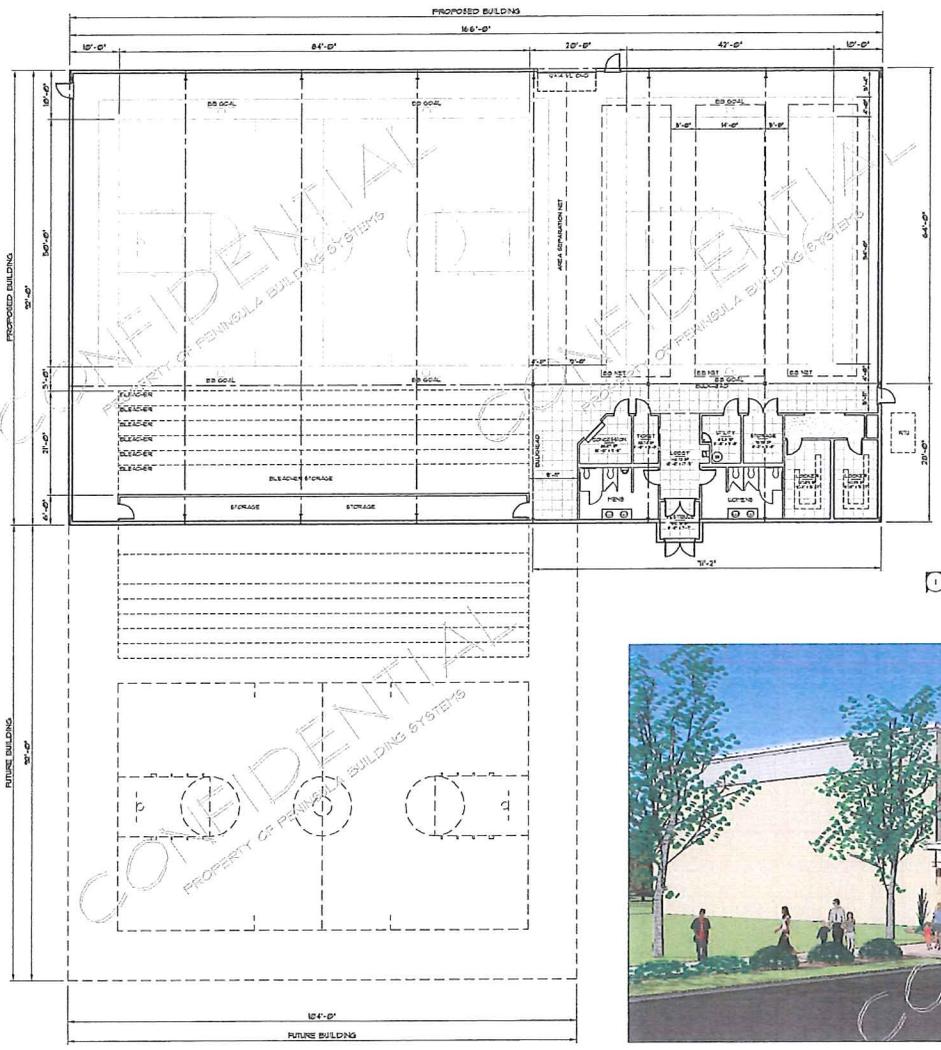
Parcel Number (of Project): 014 - 02-27312711C

Fire Number & Street Address (of Project): 3449 STA 42

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CONCEPTUAL FLOOR PLAN LAYOUT
SCALE: 3/32" = 1'-0" (1/8" = 1'-0")



CONCEPTUAL RENDERING ELEVATION
NOT TO SCALE

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DESIGNED BY: OBS
DRAWN BY: OBS
CHECKED BY: OBS
DATE: 11/15/19

PROJECT: NORTHERN DOOR FIELDHOUSE

DATE: 6/19/19
DESIGNER: OBS
CHECKED BY: OBS
DATE: 6/19/19

PROJECT: NORTHERN DOOR FIELDHOUSE

PROJECT: CP-1.0
SCALE: AS SHOWN



AERIAL SITE IMAGE W/ ADDITION OVERLAY
SCALE: N.T.S.

