

**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, March 12<sup>th</sup>, 2020** in the Chambers Room (Room C102, first floor), Door County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin, beginning at approximately **1:30 p.m.**, after a public hearing scheduled to begin at **1:00 p.m.**

**AMENDED AGENDA (TIME CORRECTED)**

- 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.
- 5.0 Review and approve (as drafted or with revisions) minutes of February 26, 2020 meeting. *These minutes contain the findings and decisions arising from the February 20, 2020 hearing on the Quarry Bluff Development, LLC conditional use permit application.*
- 6.0 Zoning matters: conditional use permit application.
 

Town of Baileys Harbor; conditional use permit to replace the existing Fire Station with a new, 14,032 square foot Fire Station (Emergency Response Facility); 2404 Park Road; Mixed Use Commercial (MC) zoning district.
- 7.0 Land division matter: Preliminary plat review for a major site condominium.
 

“The Uplands at Cottage Row”; 12 single-family condominium building sites (“units”) ranging in size from 1.713 to 2.236 acres; Great Northern Development Corporation (owner); Cottage Row; Town of Gibraltar; Small Estate (SE) zoning district.
- 8.0 County communication tower regulations: Update on process to obtain input from towns on possible communication tower regulatory changes.
- 9.0 Addressing program: Update on process to obtain input from towns on possible county-wide address sign replacement.
- 10.0 Review/approval of Land Use Services 2019 annual report.

**AGENDA  
RESOURCE PLANNING COMMITTEE  
March 12, 2020**

11.0 Future meeting schedule.

- March 19, 2020 - No meeting.
- March 30, 2020 - FYI: Staff & town officials meeting re: addressing and towers.
- April 2, 2020 - Zoning hearing(s).
- April 16, 2020 - Zoning hearing, planning meeting.

12.0 Meeting per diem code.

13.0 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  
03/09/20

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.

These minutes have not been reviewed by the oversight committee and are subject to approval or revision at the next regular committee meeting.

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

**February 26, 2020**

**1.0 Open meeting.**

Chair Fisher called a regular business meeting of the Resource Planning Committee to order at 1:00 p.m. in the Peninsula Room (C121) of the Door County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin.

<b>Present:</b>	<b><u>RPC Members</u></b>	<b><u>County staff</u></b>
	Ken Fisher	Mariah Goode
	David Enigl	Sue Vanden Langenberg
	Jon Koch	Grant Thomas
	Richard Virlee	
	Vinni Chomeau	

**Members of the public**

*See the attached sign-in sheets, indicating those who signed in as present at 1:00 for the meeting start.*

**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 Read and act on minutes of February 20, 2020 meeting.**

Motion by Koch, seconded by Virlee, to accept the minutes as presented. Motion carried unanimously.

**4.0 Zoning matters.**

**Deliberation and decision-making only (postponed from February 20, 2020 meeting):**

**Margaret Dreutzer Turk, as Trustee of the Margaret Dreutzer Trust, on behalf of Quarry Bluff Development, LLC; conditional use permit to establish “multiple occupancy development” and “campground” land uses on six parcels to be combined into one 57.76-acre lot; 117 total “units”, 115 with an occupancy unit (residential dwelling) and an RV camp site and two with only an RV camp site, with amenities including a club house, private storage buildings, recreation courts, and three stormwater-runoff ponds; 49.53 acres zoned Recreational Commercial (RC), 7.65 acres zoned Single-Family Residential 20,000 (SF20), and 0.58 acres zoned Small Estate (SE); adjacent to and east of George K. Pinney County Park on Bay Shore Drive; Sevastopol.**

**As the hearing concluded and the record was closed on February 20, 2020, no additional evidence or testimony will be accepted.**

Motion by Chomeau, seconded by Koch, to begin deliberation and decision-making regarding the Quarry Bluff Development, LLC conditional use permit application. Motion carried unanimously.

Resource Planning Committee (RPC) members engaged in a lengthy (two hours long) discussion of the case. This included: consideration of the evidence in light of the requirements and conditions set out in the Door County Comprehensive Zoning Ordinance (DCCZO) for conditional use permit decision-making (i.e., the 17 criteria in Section 11.04); evaluation of what evidence rose to the level of "substantial evidence"; and what conditions, related to each of the DCCZO's requirements and conditions and not pre-empted by federal or state law, might be imposed were the conditional use permit to be granted.

RPC members then engaged in dialogue as to whether the applicant demonstrated, by "substantial evidence," that all of the requirements and conditions specified in the DCCZO relating to the conditional use are or will be satisfied; whether there was also "substantial evidence" to support the opposite conclusion and, if so, the weight to be given to the conflicting "substantial evidence"; and, where the applicant failed to meet the burden of proof, whether there were any conditions that could be imposed to ensure that the applicable criteria area would be satisfied.

The RPC members concluded that the conditional use permit application was properly before the RPC. For six criteria, though, a majority of the RPC members determined that: 1) the applicants failed to demonstrate, by "substantial evidence," that all applicable requirements were satisfied and/or the opponents provided "substantial evidence that some of the applicable requirements were not satisfied; and 2) that no conditions could be imposed to ensure that those six applicable requirements would be satisfied.

Motion by Chomeau, seconded by Koch, that:

- A. Margaret Dreutzer Turk, as Trustee of the Margaret Dreutzer Trust, on behalf of Quarry Bluff Development, LLC proposes to establish "multiple occupancy development" and "campground" land uses to be comprised of 117 total "units", 115 with an occupancy unit (residential dwelling) and an RV camp site and two with only an RV camp site, with amenities including a club house, private storage buildings, recreation courts, and three stormwater-runoff ponds, to be located on six parcels that would be combined into one 57.76-acre lot (49.53 acres of which is zoned Recreational Commercial, 7.65 acres of which is zoned Single-Family Residential 20,000, and .58 acres of which is zoned Small Estate) adjacent to and east of George K. Pinney County Park on Bay Shore Drive, Town of Sevastopol, Door County, Wisconsin (Section 12, Town 28 North, Range 25 East and Section 13, Town 28 North, Range 25 East and Section 18, Town 28 North, Range 26 East), under a conditional use permit.
- B. Following the February 20, 2020 public hearing, the RPC finds and concludes that:
  1. The applicant failed to demonstrate, by "substantial evidence," that both the application and all applicable requirements and conditions set forth in the DCCZO relating to the conditional use are or will be satisfied; and/or
  2. The opponents provided 'substantial evidence' that some of the applicable requirements and conditions were not satisfied; and
  3. No conditions can be imposed to ensure that all applicable requirements will be satisfied.

C. Reasons for the RPC's findings and conclusions include the following:

1. DCCZO Section 11.04, Criteria 1: "Whether the proposed project will adversely affect property values in the area."
  - a) The applicant failed to present facts and information that demonstrates the proposed project would not adversely affect property values in the area.
  - b) While the author of the study pertaining to this topic provided by the applicants was highly qualified, the study itself was not credible:
    - i. The author acknowledged that there were only a handful of similar developments across the entire country so there was little data available.
    - ii. The author admitted that there may be a near-term adverse impact on property values.
    - iii. The study consisted entirely of a survey of a small number of real estate agents from the areas with purportedly similar developments after the developments had already been up and running for a period of time. The survey results did not prove that property values hadn't been negatively affected in the areas studied; it just provided real estate agents' opinions on current conditions.
    - iv. The areas in the study were not comparable to this project in that they were some combination of urban, commercially or industrially zoned, located on higher trafficked and wider roads, surrounded by equally dense developments, surrounded by forested areas, less visible from roads or surrounding neighborhoods, comprised of much smaller dwelling units accompanying the RVs, and not located in ecologically sensitive areas.
  - c) No local data or input of any kind was sought out or provided by the applicant or study, even though there are somewhat similar uses in other areas of the county (e.g., campgrounds) that could have been analyzed for their impact on property values.
  - d) Credible facts and information, in both anecdotal and survey form, was presented by neighbors of the proposed project indicating their properties had already become less desirable to themselves or potential buyers: construction plans have been put on hold, potential buyers have canceled sales showings, homeowners new to the area regret having purchased or built their homes, etc.
2. DCCZO Section 11.04, Criteria 2: "Whether the proposed use is similar to other uses in the area."

- a) The applicants failed to provide convincing facts and information that demonstrated the proposed use was similar to other uses in the area.
  - b) Opponents provided convincing facts and information that none of the uses described by applicants as being similar and in the immediate area or even within a several mile radius are in fact like either the proposed RV use or the multiple occupancy development, let alone the two in combination:
    - i. There are no nearby campgrounds. This development does not require the construction of a home on each unit, so some or all of it could essentially end up being a campground.
    - ii. Other multiple occupancy developments along Bay Shore Drive are less dense than this proposed development and have fewer homes in proximity than this development would have.
    - iii. The homes in this development would themselves be generally smaller than many homes in the neighborhood, and all would be on parcels of land that are smaller than other homes in the neighborhood (and that would include an RV as well).
    - iv. The potential rental nature of both aspects of this development, RV pads and dwelling units, could magnify the already comparatively high density and related impacts of the project.
3. DCCZO Section 11.04, Criteria 3: "Whether the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan or any officially adopted town plan."
- a) The opponents presented facts and information that clearly demonstrates the proposed project is not consistent with the Town of Sevastopol's officially adopted plan. Specifically, the proposed is inconsistent with the town plan's future land use map for the property or the surrounding area, nor with the town's general vision and goals.
  - b) Applicants chose to focus the information they provided on consistency with Door County's plan, which is only a portion of the criteria must meet to obtain a conditional use permit.
4. DCCZO Section 11.04, Criteria 7: "Whether the proposed use creates noise, odor, or dust."
- a) Development of the property, to fully establish the proposed use, is anticipated to take ten years. Consequently, development becomes the *de facto* use of the property for that period of time. Conditions cannot be imposed that would adequately address the significant amounts of noise or dust that will occur during development over such a lengthy timeframe.
  - b) The proposed use itself, once established, may create unacceptable levels of noise, odor, or dust. While odor and dust may be susceptible to mitigation by imposition of conditions, noise (due to the topography of the

site and the length of time it would take for vegetative buffers to become truly established with such little soil) would likely not be.

5. DCCZO Section 11.04, Criteria 9: "Whether the proposed project adversely impacts neighborhood traffic flow and congestion."
  - a) While the firm that conducted the traffic study was highly qualified, the study itself was not credible:
    - i. The study parameters were flawed, in that the number of bedrooms (and therefore vehicles) per unit did not consider both uses, RVs and dwelling units.
    - ii. The study did not consider the potential for any number of the units to be rented at any given point in time, which could significantly increase the traffic on any given day, and especially on weekends.
    - iii. No local data was provided from the Sheriff's Department or County Highway Department. Both departments would have had information pertinent to this project (vehicular accident reports, speeding tickets, accidents involving bicycles, etc.).
  - b) The applicants' suggested condition of promoting alternate routes to the development could not be mandated or enforced for either the site prep and construction periods or for the use itself once established. Also, the alternate routes all include significant stretches of town roads, which are typically not built to the same standards as county highways, and at least one of which is very steep. This type of condition might therefore make the alternative routes less safe and subject to wear and tear those roads are ill equipped to handle.
  - c) The construction phase of the project and the use itself would involve significant numbers of large, heavy vehicles using at least part of Bay Shore Drive, a main tourist thoroughfare which is heavily used by people walking, biking, and jogging, as well as by officially organized silent sports groups. RVs could also be traveling in large groups, and/or towing vehicles.
  - d) The opponents presented credible evidence that Bay Shore Drive is simply not wide enough to safely handle significantly increased truck and RV traffic. Opponents also presented evidence that the road has very narrow paved shoulder widths within a few miles of the proposed development, which are already a safety issue with current traffic levels and vehicle sizes.
6. DCCZO Section 11.04, Criteria 12: "Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design."

- a) Based on facts and information presented by both sides, the density and scale of the development is vastly different than anything in the surrounding neighborhood.
  - b) Due to the geology of the site it would take many years for the proposed vegetative screening to be fully established.
7. RPC members concluded that the particularized concerns set forth in 1.-6. above cannot be adequately addressed by imposition of conditions on the permit.

D. The conditional use permit application is therefore hereby denied. This decision, to deny the conditional use permit, is supported by "substantial evidence" of record.

To the extent arguments raised have not been addressed herein, the arguments are deemed rejected.

Motion carried unanimously.

Motion by Koch, seconded by Enigl, to review the final language of the reasons for denial at a subsequent business meeting. Motion carried unanimously.

**5.0 Future meeting schedule.**

- March 12, 2020** - **Conditional use permit hearing and business meeting.**
- March 19, 2020** - **No meeting.**
- April 2, 2020** - **?**
- April 16, 2020** - **?**

The March 12<sup>th</sup> meeting will start at 1:00. There is one conditional use permit hearing, and then the committee will review, revise, and approve the final decision language from the Quarry Bluff Development, LLC conditional use permit. Chomeau will not be present, but can submit her comments regarding the proposed decision language to staff to distribute to other RPC members for their consideration.

There will be no meeting March 19<sup>th</sup>, but there will likely need to be meetings on both April 2<sup>nd</sup> and 16<sup>th</sup>. Both of those meetings will start at 3:00.

Meeting schedule as discussed noted.

**6.0 Meeting per diem code.**

Chair Fisher announced that the code would be 355.

**7.0 Adjourn.**

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

Meeting adjourned at 3:55 p.m.

Reported by,

Mariah Goode  
Land Use Services Director

Sue Vanden Langenberg  
Zoning Administrator

MKG/SV/lr

DRAFT

ATTENDANCE SHEET  
RESOURCE PLANNING COMMITTEE

February 26, 2020

NAME (PLEASE PRINT)	MAILING ADDRESS (PLEASE PRINT)	MUNICIPALITY & PROPERTY ADDRESS
Myles Danhausen	1968 Hwy 22 Sister Bay 54234	
Sammy Gibbins	401 N. Broadway St. #108 Green Bay	
Grant Dossetto	602 Ralph Apt 8 Luxemburg WI 54303	
JANE HILLSTROM	6385 LITTLE HARBOR DR. STURGEON BAY, WI 54235	
Kalin Montevideo		SBRD
Tim Dietman		SBRD
Micara Dalke	4988 Hwy 42 Sturgeon Bay WI 54235	same - Senastopal
Ann Dalke	4855 Bay Shore Hts dr. WI 54235	same - Senastopal
Marianne Ewing	6391 Little Harbor Dr. 54235	Senastopal
Lisa Hendrix	5605 Fern Wood Lane Egg Harbor WI 54209	Egg Harbor
Tom Hendrix	5605 Fern Wood Ln Egg Harbor WI 54209	
Rosann Hollinger	6023 Governors Woods Trl 54235	
David Hollinger	6023 Governors Woods Trl 54235	
CYNTHIA BLOCK	5970 Governors Woods Trl 54235	
Phillip M. Block	5970 Governors Woods Trail 54235	
TERRY RIVER	4839 PAYSRODE DR 54235	
MICHAEL HOLLY	734 STORO RD TWO RIVERS WI 54241	4847 BAYSHORE DR. STURGEON BAY
L. L. SKAFF	6461 W. WHITEFISH BAY RD.	

**ATTENDANCE SHEET  
RESOURCE PLANNING COMMITTEE**

February 26, 2020

NAME (PLEASE PRINT)

MAILING ADDRESS (PLEASE PRINT)

MUNICIPALITY  
& PROPERTY ADDRESS

George Nawak	6337 Bluff Court Trail S.B.	Seawater
Barbara Allmann	717 Prairie Ln. SB	
RICHARD L. ALLMANN	717 PRAIRIE LN S.B.	
DAN HOBBING	5307 PINE TREE RD. SB	
MIRIAM MALENIUS	834 N. 3 <sup>rd</sup> AVE S.B.	
Margaret Lockwood	7 South 2 <sup>nd</sup> AVE S.B.	
Judy Ritter	1336 Utah St	
Pat Healy	6684 Birch Lane Egg Harbor "	
MIKE HEALY	6684 BIRCH LN EGG HARBOR	
Mike Wildersey	4988 Bay Shore Dr. Sturgeon Bay, 54235	
TODD SMITH	4609 WEST BAY SHORE CIRCE	STURGEON BAY 54235
Margaret Sheehan Harding	704 Michigan St S Bay	
Jeff Harding	704 Michigan St Sturgeon Bay	
DAVID HARRIS	111 S. 7 <sup>th</sup> Av. S.B.	
Dan Mathews	6146 Gordon Rd SB 54235	
Charlotte Lukes	3962 Hillside Rd	Egg Harbor WI 54209
Jim Schultz	6788 Birch Lane	EGG HARBOR 54209
MARTHA SCHULTZ	6788 BIRCH LANE	EGG HARBOR 54209

**ATTENDANCE SHEET  
RESOURCE PLANNING COMMITTEE**

February 26, 2020

NAME (PLEASE PRINT)

MAILING ADDRESS (PLEASE PRINT)

MUNICIPALITY  
& PROPERTY ADDRESS

LARRY & ELFRIEDE LEPORTE	6287 BLUFF LEDGE RD	STURGEON BAY WI 54235
Bill & Bridget Moody	6460 Whitefish Bay Rd	Sturgeon Bay WI 54235
Row & Pam Maloney	6386 Whitefish Bay Rd	Sturgeon Bay WI 54235
NULIA & MICHAEL COSGROVE	4871 HARDER HILL RD	STURGEON BAY WI 54235
John Glesner	324N ALISO AV	Sturgeon Bay 54235
Rick THRUW	806 MEMORIAL DR.	STURGEON BAY 54235
TIM & SUE STONE	P.O. Box 400	BAILEYS HARBOR 54202
Jodi Milske	822 Rhode Island St.	Sturgeon Bay 54235
Lynn Zawojewski	4704 Mantua Rd S.B.	Sturgeon Bay 54235
Bill Senger	5274 Bay Shore Dr	Sturgeon Bay 54235
Yvette Senger	5274 Bay Shore Dr	Sturgeon Bay 54235
Dorere Dempster	4895 Harder Hill Rd	Sturgeon Bay 54235
Diane Knutson	3939 Bay Shore Dr	Sturgeon Bay 54235
Jim Bunning	462 N. 19 <sup>th</sup> Avenue	Sturgeon Bay 54235
Barbara Bunning	462 N. 19 <sup>th</sup> Ave	Sturgeon Bay 54235
Nancy Buehl	4575 Laurie Ln.	Sturgeon Bay 54235
JACQUELINE ARLAND	6457 WHITEFISH BAY RD W	Sturgeon Bay 54235-8152
Brenda Lange	6417 Whitefish Bay Rd	Sturgeon Bay 54235



NOTICE OF A PUBLIC HEARING BEFORE THE  
DOOR COUNTY, WISCONSIN RESOURCE PLANNING COMMITTEE

DOOR COUNTY GOVERNMENT CENTER

421 NEBRASKA STREET  
STURGEON BAY, WI 54235

A public hearing will be held by the Door County Resource Planning Committee on **Thursday, March 12, 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 hearing is to give consideration to the following application for conditional use permit as specified in the county comprehensive zoning ordinance.

**Starting at 1:00 p.m.:**

**TOWN OF BAILEYS HARBOR**

Town of Baileys Harbor requests a conditional use permit as required by Sections 2.05(3)(a) and 11.04. The applicant is proposing to replace the existing Fire Station with a new, 14,032 square foot Fire Station (Emergency Response Facility). The property is located at 2404 Park Road in Section 20, Town 30 North, Range 28 East and in a Mixed Use Commercial (MC) zoning district.

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**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 March 11, 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.

RECEIVED

JAN 27 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 Town of Baileys Harbor  
No. 2392 Street Cty Rd F  
City Baileys Harbor State WI Zip 54202  
Home Phone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Daytime Phone # 920 - 839 - 9509  
Email: admin@baileysharborwi.org

2. BUILDING SITE LOCATION

Fire # 2404 Road Park Road  
Town of Baileys Harbor  
Local Phone # 920 - 839 - 9411

3. DEVELOPER NAME AND MAILING ADDRESS

Name Town of Baileys Harbor  
No. 2392 Street Cty Rd F  
City Baileys Harbor State WI Zip 54202  
Phone # 920 - 839 - 9509  
Email: admin@baileysharborwi.org

4. PROPERTY IDENTIFICATION

Parcel No. 002 - 0320302811J

5. USE

Proposed use of land or structure:  
Town of Baileys Harbor Emergency  
Response Facility

6. SANITARY PERMIT

Type of System Public Sewer  
Sanitary Permit No. \_\_\_\_\_  
Date of Issuance \_\_\_\_\_  
Approximate date of installation \_\_\_\_\_

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 01-22-20

Receipt No. \_\_\_\_\_ Fee \_\_\_\_\_ Date \_\_\_\_\_  
Date Permit Issued: \_\_\_\_\_  
Certificate of Compliance: Date \_\_\_\_\_

Shoreland Zoning Yes / No \_\_\_\_\_ Zoning District MC (FOR OFFICE USE ONLY)

Inspections:

Date Inspector Remarks

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Permit Issued: (by) \_\_\_\_\_ (date) \_\_\_\_\_ (for) \_\_\_\_\_

(w/conditions) \_\_\_\_\_

Permit Denied (by) \_\_\_\_\_ (date) \_\_\_\_\_ for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



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JAN 27 2020

DOOR COUNTY  
LAND USE SERVICES DEPARTMENT

CONDITIONAL USE PERMIT ADDENDUM – PAGE 2

8) Provision of safe vehicular and pedestrian access.

Vehicular Access

Existing Driveway(s) to Park Road  
(Road Name)  
 New Driveway(s) to \_\_\_\_\_  
(Road Name)

The existing Fire Department has a continuous curb cut along the full frontage with Park Road for vehicular access. The existing access will be modified to create two distinct access points to Park Road as shown on the proposed site plan.

Pedestrian Access

Sidewalks  
 Path or Trail  
 No Pedestrian Traffic

Sidewalk will be installed along the front of the proposed building as shown on the proposed site plan.

The sidewalk will provide safe pedestrian access to the proposed building while providing connectivity to existing sidewalk along both sides of Park Road.

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

Existing traffic:  High Levels  Medium Levels  Low Levels

The proposed project will not impact neighborhood traffic flow and congestion. Neighborhood traffic flow and congestion is anticipated to be similar to what currently exists with the existing Fire Department.

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 Baileys 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: \_\_\_\_\_

, Fire Chief 01-22-20  
(Signature) (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)

A stormwater management plan and erosion control plan are required for the proposed project. The Stormwater Management Plan and Erosion Control Plan will meet applicable Department of Natural Resources requirements.

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

The scale of the proposed Emergency Response Facility will fit the existing buildings in the neighborhood. The width, fronting Park Road, will be similar to the existing Fire Department building. The depth of the proposed building will be greater than the existing building but will not be disproportionate as compared to other existing buildings in the neighborhood. The architectural design of the proposed Emergency Response Facility will compliment existing buildings in the neighborhood, particularly the Town Hall that is located across the street (southeast) from the proposed facility.

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JAN 27 2020

DOOR COUNTY  
LAND USE SERVICES DEPARTMENT

CONDITIONAL USE PERMIT ADDENDUM – PAGE 3

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

The proposed exterior lighting will be designed to prevent glare or spillover onto neighboring properties. It is anticipated that directional wall mounted lights will be utilized to light travel ways and parking stalls.

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)

The proposed footprint of the project closely matches the current footprint. Only a small amount of tree removal/trimming will be required along the east property line to accommodate the project. A vegetated buffer will remain along the east property line to buffer the residential properties.

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

The topography on the parcel will not be significantly altered. Only minor grading will be required to change drainage patterns on the parcel to account for the repositioning of the proposed building and reconfiguration of the parking lot and drive lanes.

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

The project is a publicly funded project. Funding for the project has been secured by the Town of Baileys Harbor. Financial Assurance is not anticipated to be necessary or required for this project.

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

The use of the property is already an established use and is a governmental use. Site-specific conditions are not necessary for this project.

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

The proposed project consists of constructing a new government run Emergency Response Facility that will promote public health, protect the public and improve the general welfare of the County. There will be no adverse impacts to public health, public safety, or the general welfare of the County.

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

By what month and year will the project be completed? December, 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. The proposed project consists of the construction of a new government run Emergency Response Facility that will replace an existing and aged facility. The proposed use is already an established use on the property and within the neighborhood and community. The proposed project will indirectly improve public safety by providing a new state of the art Emergency Response Facility.

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.