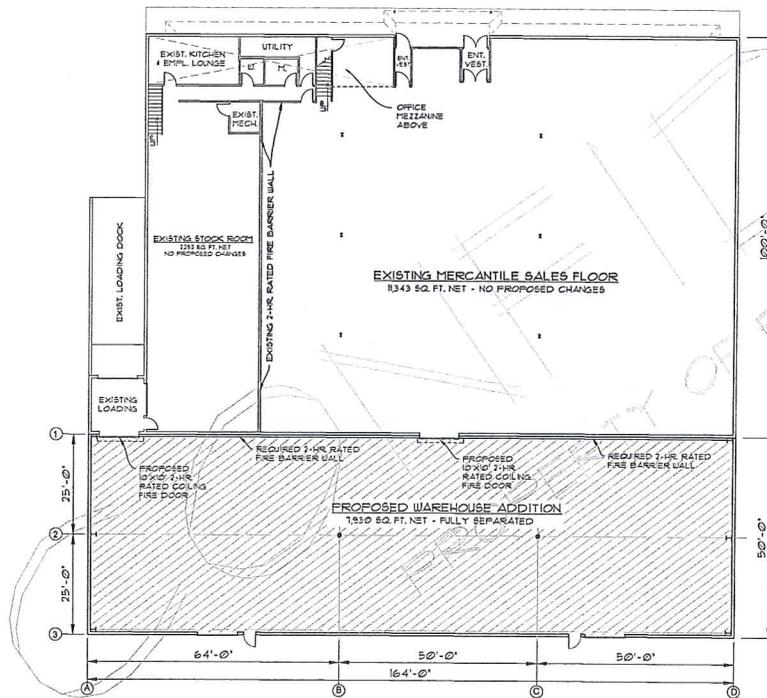
PROPOSED BUILDING ADDITION TO NELSON'S HARDWARE & SHOPPING CENTER

3449 S. RTE 42, TOWN OF GIBRALTAR, DOOR CO., WI

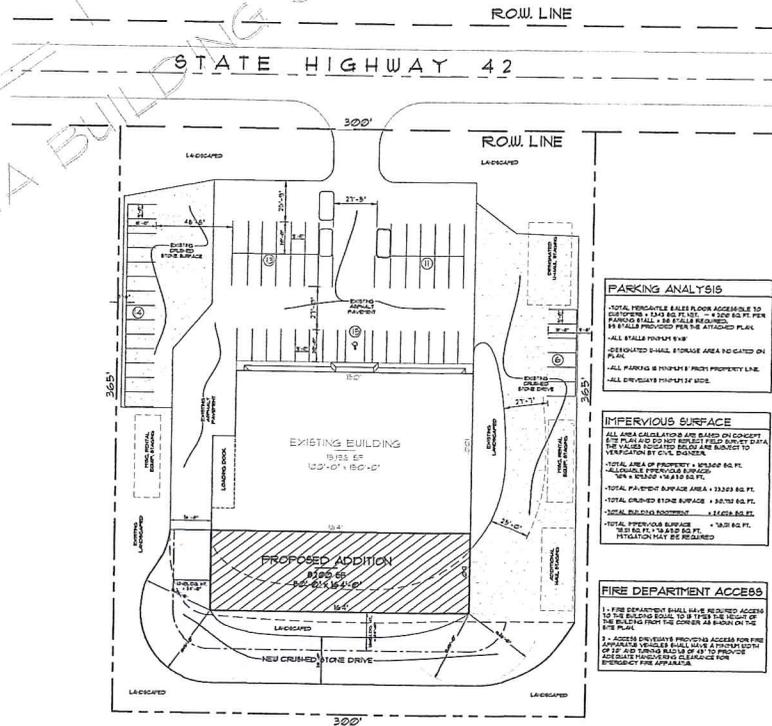
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CONCEPTUAL FLOOR PLAN
SCALE: 1/2" (74X36)



PARKING ANALYSIS

- TOTAL PERMISSIBLE PARKING ACCESSIBLE TO CUSTOMERS: 1343 SQ. FT. NET - 3.206 SQ. FT. PER PARKING SPACE PER THE ATTACHED PLAN.
- PER SPACE PROVIDED PER THE ATTACHED PLAN.
- ALL STALLS FOUR-WAY SWP.
- DESIGNATED 2-HALL STORAGE AREA INDICATED ON PLAN.
- ALL PARKING IS WITHIN 15' FROM PROPERTY LINE.
- ALL DRIVEWAYS 10' MIN. 14' WIDE.

IMPERVIOUS SURFACE

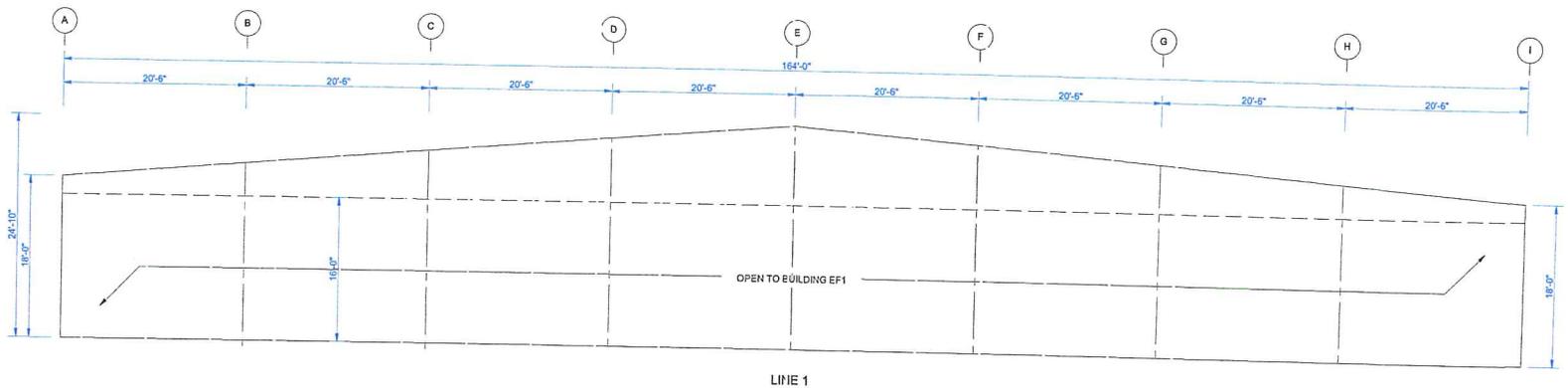
- ALL AREA CALCULATED AND BASED ON CONCEPTUAL PLAN. ALL AREA CALCULATED BASED ON FIELD SURVEY DATA.
- PER SPACE PROVIDED PER THE ATTACHED PLAN.
- TOTAL AREA OF PROPERTY: 1,224,000 SQ. FT.
- TOTAL IMPERVIOUS SURFACE: 1,224,000 SQ. FT.
- TOTAL PAVED DRIVEWAY AREA: 13,200 SQ. FT.
- TOTAL CRUSHED STONE DRIVEWAY: 1,200 SQ. FT.
- TOTAL BUILDING FOOTPRINT: 3,865 SQ. FT.
- TOTAL IMPERVIOUS SURFACE: 1,238,200 SQ. FT.
- 11% OF 1,238,200 SQ. FT. = 140,202 SQ. FT. MITIGATION MAY BE REQUIRED.

FIRE DEPARTMENT ACCESS

- FIRE DEPARTMENT SHALL HAVE UNOBSTRUCTED ACCESS TO ALL BUILDINGS EQUAL TO OR GREATER THAN THE WIDTH OF THE FRONT DRIVE FROM THE STREET AS SHOWN ON THE PLAN.
- ACCESS DRIVEWAY PROVIDED ACCESS FOR FIRE DEPARTMENT VEHICLES SHALL BE 10' WIDE WITH A MINIMUM OF 20' OF 2" ADP PAVING ROAD OF 10' TO PROVIDE PROTECTED HANDOVER CLEARANCE FOR EMERGENCY FIRE APPARATUS.

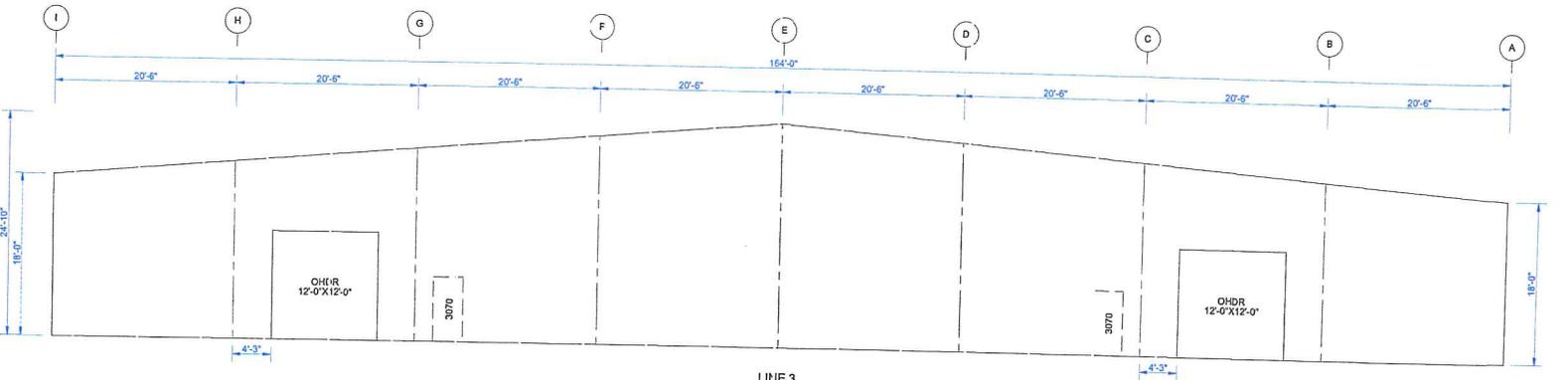
CONCEPTUAL SITE PLAN
SCALE: 1/2" (74X36)

Height



LINE 1

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LINE 3

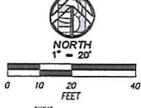
NOT FOR CONSTRUCTION
 DRAWING FOR QUOTE & ORDER PURPOSES ONLY
 QUOTE CONFIRMATION

PROFESSIONAL BUILDING SERVICES, INC.
 NELSON HARDWARE
 GIBRALTAR TOWNSHIP, WI

EM52402
 BLDG 'A'
 LINE 1&3
 D6/D8



LOCATED IN:
THE NE 1/4 OF THE NE 1/4 OF SECTION 27,
TOWNSHIP 31 NORTH, RANGE 27 EAST,
TOWN OF GIBLALTAR,
DOOR COUNTY,
WISCONSIN.