3/02/20 09:36:55

ASSESSMENT INQUIRY  
0020320302811J R 2020

INQ091  
20

W 2404 PARK RD  
BAILEYS HARBOR, TOWN OF

Geo.Loc: 15 002 4 30 28 20 2 01 001

MAIL TO:  
BAILEYS HARBOR  
TOWN OF

2020

LEGAL DESCRIPTION

20 30 28 AC 1.60  
TR IN GOVT LOTS 1 & 2 SEC.  
20-30-28 ON N & S SIDE OF  
STEINKE AVE.  
V 049 P 192

PO BOX 308  
BAILEYS HARBOR WI 54202

CURRENT TAX ASSESSMENT AS OF 2019

CODE	ACRES	LAND	IMPROVE	TOTAL
X4	1.60			

BILL NO:  
COMMENTS

TOTALS 1.60

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

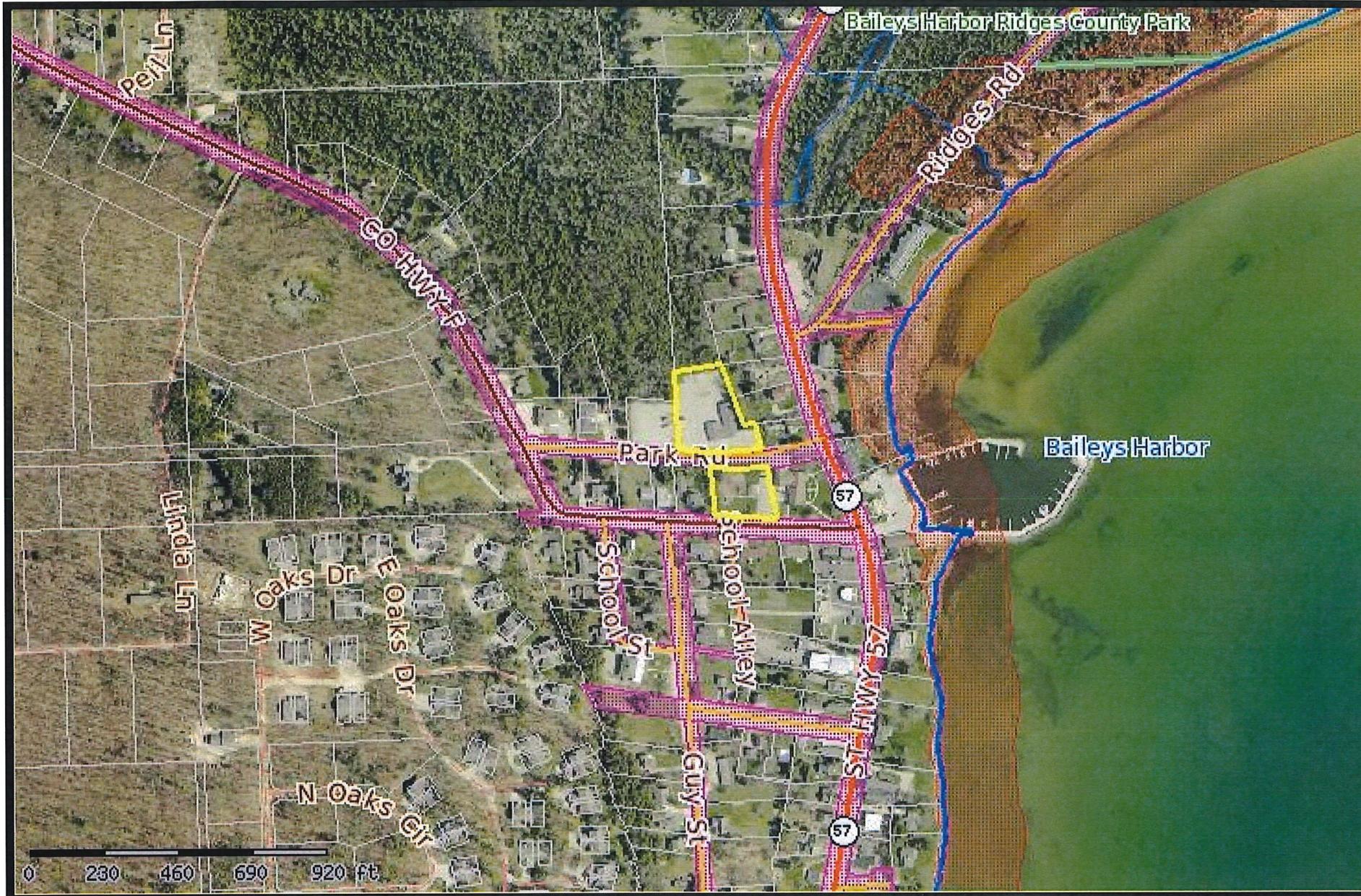
# Baileys Harbor

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... 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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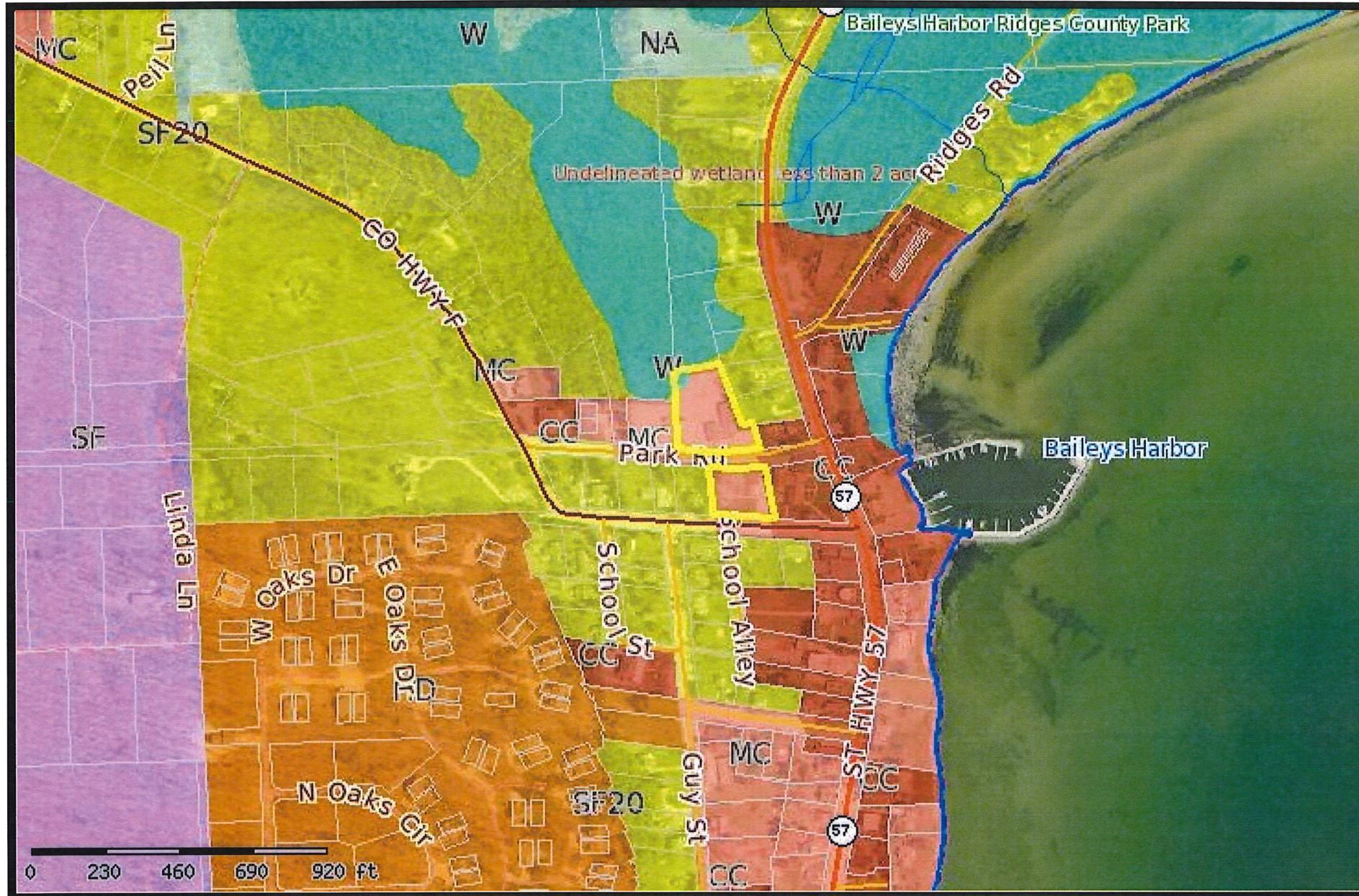
# Baileys Harbor

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... from the Web Map of ...  
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**Door County, Wisconsin**  
**... for all seasons!**



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RECEIVED

JAN 27 2020

DOOR COUNTY  
LAND USE SERVICES DEPARTMENT



**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](http://map.co.door.wi.us/planning)

**PROJECT SCOPE DECLARATION**

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

Please provide a description of your project.

Demolition of the existing Town of Baileys Harbor Fire Department  
and the construction of a new Town of Baileys Harbor Emergency  
Response Facility located at 2404 Park Road.

§ 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):

Town of Baileys Harbor

Signature 

Date: 01-22-20

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Parcel Number (of Project): 002 - 0320302811J

Fire Number & Street Address (of Project): 2404 Park Road, Baileys Harbor, WI 54202





# County of Door DOOR COUNTY LAND USE SERVICES

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

RECEIVED

FEB 17 2020

DOOR COUNTY  
LAND USE SERVICES DEPARTMENT

## IMPERVIOUS SURFACE RATIO WORKSHEET

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

**COMPREHENSIVE IMPERVIOUS SURFACE RATIO (ISR):** A measure of the intensity of use of a parcel of land determined by dividing the total area of all impervious surfaces within the site by the total area of the site.

*Example: 10,000 sq. ft. (IS area) / 40,000 Sq. ft. (lot area) = 0.25 or 25%*

**SHORELAND IMPERVIOUS SURFACE RATIO (ISR):** For riparian lots and non-riparian lots that are located fully within 300' of the ordinary high water mark (OHWM), this shall be calculated by dividing the total area of all impervious surfaces located within 300' of the OHWM within the site by the total area of the site.

*Example: 4,000 sq. ft. (IS area w/in 300' of OHWM) / 40,000 Sq. ft. (lot area) = 0.10 or 10%*

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

Parcel Number: 002-0320302811J

Lot Area 51,780 square feet

### Comprehensive ISR Calculation

#### Impervious Surfaces:

- 1. Building footprint 14,032 sq.ft.
- sq.ft.
- sq.ft.
- 2. Driveway & Parking 26,814 sq.ft.
- 3. Decks/patios \_\_\_\_\_ sq.ft.
- 4. Walkways 1,224 sq.ft.
- 5. Other \_\_\_\_\_ sq.ft.

Total IS 42,070 sq.ft.

Total IS 42,070 / lot area = ISR 81.25

### Shoreland ISR Calculation

#### Impervious Surfaces (w/in 300' of OHWM):

- 1. Building footprint \_\_\_\_\_ sq.ft.
- \_\_\_\_\_ sq.ft.
- \_\_\_\_\_ sq.ft.
- 2. Driveway & Parking \_\_\_\_\_ sq.ft.
- 3. Decks/patios \_\_\_\_\_ sq.ft.
- 4. Walkways \_\_\_\_\_ sq.ft.
- 5. Other \_\_\_\_\_ sq.ft.

Total IS (w/in 300' of OHWM) \_\_\_\_\_ sq.ft.

Total IS \_\_\_\_\_ / lot area = ISR \_\_\_\_\_

**\*Attach site plan showing corresponding IS.**

*NOTE THAT THE PROPOSED SQUARE FOOTAGE OF IMPERVIOUS SURFACE IS LESS THAN THE SQUARE FOOTAGE OF EXISTING IMPERVIOUS SURFACE,*

I, A.D.P. HILL (Signature) certify that the calculations submitted above for the Impervious Surface Ratio are accurate and complete to the best of my knowledge. Date: 2/14/20.

STANDARD ABBREVIATIONS

Table of standard abbreviations for construction drawings, including terms like ACRE, AGGREGATE, ASPHALT PAVEMENT, etc., and their corresponding symbols.

GENERAL NOTES

- 1. THE UTILITIES SHOWN IN PLAN AND PROFILE ARE INDICATED IN ACCORDANCE WITH AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND RECORDS...
2. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY PROPOSED SITE GRADES BY FIELD CHECKING TWO (2) BENCHMARKS AND A MINIMUM OF ONE (1) SITE FEATURE...
3. EXISTING STREET RIGHT-OF-WAY AND INTERSECTING PROPERTY LINES ARE ESTABLISHED FROM FIELD LOCATED SURVEY MONUMENTATION...

STANDARD SYMBOLS (PLAN VIEW ONLY)

Table of standard symbols for plan view only, including symbols for 2" IRON PIPE FOUND, 1 1/4" REBAR FOUND, TELEPHONE CABLE - BURIED, etc., with corresponding graphical representations.

EROSION & SEDIMENT CONTROL PLAN

BEST MANAGEMENT PRACTICES:

THE CONTRACTOR IS RESPONSIBLE FOR FURNISHING, INSTALLING, MAINTAINING AND REMOVING BEST MANAGEMENT PRACTICES IN ACCORDANCE WITH WISCONSIN DEPARTMENT OF NATURAL RESOURCES (DNR) TECHNICAL STANDARDS. THESE STANDARDS MAY BE FOUND ON THE DNR WEBSITE AT: http://www.dnr.wisconsin.gov/ncall/atomwater/technical.htm

- [ ] LAND APPLICATION OF POLYACRYLAMIDE (1050)
[ ] DE-WATERING (1051)
[ ] WATER APPLICATION OF POLYMERS (1051)
[ ] DITCH CHECK (1052)
[X] NON-CHANNEL EROSION MAT (1052)
[ ] SEDIMENT TRAP (1053)
[X] CHANNEL EROSION MAT (1053)
[ ] SEDIMENT BASIN (1054)
[ ] VEGETATIVE BUFFER (1054)
[ ] RIP-RAP (1055)
[ ] CONSTRUCTION DIVERSION (1066)
[X] SEDIMENT BALE BARRIER (1055)
[ ] GRADING PRACTICES (1067)
[X] SILT FENCE (1056)
[ ] DUST CONTROL (1068)
[X] TRACKING PAD & TIRE WASHING (1057)
[ ] TURBIDITY BARRIER (1059)
[X] MULCHING (1058)
[ ] SILT CURTAIN (1070)
[X] SEEDING (1059)
[ ] MANUFACTURED PERIMETER PRODUCTS (1071)
[X] STORM DRAIN INLET PROTECTION (1060)

THE CONTRACTOR SHALL COORDINATE CONSTRUCTION ACTIVITIES AND IMPLEMENT BEST MANAGEMENT PRACTICES TO PREVENT OR REDUCE ALL OF THE FOLLOWING:

- A. DEPOSITION OR TRACKING OF SOIL ONTO STREETS BY VEHICLES.
B. DISCHARGE OF SEDIMENT INTO STORM WATER INLETS.
C. DISCHARGE OF SEDIMENT INTO ADJACENT STREAMS, RIVERS, LAKES AND WETLANDS.
D. DISCHARGE OF SEDIMENT FROM DITCHES AND STORM SEWERS THAT FLOW OFFSITE.
E. DISCHARGE OF SEDIMENT FROM DEWATERING ACTIVITIES.
F. DISCHARGE OF SEDIMENT FROM SOIL STOCKPILES EXISTING FOR 7 DAYS OR MORE.
G. DISCHARGE OF SEDIMENT FROM EROSION OUTLET FLOWS.
H. TRANSPORT OF CHEMICALS, CEMENT AND BUILDING MATERIALS BY RUNOFF.
I. TRANSPORT OF UNTREATED VEHICLE AND WHEEL WASH WATER BY RUNOFF.

THE CONTRACTOR SHALL IMPLEMENT THE FOLLOWING PREVENTATIVE MEASURES:

- A. PRESERVE EXISTING VEGETATION WHENEVER POSSIBLE.
B. MINIMIZE SOIL COMPACTION AND PRESERVE TOPSOIL.
C. MINIMIZE LAND DISTURBANCES ON SLOPES OF 20% OR MORE.
D. MINIMIZE THE AMOUNT OF SOIL EXPOSED AT ANY ONE TIME.
E. DIVERT CLEAR WATER AWAY FROM EXPOSED SOILS.
F. TEMPORARILY STABILIZE EXPOSED SOILS THAT WILL NOT BE ACTIVE FOR 14 DAYS OR MORE. USE MULCHING, SEEDING, POLYACRYLAMIDE OR GRAVELING TO STABILIZE.
G. PERMANENTLY STABILIZE EXPOSED SOILS AS SOON AS POSSIBLE.
H. CONTRACTOR SHALL EDUCATE ITS EMPLOYEES AND SUBCONTRACTORS ABOUT PROPER SPILL PREVENTION AND RESPONSE PROCEDURES. IF A SPILL OCCURS, THE CONTRACTOR SHALL EVACUATE THE AREA AND IMMEDIATELY NOTIFY THE LOCAL MUNICIPALITY, FIRE DEPARTMENT OR 911 EMERGENCY SYSTEM. IF NO FIRE, EXPLOSION OR LIFE / HEALTH SAFETY HAZARD EXISTS, THE NEXT STEP IS TO CONTAIN THE SPILL AND PERFORM CLEANUP. USE DRY CLEANUP METHODS, NOT WET.

THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING OR REPLACING BEST MANAGEMENT PRACTICES DESTROYED AS A RESULT OF CONSTRUCTION ACTIVITIES BY THE END OF THE WORK DAY. THE CONTRACTOR IS RESPONSIBLE FOR REPLACING BEST MANAGEMENT PRACTICES TEMPORARILY REMOVED FOR CONSTRUCTION ACTIVITY AS SOON AS THOSE ACTIVITIES ARE COMPLETED. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING AND DISPOSING OF TEMPORARY BEST MANAGEMENT PRACTICES AFTER CONSTRUCTION IS COMPLETE AND PERMANENT VEGETATION IS ESTABLISHED.

INSPECTION & MAINTENANCE:

THE CONTRACTOR IS RESPONSIBLE FOR INSPECTING BEST MANAGEMENT PRACTICES WEEKLY, AND WITHIN 24 HOURS FOLLOWING A RAINFALL OF 0.5 INCHES OR GREATER. WRITTEN DOCUMENTATION OF EACH INSPECTION SHALL BE KEPT AT THE CONSTRUCTION SITE AND SHALL INCLUDE THE FOLLOWING INFORMATION: DATE, TIME, AND LOCATION OF INSPECTION; NAME OF INDIVIDUAL WHO PERFORMED THE INSPECTION; AN ASSESSMENT OF THE CONDITION OF BEST MANAGEMENT PRACTICES; A DESCRIPTION OF ANY BEST MANAGEMENT PRACTICE IMPLEMENTATION AND MAINTENANCE PERFORMED; AND A DESCRIPTION OF THE PRESENT PHASE OF CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING, REPAIRING, OR REPLACING BEST MANAGEMENT PRACTICES AS NECESSARY WITHIN 24 HOURS OF AN INSPECTION OR NOTIFICATION. THE CONTRACTOR IS RESPONSIBLE FOR INSPECTING, MAINTAINING, REPAIRING, OR REPLACING BEST MANAGEMENT PRACTICES UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY IS COMPLETED AND A UNIFORM PERENNIAL VEGETATIVE COVER IS ESTABLISHED WITH A DENSITY OF AT LEAST 70%.

THE CONTRACTOR IS RESPONSIBLE FOR POSTING THE PERMIT IN A CONSPICUOUS LOCATION ON THE CONSTRUCTION SITE. THE CONTRACTOR IS RESPONSIBLE FOR KEEPING A COPY OF THE APPROVED REPORTS, PLANS, AMENDMENTS, INSPECTION REPORTS, AND PERMITS AT THE CONSTRUCTION SITE AT ALL TIMES UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY IS COMPLETED AND A UNIFORM PERENNIAL VEGETATIVE COVER IS ESTABLISHED WITH A CONSTRUCTION ACTIVITY IS COMPLETED AND A UNIFORM PERENNIAL VEGETATIVE COVER IS ESTABLISHED WITH A DENSITY OF AT LEAST 70%. THE OWNER IS RESPONSIBLE FOR NOTIFYING THE OWNER WHEN THE VEGETATIVE DENSITY REACHES AT LEAST 70%. THE OWNER IS RESPONSIBLE FOR TERMINATING DNR PERMIT COVERAGE.

AMENDMENTS:

THE CONTRACTOR IS RESPONSIBLE FOR AMENDING THE EROSION & SEDIMENT CONTROL PLAN IF: THERE IS A CHANGE IN CONSTRUCTION, OPERATION OR MAINTENANCE AT THE SITE WHICH HAS THE REASONABLE POTENTIAL FOR THE DISCHARGE OF POLLUTANTS; THE ACTIONS REQUIRED BY THE PLAN FAIL TO REMOVE THE IMPACTS OF POLLUTANTS CARRIED BY CONSTRUCTION SITE RUNOFF; OR IF THE DNR NOTICES THE APPLICANT OF CHANGES NEEDED IN THE PLAN. THE DNR AND OWNER SHALL BE NOTIFIED 5 WORKING DAYS PRIOR TO MAKING CHANGES TO THE PLAN.

Keller logo and contact information for various offices including Fox Cities, Madison, Milwaukee, and Wausau.

PROPOSED ABBREVIATIONS, SYMBOLS & NOTES FOR: BAILEYS HARBOR FIRE DEPARTMENT, 2404 PARK RD., BAILEYS HARBOR, WISCONSIN 54202

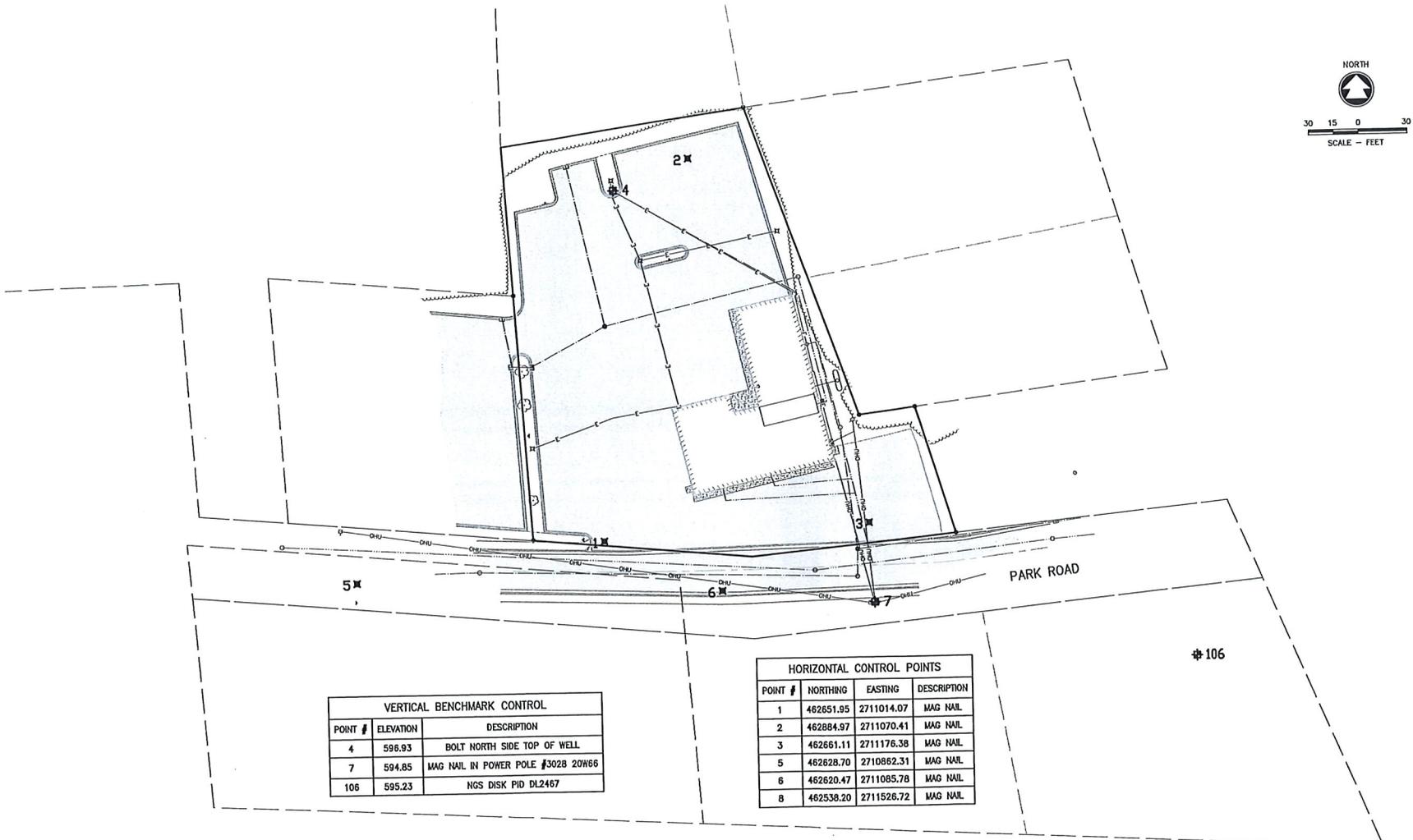
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REVISIONS table with columns for revision number, description, and date.

"ISSUED FOR CONSTRUCTION" section with project manager, designer, and other roles listed.

ISSUED DATE: JANUARY 21, 2018. SHEET: C-01

THIS PLAN SET WAS CREATED WITH CIVIL3D 2018. MCMAHON'S "DISCLAIMER FOR TRANSFER OF ELECTRONIC FILES" FORM NEEDS TO BE SIGNED IF A COPY OF THE ELECTRONIC FILES ARE REQUESTED. MCMAHON MAKES NO REPRESENTATION REGARDING THE COMPATIBILITY OF THESE FILES WITH OTHER SOFTWARE, NOR DOES MCMAHON REPRESENT THAT THE FILES WILL CONVERT TO OTHER SOFTWARE WITHOUT ERROR.



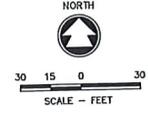
VERTICAL BENCHMARK CONTROL		
POINT #	ELEVATION	DESCRIPTION
4	598.93	BOLT NORTH SIDE TOP OF WELL
7	594.85	MAG NAIL IN POWER POLE #3028 20W66
106	595.23	NGS DISK PID DL2467

HORIZONTAL CONTROL POINTS			
POINT #	NORTHING	EASTING	DESCRIPTION
1	462851.95	2711014.07	MAG NAIL
2	462884.97	2711070.41	MAG NAIL
3	462861.11	2711176.38	MAG NAIL
5	462828.70	2710862.31	MAG NAIL
6	462820.47	2711085.78	MAG NAIL
8	462538.20	2711526.72	MAG NAIL

**NOTE:**  
 PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY PROPOSED SITE GRADES BY FIELD CHECKING TWO (2) BENCHMARKS AND A MINIMUM OF ONE (1) SITE FEATURE AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL ALSO VERIFY HORIZONTAL CONTROL BY FIELD CHECKING SEVERAL CONTROL POINTS AND SHALL IMMEDIATELY NOTIFY MCMAHON OF ANY DISCREPANCIES.

**VERTICAL DATUM**  
 ELEVATIONS ARE REFERENCED TO NGS DATA: CONTROL POINT NAME: 9 PFB POINT ID: DL2467 NAVD 88 DATUM BY ROBOTIC TOTAL STATION TO ELEVATION = 595.23 (2012 ADJUSTMENT) LEVEL LOOP PER FIELD BOOK 1439 PAGE 25

**HORIZONTAL DATUM:**  
 COORDINATES ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM AS PUBLISHED FOR DOOR COUNTY (MAD 83 C 1991)



**Keller**  
 PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES  
 8218 State Road 55  
 P.O. Box 878  
 Kaukauna, WI 54132  
 PHONE (920) 766-5713  
 1-800-236-2334  
 FAX (920) 766-5054

MILWAUKEE  
 1024 N1201 Galumonda Road  
 Greenfield, WI 53022  
 PHONE (262) 335-6713  
 1-800-236-2334  
 FAX (262) 335-6749

MADISON  
 711 Lodi Drive  
 Sun Prairie, WI 53189  
 PHONE (608) 310-2316  
 FAX (608) 310-2337

WAUSAU  
 5625 Lake Ave  
 Wausau, WI 54481  
 PHONE (715) 849-3143  
 FAX (715) 849-3151  
 1-800-236-2334  
 FAX (715) 849-3151

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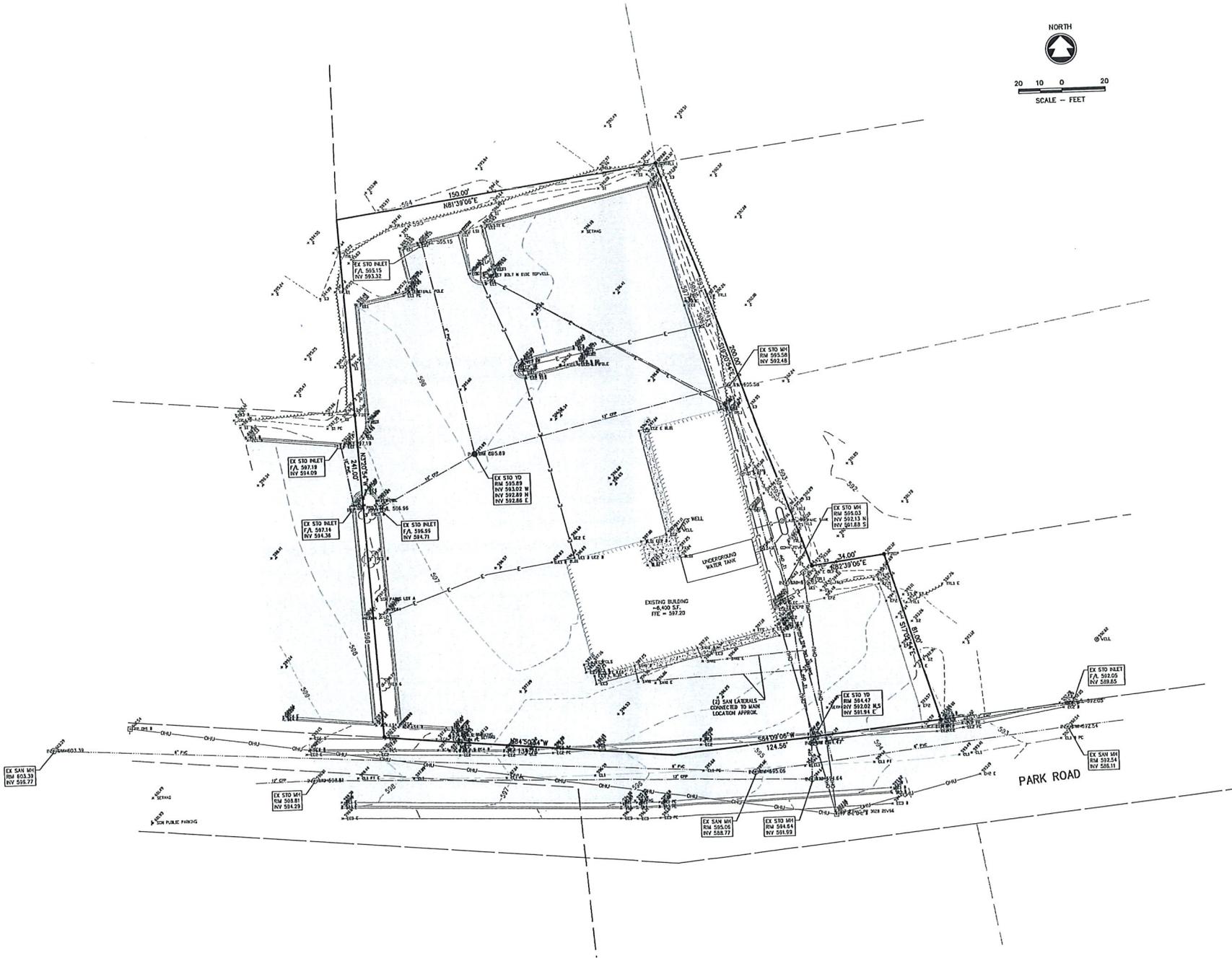
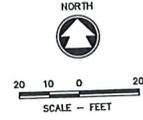
PROPOSED SURVEY CONTROL FOR:  
**BAILEYS HARBOR FIRE DEPARTMENT**  
 2404 PARK RD.  
 BAILEYS HARBOR,  
 WISCONSIN 54202

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REVISIONS


**"ISSUED FOR CONSTRUCTION"**

PROJECT MANAGER: K. CLAFI  
 DESIGNER: M.KORLBE  
 IED PROJECT MANAGER: S. GRAM  
 EXPEDITOR: S. LAM  
 SUPERVISOR: D. DY  
 CONTRACT NO: 68  
 IED NO: 19  
 ISSUED DATE: JANUARY 21, 2012  
 SHEET: **C-02**




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PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES 1614 State Road 85 P.O. Box 610 Keokuk, IA 52433 PHONE (319) 766-5751 1-800-236-2334 FAX (319) 766-0054	MADISON 711 Lake Drive East Prairie, WI 53530 PHONE (920) 318-2316 FAX (920) 318-2337
MILWAUKEE 1024 N1100 Galena Road Okauchee, WI 53222 PHONE (414) 350-8119 1-800-236-2334 FAX (414) 350-8119	WAUSAU 5625 Linn Ave. Wausau, WI 54981 PHONE (715) 649-3141 FAX (715) 649-3181

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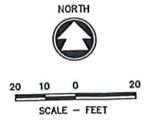
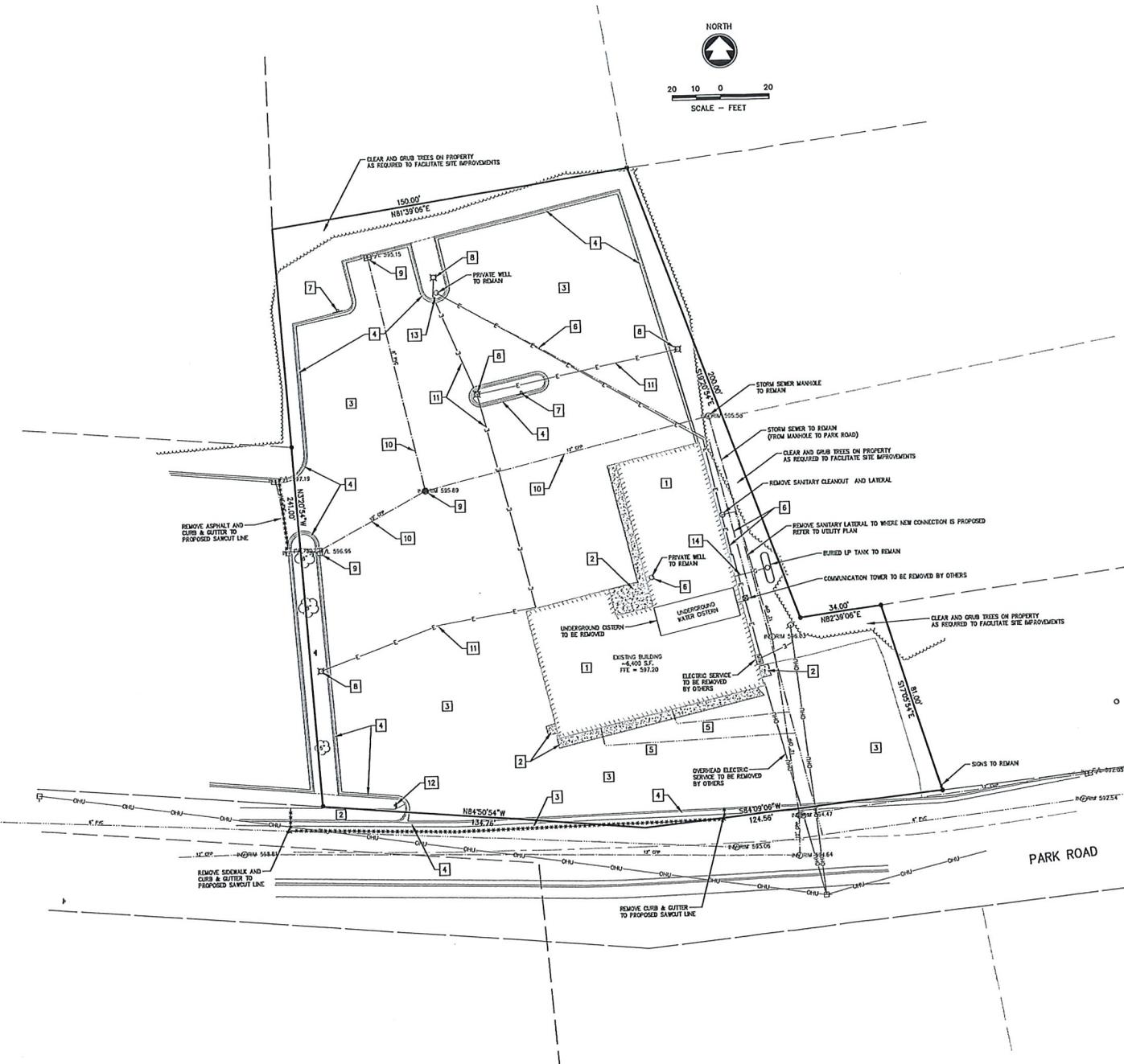
PROPOSED EXISTING SITE PLAN FOR:  
**BAILEY'S HARBOR FIRE DEPARTMENT**  
2404 PARK RD.,  
BAILEY'S HARBOR,  
WISCONSIN 54202

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REVISIONS


**"ISSUED FOR CONSTRUCTION"**

PROJECT MANAGER:	K. CU
DESIGNER:	M.K.G.R.I.
FIELD PROJECT MANAGER:	S. CR.
EXPEDITOR:	S. L.
SUPERVISOR:	D.
CONTRACT NO:	
ISSUED NO:	
ISSUED DATE:	JANUARY 21,
SHEET:	<b>C-03</b>



- 1 REMOVE BUILDING
- 2 REMOVE CONCRETE SIDEWALK
- 3 REMOVE ASPHALTIC SURFACE
- 4 REMOVE CONCRETE CURB & GUTTER
- 5 REMOVE SANITARY LATERALS. REFER TO UTILITY PLAN FOR ADDITIONAL INFORMATION REGARDING LATERALS
- 6 REMOVE WATER LINE AND ELECTRICAL LINE BETWEEN EXISTING WELL AND EXISTING BUILDING. DIVISION 26 CONTRACTOR TO DISCONNECT ELECTRICAL LINES AT THE EXISTING WELL AND THE EXISTING BUILDING PRIOR TO REMOVAL. SITE DEMOLITION CONTRACTOR TO VERIFY CONNECTION TYPE AND DISCONNECT EXISTING WATER LINE AT THE EXISTING WELL. COORDINATE WITH SITE UTILITY CONTRACTOR THAT IS RESPONSIBLE FOR INSTALLATION OF NEW WATER LINE.
- 7 REMOVE POLE AND BASKETBALL BACKBOARD/HOOP
- 8 REMOVE LIGHT POLE, FIXTURE AND CONCRETE BASE. COORDINATE ELECTRIC DISCONNECTS WITH DIVISION 26 CONTRACTOR
- 9 REMOVE STORM SEWER STRUCTURE
- 10 REMOVE STORM SEWER PIPE
- 11 REMOVE UNDERGROUND ELECTRIC LINES FOR SITE LIGHTING. COORDINATE ELECTRIC DISCONNECTS WITH DIVISION 26 CONTRACTOR PRIOR TO REMOVAL.
- 12 REMOVE AND SALVAGE SIGN
- 13 REMOVE BOLLARDS (2) AROUND PRIVATE WELL
- 14 LOCATE, DISCONNECT, AND REMOVE EXISTING LP GAS LINE. COORDINATE DISCONNECTION AND REMOVAL WITH LAKES GAS COMPANY

**NOTES:**

THE UTILITIES SHOWN ON THE PLAN ARE INDICATED IN ACCORDANCE WITH AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND ELEVATIONS OF ALL UTILITIES, INCLUDING ANY PRIVATE UTILITIES, FROM THE OWNERS OF THE RESPECTIVE UTILITIES. ALL UTILITIES SHALL BE NOTIFIED 72 HRS. PRIOR TO EXCAVATION.

CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO STARTING BUILDING DEMOLITION AND ANY WORK IN THE PUBLIC RIGHT-OF-WAY.

CONTRACTOR TO PROVIDE TRAFFIC CONTROL IN ACCORDANCE WITH TOWN OF BAILEYS HARBOR REQUIREMENTS WHILE WORKING IN THE PUBLIC RIGHT-OF-WAY.

IF DEMOLITION OPERATIONS DISTURB UNDERLYING SOILS, CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES AS SHOWN ON THE EROSION CONTROL PLAN BEFORE BEGINNING EARTH DISTURBING ACTIVITIES.

CONTRACTOR TO RESTORE ANY AREAS WITHIN THE PUBLIC RIGHT-OF-WAY THAT ARE DISTURBED/DAMAGED BY CONSTRUCTION.

REFER TO THE UTILITY PLAN FOR ADDITIONAL DEMOLITION ITEMS THAT ARE RELATED TO UTILITY CONSTRUCTION.

PAVEMENT AND SIDEWALK REMOVALS ON PARK ROAD SHALL BE FULL DEPTH SAWCUTS.

CONTRACTOR SHALL NOT REMOVE TREES OR SHRUBS BEYOND THE PROPERTY LIMITS.

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 Sun Prairie, WI 53590  
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**MILWAUKEE**  
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**WAUSAU**  
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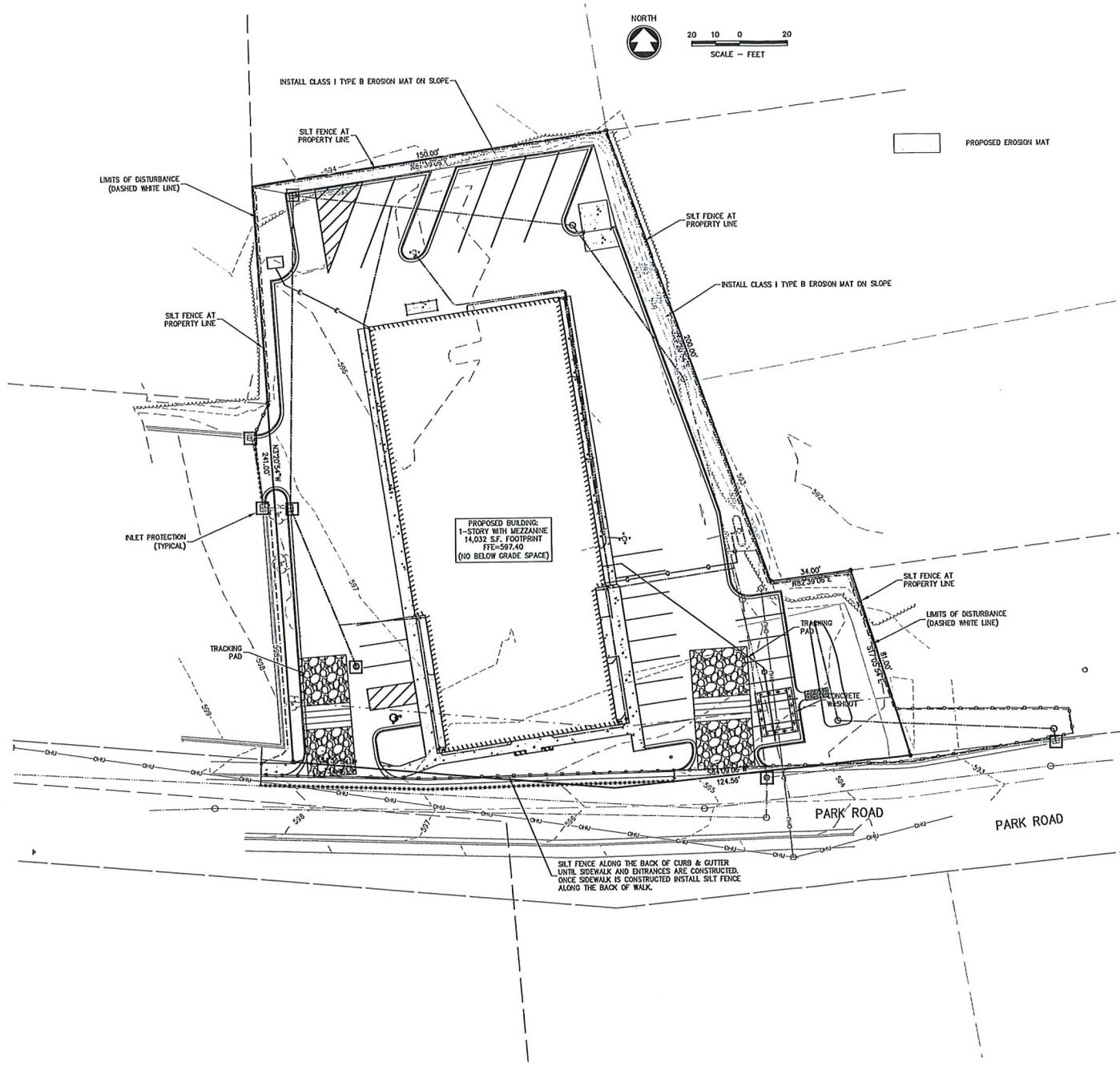
**PROPOSED DEMOLITION PLAN FOR:**  
**BAILEYS HARBOR FIRE DEPARTMENT**  
 2404 PARK RD.  
 BAILEYS HARBOR,  
 WISCONSIN 54202

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REVISIONS


**"ISSUED FOR CONSTRUCTION"**

PROJECT MANAGER:	K. CLAI
DESIGNER:	M.KOHB
LEAD PROJECT MANAGER:	S. CRA
EXPEDITOR:	S. LA
SUPERVISOR:	D. F
CONTRACT NO:	6
IED NO:	1
ISSUED DATE:	JANUARY 21,
SHEET:	<b>C-04</b>



**EROSION CONTROL NOTES**

STREETS SHALL BE SWEEP/CLEANED AS NECESSARY TO MAINTAIN STREETS IN A CLEAN/SEDIMENT FREE CONDITION.

THERE ARE NO 100-YEAR FLOOD PLANS, FLOOD FRINGES, FLOODWAYS, OR FLOOD STORAGE AREAS WITHIN OR NEAR THE LIMITS OF THE PROJECT SITE.

THERE ARE NO WETLANDS PRESENT WITHIN THE LIMITS OF THE PROJECT SITE.

ALL DISTURBED AREAS THAT WILL NOT BE EITHER BUILDING, SIDEWALK, OR PAVEMENT WILL BE LANDSCAPED WITH SEED, WOOD MULCH, OR LANDSCAPE STONE.

EXCESS MATERIAL FROM EXCAVATION WILL BE REMOVED FROM THE SITE.

**DESCRIPTION OF THE SITE AND NATURE OF THE LAND DISTURBING ACTIVITY**

The Town of Baileys Harbor Fire Department project consists of the construction of a one-story 14,032 SF (footprint) building on a 51,700 SF (1.19 acre) parcel. In addition to the Fire Department building, other site improvements consist of landscape areas and parking fields.

NRCS Soil Survey shows that the entire project area consists of Hamur Variant Loam (N).

Total area of the project site = 1.19 acres  
 Total disturbed area = 1.22 acres  
 The disturbed area is larger than the project site due to the installation of storm sewer on the parcel the east.

Construction is anticipated to begin in March, 2020. Site work will be completed by November 30, 2020.

**CONSTRUCTION EROSION & SEDIMENT CONTROL PRACTICES**

The following erosion and sediment control practices apply only to the proposed construction of the Town of Baileys Harbor Fire Department located at 2404 Park Road. Site development equipment that is expected to be used will include backhoes, graders, front end loaders, bulldozers and skid steers.

All erosion and sediment control practices shall be in accordance with the Wisconsin Construction Site Technical Standards. Erosion and sediment control practices that may be in place prior to disturbing the site. Erosion and sediment control practices that may be used for this project are described as follows:

- **Storm Drain Inlet Protection** - Purpose is to reduce sediment from entering storm drains before stabilizing the contributing drainage area.
- **Silt Fence/Filterwater control** - Purpose is to intercept and detain sheet flow runoff from disturbed areas for sufficient time to allow larger sediment particles to settle out.
- **Non-Channel Erosion Blanket** - Purpose is to protect the soil surface from the erosive effect of rainfall and prevent sheet erosion during the establishment of grass or other vegetation, and to reduce soil moisture loss due to evaporation.
- **Construction Entrance** - Construction entrances reduce the amount of mud transported onto public roads by vehicles, equipment, and storm water runoff.
- **Street Sweeping** - Street sweeping collects mud that is transported onto public roads by vehicles, equipment and storm water runoff.

**CONSTRUCTION INSPECTION & MAINTENANCE PLAN**

All temporary and permanent erosion and sediment controls shall be inspected by the contractor every 7 days and within 24 hours after a precipitation event of 0.5 inches or greater. Contractor shall maintain weekly written reports of all inspections as necessary to meet the Door County's ordinance and DNR regulations, until the site has undergone final stabilization and received final acceptance. Logs are to be kept on site, and shall include the following:

- Time, date and location of inspection.
- Personnel completing the inspection.
- Current phase of the construction at the time the inspection is occurring.
- Specific assessment of erosion control devices.
- Specific description of maintenance or repair required on the erosion control devices.
- Date and time when the required maintenance or repairs were made.

Contractor shall inspect erosion and sediment controls for structural damage, erosion, sediment accumulation, or any other undesirable condition. Contractor shall repair any damaged structures prior to the end of the working day. Sediment shall be removed from erosion control devices when the depth of sediment has accumulated to one half the height of the device. Eroded or tracked sediment should be cleaned from roadways before the end of the business day on which it accumulated.

In addition to these requirements, the contractor is required to meet all additional Door County and DNR regulations as stated on permits and on the construction plan sheets.

**ANTICIPATED CONSTRUCTION GRADING & EROSION CONTROL PLAN**

This sequence is approximate. Days are measured as calendar days, not working days. Work tasks could be done concurrently.

1. Demolish existing building. (Day 1-7)
2. Remove existing impervious surfaces from the site. (Day 8-9)
3. Install erosion control provisions as shown on the plan. (Day 8-9)
4. Contact Door County to notify them that the site grading is to begin and erosion control provisions are installed. (Day 9)
5. Remove existing site features as shown on Demolition Plan. (Day 10-17)
6. Excavate for parking lots areas and place gravel to create construction staging areas. (Day 18-30)
7. Complete site utility construction. Install inlet protection on newly installed storm sewer inlets. (Days 22-30)
8. Excavate for and begin construction of building footings and foundations. (Days 18-30)
9. Construct building. (Days 40-252)
10. Finish exterior site work. Complete base course, concrete placement, asphalt placement, and landscaping. (Days 192-252)
11. Remove all erosion control measures once site pavements and landscape stone installation is complete and site is stabilized. (Day 312)

**POST CONSTRUCTION WATER QUALITY PEAK FLOW**

This site drains into a storm sewer system within the Park Road right-of-way which eventually drain to Lake Michigan. The use of on-site stormwater devices, and good housekeeping maintenance practices will help to maintain the quality of the Fox River.

- Covering landscape areas with washed stone will eliminate the need for lawn fertilizers used on the lawn during the construction restoration process, and during post construction site maintenance.
- The site will not contribute to phosphorus runoff that has a negative effect on Lake Michigan.
- A low salt application policy is encouraged during the winter season.