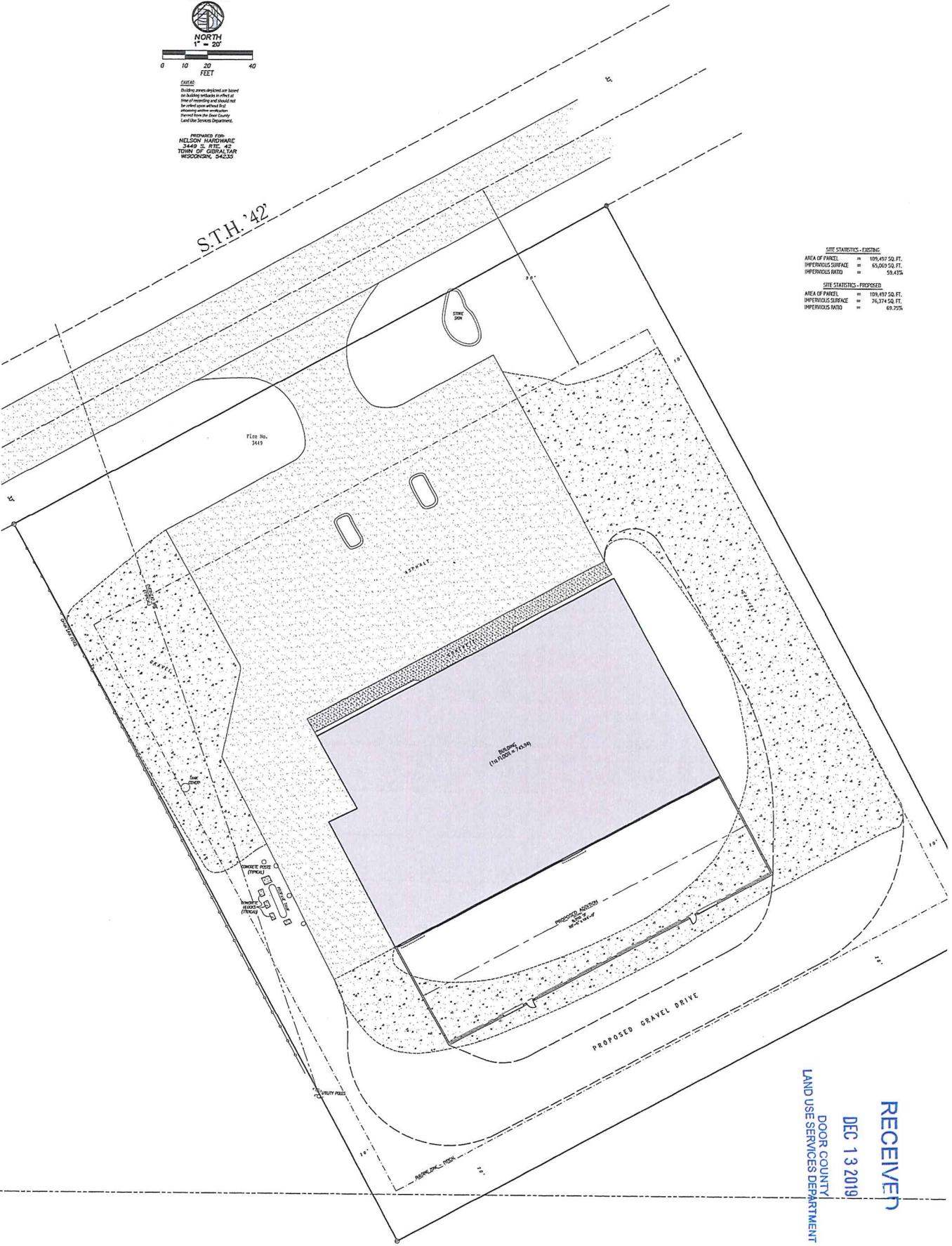
NOTE:
Building areas depicted are based
on building setbacks as shown on
final platting and should not
be relied upon without final
approval from the Door County
Land Use Services Department.

PREPARED FOR:
NELSON HARDWARE
3449 S. RTE. 62
TOWN OF GIBLALTAR
WISCONSIN, 54620

S.T.H. '42'

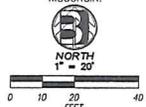
SITE STATISTICS - EXISTING	
AREA OF PARCEL	= 106,497 SQ. FT.
IMPERVIOUS SURFACE	= 65,003 SQ. FT.
IMPERVIOUS RATIO	= 61.1%

SITE STATISTICS - PROPOSED	
AREA OF PARCEL	= 106,497 SQ. FT.
IMPERVIOUS SURFACE	= 76,374 SQ. FT.
IMPERVIOUS RATIO	= 71.7%



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LOCATED IN:
THE NE 1/4 OF THE NE 1/4 OF SECTION 27,
TOWNSHIP 31 NORTH, RANGE 27 EAST,
TOWN OF GIBRALTAR
DOOR COUNTY,
WISCONSIN.