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 1018 State Road 55  
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 Kaukauna, WI 54901  
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 FAX (715) 643-3111

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PROPOSED EROSION CONTROL PLAN FOR:

**BAILEYS HARBOR FIRE DEPARTMENT**

2404 PARK RD.  
 BAILEYS HARBOR, WISCONSIN 54202

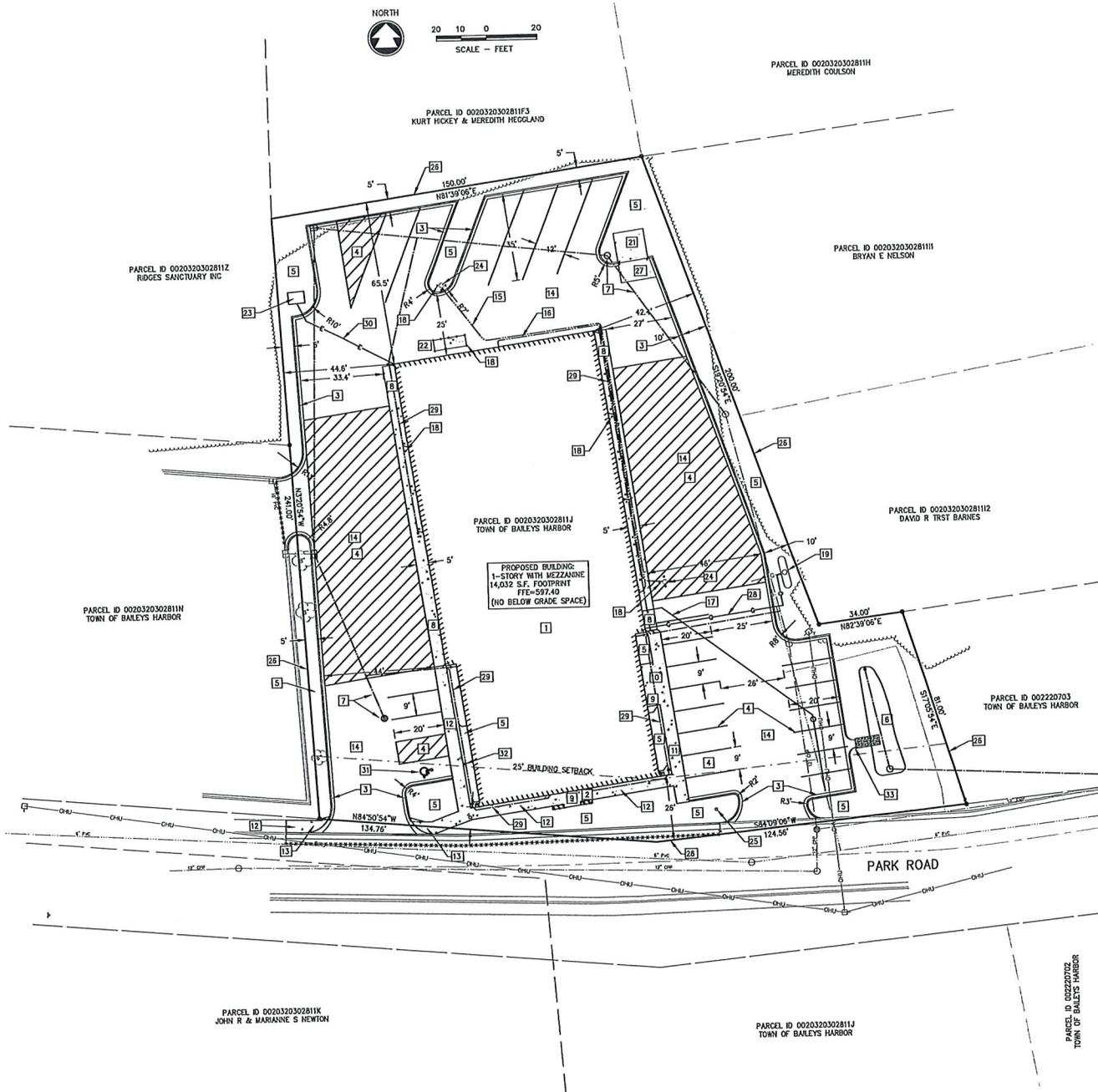
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REVISIONS


**"ISSUED FOR CONSTRUCTION"**

PROJECT MANAGER:	K. CLAFI
DESIGNER:	MKGN/BCC
IED PROJECT MANAGER:	S. CRAME
EXPEDITOR:	S. LAMU
SUPERVISOR:	D. DYC
CONTRACT NO:	681E
IED NO:	191E
ISSUED DATE:	JANUARY 21, 2020
SHEET:	C-05



**GENERAL PROJECT NOTES:**

PROJECT NAME: BAILEYS HARBOR FIRE DEPARTMENT  
 PROPERTY ADDRESS: 2404 PARK ROAD  
 TOWN OF BAILEYS HARBOR, DOOR COUNTY, WI  
 TAX KEY NUMBER: 002-0320302811J  
 LEGAL DESCRIPTION: TR IN GOVT LOTS 1 & 2 SECTION 20-30-28 ON N & S SIDE OF STENKE AVE.  
 ZONING DESCRIPTION: MC (MIXED USE COMMERCIAL)  
 PROPOSED USE: GOVERNMENT/INSTITUTIONAL  
 OCCUPANCY CLASSIFICATION: S2, LOW HAZARD STORAGE  
 B, BUSINESS  
 R1, RESIDENTIAL (ACCESSORY USE)  
 FIRE PROTECTION: NON-SPRINKLERED  
 ZONING INFORMATION: PROVIDED: 16,200 S.F. REQUIRED: 51,780 S.F.  
 LOT SIZE: 51,780 S.F. REQ'D MIN. = 90'  
 LOT WIDTH: 150' REQ'D MIN. = 35'  
 BUILDING HEIGHT: 28'-4" MAXIMUM 35'  
 BUILDING SETBACKS: FRONT YARD: 9' REQ'D MIN. = 25'  
 SIDE YARD: EAST 42.4' REQ'D MIN. = 10'  
 WEST 44.6' REQ'D MIN. = 20'  
 REAR YARD: 65.5'

PARKING CALCULATIONS: TOTAL SPACES PROVIDED = 27 INCLUDING 1 HANDICAP STALL  
 ADDITIONAL PARKING IS AVAILABLE ON THE TOWN OWNED PARCELS TO THE WEST AND SOUTHEAST.

LOADING AND UNLOADING AREA: PROVISIONS FOR LOADING AND UNLOADING SPACE ARE NOT REQUIRED FOR THE PROPOSED USE.

**PARCEL AREAS**

TOTAL PROPERTY:	51,780 S.F.	(1.188 AC)
ZONING DISTRICT:	MC - MIXED USE COMMERCIAL	
GREEN SPACE REQUIREMENT:	55%	

EXISTING SITE:			
EXISTING GREENSPACE	7,841 S.F.	0.180 AC	15.14%
EXISTING PAVEMENT	37,505 S.F.	0.861 AC	72.43%
EXISTING BUILDING	6,434 S.F.	0.147 AC	12.43%

PROPOSED SITE:			
BUILDING FOOTPRINT	14,032 S.F.	0.322 AC	27.10%
PAVEMENT & SIDEWALK	28,038 S.F.	0.643 AC	54.15%
TOTAL IMPERVIOUS	42,070 S.F.	0.965 AC	81.25%
GREEN SPACE PROVIDED	9,710 S.F.	0.223 AC	18.75%
GREEN SPACE REQ'D	28,479 S.F.	0.653 AC	55%

**GENERAL SITE PLAN NOTES:**  
 NO PRODUCTS WILL BE MANUFACTURED, SOLD, OR STORED ON SITE.

- KEY:**
- 1. PROPOSED BUILDING - REFER TO ARCHITECTURAL AND STRUCTURAL PLANS FOR ADDITIONAL INFORMATION
  - 2. KNOX BOX
  - 3. CONCRETE CURB & GUTTER, 18-INCH
  - 4. 4" PAINT STRIPE (YELLOW)
  - 5. LANDSCAPE AREA
  - 6. STORMWATER BIOFILTRATION DEVICE
  - 7. NEW STORM SEWER PIPE/STRUCTURE (TYP)
  - 8. CONCRETE APRON - REFER TO STRUCTURAL PLANS FOR EXACT SIZE AND LOCATION
  - 10. CONCRETE PATIO
  - 11. CURB FACED CONCRETE SIDEWALK
  - 12. CONCRETE SIDEWALK
  - 13. DETECTABLE WARNING FIELDS
  - 14. ASPHALTIC PAVEMENT
  - 15. WATER LINE (PORTABLE)
  - 16. WATER LINE (NON POTABLE)
  - 17. SANITARY SEWER LATERAL
  - 18. BOLLARD (TYPICAL)
  - 19. UNDERGROUND LP TANK (EXISTING)
  - 20. NOT USED
  - 21. DUMPSTER ENCLOSURE - REFER TO STRUCTURAL PLAN AND SPECIFICATIONS FOR ADDITIONAL INFORMATION
  - 22. EMERGENCY GENERATOR - REFER TO STRUCTURAL PLAN FOR CONCRETE PAD INFORMATION
  - 23. ELECTRICAL TRANSFORMER - REFER TO STRUCTURAL PLAN FOR CONCRETE PAD INFORMATION
  - 24. PRIVATE WATER WELL (EXISTING TO REMAIN)
  - 25. FLAG POLE
  - 26. PROPERTY LINE
  - 27. CONCRETE APRON FOR DUMPSTER ENCLOSURE - REFER TO STRUCTURAL PLAN FOR ADDITIONAL INFORMATION
  - 28. 1" LP GAS LINE - REFER TO HVAC PLANS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION
  - 29. STORM SEWER FOR DOWNSPOUT COLLECTION (TYP)
  - 30. ELECTRICAL SERVICE - REFER TO ELECTRICAL PLAN AND SPECIFICATIONS FOR ADDITIONAL INFORMATION
  - 31. INTERNATIONAL SYMBOL OF ACCESSIBILITY PARKING SPACE MARKING
  - 32. HANDICAP ACCESSIBLE PARKING STALL SIGN
  - 33. FLUME AND RIPRAP

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 FAX: (262) 255-8749

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 FAX: (608) 214-9277

WISCONSIN 54202

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PROPOSED SITE PLAN FOR:  
**BAILEYS HARBOR FIRE DEPARTMENT**  
 2404 PARK ROAD,  
 BAILEYS HARBOR, WISCONSIN 54202

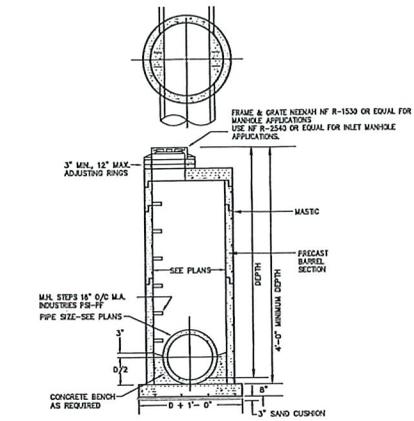
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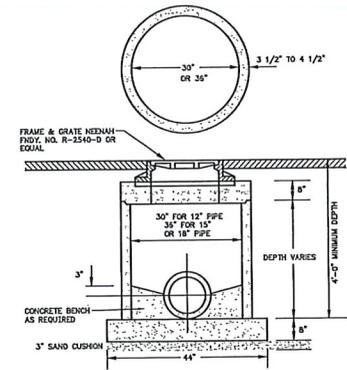
PROJECT MANAGER: K. CL.  
 DESIGNER: M.K.H.L.  
 LEAD PROJECT MANAGER: S. CR.  
 EXPEDITOR: S. L.  
 SUPERVISOR: D.  
 CONTRACT NO.:  
 ED NO.:  
 ISSUED DATE: JANUARY 21,  
 SHEET: **C-06**



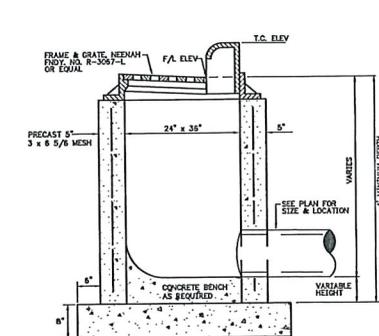




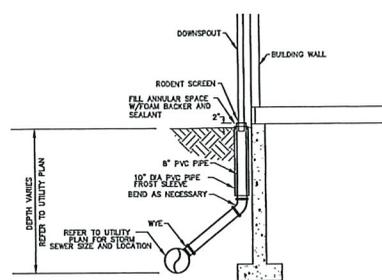
**STORM SEWER MANHOLE/MANHOLE-INLET DETAIL**



**STORM SEWER PRECAST CATCH BASIN**

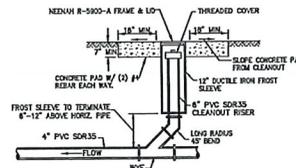


**STORM SEWER INLET DETAIL**

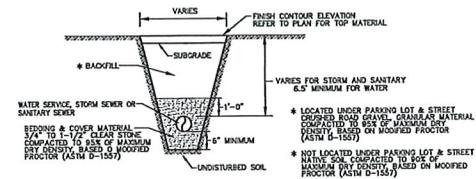


**DOWNSPOUT CONNECTION**

AS AN ALTERNATE, PROVIDE MAINLINE STORM SEWER ADJACENT TO BUILDING FOUNDATION WALL AND SLEEVE OR BOX OUT STOOP FOUNDATION WALLS AS REQUIRED TO ROUTE STORM SEWER THROUGH STOOP FOUNDATION WALLS.

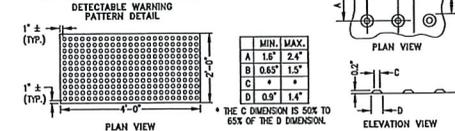


**EXTERIOR SANITARY SEWER CLEANOUT DETAIL**

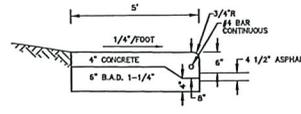


**TRENCH DETAIL FOR WATER SERVICE, SANITARY SEWER AND STORM SEWER**

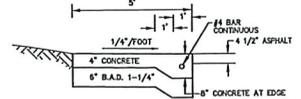
**TRUNCATED DOMES**



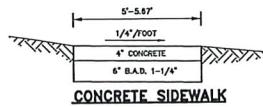
**DETECTABLE WARNING FIELD (TYPICAL)**



**CURB-FACED CONCRETE SIDEWALK**

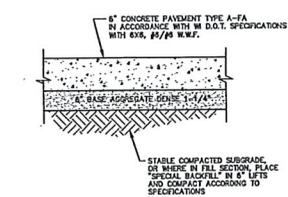


**THICKENED EDGE CONCRETE SIDEWALK AT HANDICAP PARKING**

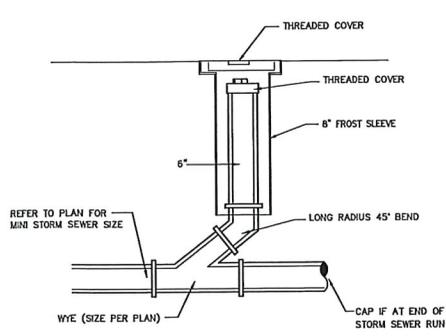


**CONCRETE SIDEWALK**

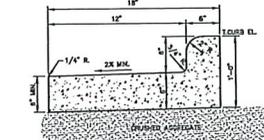
**ASPHALTIC PAVEMENT DETAIL**



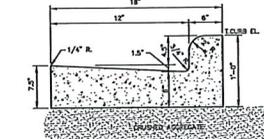
**CONCRETE PAVEMENT DETAIL FOR DUMPSTER ENCLOSURE**



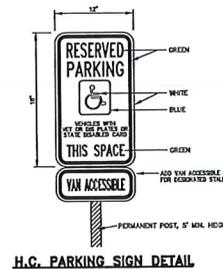
**6" MINI STORM SEWER CLEANOUT**



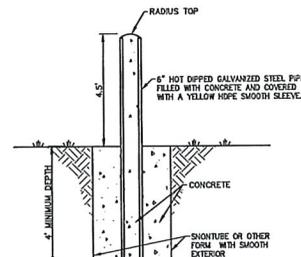
**CONCRETE CURB & GUTTER, 18-INCH REVERSE SLOPE**



**CONCRETE CURB & GUTTER, 18-INCH**



**H.C. PARKING SIGN DETAIL**



**BOLLARD DETAIL**



**HANDICAP ACCESSIBLE PARKING STALL SYMBOL**

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PROPOSED CONSTRUCTION DETAILS FOR:

**BAILEYS HARBOR FIRE DEPARTMENT**

2404 PARK RD.  
BAILEYS HARBOR, WISCONSIN 54202

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REVISIONS


**"ISSUED FOR CONSTRUCTION"**

PROJECT MANAGER: K. CLAFIN

DESIGNER: M.KONBECK

IED PROJECT MANAGER: S. CRAMER

EXPEDITOR: S. LAMON

SUPERVISOR: D. DYCE

CONTRACT NO: 68166

IED NO: 19185

ISSUED DATE: JANUARY 21, 2020

SHEET: **C-11**





## County of Door LAND USE SERVICES DEPARTMENT

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

---

### STAFF REPORT Conditional Use Permit Application

#### Applicant Information

- **Name & property address:** Town of Baileys Harbor; 2404 Park Road.
- **Parcel identification numbers:** Portion of Tax Parcel No. 002-03-20302811J located north of the right-of-way of Park Road.
- **Zoning district:** Mixed Use Commercial (MC) and Wetland (W). Note: The wetland area which is located in the northwest corner of the lot was filled many years ago.
- **Petition request, including sections of zoning ordinance requiring permit:**  
The Town of Baileys Harbor proposes to construct a new Emergency Response Facility on the property. The existing facility will be removed from the property. The footprint of the existing building is 6,434 square feet in area and the footprint of the proposed building would be 14,032 square feet in area. In that the proposed building would encroach into the required road setback, it was necessary for the town to obtain a variance before a Conditional Use Permit could be issued. The BOA has approved the variance request.

Ordinance sections: 2.05(3)(a) and 11.04.

#### Description of Subject Property and Surrounding Area

##### Subject Property

- **Lot area:** 1.188 acres (51,780 sq. ft.).
- **Frontage - water, road:** No water frontage; 259' +/- road frontage along Park Road.
- **Existing uses/structures:** Existing fire station to be removed.
- **Access:** Access to Park Road.
- **Traffic patterns/road usage:** This is a town road with light to moderate traffic levels, depending on time of year.
- **Water and sanitation:** Water will be provided by existing private well. The property is served by public sewer.
- **Significant topography or vegetation:** The parcel is relatively flat with small amounts of vegetation along the property lines. Approximately 84 percent of the lot is currently covered with impervious surfaces. The proposal indicates that upon project completion approximately 81 percent of the lot will be covered with impervious surfaces.

##### Surrounding Area:

- **North:** The property directly north is a wooded area zoned Wetland (W) and Single Family Residential – 20,000 (SF20). There is also a large lot to the northwest owned by the Ridges Sanctuary that is zoned W and SF20. To the northeast are properties with residences located in the SF20 zoning district. To the northeast and across State Highway 57 is the new Ridges Sanctuary which is zoned Commercial Center (CC).
- **South:** Park Road runs along the southern property line. There is a town park located directly across the road on property that is zoned Mixed Use Commercial (MC). The town hall and library are located across the road to the southeast on property that is

zoned CC. There are several single family homes on the lots located across Park Road to the southeast that are zoned SF20.

- **East:** The property to the east, located at the northwest corner of the intersection of Park Road and State Highway 57, is owned by the town and is zoned CC. The lots north of here are residential properties zoned SF20. The lots to the east and across State Hwy 57 are part of the Blacksmith Inn (multiple occupancy development) and are zoned CC. Lake Michigan lies to the east of these lots.
- **West:** The lot directly west, owned by the town, is a parking lot in the MC zoning district. A large lot owned by the Ridges Sanctuary, zoned MC and W is also to the west. There is a duplex on a lot further west zoned MC. The lot at the northeast corner of the intersection of Park Road and County Hwy F has a café and is zoned CC. The lots further to the northwest along County Hwy F are zoned MC and SF20 and have single family homes.

### **Background/History**

There has been a fire station with associated parking lot on this property for many years. The proposed project will replace the outdated facility. The applicants indicate that the proposed project will indirectly improve public safety by providing a new state of the art Emergency Response Facility.

The proposed use is already an established use on the property and within the neighborhood and community, and the vote at a special meeting in 2019 was 100-3 in favor of rebuilding the fire station on this lot (rather than on the outskirts of town), with this design.

Note that there have been several intertwined variances granted relating to parking for this and other nearby town properties (town hall/library, marina, Brann Field). Portions of the fire station lot in particular were supposed to (and do) serve as some of the boat trailer parking for the marina. Since that variance was granted, though, county zoning parking regulations have changed significantly, so the town may now choose to locate its marina parking wherever it likes.

### **Zoning Considerations**

**Purpose of zoning district: DCZO Section 2.03(17):** Mixed Use Commercial (MC). This district permits both residential and commercial uses and is designed to accommodate those areas of Door County with an existing desirable mixture of uses, or where such a mixture of uses is wanted. Typically, this district will be located within or near existing communities, but it is also intended for outlying or smaller nodes of development. In addition, this district can be used as a transition between business centers and strictly residential areas. Lot sizes of at least 20,000 square feet are required for new lots which are not served by public sewer.

- **Does the use meet the zoning ordinance's stated purpose and intent?** Yes. The proposed use will serve both residential and commercial lots throughout the town.
- **Specific requirements for proposed use and/or possible conditions that may be relevant.** If the Resource Planning Committee determines the conditional use permit should be approved, the following are possible conditions that may be relevant:
  1. The use must be established within 12 months of the issuance of the conditional use permit. At minimum, a Door County Regular Zoning Permit shall be obtained within 12 months of issuance of the conditional use permit.

2. The project shall comply with all applicable local, state, and federal building codes and ordinances, including obtaining all required approvals and permits prior to construction.
3. 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.
4. *The RPC will need to set a completion date for the project.*
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 parcel area under consideration is designated as “Governmental/Institutional Facilities” and “Transportation” on the comprehensive plan’s future land use map, as described below and shown on the attached map.

***Governmental/Institutional Facilities*** – *Those areas shown as “Governmental/Institutional Facilities” denote existing or planned expansions of public and private facilities for education, health, or assembly; cemeteries and related facilities; and government facilities used for administration or safety.*

***Transportation*** – *Lands designated as “Transportation” include existing or planned parking facilities, airports, marine transportation areas, and non-motorized-related transportation areas.*

The proposed conditional use permit for an Emergency Response Facility is consistent with the parcel’s future land use designation.

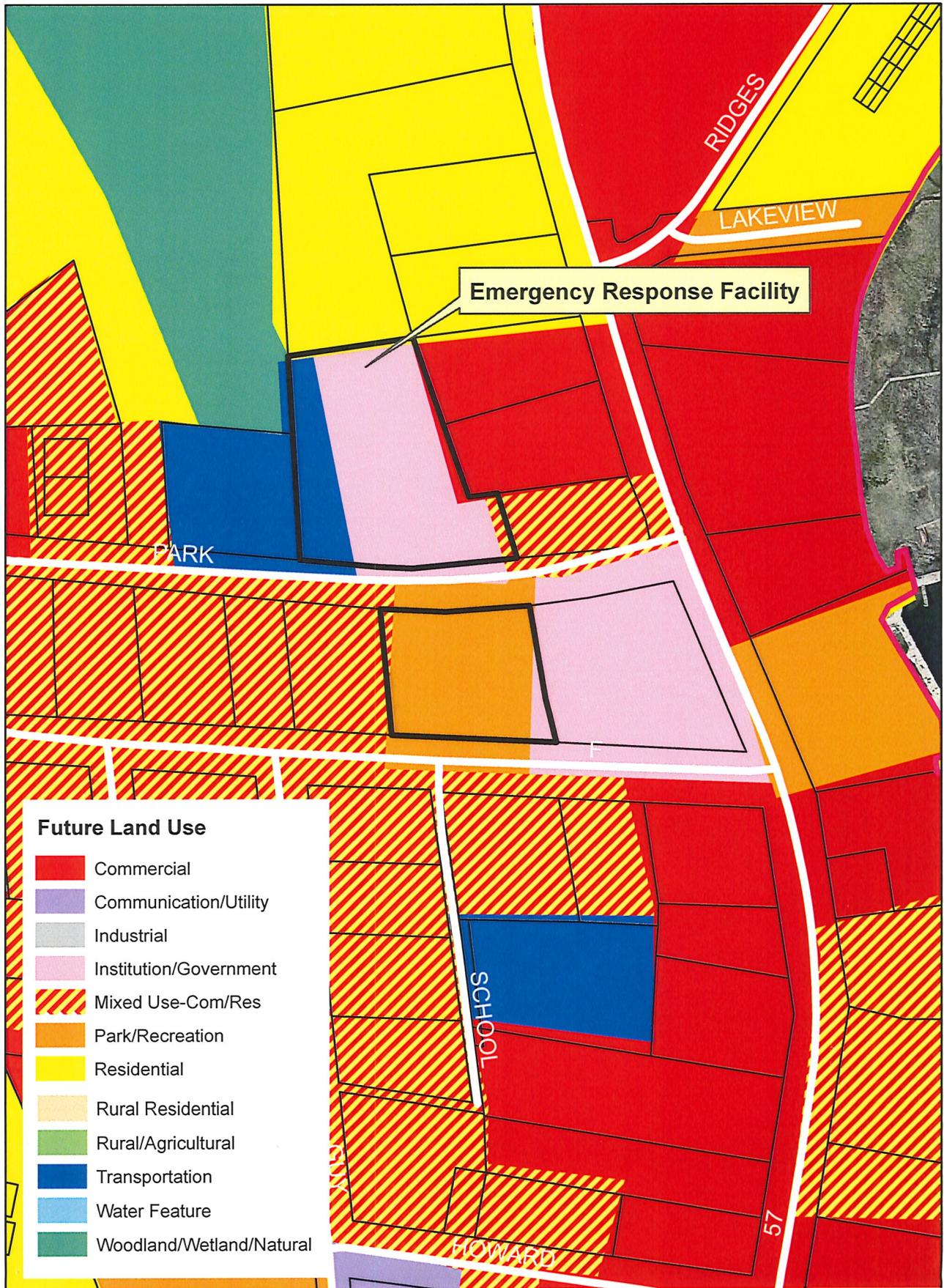
- **Relevant goals/policies/action items from comprehensive plan.** None.
- **Other relevant text from county comprehensive plan.** None.

JJK/RB/RYS/MG/SV  
3/6/2020

### Future Land Use

Town of Baileys Harbor: 002-03-203022811J

Proposed Conditional Use Permit: Emergency Response Facility



**Brauer, Rick**

---

**From:** Town of Baileys Harbor <admin@baileysharborwi.org>  
**Sent:** Friday, January 24, 2020 11:33 AM  
**To:** Brauer, Rick  
**Subject:** minutes for fire station approval and letter to waive 28-day  
**Attachments:** doc01155620200124110450.pdf; TB Aug 12 2019.docx; special elector fire station sept 19 2019.docx

Hey Rick  
Attached are the minutes and letter to waive the 28-day.  
Please let me know if there is anything else you will need.  
Thanks  
Haley

*Haley Adams*  
Town Clerk of Baileys Harbor  
2392 CTH F  
PO Box 308  
Baileys Harbor, WI 54202  
admin@baileysharborwi.org  
Ph. 920.839.9509  
Fax 920.839.9425  
Baileysharborwi.org



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

Mr. Rick Brauer,

Due to the timeline of the proposed New Fire Station build, we kindly request to waive the 28- day period for the requested variance.

Feel free to call or email with any questions or concerns

Sincerely,

*Haley Adams* 1/24/2020

Haley Adams  
Baileys Harbor Town Clerk  
2392 CTH F, PO Box 308  
Baileys Harbor WI 54202  
P:920-839-9509  
F:920-839-9425  
[Admin@baileysharborwi.org](mailto:Admin@baileysharborwi.org)

**TOWN BOARD MEETING**  
**2392 County Road F, Baileys Harbor, WI 54202**  
**August 12th, 2019 at 6:00 p.m.**

**Call to Order:** The meeting was called to order by Chairman Doug Smith at 6:00 p.m.

**Pledge of Allegiance.**

**In Attendance to Establish Quorum:** Chairman Doug Smith, Supervisor Robert Schultz, Supervisor Barb Anschutz, Supervisor Peter Jacobs, and Supervisor Roberta Thelen.

Also, in attendance were Town Clerk Haley Adams, Deputy Clerk Katie Virlee, Treasurer Lois Pluff, and 13 visitors

**Accept Agenda:** Motion made by Peter Jacobs and second by Barbara Anschutz. Motion carried

**Accept Minutes:** Motion made by Barbara Anschutz and second by Robert Schultz. Motion carried

**Accept Treasurer's Report:** Lois stated the Town received three payments for highway aids. Budget is around the corner. A few accounts are over budget and monies can be transferred. Lois also mentioned the ad-hoc committee was not a budgeted item, and we will need to figure out where those monies will come from. Motion made/second Peter Jacobs/ Roberta Thelen to approve the Treasurers' Report. Carried.

**Citizen Input:** John Buschman was present to request the water issue at this property be resolved. John has submitted photos of the created "aquafer" and the flooding in his basement. This was caused from a removed culvert. Steve Parent, Town Engineer, explained he has evaluated the situation and it will be fixed by the County. John also mentioned the neighbors are neglecting to clean the dead tree debris. It is located in the Towns right-of-way, Robert Schultz will look into this. Suzie Bauldry mentioned the historical Society would like to incorporate small historical signs throughout the Town. The Historical Society will come to the Town for approval. Chairman Smith would like this to be an agenda item. She also inquired if the sound system will be in the budget. Chairman Smith confirmed this will be in the 2020 budget. Suzie asked about the planted bushes in the cemetery, Barb replied this was done for beautification and won't affect any gravesites. Suzie will supply a name to Haley for identifying gravesites.

**Proposed fire building-** Motion made/second Robert/Barbara to approve the building of new Fire Station at 2404 Park Rd contingent on approval at the special electors meeting. Carried. The special elector meeting is tentatively scheduled September 26<sup>th</sup>. Keller Builders will be present to answer questions.

**Engineers Report on Town projects-** Steve Parent provided a small report on the Towns current projects. Kangaroo Lake is complete. Next Spring, after the gravel has settled, Steve will address the grading and paving. Logerquist Road, John Buschman's, property is on the list for the County to fix. Robert would like to Steve to be present to oversee the work. The Marina's North launch is under water which created a hazard to boaters and safety. The contractor will weld new connection points which will bring up the launch about 18 inches. Anclam Park shoreline remediation is complete by Harbor Construction. There was discussion on the dunes and loss of sand beaches. Robert suggests just shaving down the grasses and incorporating more sand. The Town needs to verify regulations with zoning and the DNR. Since the season is coming to a close this can be a discussion for budget. Robert will call Harbor Construction to cancel the adding of sand and stone.

**Dedication of Triax Parkway as a Town Road-** Steve reported the owner waived his right to a public hearing. The road meets all the requirements to Town standards. There will be no cost to the Town. He

petitioned the Town to take over for the potential of 5 businesses. Haley verified this will only be a clean drop blade plow. Steve said a resolution will be required. Motion made/second Peter Jacobs/Barbara Anschutz to proceed in a adopting resolution to take over Triax Parkway. Carried.

Roll Call: Roberta Thelen, aye. Peter Jacobs, aye. Barbara Anschutz, aye. Doug Smith, aye. Robert Schultz, aye. Carried.

**Boat Launch Ordinance # 01-2019-** Deputy Clerk, Katie Virlee, explained what is included in the proposed ordinance. The ordinance will have proper fee and fines for launching and power loading. Mark Merrill had some concerns over the fines/enforcement. Katie will send the amendments to power loading to Town Attorney for approval. Motion made/second Peter Jacobs/Roberta Thelen to accept the ordinance with the change to \$50 dollar fine plus court cost for power loading only. Carried.

**UW School of Business analysis/feasibility study for Baileys Harbor-** Mariah Goode presented on a free project from the Arts and Culture wing from UW-Madison MBA. This will be free to the Township. Their goal would be to complete an economic feasibility study for the downtown area. Mariah suggested the Town be proactive in the support of the project. Motion made/second Peter Jacobs/Roberta Thelen to support the economic study. Carried.

**Resolution #03-2019 Designating Depository Signers-** Motion made/second Peter Jacobs/Barbara Anschutz to approve resolution #03-2019. Carried.

Roll Call: Roberta Thelen, aye. Peter Jacobs, aye. Barbara Anschutz, aye. Doug Smith, aye. Robert Schultz, aye. Carried.

**Appointment of Plan Commission member-** Chairman Smith appointed Bill Nelson, Plan Commission alternate to become a full member. Motion made/second Barbara Anschutz/Roberta Thelen to approve Bill Nelson. Carried.

**Temp Class "B" license for BHCA Food and Floaties-** Motion made/second Barbara Anschutz/Robert Schultz to approve the temporary license. Carried.

**Disc Golf signage-** Robert would like to see some signage to better utilize the sport. Barbara would like to look at the contract and have Shane attend a meeting. Haley will provide an update.

**Committee Reports -**Clerk; Budget is coming soon. Katie and Haley attended an educational program through UW-GB on Public affairs, it went very well. The adjacent property to the Town Hall will be tore down by the end of the month.

Bob – Roads/Public Works; Robert updated on the paving of Town roads. Red Cherry still needs to be shouldered. Ahrens was chipped and had been damaged slightly by an individual moving a trailer on the roadway, this will be resolved.

Peter –Plan Commission; Roberta – Historical Society/Community Programs/Green Site; Historical Society program will be having there last program of the season. The Toft House windows will not begin until late fall. The Toft House stairs need to be complete. Haley will contact Joe Swanson to confirm.

#### **Payment of Bills.**

Motion made/second Robert Schultz/ Barbara Anschutz to adjourn at 7:17PM. Carried  
These minutes are subject to correction at the next regular monthly Town Board meeting.  
Haley Adams, Town Clerk

## Special Meeting of Electors – September 19 2019

Chairman Smith called the Special Meeting of the Electors to order at 7:00PM in the meeting room at the Town Hall. Present were chairman Doug Smith, Supervisor Robert Schultz, Supervisor Peter Jacobs, Supervisor Roberta Thelen, Supervisor Barbara Anschutz, Town Clerk Haley Adams, Deputy Clerk Katie Virlee, Treasurer Lois Pluff and 108 visitors. Also, Present Randy Nesbit and Amy Sullivan from Pinkert Law Firm.

### **Pledge of Allegiance.**

Chairman Smith announced Pinkert Law Firm was present to answer questions as well as explain how Special elector meetings proceed. Randy explained every qualified elector, registered voter, will have the ability vote on the build of the fire station not the financing. There will be another opportunity to vote on the financing after the bids have gone out.

**Fire Chief – status of current building/needs assessment-** Brian Zak, Fire Chief, spoke on the need's assessment for the current fire station. He explained this has been a work in progress from the last 2 years. He follows the regulations of NFPA. The current condition of the 50 plus year old station is failing. Brian reached out to Keller Builders to complete a needs assessment for \$1,500.00. Keller completed the assessment and created a preliminary drawing for a new station. Brian highlighted a few significant problems with the current station which included exhaust ventilation, garage door height, lack of space, and heating and cooling. A new station would also promote retention rate. The Town Board formed an Ad-Hoc Fire Committee to research and recommend where to place the new station. Brian explained they recommend building the new station where the current one sits; this is strongly based on the ISO rating for residents. If the Station is moved onto Summit this will raise the ISO greatly. Bues Point, Moonlight estates, and Fairview Rd would see the most change on rating due to the 5-mile radius cut off.

**Fire Committee presents on recommendation-** Tim Tishler, Ad-Hoc Fire Committee Chair, presented the following gatherings and recommendations. The Committee toured the current station to correlate the needs assessment from Keller Builders. Tim highlighted some of the larger issues at the station:

*Paint peeling off trucks from the heat source*  
*Unsafe ventilation of exhaust*  
*Carcinogens on PPE gear*  
*Lack of Hose drying capability*  
*Lack of ability to wash trucks in winter*  
*Garage Door size*

The committee toured BUG Fire and Sister Bay/Liberty Grove to get a better concept of the need's assessment. The committee had three potential location for the new station which included off CTH EE across from the cemetery, Summit RD, and Park RD. Tim and the committee also highlighted the concern the ingress and egress onto STH 57 from Summit. They

contacted the DOT as well as zoning to research this location. It was reported not favorable and decided this location was not an option. The Summit location would also need a retention pond, which could be very costly. The current location on Park would be the best option. This property includes a cistern and operable well, that would hopefully save cost. Also, the Park location would provide the best ISO rating. Tim wanted to mention that the Town Hall is currently our emergency location, unfortunately it is not served by a generator. The proposed fire station could serve as a proper emergency location since it will include a generator as well as ample space for more than 200 residents. A resident inquired about parking. Tim addressed parking will not be affected, there is also the possibility of the newly purchased parcel adjacent for overflow. The new structure will include 5 bays, 4 for trucks and 1 for washing trucks/equipment.

**Keller Builders present on plans for proposed fire station-** Keller Builders provided a power point presentation on the preliminary design. Kelly Claflin of Keller gave a brief background of their extensive work in Fire Stations which includes BUG Fire. He explained they are the construction management team and will bid out for the best opportunity and cost in the area. Their drawings were heavily based off on data collected from the need's assessment. The three main categories were depicted as the garages, office, and mezzanines. *Copies of the presentation are available in the Town Office.*

Bob Bultman would like to see "greener" infrastructure be implemented. Kelly said this is a bonus and could be discussed.

Exercise equipment was discussed and reported this will be funded by donations

Chairman Smith reported the newly purchased parcel (Dorlenes) will not be included in the plans for the station.

Keller would make a timeline for construction if the project is approved. Keller reported this is a more favorable time of year to bid a project.

**Motion made/second Charles Tishler/Sam Pearlman to grant authority to the Town Board to build the proposed fire station, parcel number 0020320302811J, located at 2404 Park Rd. Carried.**

Haley Adams and Katie Virlee will pass out ballots.

100- YES

3-NO

1-Blank

Due to the state limitation, we can only borrow to the cap, and only able to go up the rate of construction. Lois Pluff reported at the end of 2019 one million and eight thousand. She reported there are 6 outstanding some including Toft House, Marina, Public Works building, 40 acres, Dorlene's Property and Anlcam. This new loan payment (fire station) would be on the top of your property taxes.

Motion made/second to adjourn Bill Becker/Tim Tishler at 8:07PM. Carried.

These minutes are subject to correction at the next regular monthly Town Board meeting.

Haley Adams, Clerk

RECEIVED

JUL 26 2019

DOOR COUNTY LAND USE SERVICES DEPARTMENT

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

**APPLICATION FOR MAJOR LAND DIVISION  
PRELIMINARY PLAT APPROVAL**

1. NAME AND ADDRESS OF PROPERTY OWNER  
Name GREAT NORTHERN DEV. CORP  
Street 3860 C.T.H. "F"  
City FISH CREEK State WI Zip 54212  
Home Telephone # \_\_\_\_\_  
Daytime Telephone # 920-421-0710  
(If additional property owners, list them below)

Name \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Telephone # \_\_\_\_\_  
Daytime Telephone # \_\_\_\_\_

2. LOCATION OF MAJOR LAND DIVISION  
Tax Parcel No. 014-02-32312733B  
Section 32 Town 31 North, Range 27 East  
Town of: GIBRALTAR

3. TOTAL NUMBER OF PARCELS CREATED  
Number of parcels 12

4. NAME OF PLAT  
Title Under Which the Plat is To Be Recorded:  
THE UPLANDS AT COTTAGE ROW  
A CONDOMINIUM

5. SURVEYOR AND/OR AGENT  
Surveyor BRIAN FRISQUE SURVEYS  
Primary Contact BRIAN FRISQUE  
Phone No. 920-493-7183  
Agent \_\_\_\_\_  
Phone No. \_\_\_\_\_

6. IMPROVEMENTS  
Attach a statement of any improvements proposed to be provided by the applicant.

7. PRELIMINARY PLAT FEE  
A. \$500.00 plus \$25.00 for each parcel created. Include cash or check payable to the Door County Treasurer in the amount of \$ 800.  
B. Final Plat Fee - \$350.00.

8. SIGNATURE OF APPLICANT OR AGENT  
  
Date 7-19-2019

**PRELIMINARY PLAT**

Receipt No. 2485 Fee 800<sup>00</sup> Date 7-26-19

**ACTION TAKEN BY RESOURCE PLANNING COMMITTEE**

\_\_\_\_\_ Approved \_\_\_\_\_ Approved w/Conditions \_\_\_\_\_ Rejected \_\_\_\_\_ Date \_\_\_\_\_

**FINAL PLAT**

Receipt No. \_\_\_\_\_ Fee \_\_\_\_\_ Date \_\_\_\_\_

**ACTION TAKEN BY PLANNING DEPARTMENT**

\_\_\_\_\_ Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Date \_\_\_\_\_

PRELIMINARY MAJOR LAND DIVISION PLAT

THE UPLANDS AT COTTAGE ROW, A CONDOMINIUM

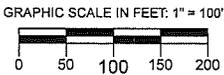
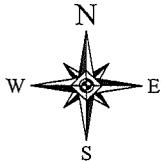
LOCATED IN:

THE SW 1/4 OF THE SW 1/4 OF SECTION 32, T. 31 N., R. 27 E., TOWN OF GIBRALTAR, DOOR COUNTY, WISCONSIN

RECEIVED

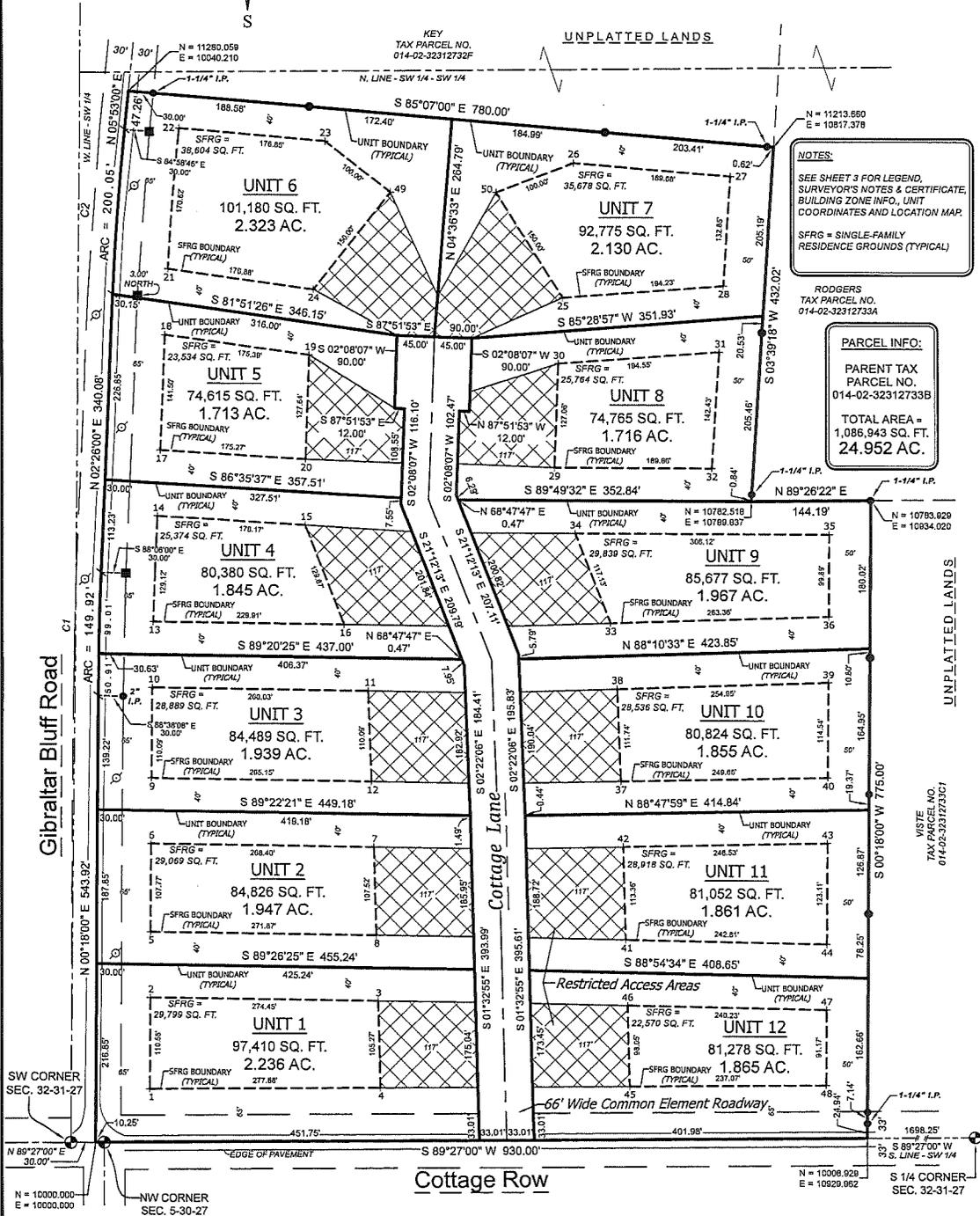
FEB 24 2020

DOOR COUNTY LAND USE SERVICES DEPARTMENT



PRELIMINARY MAJOR LAND DIVISION PLAT

PRELIMINARY MAJOR LAND DIVISION PLAT



NOTES: SEE SHEET 3 FOR LEGEND, SURVEYOR'S NOTES & CERTIFICATE, BUILDING ZONE INFO., UNIT COORDINATES AND LOCATION MAP. SFRG = SINGLE-FAMILY RESIDENCE GROUNDS (TYPICAL)

PARCEL INFO: PARENT TAX PARCEL NO. 014-02-32312733B TOTAL AREA = 1,086,943 SQ. FT. 24.952 AC.

RODGERS TAX PARCEL NO. 014-02-32312733A

WISE TAX PARCEL NO. 014-02-32312733C

CURVE DATA:

NUMBER	CHORD BEARING	LONG CHORD	DELTA ANGLE	ARC LENGTH	RADIUS
C1	N 01°22'00" E	149.91	02°08'00"	149.92	4026.42
C2	N 04°09'30" E	200.02	03°20'07"	200.05	3436.49

February 17, 2020 D-110912-CONDO.dwg Drawn By: D.F.H. II JOB#: D-110912 SHEET 1 OF 2

PRELIMINARY MAJOR LAND DIVISION PLAT

- PRELIMINARY MAJOR LAND DIVISION PLAT -

THE UPLANDS AT COTTAGE ROW,  
A CONDOMINIUM

LOCATED IN:  
THE SW 1/4 OF THE SW 1/4 OF SECTION 32, T. 31 N., R. 27 E.,  
TOWN OF GIBRALTAR, DOOR COUNTY, WISCONSIN

RECEIVED

FEB 24 2020

DOOR COUNTY  
LAND USE SERVICES DEPARTMENT

PREPARED FOR:

CURRENT OWNER:  
GREAT NORTHERN DEVELOPMENT CORPORATION  
3860 C.T.H. "F"  
FISH CREEK, WI 54212  
920-868-3611

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.  
BRIAN D. FRISQUE  
PROFESSIONAL LAND SURVEYOR  
3121 MATHEY ROAD  
STURGEON BAY, WI 54235  
(920) 743-7183  
brianfrisquesurveysinc@gmail.com

LEGEND

- ⊙ = U.S. PUBLIC LAND SURVEY CORNER (EXISTING DOOR COUNTY MONUMENT)
- = EXISTING 1" IRON PIPE (UNLESS NOTED)
- = EXISTING CONCRETE MARKER
- ∅ = UTILITY POLE
- ▨ = COMMON ELEMENT (66' WIDE PRIVATE ACCESS & UTILITY EASEMENT)
- ▩ = RESTRICTED ACCESS AREA

SURVEYOR'S NOTES:

BEARINGS REFERENCED TO THE SOUTH LINE OF THE SW 1/4 OF SECTION 32-31-27 BEARING S 89°27'00" W BASED FROM PREVIOUS SURVEY, MAP #017490, DATED AUGUST 5, 2013.

INTERIOR UNIT BOUNDARY AND RIGHT-OF-WAY CORNERS MARKED WITH 1" IRON PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT.

ALL UNITS MUST GAIN ACCESS FROM THE 66' WIDE COMMON ELEMENT ROADWAY SHOWN AS COTTAGE LANE. NO ACCESS WILL BE PERMITTED FROM THE TOWN ROADS KNOWN AS COTTAGE ROW & GIBRALTAR BLUFF ROAD.

NOTE:

As provided in the Condominium Declaration for "The Uplands at Cottage Row, A Condominium", the Declarant, Great Northern Development Corporation, has granted a utility easement, on, under, and across the 66'-wide common element roadway which extends northward from the northerly right-of-way of Cottage Row Road to the north line of Units 5 and 8 to Wisconsin Public Service Corporation and to any public or semi-public utility companies, easements and rights-of-way for the erection, construction, and maintenance of all wires, pipes, and conduits for the transmission of electricity, gas, water, telephone, and for other purposes, for sewers, storm water drains, gas mains, water pipes and mains, and similar services, and for performing any public or quasi-public utility function that the Board of Directors may deem fit and proper for the improvement and benefit of the Condominium. Such easements and rights-of-way shall be confined in underground pipes or other conduits, with the necessary rights of ingress and egress and with the rights to do whatever may be necessary to carry out the purposes for which the easement is created. All of the pipes, wires, and other utility lines shall be installed underground only.

Utility easements which serve the Individual Units and extend from the common element roadway into each Unit shall be granted by the Declarant or the Association on a case-by-case basis and all utility lines placed thereon shall be installed underground only.

SINGLE FAMILY RESIDENCE GROUNDS = SFRG

PRINCIPAL STRUCTURES:  
150' PRIVATE ROAD (PLATTED CENTERLINE) SETBACK  
65' TOWN ROAD (PLATTED CENTERLINE) SETBACK  
50' REAR-YARD SETBACK  
40' SIDE-YARD SETBACK

Convent.

Single Family Residence Grounds depicted on Sheet 1 are based on zoning setbacks in effect at the time this map was produced and should not be relied upon without first obtaining written verification thereof from the Door County Land Use Services Department. Zoning any other local zoning authorities.

ALL UNITS SHALL BE ACCESSED FROM COTTAGE LANE.

SURVEYOR'S CERTIFICATE:

I, Brian D. Frisque, Professional Land Surveyor for Brian Frisque Surveys Inc., do hereby certify that under the direction of Great Northern Development Corporation, owner, I have surveyed the following described parcel.