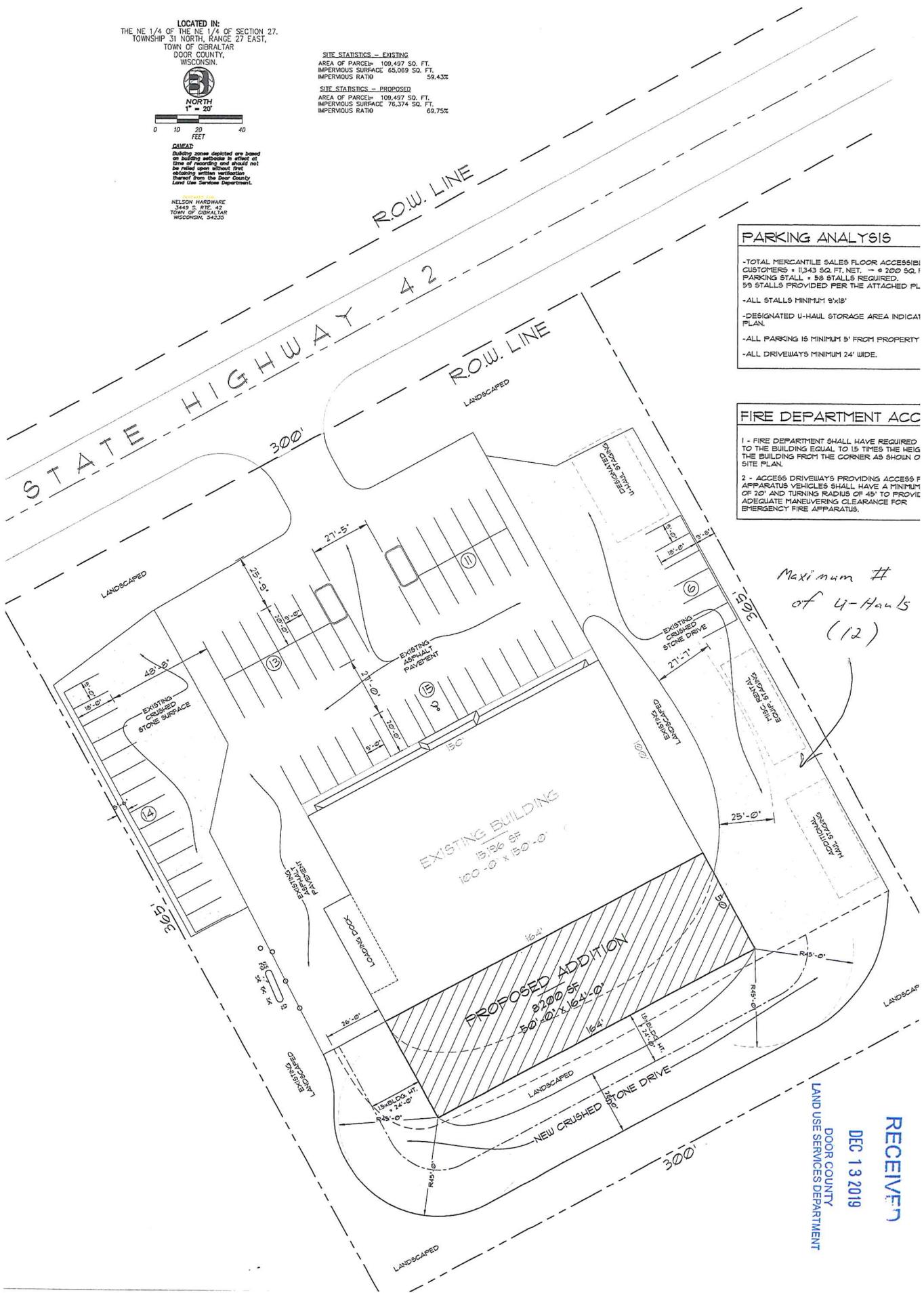


CAVEAT
Building zones depicted are based on building setbacks in effect at time of recording and should not be relied upon without first obtaining written verification thereof from the Door County Land Use Services Department.

NELSON HARDWARE
3449 S. BIC. RD.
TOWN OF GIBRALTAR
WISCONSIN, 54222

SITE STATISTICS - EXISTING
AREA OF PARCEL: 109,497 SQ. FT.
IMPERVIOUS SURFACE: 65,069 SQ. FT.
IMPERVIOUS RATIO: 59.43%

SITE STATISTICS - PROPOSED
AREA OF PARCEL: 109,497 SQ. FT.
IMPERVIOUS SURFACE: 76,374 SQ. FT.
IMPERVIOUS RATIO: 69.75%



PARKING ANALYSIS

- TOTAL MERCANTILE SALES FLOOR ACCESSIBLE CUSTOMERS = 11,343 SQ. FT. NET. → @ 200 SQ. FT. PARKING STALL = 56 STALLS REQUIRED. 59 STALLS PROVIDED PER THE ATTACHED PLAN.
- ALL STALLS MINIMUM 9'x18'
- DESIGNATED U-HAUL STORAGE AREA INDICATED ON PLAN.
- ALL PARKING IS MINIMUM 5' FROM PROPERTY
- ALL DRIVEWAYS MINIMUM 24' WIDE.

FIRE DEPARTMENT ACCESS

- 1 - FIRE DEPARTMENT SHALL HAVE REQUIRED TO THE BUILDING EQUAL TO 15 TIMES THE HEIGHT OF THE BUILDING FROM THE CORNER AS SHOWN ON SITE PLAN.
- 2 - ACCESS DRIVEWAYS PROVIDING ACCESS FOR APPARATUS VEHICLES SHALL HAVE A MINIMUM OF 20' AND TURNING RADIUS OF 45' TO PROVIDE ADEQUATE MANEUVERING CLEARANCE FOR EMERGENCY FIRE APPARATUS.