A tract of land located in the Southwest one-quarter of the Southwest one-quarter of Section 32, Township 31 North, Range 27 East, Town of Gibraltar, Door County, Wisconsin and described as follows:

Commencing at the Southwest corner of said Section 32, thence N 89°27'00" E along the south line of said Southwest one-quarter 30.00 feet to the intersection with the platted centerline of Gibraltar Bluff Road and the point of beginning, thence northeasterly along said platted centerline as follows; N 00°18'00" E 543.92 feet, thence 149.92 feet along the arc of a curve to the right whose chord bears N 01°22'00" E (Long Chord = 149.91, Delta Angle = 02°08'00", Radius = 4026.42), thence N 02°26'00" E 340.08 feet, thence 200.05 feet along the arc of a curve to the right whose chord bears N 04°09'30" E (Long Chord = 200.02, Delta Angle = 03°20'07", Radius = 3436.49), thence N 05°53'00" E 47.26 feet, thence S 65°07'00" E 780.00 feet, thence S 03°30'18" W 432.02 feet, thence N 89°26'22" E 144.19 feet, thence S 00°18'00" W 775.00 feet to the intersection with the south line of said Southwest one-quarter, thence S 89°27'00" W along said south line 930.00 feet to the point of beginning.

Said tract contains 24.952 acres of land.

The southerly 33 feet of the above described tract is subject to the rights of the public for use as a town road presently known as Cottage Row and the westerly 30 feet of the above described tract is subject to the rights of the public for use as a town road presently known as Gibraltar Bluff Road.

Also, subject to and benefited by a 66 foot wide Access and Utility Easement known as Cottage Lane as shown on sheet 1.

I further certify that the adjacent map is a true representation to the best of my knowledge and belief of said property and correctly shows the size and location of the property, its exterior boundaries and correct measurements thereof, the location of all visible structures, boundary fences, apparent easements, roadways and visible encroachments, if any.

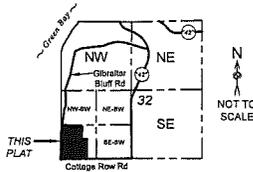
Also, I am a professional licensed land surveyor authorized to practice in this state and that the condominium plat to which this certificate is affixed is a correct representation of the condominium described and that the identification and location of each unit of the condominium and common element thereof can be determined from the plat.

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

Dated \_\_\_\_\_

Brian D. Frisque  
P.L.S. S-2429

February 17, 2020  
D-110912-CONDO.dwg  
Drawn By: D.F.H. II  
JOB#: D-110912  
SHEET 2 OF 2



LOCATION MAP  
SEC. 32, T. 31 N., R. 27 E.  
DOOR COUNTY, WI

SFRG COORDINATES		
NO.	NORTHING	EASTING
1	10085.630	10065.344
2	10176.213	10065.823
3	10173.551	10340.364
4	10058.998	10343.009
5	10258.213	10068.342
6	10263.979	10068.809
7	10361.039	10335.294
8	10253.558	10338.200
9	10443.979	10077.325
10	10554.089	10077.602
11	10551.075	10327.910
12	10441.075	10332.460
13	10534.058	10365.354
14	10783.073	10074.428
15	10752.487	10252.280
16	10331.410	10289.252
17	10543.013	10077.823
18	10888.878	10084.022
19	10980.147	10257.537
20	10832.599	10252.782
21	11088.821	10087.873
22	11234.728	10100.883
23	11217.757	10215.122
24	11040.347	10261.658
25	11030.854	10566.845
26	11181.155	10378.008
27	11177.889	10784.987
28	11048.475	10756.723
29	10923.241	10550.941
30	10986.734	10557.681
31	10888.427	10751.810
32	10822.883	10743.300
33	10833.980	10620.047
34	10743.164	10577.682
35	10742.231	10583.830
36	10642.344	10583.277
37	10442.598	10832.868
38	10554.174	10628.039
39	10582.290	10882.858
40	10447.755	10882.259
41	10248.247	10830.428
42	10362.585	10935.382
43	10387.729	10881.840
44	10244.625	10881.185
45	10071.178	10843.240
46	10189.191	10840.591
47	10194.818	10880.778
48	10073.454	10880.299
49	11157.751	10355.683
50	11157.751	10462.863

- PRELIMINARY MAJOR LAND DIVISION PLAT -

- PRELIMINARY MAJOR LAND DIVISION PLAT -

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*Note: Ordinance 2019-04 (4 April 2019) replaced all references throughout this ordinance to the "Door County Planning Department" with "Door County Land Use Services Department".*

## CHAPTER 1 GENERAL PROVISIONS

**1.01 Title.** This Ordinance shall be known as the "Door County Land Division Ordinance", hereinafter referred to as "this Ordinance."

**1.02 Authority.** The provisions of this Ordinance are adopted by the Door County Board of Supervisors pursuant to the authority granted by ss. 236.45 and 703.27, Wis. Stats.

**1.03 Purpose and Intent.** The purpose and intent of this Ordinance are to act in accordance with ss. 59.692, 236.45, and 703.27(1), Wis. Stats., NR 115.05(2), Wis. Admin. Code, and to accomplish the goals listed below. (Amended: 27 February 2018, Ord. No. 2018-03; Effective: 04 March 2018)

- (1) Promote the orderly layout of lots, units, and vehicular rights-of-way.
- (2) Ensure accurate legal descriptions of lots and units.
- (3) Ensure proper monumenting of lots and units.
- (4) Ensure adequate storm water management, when necessary.
- (5) Ensure a system for review of proposed site condominiums that is identical to the review procedures for land divisions. Such review of site condominiums is deemed appropriate because they function in the same manner as, and have the same neighborhood and environmental impacts as, land divisions.

**1.04 "State Plats."** Land divisions that result in a "subdivision" as defined in s. 236.02(12), Wis. Stats. (such land divisions commonly referred to as "state plats"), are subject to both the applicable requirements of Chapter 236, Wis. Stats., and this Ordinance.

### **1.05 Abrogation and Interpretation.**

- (1) It is not the intent of this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, or regulations or permits previously adopted or issued pursuant to laws. After enactment, where it imposes greater restrictions, the provisions of this Ordinance shall govern.
- (2) This Ordinance shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any requirement or power granted or appearing in this Ordinance or elsewhere relating to the subdivision or other division of land or creation of a site condominium.
- (3) Nothing in this Ordinance shall be construed to prohibit a town from adopting an ordinance. Where a town has adopted a land division ordinance pursuant to the authority granted to the town by ss. 60.22(3), 236.45, or 703.27, Wis. Stats., the subdivider or declarant shall first obtain approval from such town in which the land division or site condominium is located, prior to submittal to the County.
- (4) State plats abutting a state trunk highway are subject to and shall comply with all applicable Wisconsin Administrative Codes. The onus relative to applicability of, compliance with, or waiver from Wisconsin Administrative Codes lies with the landowner.

**1.06 Effective Date.** Upon enactment, this Ordinance and any amendments shall be in effect the day following publication.

**1.07 Severability.** If any provision of this Ordinance is held to be invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Ordinance shall not be affected thereby and shall be valid and in force to the fullest extent permitted by law.

**1.08 Applicability.** The provisions of this Ordinance shall apply to divisions of land or creation of site condominiums in the unincorporated areas of the County as follows:

(1) Land divisions that create 4 or fewer parcels that are less than 10 acres in area, either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years, shall comply with the requirements of Chapter 2, Minor Land Divisions.

(2) Land divisions that create 5 or more parcels that are less than 10 acres in area, either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years, shall comply with the requirements of Chapter 3, Major Land Divisions.

(3) Site condominiums that create 4 or fewer units that are less than 10 acres in area, either as an original condominium or an addition to a condominium under s. 703.26, Wis. Stats. by either the same or subsequent owner(s) within a period of 5 years, shall comply with the requirements of Chapter 4, Minor Site Condominiums.

(4) Site condominiums that create 5 or more units that are less than 10 acres in area, either as an original condominium or an addition to a condominium under s. 703.26, Wis. Stats. by either the same or subsequent owner(s) within a period of 5 years, shall comply with the requirements of Chapter 5, Major Site Condominiums.

(5) Exceptions. The provisions of this Ordinance shall not apply to:

(a) Transfers of interest in land by will or pursuant to court order.

(b) Leases for a term not to exceed 10 years, mortgages, or easements.

(c) The sale or exchange of parcels of land between owners of adjoining property if additional lots or units are not thereby created and the lots or units resulting are not reduced below the minimum sizes required by this or other applicable ordinances or laws.

(d) Cemetery plats created under s. 157.07, Wis. Stats.

(e) Assessors plats created under s. 70.27, Wis. Stats, but such plats shall comply with ss. 236.15(1)(a) to (g), 236.20(1), and 236.20(2)(a) to (e), Wis. Stats., unless waived under s. 236.20(2)(L), Wis. Stats.

(f) Condominium plats created under Ch. 703, Wis. Stats., except for site condominium plats.

**1.09 Compliance.** Any division of land or creation of a condominium subject to the requirements of this Ordinance shall not be entitled to recording unless such division or condominium is in compliance with all the requirements of this Ordinance. All approved certified survey maps, major land division plats, and site condominium plats shall be filed for recording with the Register of Deeds of Door County prior to transferring ownership of any lots created by a land division or units created by a condominium.

**CHAPTER 5  
MAJOR SITE CONDOMINIUMS**

**5.01 General.**

(1) Establishment of site condominium plats that create 5 or more units that are less than 10 acres in area, either as an original condominium or an addition to a condominium under s. 703.26, Wis. Stats. by either the same or subsequent owner(s) within a period of 5 years, shall comply with the requirements of this chapter.

(2) Municipal landfills shall not be used to create units.

**5.02 Conceptual Sketch Plan.**

(1) Submittal and Information Requirements. Before submitting a preliminary major site condominium plat for approval, the declarant shall prepare a conceptual sketch plan and shall submit to the Land Use Services Department one 24 inch by 36 inch copy of the plan and one copy of the plan reduced to 11 inches by 17 inches. The conceptual sketch plan shall have the date the map was prepared and contain or have attached thereto the following information:

(a) Existing Conditions.

1. Total acreage of the entire area proposed for development.
2. Topographic data provided at vertical intervals of 2 feet.
3. Municipal boundaries, government section lines, and government lot lines within the area proposed for development.
4. Owners of lands abutting the area proposed for development.
5. Location of existing natural and built features within the area proposed for development.
  - a. Lakes, ponds, navigable streams, wetlands, escarpment areas, and regional flood elevation and floodway data. (Amended: 27 February 2018, Ord. No. 2018-03; Effective 04 March 2018)
  - b. Utilities and utility easements, including sewers, water mains, power transmission poles and lines, and underground utilities.
  - c. Right-of-way width of roads, alleys, and easements.
  - d. Buildings, structures, and driveways.
6. Parcel Identification Numbers for all units proposed to be included in the condominium plat.

(b) Design Features.

1. Number and layout of units.
  - a. Area of units in square feet.
  - b. Building zones, if applicable. Where s. 236.02(12), Wis. Stats., is applicable and any portion of the platted property abuts a highway under its jurisdiction, the setbacks

per Trans 233.08(1) – (3), Wisconsin Administrative Code shall be shown. (Amended: 26 March 2019, Ord. No. 2019-02; Effective 4 April 2019)

2. Layout of roads and alleys.
3. Location of common elements.
4. Location of limited common elements.

(c) Supplementary Data.

1. Provision for water supply.
2. Provision for sewage disposal.

(2) Review. After the Land Use Services Department has determined the conceptual sketch plan to be complete and accurate, it will be scheduled for review at the next available Committee meeting. The declarant or an agent acting on behalf of the declarant shall present the conceptual sketch plan to the Committee in order to facilitate discussion regarding the layout and design of the proposed condominium plat.

**5.03 Preliminary Major Site Condominium Plat.** The preliminary major site condominium plat shall be prepared by a professional land surveyor and shall conform to the requirements of this Ordinance. Such plat shall conform substantially to the conceptual sketch plan presented to the Committee. (Amended: 24 March 2015, Ord. No. 2015-03; Effective 30 March 2015)

(1) Submittal and Information Requirements. The declarant shall prepare and file with the Land Use Services Department one full-size copy and one copy reduced to 11 inches by 17 inches of all pages of the preliminary condominium plat. The preliminary plat shall contain or have attached thereto all of the information required by 5.02(1) and Chapter 6, Design Standards, Improvements and Dedications, and the following:

- (a) Date of preparation and date of subsequent revisions.
- (b) Names, phone numbers, and addresses of the declarant, any agent having control of the land, surveyor, and engineer of the plan and certification of ownership or declarant's authorization of agent.
- (c) Proposed name of the condominium. Such name shall not duplicate or be alike in pronunciation of any condominium plat heretofore recorded in the County, unless considered an addition to an existing condominium plat.
- (d) Legal description and survey of the property as provided in s. 703.11(2)(b), Wis. Stats.
- (e) Graphic scale not more than one inch to 100 feet, unless agreed to by Land Use Services Department staff.
- (f) Small detailed scale drawing of the area proposed for development in relation to its location within the section(s).
- (g) North point arrow or symbol.
- (h) Proposed names of roads.
- (i) Locations and widths of proposed sidewalks and hiking or biking paths or trails.

(j) Any sites, in addition to roads, sidewalks, hiking or biking paths or trails, and utility easements, intended to be dedicated or reserved for parks or other public use. The dimensions and acreage of such sites shall be shown.

(k) Dimensions of blocks, units, common elements, and limited common elements.

(l) A unit identification system as provided in s. 703.11(3), Wis.Stats.

(m) Written explanation of the proposed condominium declaration.

(n) Wetland delineation report and map reviewed by and approved by the Land Use Services Department, if applicable.

(2) Review and Decision.

(a) A complete preliminary condominium plat application shall include supporting materials and shall comply with this Ordinance as in effect when the declarant submitted the preliminary plat application. The Committee shall review and approve, approve conditionally, or reject the preliminary plat application and shall state in writing any conditions of approval or reasons for rejection. Conditions of approval may include the kind and extent of improvements to be made by the declarant.

(b) Failure of the Committee to act within 40 calendar days of submittal of a complete preliminary condominium plat application shall constitute an approval of the preliminary plat, unless such time is extended by agreement between the County and the declarant.

**5.04 Final Major Site Condominium Plat.** The final major site condominium plat shall be prepared by a professional land surveyor and shall conform to the requirements of this Ordinance. Such plat shall conform substantially to the approved preliminary plat, except contour lines do not have to be shown. (Amended: 24 March 2015, Ord. No. 2015-03; Effective 30 March 2015)

(1) Submittal and Information Requirements. The applicant shall prepare and file with the Land Use Services Department the final plat in accordance with s. 703.11(2)(d), Wis. Stats. and the following:

(a) The final plat shall show the location and provide a description of survey monuments.

(b) A copy of the final condominium declaration.

(c) Certificates. All final plats shall provide all the certificates required by s. 703.11(4), Wis. Stats. Where s. 236.02(12), Wis. Stats., is applicable and any portion of the platted property abuts a highway under its jurisdiction, the Wisconsin Department of Transportation Trans 233 Certification Number shall be provided. (Amended: 26 March 2019, Ord. No. 2019-02; Effective 4 April 2019)

(d) The final condominium plat shall show on its face all lands reserved for future public dedication or reserved for the common use of unit owners within the plat. If common property is located within the plat, then provisions for its use, maintenance, and ownership must also be provided with the plat.

(e) The final plat shall show on its face evidence of acceptance of any dedications by the governmental entity(ies) receiving the dedications.

(f) A complete final condominium plat application shall include any agreements required, such as but not limited to storm water runoff management plans and road agreements, as approved by the county and recorded by the declarant.

(2) Review and Decision.

(a) A final condominium plat is entitled to approval if it is submitted within 36 months after approval of the preliminary plat and conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to county ordinances adopted as authorized by law. If the final condominium plat is not submitted within 36 months after approval of the preliminary plat, any approving authority may refuse to approve the final plat or may extend the time for submission of the final plat. The final condominium plat may, if permitted by the approving authority, constitute only that portion of the approved preliminary plat that the declarant proposes to record at that time.

(b) The Land Use Services Department shall approve or reject the final plat and shall state in writing any reasons for rejection. If approved, a written statement certifying approval shall be affixed to the condominium declaration and plat.

(c) The Land Use Services Department shall act within 40 calendar days of final plat submittal, unless such time is mutually extended by both parties, or unless the approval of the governmental entity(ies) is required under s. 5.05, Major Site Condominiums Involving Dedication of Land. Failure of the Land Use Services Department to act within the time limits imposed in this subsection shall constitute an approval.

**5.05 Major Site Condominiums Involving Dedication of Land.** Major site condominiums that involve the dedication of public rights-of-way or other dedications of public lands shall require approval of the applicable governmental entity(ies). The Land Use Services Department shall not approve such major site condominiums until approval of the applicable governmental entity(ies) has been obtained.

**5.06 Recordation.** The final condominium plat shall be recorded within 12 months of the date of the last approval of the plat and within 36 months after the first approval. Failure to record the plat within the time specified shall nullify the approval of the final plat.

**5.07 Modifications and Corrections.** Any modification or correction of a recorded site condominium plat or part thereof shall conform to all requirements of this Ordinance and shall be done in accordance with s. 703.095, Wis. Stats.

**CHAPTER 6  
DESIGN STANDARDS, IMPROVEMENTS AND DEDICATIONS**

**6.01 Roads and Alleys.** These standards shall apply to roads or alleys being created or those portions of existing roads being extended to accommodate land divisions and condominiums reviewed under this ordinance.

(1) Requirements for All Private and Public Roads.

(a) Proposed road names shall conform to the Door County Uniform Addressing System Ordinance.

(b) Ingress to and egress from all lots and units shall be via the lowest class road available. An access restriction clause shall be affixed to the face of the certified survey map or plat to ensure access from the lowest class road.

(2) Private Roads.

(a) Requirements for Roads Serving Minor Land Divisions (certified survey maps) or Minor Site Condominiums.

1. Roads shall terminate within at least one of the lots or units such that the road may not be extended to serve more than 4 lots or units. Roads that do not terminate within at least one of the lots or units shall possess the characteristics as described in s. 6.01(2)(b)3.

2. Roads shall have a minimum right-of-way width of 30 feet and a minimum travel surface width of 16 feet.

3. The centerline radius shall be a minimum of 50 feet at all changes in direction of roads, except at T-intersections and crossroad intersections.

4. The road shall be designed with width, surface, and grade to assure safe passage and maneuverability of private vehicles and police, fire, ambulance, and other safety vehicles.

(b) Requirements for Roads Serving Major Land Divisions or Major Site Condominiums.

1. A design/construction plan shall be submitted by a professional engineer registered in the State of Wisconsin. Plans need to be in compliance with professional road engineering standards.

2. The road shall be designed with width, surface, and grade to assure safe passage and maneuverability of private vehicles and police, fire, ambulance, and other safety vehicles.

3. The road shall not have less than 66 feet of right-of-way width, 22 feet of roadway width, and 18 feet of travel surface width.

4. Spacing of private road intersections along arterial roads shall be at least 2,640 feet, wherever practicable.

5. Road intersections with centerline offsets shall not be less than 250 feet between intersections.

6. Not more than 2 roads shall intersect at one point.

7. The intersection angle of a road to a road shall not be less than 75 degrees.

8. A cul-de-sac shall not exceed 1,000 feet in length, unless a greater distance is approved by the Committee.

9. If a cul-de-sac is to be used, the outside travel surface within the bulb of a cul-de-sac shall have a minimum radius of 45 feet.

10. The road shall have a vertical clear zone of 14 feet and a horizontal clear zone of 22 feet.

11. The road rights-of-way shall be platted as an outlot in major land divisions or as a common element in major site condominiums.

12. The centerline radius shall be a minimum of 50 feet at all changes in direction of the road, except at T-intersections and crossroad intersections.

13. The Committee may require that provision be made for the extension of a cul-de-sac to the boundary of a major land division or major site condominium.

(c) A recorded and binding private road agreement shall be required. This agreement shall contain the following provisions: (Amended: 24 March 2015, Ord. No. 2015-03; Effective 30 March 2015)

1. The subdivider or declarant, or their designee, is solely responsible for: (Amended: 26 March 2019, Ord. No. 2019-02; Effective 4 April 2019)

- Compliance with s. 6.01(1)(a) and (b) and either s. 6.01(2)(a), or s.6.01(2)(b), as applicable.
- Road construction.

2. The owner(s) of lots and units that benefits from the road are solely responsible for:

- Road maintenance and repair, including dust control, snow and ice removal, and elimination of potholes and rutting, maintenance of required clear zones; and
- Ensuring potential passage by law enforcement vehicles, fire trucks, ambulances and other emergency vehicles, and vehicles for sanitation purposes (trash, recycling, and private septic system maintenance and repair).

3. The County is not obliged to accept the road into the county-maintained road system and that County is not responsible for road construction or road maintenance and repair, as described in a. above.

### (3) Public Roads.

(a) Roads that are to be dedicated as public roads shall be constructed according to the standards established by the governmental entity(ies) accepting the roads.

(b) Roads that are to be dedicated as public roads shall require acceptance of the dedication by the governmental entity(ies) to receive the dedication.

### (4) Alleys.

(a) A design/construction plan shall be submitted by a professional engineer registered in the State of Wisconsin. Plans need to be in compliance with professional engineering standards.

(b) Alleys shall have a minimum right-of-way width and hard subsurface of 20 feet and a maximum right-of-way width of 30 feet. A minimum of 15 feet within the alley right-of-way shall be surfaced with gravel or paved and pitched to prevent ponding.

(c) The alley shall have a vertical clear zone of 14 feet and a horizontal clear zone of 20 feet.

(d) Alleys shall not exceed 600 feet in length, as measured from the intersecting road rights-of-way.

(e) The intersection angle of an alley to a road shall not be less than 75 degrees.

(f) Dead-end alleys shall be prohibited.

(g) Alley rights-of-way shall be platted as outlots in the case of major land divisions or as common elements in the case of major site condominiums.

(h) A recorded and binding private alley agreement shall be required. This agreement shall contain the following provisions:

a. The subdivider or declarant is solely responsible for alley construction.

b. The owner(s) of lots and units that abut an alley are solely responsible for:

- Alley maintenance and repair, including dust control, snow and ice removal, and elimination of potholes and rutting, maintenance of required clear zones; and
- Ensuring potential passage by law enforcement vehicles, fire trucks, ambulances and other emergency vehicles, and vehicles for sanitation purposes (trash, recycling, and private septic system maintenance and repair).

(i) Alleys that are to be dedicated as public alleys shall require acceptance of the dedication by the governmental entity(ies) to receive the dedication.

**6.02 Lots and Units.** The following requirements shall apply to minor and major land divisions and minor and major site condominiums, unless otherwise specified.

(1) No lot or unit shall be approved that does not have road access. Any lot that abuts an alley shall also abut a road. Property owners shall be responsible for securing road access. (Amended: 26 March 2019, Ord. No. 2019-02; Effective 4 April 2019)

(2) Lot and unit area and width shall conform to the requirements of the Door County Zoning Ordinance, if applicable. Where the lot or unit is not under the jurisdiction of the Door County Zoning Ordinance, the lot or unit area shall not be less than 1.5 acres.

(3) Side lot or unit lines shall be at an angle of at least 75 degrees to the road right-of-way.

(4) Lot or unit lines shall follow municipal boundary lines rather than cross them.

(5) For major land divisions and major site condominiums, double frontage lots and units shall be disallowed, except where lots and units abut an existing or proposed arterial road or where necessary to overcome specific disadvantages of topography and orientation.

(6) All lots and units created that fall under county or town jurisdiction for building setbacks shall depict the building zone for each lot or building site, or, if more restrictive, the building zone designated by the developer. The building zone shall be clearly designated as the "building zone" and a written statement shall be prominently displayed on the CSM or final plat stating that the

depicted building zones are based on setbacks in effect at time of final approval and should not be relied upon without first obtaining written verification thereof from the appropriate agency(ies).

(7) Ordinary High Water Mark

- (a) Property lines for all lots and units that front navigable water shall go to the water's edge and shall be shown on the CSM or final plat with the following statement included: "Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution." (Added: 24 March 2015, Ord. No. 2015-03; Effective 30 March 2015) (Amended: 27 February 2018, Ord. No. 2018-03; Effective 04 March 2018)
- (b) Any CSM or final plat that show an approximate ordinary high water mark shall state on its face that the mark is shown for reference only. (Added: 24 March 2015, Ord. No. 2015-03; Effective: 30 March 2015) (Amended: 27 February 2018, Ord. No. 2018-03; Effective 04 March 2018)
- (c) If the building zone described in par. (a) includes an ordinary high water mark setback, this setback shall be in effect if all of the following apply: (Amended: 27 February 2018, Ord. No. 2018-03; Effective 04 March 2018)
  - 1. The map, plat, or survey was prepared by a professional land surveyor, licensed under Ch. 443, Wis. Stats., after April 28, 2016.
  - 2. The Wisconsin Department of Natural Resources has not identified the ordinary high water mark on its Internet site as is required under s. 30.102, Wis. Stats.

(8) Floodplain. All CSMs or plats located in the floodplain districts described in ss. 1.5(1) and (2), Door County Floodplain Ordinance, shall show the following: (Amended: 27 February 2018, Ord. No. 2018-03; Effective 04 March 2018)

- (a) Regional flood elevation and floodway data.
- (b) Public utilities and facilities, such as sewer, gas, electrical, and water systems, are located to reduce exposure to flood hazards and minimize or eliminate flood damages.

**6.03 Utility Easements.**

(1) For major land division plats and major site condominium plats, the subdivider or declarant shall provide the Land Use Services Department with correspondence from all relevant utility companies identifying their needs, if any, for easements. Easement areas shall be identified on such plats.

(2) For major land division plats and major site condominium plats, lots and units shall be served by underground electric, gas, telephone, and cable television lines, if available, unless waived by the Committee. Land disturbed by installing the underground lines shall be stabilized by the subdivider or declarant.

**6.04 Blocks.** When blocks are used, the following shall apply:

(1) The length, width, and shape of blocks shall be appropriate to the need for convenient access, control, and safety of street traffic and the limitations and opportunities of the topography.

(2) Blocks shall generally have sufficient width to provide for 2 tiers of lots or building sites of appropriate depth, except one tier of lots or building sites is sufficient where blocks abut a lake, stream, plat boundary, park, or an arterial street.

(3) Within blocks, pedestrian rights-of-way of at least 15 feet in width may be required by the Committee to provide improved circulation or access to schools, playgrounds, parks, shopping centers, waterways, and other community facilities.

(4) Blocks adjoining arterial streets shall be so oriented that the long dimension of the block shall front on the arterial street in order to create as few intersections as possible along the arterial street.

**6.05 Storm Water Runoff Control Plans for Major Land Divisions and Major Site Condominiums.**

(1) For major land divisions and major site condominiums, storm water runoff control plans, as approved by the Door County Soil and Water Conservation Department, shall be presented at the time of preliminary plat submittal. The Door County Soil and Water Conservation Department shall notify the subdivider or declarant in writing of the decision to approve or deny the submitted plan and forward a copy of the decision to the Land Use Services Department.

(2) If required by the County, a "Storm Water Runoff Control Easement" shall be prepared by the applicant and approved by the Door County Soil and Water Conservation Department, Door County Land Use Services Department, and the Door County Corporation Counsel. After the Resource Planning Committee gives preliminary plat approval, but before the Door County Land Use Services Department approves and signs the final plat, the applicant shall record the easement in the Register of Deeds office with Door County listed as the grantee. The easement shall include covenants, terms, conditions, and restrictions to ensure proper installation and the long-term operation and maintenance of such storm water runoff control plan.

**6.06 Public Water/Sanitary Sewer Systems.** In areas that have a public water and/or public sanitary sewer system on or near the proposed major land division or major site condominium, the local municipality furnishing such service shall determine the feasibility of serving the land division or condominium. The Committee may require the subdivider or declarant to join the water and/or sanitary district.

**6.07 Improvements Required.** Prior to the issuance of any zoning or building permit, verification of the installation of all improvements required to be installed by the subdivider or declarant that serve the lot or unit for which the permit is being issued shall be provided to the Land Use Services Department.

**6.08 Land Dedicated to the Public.** All land dedicated to the public, including roads and alleys, shall be clearly marked "Dedicated to the Public." (Added: 24 March 2015, Ord. No. 2015-03; Effective 30 March 2015)

## CHAPTER 8 DEFINITIONS

**8.01 Authority Cited.** References herein to the administrative code, ordinances, or statutes are to those in effect as of the date this Ordinance is enacted and as subsequently amended or revised.

**8.02 Word Usage.** For purposes of this Ordinance, words used in the present tense include the future; singular number includes the plural number; and the plural number includes the singular number. The word “shall” is intended to be mandatory.

**8.03 Definitions.** For purposes of this Ordinance, the following definitions shall be used:

**Alley:** A right-of-way that provides only secondary access to abutting properties and which is not intended for general traffic circulation.

**Arterial Road:** A road used, or intended to be used, primarily for fast or heavy through traffic, including freeways, expressways, as well as standard arterial road, highways and parkways.

**Block:** A group of lots or units existing within well defined and fixed boundaries, bounded on at least one side by a road, bounded on the other sides by other roads, natural or man-made barriers, or unplatted land, and having an assigned number, letter or other name through which it may be identified.

**Building Zone:** The horizontal plane within a lot or unit bounded by all applicable setbacks.

**Certified Survey Map:** A map of a minor land division, as defined in this Ordinance, prepared in accordance with s. 236.34, Wis. Stats.

**Committee:** The Door County Resource Planning Committee.

**Common Element:** All of a condominium except its units.

**Conceptual Sketch Plan:** A concept drawing made to approximate scale of a proposed land division or condominium submitted to the Door County Resource Planning Committee for discussion purposes prior to the filing of a preliminary plat.

**Condominium:** As used in this Ordinance, it shall mean minor site condominiums and major site condominiums, unless one is specifically stated or is implied by context.

**County:** Door County, including any agency, department or committee thereof.

**Cul-de-sac:** A minor road with only one outlet and having a turnaround for the safe and convenient reversal of traffic movement.

**Declarant:** Any owner who subjects his or her property to a condominium declaration established under Ch. 703, Wis. Stats.

**Final Plat:** The map of record of a major land division or major site condominium and any accompanying material.

**Land Division:** The act or process of dividing land into two or more lots.

**Land Use Services Department:** Door County Land Use Services Department.  
(Added: 26 March 2019, Ord. No. 2019-02; Effective 4 April 2019)

**Limited Common Element:** A common element identified in a declaration or on a condominium plat as reserved for the exclusive use of one or more but less than all of the unit owners.

**Lot:** Designated parcel, tract, or area of land established by plat, land division, or as otherwise permitted by law to be used, developed, or built upon.

**Lot Depth:** The shortest distance between the front lot line and the rear lot line.

**Lot Width:** The shortest distance between side lot lines, measured through the midpoint of the shortest line that can be drawn between the front lot line and the rear lot line.

**Lot, Double Frontage:** A lot, other than a corner lot, with frontage on more than one road.

**Lot Line, Front:** The lot line nearest to the centerline of the public or private road from which the lot takes access, except that for essentially rectangular lots abutting cul-de-sacs, the front lot line shall be that lot line that is generally parallel and closest to the centerline of the access road.

**Lot Line, Rear:** In the case of a rectangular or most trapezoidal shaped lots, that lot line that is generally parallel to and most distant from the front lot line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to, and at the maximum possible distance, from the front lot line.

**Lot Line, Side:** Any lot line other than a front or rear lot line.

**Major Land Division:** The creation of five or more parcels that are less than 10 acres in area either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years.

**Major Site Condominium:** The creation of a site condominium containing 5 or more units where the units are less than 10 acres in area either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years.

**Minor Land Division:** The creation of 4 or fewer parcels that are less than 10 acres in area either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years.

**Minor Site Condominium:** The creation of a site condominium containing 4 or fewer units where the units are less than 10 acres in area either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years.

**Outlot:** A parcel of land not to be used for building purposes, so designated on the certified survey map or plat.

**Planning Department:** Door County Planning Department. (Deleted and replaced with Land Use Services Department throughout 26 March 2019, Ord. No. 2019-02; Effective 4 April 2019)

**Plat:** A map of a major land division or major site condominium.

**Preliminary Plat:** A map showing the salient features of a proposed major land division or major site condominium submitted to the Door County Resource Planning Committee for purposes of preliminary consideration.

**Private Road:** A road that has not been dedicated to and accepted by a government entity.

**Professional Land Surveyor:** A person who is granted a license in the State of Wisconsin to engage in the practice of professional land surveying. (Added: 24 March 2015, Ord. No. 2015-03; Effective 30 March 2015)

**Replat:** The process of changing, or the map or plat which changes, the boundaries of a recorded major land division plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.

**Road:** A right-of-way that provides vehicular access to lots, but not including alleys or driveways.

**Road, Minor:** A road used, or intended to be used, primarily for access to abutting properties.

**Site Condominium:** A condominium as provided in Ch. 703, Wis. Stats., whereby the type of "unit" is the first type described in s. 703.02(15), Wis. Stats. Such "unit" provides the unit owner with the right to occupy a specific land area, or site.

**Subdivision:** As used in this Ordinance, the term means the same as a land division, except where it is used with specific reference to s. 236.02(12), Wis. Stats.

**Unit:** The specific land area within which the unit owner has the sole right to occupy, but does not take title.

**Unit Owner:** As defined in s.703.02 (17), Wis. Stats.

**Wetland:** Those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

**Working Day:** Any day in which the office of the Door County Land Use Services Department is open for public business, regardless of whether the office is open for a full day or not.

**MINUTES OF MEETING  
RESOURCE PLANNING COMMITTEE  
August 15, 2019**

Motion by Enigl, seconded by Virlee, to recommend to county board approval of the zoning map amendment petition as requested. Motion carried unanimously.

**6.2 Steven & Katheryn Laubenstein; rezone a 0.652-acre parcel from Countryside (CS) to Commercial Center (CC) to establish a commercial office; 4052 STH 42/57; Sevastopol.**

Motion by Virlee, seconded by Koch, to recommend to county board approval of the zoning map amendment petition as requested. Motion carried unanimously.

**6.3 Daniel D. & Shannon J. Jungwirth; rezone the upland portion of a 2.75-acre parcel from Heartland-3.5 (HL3.5) to Mixed Use Commercial (MC) to make the existing trade and contractor use conforming; 2530 Settlement Road; Liberty Grove.**

Motion by Koch, seconded by Virlee, to recommend to county board approval of the zoning map amendment petition as requested. Motion carried unanimously.

**6.4 Luke Tigges (on behalf of Wergin Family Irrevocable Dynasty Trust); rezone a 2.63-acre parcel from Recreational Commercial (RC) and Estate (ES) to Mixed Use Commercial (MC) to establish a retail use; 4680 Bay Shore Drive (CTH B); Sevastopol.**

Motion by Enigl, seconded by Koch, to recommend to county board denial of the zoning map amendment petition for the following reasons:

1. The members of the town plan commission and town board unanimously voted against the proposed zoning map amendment.
2. The use proposed would change the character of the neighborhood in that it wouldn't be a "neighborhood" business.
3. No detailed building or site plans for the proposed new use were provided.
4. Rezoning the property would allow the possibility of any use allowed in the new zoning district to occur on the property in question. Many of those would be allowed with regular zoning permits (i.e., no public hearing before the Resource Planning Committee).

Motion carried unanimously.

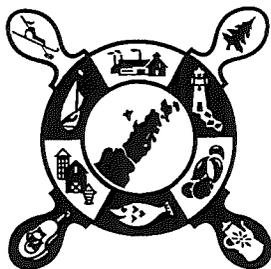
 **7.0 Land division matter.**

**Conceptual plat review for a major site condominium: "The Uplands at Cottage Row"; 12 single-family condominium building sites ranging in size from 1.7 to 2.3 acres; owner Tom Birmingham; Cottage Row; Town of Gibraltar; Small Estate (SE) zoning district.**

After brief review with staff as to major land division processes and discussion with owner Tom Birmingham, there was a motion Koch, seconded by Enigl, approving the owner to move forward with development of a preliminary plat substantially conforming to the conceptual plat, with the request that the owner ensure the proposed road name will meet county addressing standards and that the preliminary plat and/or associated paperwork include any storm water runoff control requirement measures the Soil & Water Conservation Department may require. Motion carried unanimously.

*Chair Fisher noted that County Corporation Counsel Grant Thomas was unable to attend the meeting, so agenda items 8.0 through 11.0 would be addressed at a later meeting.*

**8.0 Convene in closed session pursuant to § 19.85(1)(g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written**



**County of Door**  
**SOIL & WATER CONSERVATION DEPT**

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

---

Phone: (920) 746-2214  
Fax: (920) 746-2369  
swcd@co.door.wi.us

## Memorandum

**To:** Richard Brauer, Zoning Administrator  
**From:** Greg Coulthurst, Conservationist *GC*  
**Date:** 11/19/2019  
**Re:** The Uplands at Cottage Row Stormwater Plan Approval

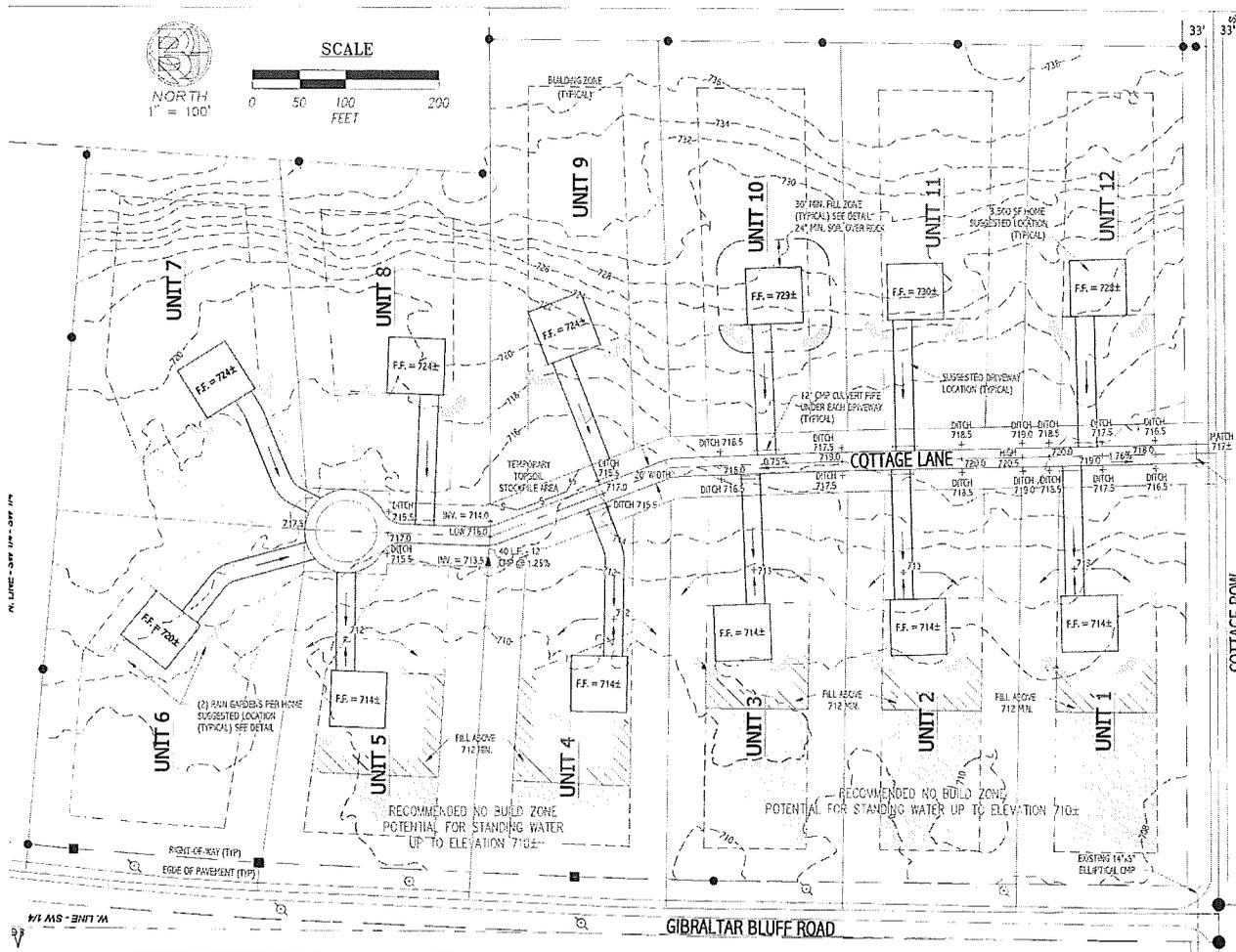
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Please consider this memo as written approval for the Uplands at Cottage Row storm water management plans, received by the SWCD on November 12, 2019 and dated November 11, 2019.

The following conditions of this approval includes:

- The approved Storm Water plans shall be recorded to ensure future landowners are aware of lot requirements.
- Specific rain garden plans for each lot need to have SWCD approval prior to construction of the home.
- SWCD inspection and written approval is required prior to planting of the rain garden to ensure adequate size and depth over bedrock

Please contact me at 746-2275 if you have any questions.



LOCATED IN:  
 THE SW 1/4 OF THE SW 1/4 OF  
 SECTION 32, TOWNSHIP 31 N., RANGE 27 E.,  
 TOWN OF GIBLARTAR,  
 DOOR COUNTY, WISCONSIN

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1 of 8	GRADING PLAN
2 of 8	EROSION CONTROL PLAN
3 of 8	CONSTRUCTION DETAILS
4 of 8	CONSTRUCTION DETAILS
5 of 8	CONSTRUCTION DETAILS
6 of 8	CONSTRUCTION DETAILS
7 of 8	CONSTRUCTION DETAILS
8 of 8	CONSTRUCTION DETAILS

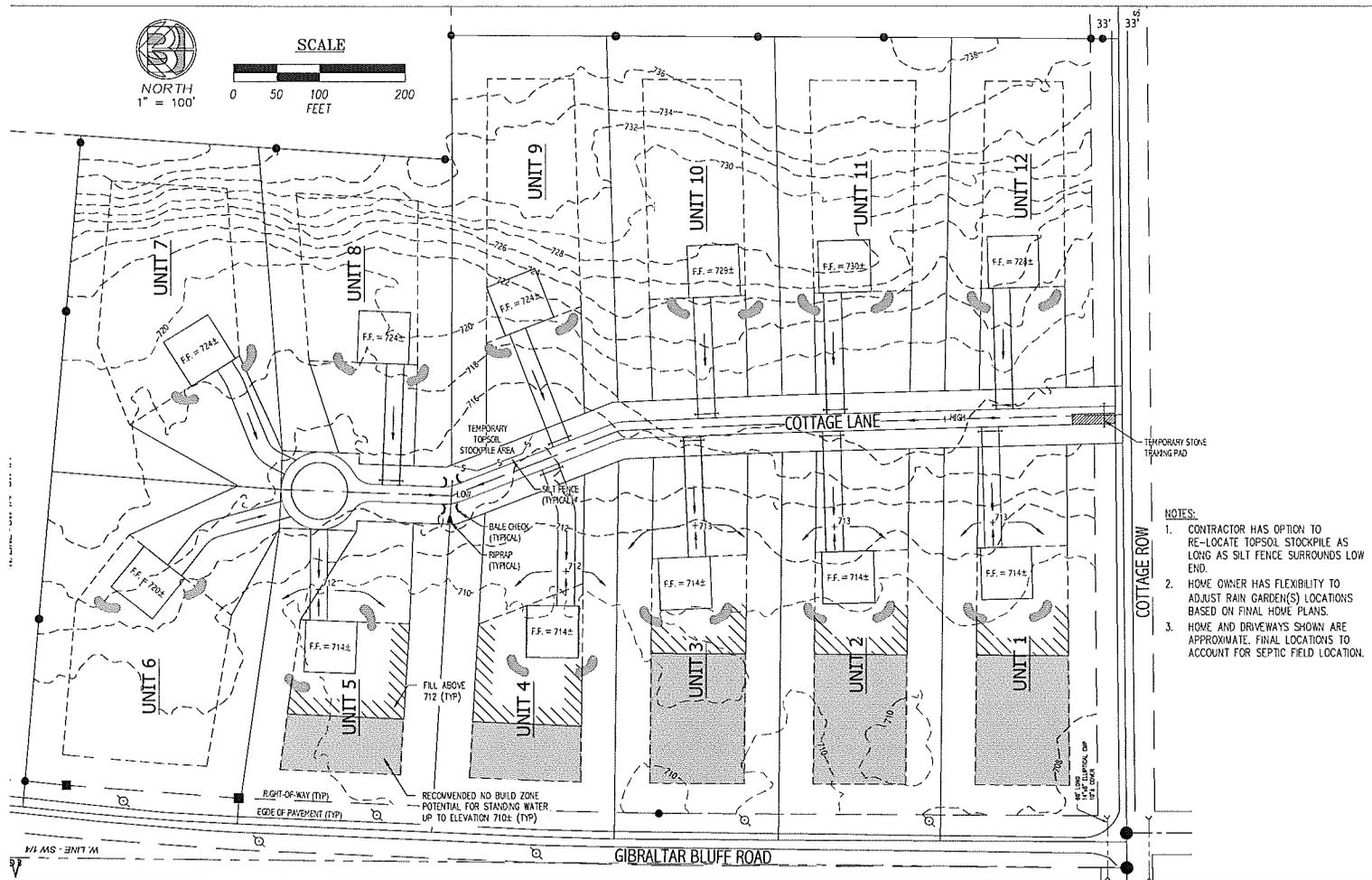
- NOTES:
1. CONTRACTOR HAS OPTION TO RE-LOCATE TOPSOIL STOCKPILE AS LONG AS SILT FENCE SURROUNDS LOW END
  2. HOME OWNER HAS FLEXIBILITY TO ADJUST RAIN GARDEN(S) LOCATIONS BASED ON FINAL HOME PLANS.
  3. HOME AND DRIVEWAYS SHOWN ARE APPROXIMATE. FINAL LOCATIONS TO ACCOUNT FOR SEPTIC FIELD LOCATION.



BAUDHUN SURVEYING & ENGINEERING  
 500 BOX 105  
 STURGEON BAY, WI 54235  
 PHONE: 920-862-8871  
 FAX: 920-862-8872  
 WWW.BAUDHUNENGINEERING.COM

**The Uplands At Cottage Row**  
 Grading Plan

4423825



- NOTES:
1. CONTRACTOR HAS OPTION TO RE-LOCATE TOPSOIL STOCKPILE AS LONG AS SILT FENCE SURROUNDS LOW END.
  2. HOME OWNER HAS FLEXIBILITY TO ADJUST RAIN GARDEN(S) LOCATIONS BASED ON FINAL HOME PLANS.
  3. HOME AND DRIVEWAYS SHOWN ARE APPROXIMATE. FINAL LOCATIONS TO ACCOUNT FOR SEPTIC FIELD LOCATION.

P.C. BOX 100  
 STATE ST. BLDG. 3020  
 PHOENIX, AZ 85004  
 PHONE: 602-955-1011  
 FAX: 602-955-1012  
 WWW.BAIDHUN.COM

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**The Uplands**  
**At Cottage Row**

Erosion  
 Control Plan

2/23/2017

Erosion Control Notes

1. IN ACCORDANCE WITH NR 216.46(9) AND NR 216.46(4), THE LANDOWNER, OR THE LANDOWNER'S REPRESENTATIVE, SHALL INSPECT EROSION AND SEDIMENT CONTROL PRACTICES WEEKLY, AND WITHIN 24 HOURS FOLLOWING A RAINFALL OF 0.5 INCHES OR GREATER. WRITTEN DOCUMENTATION OF EACH INSPECTION SHALL BE MAINTAINED AT THE CONSTRUCTION SITE AND SHALL INCLUDE THE TIME, DATE AND LOCATION OF INSPECTION, THE PHASE OF LAND DISTURBANCE AT THE CONSTRUCTION SITE, PERSON CONDUCTING THE INSPECTION, ASSESSMENT OF CONTROL PRACTICES, AND A DESCRIPTION OF ANY EROSION OR SEDIMENT CONTROL MEASURE INSTALLATION OR MAINTENANCE PERFORMED IN RESPONSE TO THE INSPECTION.
2. ANY SOIL STOCKPILE THAT REMAINS FOR MORE THAN 7 DAYS SHALL BE COVERED OR TREATED WITH STABILIZATION PRACTICES SUCH AS TEMPORARY OR PERMANENT SEEDING AND MULCHING. SEEDING SHALL FOLLOW THE REQUIREMENTS OF MNRR TECHNICAL STANDARDS 1058 AND 1059 AND M.S. DOT STANDARD SPECIFICATIONS, SECTION 630.
3. A MINIMUM OF 4 TO 6 INCHES OF TOPSOIL MUST BE APPLIED TO ALL AREAS TO BE SEEDDED OR SOODED ACCORDING TO MNRR TECHNICAL STANDARD 1059.
4. ALL OFF-SITE SEDIMENT DEPOSITS OCCURRING AS A RESULT OF CONSTRUCTION WORK OR STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH DAY. FLUSHING SHALL NOT BE ALLOWED. IMPLEMENT TEMPORARY GRADING PRACTICES AS DESCRIBED IN MNRR TECHNICAL STANDARDS 1066 AND 1067 TO PREVENT SEDIMENT FROM LEAVING THE SITE.
5. ALL DISTURBED AREAS SHALL BE TREATED WITH STABILIZATION MEASURES, AS SPECIFIED, WITHIN 3 WORKING DAYS OF FINAL GRADING.
6. ANY SOIL EROSION THAT OCCURS AFTER FINAL GRADING AND/OR THE APPLICATION OF STABILIZATION MEASURES MUST BE REPAIRED AND STABILIZATION WORK REDONE.
7. TREAT ANY DISTURBED AREA THAT REMAINS INACTIVE FOR GREATER THAN 7 WORKING DAYS OR WHERE GRADING WORK EXTENDS BEYOND THE PERMANENT SEEDING DEADLINES WITH TEMPORARY BEST MANAGEMENT PRACTICES SUCH AS LAND APPLICATION OF ANIONIC POLYACRYLAMIDE, STRAW BALES, SILT FENCE, MULCHING, TEMPORARY SEEDING, AND SEDIMENT TRAPS AS RESPECTIVELY REQUIRED BY MNRR TECHNICAL STANDARDS 1050, 1055, 1056, 1058, 1059, AND 1063.
8. ALL TEMPORARY BEST MANAGEMENT PRACTICES SHALL BE MAINTAINED UNTIL THE SITE IS STABILIZED.
9. WIND EROSION SHALL BE KEPT TO A MINIMUM DURING CONSTRUCTION. WATERING, MULCHING, OR A TACKING AGENT MAY NEED TO BE UTILIZED TO PROTECT NEARBY RESIDENTS AND WATER RESOURCES. DUST CONTROL MEASURES SHALL BE IMPLEMENTED ACCORDING TO MNRR TECHNICAL STANDARD 1068.
10. WHEN THE DISTURBED AREA HAS BEEN STABILIZED BY PERMANENT VEGETATION OR OTHER MEANS, TEMPORARY BEST MANAGEMENT PRACTICES SUCH AS SILT FENCE, STRAW BALES, AND SEDIMENT TRAPS SHALL BE REMOVED.
11. ALL REMAINING TOPSOIL STOCKPILES SHALL BE SEEDDED OR HAULED OFF-SITE WITHIN 60 DAYS OF CONSTRUCTION COMPLETION.
12. WINTER STABILIZATION : ALL AREAS REQUIRING SEED AFTER OCTOBER 15TH SHALL BE STABILIZED BY AN APPROVED WINTER STABILIZATION METHOD. THE RECOMMENDED METHOD IS UTILIZING A HYDROSEEDER CONTAINING ADEQUATE TACKIFIER POLYMER MIXED WITH WINTER WHEAT OR RYE SEED. ANOTHER ACCEPTABLE EROSION CONTROL METHOD IS THE LAND APPLICATION OF ANIONIC POLYACRYLAMIDE IN CONFORMANCE WITH MNRR TECHNICAL STANDARD 1050.
13. ADDITIONAL EROSION CONTROL METHODS SUCH AS SILT FENCE, BALE CHECKS, EROSION MAT, (ABOVE AND BEYOND THE QUANTITIES LISTED IN THE BID PROPOSAL) AS NEEDED TO PREVENT WASHOUT OR SILT TRANSFER PROBLEMS WITHIN THE CONSTRUCTION AREA OR DOWNSTREAM SHALL BE CONSIDERED INCIDENTAL TO THIS PROPOSAL.