Maximum #
of U-Hauls
(12)

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LAND USE SERVICES DEPARTMENT

1/10/20 08:50:35

ASSESSMENT INQUIRY
0140227312711C R 2019

49
INQ091

W 3449 STATE HWY 42
BURGESS NELSON, PARTNERSHIP LLC

Geo.Loc: 15 014 4 31 27 27 1 01 000

MAIL TO:
BURGESS NELSON
PARTNERSHIP LLC

2700

PO BOX 397
BAILEYS HARBOR WI 54202

LEGAL DESCRIPTION

27 31 27 AC 2.51
COM 330'NELY OF INTR W LN
NENE & S RW HWY SEC.27:NELY
ALG HWY 300' SELY365' SWLY
300' NELY365' BG.
DOC# 691480 V1090 P850 QCD
DOC# 546613 V 580 P998
MORE LEGAL AVAILABLE
BILL NO: 1168

CURRENT TAX ASSESSMENT AS OF 2019

CODE	ACRES	LAND	IMPROVE	TOTAL
L2	2.51	288700	570100	858800

COMMENTS

TOTALS	2.51	288700	570100	858800
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F3-Exit F5-Owners F7-Tax Detail F8-Legal F9-Directory F10-Survey Index
 F11-Districts F12-Prev Scrn F16-P.P.Ref F17-Fire# F18-DOA Site
 F21-Geo Location F6-Vol/Page Detail

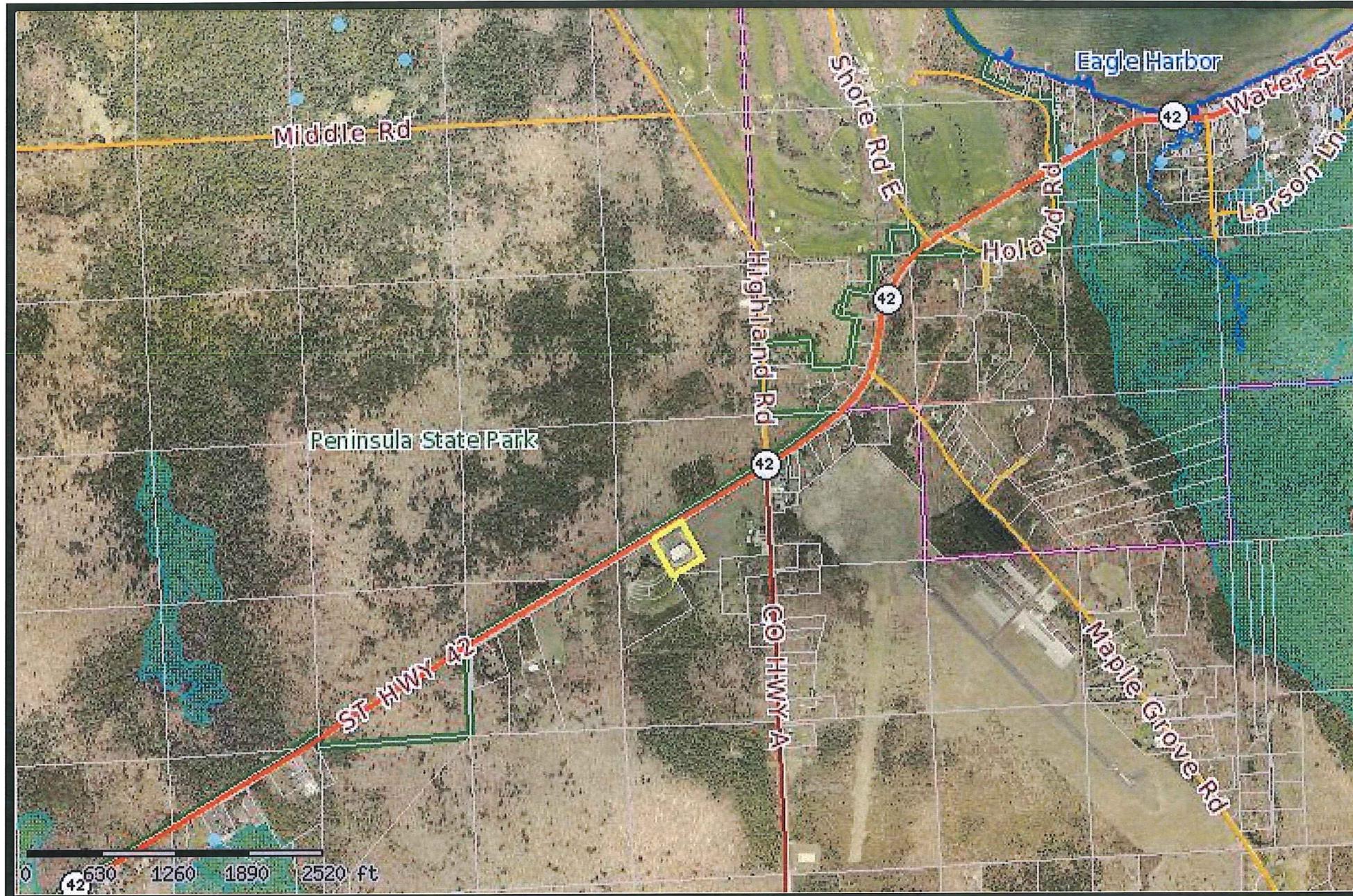
Air Photo

Printed 01/30/2020 courtesy of Door County Land Information Office

... from the Web Map of ...
(//www.co.door.wi.gov)



Door County, Wisconsin
... for all seasons!



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Map

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Door County, Wisconsin
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Zoning Map

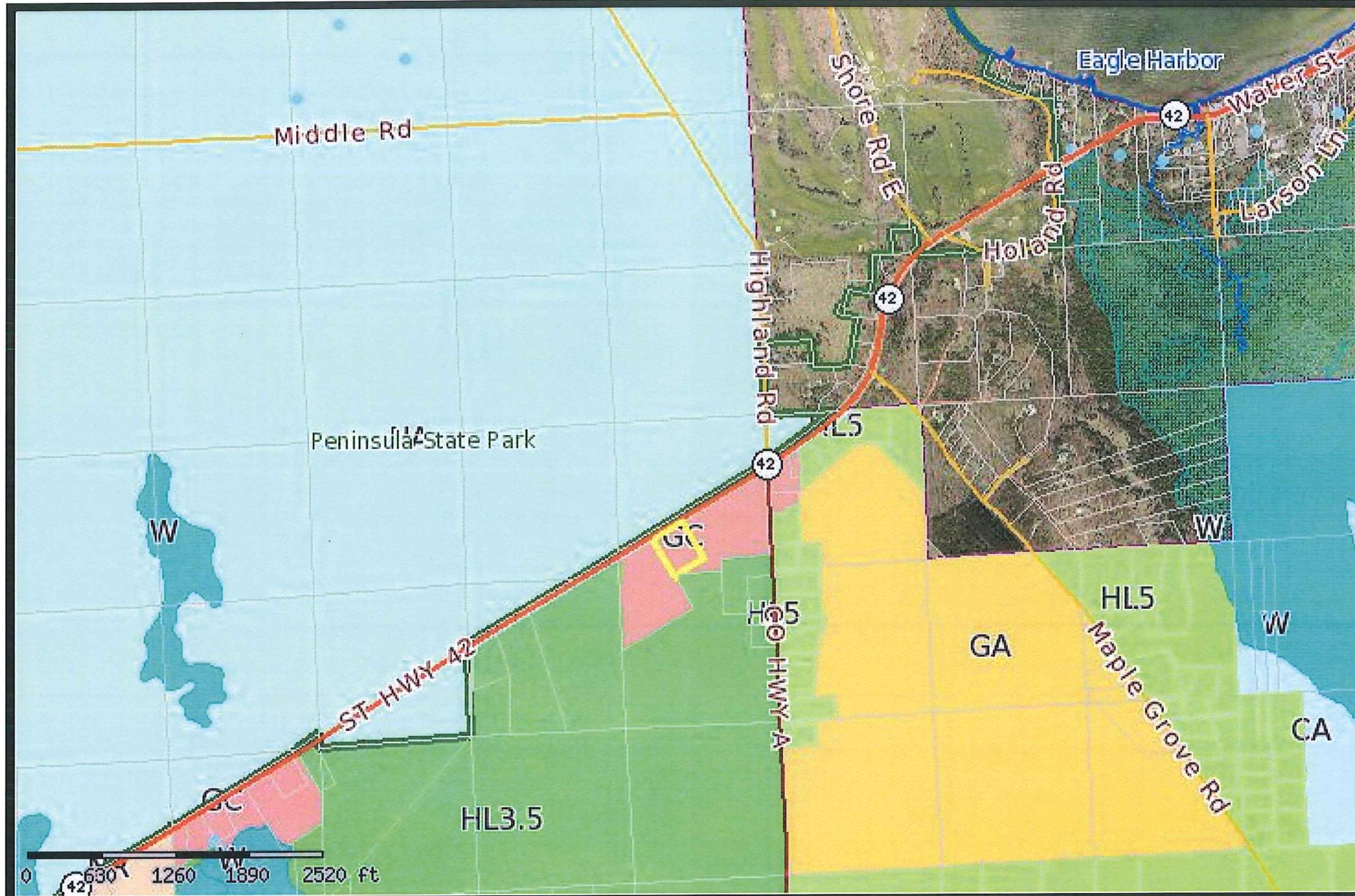
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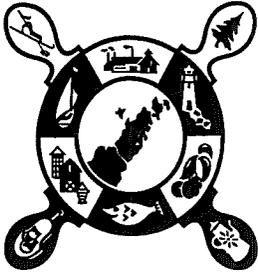


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County of Door PLANNING DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

STAFF REPORT Conditional Use Permit Application

Applicant Information

- **Name & property address:** Nelsons of Fish Creek, LLC; 3449 State Highway 42.
- **Parcel identification number:** 014-02-27312711C
- **Zoning district:** General Commercial (GC)
- **Petition request, including sections of zoning ordinance requiring permit:**
Nelsons of Fish Creek, LLC has applied for a Conditional Use Permit to establish a retail store (hardware store) that will exceed 20,000 square feet in floor area. The applicants propose to construct an 8,200 square foot addition onto the existing 15,628 square foot hardware store for a total of 23,828 square feet. (Note: Retail (hardware) stores are normally a permitted use in this zoning district. However, section 2.05(3)(b)(footnote #3) of the Door County Comprehensive Zoning Ordinance requires retail stores that exceed 20,000 square feet in floor area to be approved by Conditional Use Permit.

Ordinance Sections: 2.05(3)(b)(Footnote #3) & 11.04.

Description of Subject Property and Surrounding Area

Subject Property

- **Lot area, width, and depth:** 2.51 acres; approximately 300 feet wide and 370 feet deep.
- **Frontage - water, road:** No water frontage; approximately 300 feet along State Highway 42.
- **Existing uses/structures:** Existing hardware (retail) store on property. Footprint of building is approximately 15,000 square feet. Approximately 11,343 square of building serves as retail area.
- **Access:** Existing driveway provides access from State Highway 42.
- **Traffic patterns/road usage:** STH 42 is heavily traveled, although the proposed used would add minimal or no additional traffic.
- **Water and sanitation:** Existing sanitation and well on site.
- **Significant topography or vegetation:** Property is basically flat. Large evergreen trees located along both side property lines and rear property line. Grassy area and deciduous trees along State Highway 42.

Surrounding Area (include zoning districts)

- **North:** State Highway 42 and Peninsula State Park are located north of this property. The park property is zoned Natural Area (NA).
- **South:** Large vacant tracts zoned Heartland 3.5 (HL3.5). There are no homes within ½ mile to south.
- **East:** Large agricultural/residential tract owned by Hardt and zoned General Commercial (GC). Three residential lots located on the west side of County Highway A, zoned Heartland 3.5 (HL3.5). A motel owned by Carol and Ronald Vandewalle is located at the southeast corner of the intersection of State Highway 42 and County Highway A, zoned General Commercial (GC). Residential lots located on the east side of County Highway A are zoned Heartland 5 (HL5). Further east there are large lots owned by the Ephraim/Fish Creek airport that are zoned General Agricultural (GA).

- **West:** The Skyway drive-in theater is located directly west and is zoned General Commercial (GC). Further west there are large residential properties zoned Heartland 3.5 (HL3.5); beyond that is State Highway 42 and large parcels that are part of Peninsula State Park. These parcels are zoned Natural Area (NA).

Background/History

This property has operated as a hardware (retail) store since 1984. The lot is appropriately zoned for the proposed use. There is also a U-Haul rental business operated from this property.

Zoning Considerations

- **Purpose of zoning district: DCZO Section 2.03(26) General Commercial (GC).**
This district is intended to provide for limited areas of residential and commercial uses. This district is the result of a need to recognize existing local and neighborhood businesses. Typically, this district will be located within or near existing communities, but it is also intended for outlying or smaller nodes of development. In addition, this district can be used as a transition between business centers and strictly residential areas. Lot sizes of at least 20,000 square feet are required for new lots that are not served by public sewer.
- **Does the use meet the zoning ordinance's stated purpose and intent?** Yes. This is a commercial use that is allowed in the General Commercial (GC) zoning district and which fits the above general text description for the district.
- **Specific requirements for proposed use and/or possible conditions that may be relevant.** If the Resource Planning Committee determines that the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety, or character of the surrounding area, the following are possible conditions that may be relevant.
 1. 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.
 2. A regular zoning permit authorizing construction of the building shall be obtained within 12 months; construction must begin within 12 months of the issuance of the regular zoning permit.
 3. *The entire project shall be completed by _____.*
 4. The project(s) shall comply with all applicable local, state, and federal building codes and ordinances, including obtaining all required approvals and permits prior to beginning construction.
 5. An affidavit shall be recorded with the CSM (Deed) to provide successors in interest notice of the conditional use permit and conditions and requirements.

Comprehensive Plan Considerations

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

The property in question is designated as “Commercial” on the county comprehensive plan future land use map, as described below and shown on the attached map:

Commercial – “Commercial” areas are those intended for development with retail sales, trade of goods and/or services, commercial offices, and commercial lodging establishments and are found largely in community centers, core areas, or “downtowns.” Commercial areas should maintain defined boundaries, avoid excessive access points to major roads by encouraging shared driveways or internal circulation patterns, and have buffering or screening of light industrial uses and storage and parking areas from adjacent public rights-of-way and residential areas. Highway corridor development should avoid further strip development and loss of community separation by limiting future development density, employing stringent setbacks, and requiring screening of new uses. Note that the future land use maps depict many “outlying” (i.e., non-core) commercial areas, reflecting existing commercial zoning or businesses such as multiple occupancy developments; when redevelopment is proposed for the latter, it should be undertaken carefully and with consideration for neighborhood compatibility.

The proposed use is generally consistent with the above.

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

**RB/RYK/SV
January 30, 2020**

Future Land Use Map

Nelsons of Fish Creek, LLC: 014-02-27312711C

Conditional Use Permit

Proposed Use: Retail store (hardware store) to exceed 20,000 square feet