Stabilization Specifications

(REFER TO EROSION CONTROL PLAN FOR APPLICABLE AREAS)

**MULCH:** MATERIAL SHALL CONSIST OF ANY STRAW, HAY, WOOD EXCELSIOR FIBER OR OTHER SUITABLE MATERIAL OF A SIMILAR NATURE WHICH IS SUBSTANTIALLY FREE OF NOXIOUS WEED SEEDS AND OBJECTIONABLE FOREIGN MATTER. MULCH SHALL CONFORM TO MNRR TECHNICAL STANDARD 1056.

**STANDARD BIODEGRADABLE MAT:** CLASS 1, TYPE A, AS LISTED IN THE LATEST EDITION OF THE M.S. DOT EROSION CONTROL P.A.L. PRODUCTS WITH UV DEGRADABLE NETTING SHALL NOT BE INSTALLED AFTER SEPTEMBER 1ST. TYPE B MAT MAY BE USED IN REPLACEMENT FOR TYPE A MAT AT THE OPTION OF THE CONTRACTOR WITH NO ADDITIONAL COST TO THE OWNER. EROSION MAT SHALL ALSO MEET THE REQUIREMENTS OF MNRR TECHNICAL STANDARD 1053.

**HIGH VELOCITY EROSION MAT:** CLASS 1, TYPE B, AS LISTED IN THE LATEST EDITION OF THE M.S. DOT EROSION CONTROL P.A.L. PRODUCTS WITH UV DEGRADABLE NETTING SHALL NOT BE INSTALLED AFTER SEPTEMBER 1ST. EROSION MAT SHALL ALSO MEET THE REQUIREMENTS OF MNRR TECHNICAL STANDARD 1053.

**STAPLES:** USE U-SHAPED STAPLES NO. 11 GAUGE OR HEAVIER STEEL WIRE OR OTHER APPROVED MATERIALS, WITH A WIDTH OF ONE TO TWO INCHES, AND A LENGTH NOT LESS THAN 6 INCHES FOR FIRM SOILS AND NOT LESS THAN 12 INCHES FOR LOOSE SOILS.

**INSTALLATION:** ALL EROSION MATTING SHALL BE INSTALLED WITH DOWNSLOPE EDGE BURIED OR OVERLAPPED A MINIMUM OF 3 INCHES BY UPSLOPE MATTING TO PREVENT UNDERFLOWS.

**RP-RAP :** 4-12" ROCK, 50% > 6", 10-20% < 2" (OVER 8 OZ. GEOTEXTILE) DECORATIVE STONE MAY BE USED AS LONG AS IT MEETS SPECIFICATIONS.

Procedures of Construction

1. INSTALL EROSION CONTROL MEASURES PER PLAN.
2. STRIP TOPSOIL IN ROAD AND STOCKPILE.
3. GRADE ROAD TO SUBBASE.
4. INSTALL ROAD AND CULVERTS.
5. TOPSOIL, SEED, FERTILIZE AND MULCH ALL DISTURBED AREAS.
6. REMOVE EROSION CONTROL MEASURES WHEN GRASS HAS BEEN WELL ESTABLISHED.

Temporary Seeding

SPECIES	% MINIMUM PURITY	% MINIMUM GERMINATION
ANNUAL OATS	98	90
AGRICULTURAL RYE	97	85
WINTER WHEAT	95	90
ANNUAL RYEGRASS	97	90

1. USE OATS IN SPRING AND SUMMER PLANTINGS.
2. USE WINTER WHEAT OR RYE FOR FALL PLANTINGS STARTED AFTER SEPTEMBER 1.
3. APPLY TEMPORARY SEEDING AT 3 POUNDS PER 1000 SQUARE FEET OF AREA, EXCEPT ANNUAL RYEGRASS WHICH MAY BE APPLIED AT 2 POUNDS PER 1000 SQUARE FEET OF AREA.

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P.O. BOX 100  
 2100 N. HWY. 162  
 ST. CLOUD, MN 56301  
 PHONE: 320-742-0211

**BAUDRUIN**  
 CONSULTING  
 ENGINEERS

*The Uplands  
 At Cottage Row*

Construction  
 Details

22-1855

CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE AND DOCUMENTATION OF EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION PHASE. OWNER IS RESPONSIBLE FOR MAINTENANCE AFTER CONTRACTOR LEAVES THE SITE.

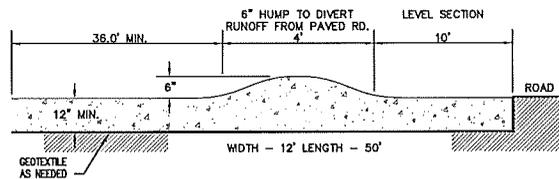
WIS DOT Standard Specifications  
Section 630  
Permanent Seed Mixtures

SPECIES	% MINIMUM PURITY	% MINIMUM GERMINATION	MIXTURE PROPORTIONS in percent			
			NO. 10	NO. 20	NO. 30	NO. 40
KENTUCKY BLUEGRASS	98	85	40	6	10	35
RED FESCUE	97	85	25	24	30	20
HARD FESCUE	97	85	40	24	25	20
TALL FESCUE	98	85		40		
SALT GRASS	98	85			10	
REDTOP	92	85	5			
PERENNIAL RYEGRASS	97	90	20	30		
IMPROVED FINE PERENNIAL RYEGRASS	96	85			15	25
WHITE CLOVER	95	90	10			
BIRDFOOT TREFOIL	95	80			10	

- USE SEED MIXTURE NO. 10 WHERE AVERAGE LOAM, HEAVY CLAY, OR MOIST SOILS PREDOMINATE.
- USE SEED MIXTURE NO. 20 WHERE LIGHT, DRY, WELL-DRAINED, SANDY, OR GRAVELLY SOILS PREDOMINATE AND FOR ALL HIGH CUT AND FILL SLOPES GENERALLY EXCEEDING 6 TO 8 FEET (1.8 TO 2.4 m).
- USE SEED MIXTURE NO. 10 OR NO. 20 ON ALL DITCHES, INSLOPES, MEDIAN AREAS, AND LOW FILLS, EXCEPT WHERE USING NO. 30.
- USE SEED MIXTURE NO. 30 FOR MEDIANS AND ON SLOPES OR DITCHES GENERALLY WITHIN 15 FEET (4.5 m) OF THE SHOULDER WHERE A SALT-TOLERANT TURF IS PREFERRED.
- USE SEED MIXTURE NO. 40 IN URBAN OR OTHER AREAS WHERE A LAWN TYPE TURF IS PREFERRED.

- USE THE FOLLOWING SOWING RATE FOR SEEDS IN POUNDS (kg) PER 1000 SQUARE FEET (100 SQUARE METERS) OF AREA:
- SEED MIXTURE NO. 10 AT 1.5 POUNDS (0.7 kg)
  - SEED MIXTURE NO. 20 AT 3.0 POUNDS (1.5 kg)
  - SEED MIXTURE NO. 30 AT 2.0 POUNDS (1.0 kg)
  - SEED MIXTURE NO. 40 AT 2.0 POUNDS (1.0 kg)

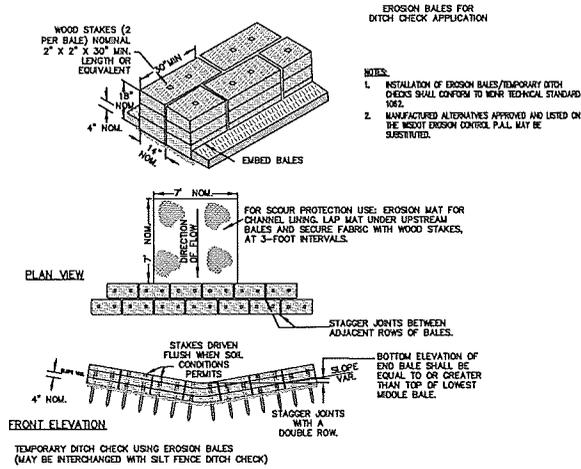
Temporary Stone Tracking Pad Detail  
NO SCALE



- SPECIFICATIONS:
- CLEAR THE ENTRANCE / EXIT AREA OF ALL VEGETATION, ROOTS, AND OTHER OBJECTIONABLE MATERIAL.
  - GRADE THE ROAD FOUNDATION SO THAT THE ENTRANCE / EXIT WILL HAVE A CROSS SLOPE.
  - PLACE STONE TO THE DIMENSIONS, GRADE AND ELEVATION SHOWN.
  - USE WASHED STONE 3" TO 6" IN SIZE.
  - DO NOT COMPACT AGGREGATE.

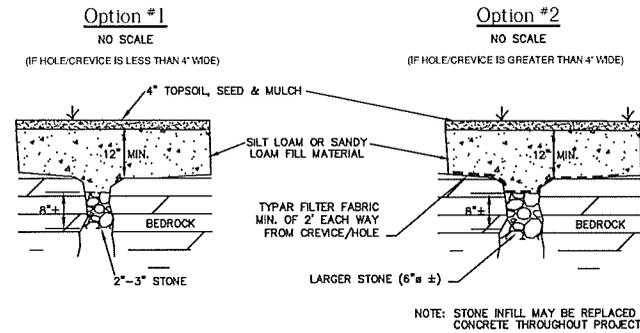
- NOTE:
- MAINTAIN THE STONE PAD IN A CONDITION TO PREVENT MUD OR SEDIMENT FROM LEAVING THE SITE.
  - MUD OR SEDIMENT THAT IS TRACKED OR WASHED ONTO ROAD MUST BE REMOVED IMMEDIATELY.
  - TRACKOUT PAD SHALL CONFORM TO WDMR TECHNICAL STANDARD 1057.

Channel Bale Check Detail  
NO SCALE



- EROSION BALES FOR DITCH CHECK APPLICATION
- NOTES:
- INSTALLATION OF EROSION BALES/TEMPORARY DITCH CHECKS SHALL CONFORM TO NDMR TECHNICAL STANDARD 1057.
  - MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE WDMR EROSION CONTROL P.A.L. MAY BE SUBSTITUTED.

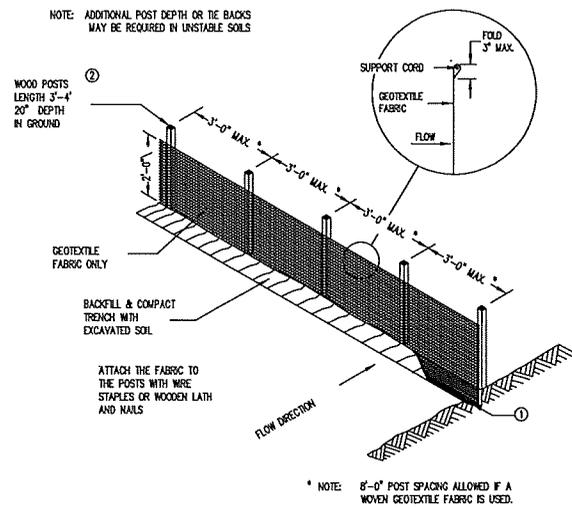
Rock Hole Crevice Patch Options  
NO SCALE



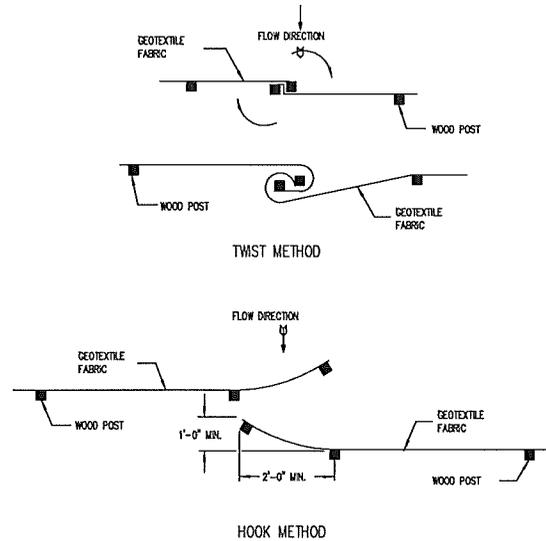
NOTE: STONE INFILL MAY BE REPLACED WITH CONCRETE THROUGHOUT PROJECT.

BAIRDWIN SURVEYING & ENGINEERING  
 315 E. 10TH AVENUE, SUITE 200, DENVER, CO 80202  
 TEL: 303.733.8555 FAX: 303.733.8556  
 WWW.BAIRDWIN.COM

Silt Fence Detail  
NO SCALE



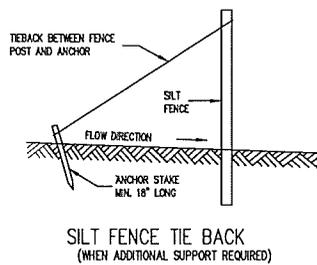
SILT FENCE



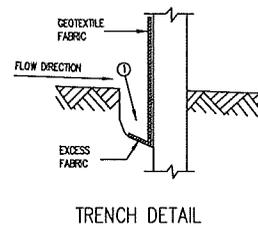
JOINING TWO LENGTHS OF SILT FENCE

GENERAL NOTES

1. TRENCH SHALL BE A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.
2. WOOD POSTS SHALL BE A MINIMUM SIZE OF 1-1/8" x 1-1/8" OF OAK OR HICKORY.
3. CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS: A) OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180 DEGREES, B) HOOK THE END OF EACH SILT FENCE LENGTH.
4. SILT FENCE SHALL CONFORM TO WDMR TECHNICAL STANDARD 1056.



SILT FENCE TIE BACK  
(WHEN ADDITIONAL SUPPORT REQUIRED)



TRENCH DETAIL

THE DOCUMENT IS THE PROPERTY OF BAUDHUN CIVIL ENGINEERS AND ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

P.O. BOX 105, 2025 S.W. 10TH AVENUE, SUITE 200, MIAMI, FL 33135  
 PHONE: 857-743-8211  
 FAX: 857-743-8212  
 WWW.BAUDHUN.COM

**BAUDHUN**  
 CIVIL ENGINEERS  
 & ARCHITECTS

*The Uplands*  
 At Cottage Row

Construction  
 Details

22-2355  
 5







**Brauer, Rick**

---

**From:** Thomas M. Birmingham <gncinc@greatnortherndoorcounty.com>  
**Sent:** Tuesday, August 6, 2019 2:50 PM  
**To:** Brauer, Rick  
**Subject:** Re: Additional information required for proposed Uplands land division  
**Attachments:** Uplands Declaration re Utilities.pdf; Uplands Declaration in full.pdf; ATT00001.txt

Dear Rick:

Attached, please find Section 5.08 of the Declaration of Condominium For The Uplands At Cottage Row, A Condominium, concerning provision for water supply and for sewage disposal. The full Declaration is also attached for reference.

Also, please acknowledge receipt of this message.

Thanks,

Tom

expense, all maintenance, cleaning, repair and replacement within such Single-Family Residence Grounds and the Unit within which it is located, and shall keep such Unit and such Single-Family Residence Grounds in good and sightly condition and repair, including grounds care and removal of debris.

**5.06. Separate Mortgages of Units.** No Unit Owner shall have the right or authority to mortgage or otherwise encumber in any manner whatsoever the Condominium Property or any part thereof, except only that each Unit Owner shall have the right to mortgage or encumber the Unit owned by such Unit Owner, and the Fractional Interest in the Common Elements applicable thereto.

**5.07. Separate Real Estate Taxes.** Each Unit shall be taxed separately to each respective Unit Owner, as provided in the Act. In the event that, for any year, such Units are not taxed separately to each Unit Owner but are taxed on the Condominium Property in its entirety, then each Unit Owner shall pay that portion of such taxes equal to its Fractional Interest multiplied by the real estate tax bill for the Condominium Property in its entirety.

**5.08. Utilities.** At such time as a Single-Family Residence is constructed upon any Unit, the Unit Owner shall be responsible for payment of the cost of telephone, electric, gas, pumping of water, and all other services and utilities used within or furnished to the Unit Owner's Unit. Each Unit Owner shall be responsible for the cost of installing, maintaining, repairing and pumping any on-site sewage disposal system which serves his/her Unit. Each Unit Owner shall be responsible for the cost of drilling and maintaining a well which furnishes water for said Unit. Each Unit Owner shall be responsible for installing the well and private on-site waste water treatment system serving the Unit prior to occupancy of the Single-Family Residence located thereon. Each Unit shall be served by a single well. There shall be no joint or shared wells within the Condominium.

**5.09. Insurance: Unit Owners.** Each Unit Owner shall be responsible for obtaining (i) fire, casualty and extended coverage insurance on Unit Owner Improvements for such Unit and on all personal property within the Unit, and (ii) personal liability insurance for all conditions and events occurring within the Unit and Common Elements and Limited Common Element entrance point driveways. Each Unit Owner hereby waives and releases any and all claims which may arise against any other Unit Owner, the Board, its officers, the Declarant and their respective employees and agents for damage to the Common Elements, the Units, the Unit Owner Improvements or any personal property located in the Common Elements or Units caused by fire or other casualty to the extent that such damage is covered by fire or other form of casualty insurance.

**5.10. Maintenance, Repair, and Replacement of Unit Owner Improvements.**

**A. By the Association.** The Association shall have no obligation to maintain, repair or replace any Unit Owner Improvements.

**B. By the Unit Owner.** Each Unit Owner shall be responsible for all maintenance, repair, and replacement of Unit Owner Improvements unless any such

DRAFT 03-12-19

**DECLARATION OF CONDOMINIUM FOR  
THE UPLANDS AT COTTAGE ROW,  
A CONDOMINIUM**

This Declaration of Condominium for “The Uplands at Cottage Row, A Condominium”, hereinafter referred to as the “Declaration,” is made this \_\_\_\_ day of \_\_\_\_\_, 2019, by Great Northern Development Corporation, a Wisconsin corporation (“Declarant”).

Recording Area

Name and Return Address

Attorney James R. Smith  
Pinkert Law Firm LLP  
454 Kentucky St., P.O. Box 89  
Sturgeon Bay, WI 54235

014-02-32312733B  
Parcel Identification Number (PIN)

**RECITALS**

A. Declarant is the owner in fee simple of certain property located in the Town of Gibraltar, County of Door, State of Wisconsin, legally described in Exhibit A attached hereto and incorporated herein and herein referred to as the “Condominium Property”.

B. Declarant intends by this Declaration to subject the Condominium Property, together with all buildings, structures, improvements, and other permanent fixtures of whatsoever kind which are now, or at any time hereafter located thereon, and all rights and privileges belonging to or pertaining thereto, to the provisions of the Condominium Ownership Act of the State of Wisconsin (Chapter 703), as amended from time to time, hereinafter referred to as the “Act”.

C. Declarant intends:

1. To establish certain rights with respect to the Condominium Property for the benefit of the Declarant and for the benefit of all future owners and occupants of the Condominium Property and any part thereof.
2. To create a condominium pursuant to the Act which shall be known as “The Uplands at Cottage Row, A Condominium”, with rights appurtenant to each Unit, as hereinafter defined, in the Condominium.
3. To provide for the harmonious, beneficial and proper use of the Condominium Property and each Unit in the Condominium with mutually

beneficial rights and obligations for each Unit Owner, as hereinafter defined.

**D.** Declarant intends that the several owners, mortgagees, and occupants of Units and all other persons hereinafter acquiring any interest in the Condominium Property shall at all times enjoy the benefits of, and shall hold their interest subject to, the easements, restrictions, conditions, and covenants hereinafter set forth, all of which are declared to be in furtherance of a plan to promote, enhance, and protect the value, desirability, appearance and aesthetics of the Condominium Property and all improvements located thereon.

**NOW, THEREFORE,** Declarant, as the owner in fee simple of the Condominium Property for the purposes herein set forth declares as follows.

## **ARTICLE I DEFINITIONS**

When used in this Declaration, unless the context shall otherwise expressly require, the following words shall have the following respective meanings, and all definitions shall be applicable to the singular and plural forms of such terms:

**1.00. Act.** The Condominium Ownership Act, Chapter 703 of the Wisconsin Statutes.

**1.01. Assessment.** A share of the Common Expenses, as hereinafter defined, and other charges from time to time assessed against a Unit and the respective Unit Owner by the Uplands at Cottage Row Condominium Association, Inc., as hereinafter defined, in accordance with the terms of this Declaration.

**1.02. Association.** The Uplands at Cottage Row Condominium Owners Association, Inc. ("Association"), a Wisconsin non-profit corporation formed pursuant to this Declaration.

**1.03. Board of Directors.** "Board of Directors" or "Board" shall mean and refer to the Board of Directors of the Association.

**1.04. Building.** Any Unit Owner Improvement, as hereinafter defined, having a roof supported by columns or walls used or intended for the shelter or protection of persons or property of any kind.

**1.05. Common Elements.** All of the Condominium except the Units, as hereinafter defined. Common Elements include, but are not limited to, the land and the roadways shown on the Condominium Plat.

**1.06. Common Expenses.**

(a) All sums assessed against a Unit, as hereinafter defined, and the respective Unit Owner, as hereinafter defined, by the Association.

(b) All expenses declared to be Common Expenses by the Act or by this Declaration.

**1.07. Condominium Property.** The Condominium Property designated on the attached Exhibit A and all buildings, structures, improvements, and other permanent fixtures of whatsoever kind now, or at any time hereafter, placed upon the Condominium Property, together with all rights, obligations and easements appurtenant thereto which are by this Declaration made subject to the provisions of the Act.

**1.08. Declarant.** Great Northern Development Corporation, a Wisconsin corporation, any successor in title to Declarant's interest in the Condominium Property, and any other assignee or successor of Declarant who (1) as an assignee of the Declarant, accepts the assignment therein made by the Declarant of those rights and powers of Declarant contained in this Declaration, and (2) assumes and agrees to be bound by and perform those obligations of the Declarant contained in this Declaration with respect to all or such of those units within the Condominium, as may be legally described in any such interest of assignment, acceptance and assumption.

**1.09. Declaration.** This instrument, by which the Condominium Property is subjected to the provisions of the Act, and all amendments and supplements hereto as are recorded in the Office of the Register of Deeds for Door County, Wisconsin.

**1.10. Fractional Interests.** The appurtenant, undivided interest of Unit Ownership, as herein defined, in the Common Elements, as herein defined, expressed as a fraction and calculated by dividing (a) the number "one" (1) by (b) the total number of Units, as hereinafter defined, in the Condominium as set forth on the Condominium Plat attached hereto as Exhibit A. There shall be twelve (12) Units in the Condominium and therefore, for purposes of this Declaration, the fractional interest of all Unit Owners shall be equal and shall be a one-twelfth (1/12<sup>th</sup>) interest for each Unit.

**1.11. Limited Common Elements.** Those Common Elements designated in this Declaration or on the Condominium Plat as reserved for the exclusive use of one or more but less than all of the Unit Owners, as herein defined, in the Condominium.

**1.12. Occupant.** A person, as herein defined, in lawful possession of a Unit, as herein defined, other than the Unit Owner, as herein defined, of such Unit.

**1.13. Person.** A natural person, corporation, partnership, association, trust, or other legal entity, or any combination thereof.

**1.14. Plat.** The Condominium Plat attached hereto as Exhibit A and made a part hereof reflecting the Condominium Property, the Units, the Single-Family Residence Grounds, and the Common Elements of the Condominium.

**1.15. Single-Family Residence.** A building designed to be used by one family exclusively as an independent dwelling and for purposes accessory thereto.

**1.16. Single-Family Residence Grounds.** That parcel of land within a Unit including the surface and subsurface thereof, within the Condominium Property upon which a Single-Family Residence and two (2) other buildings appurtenant thereto may be constructed, the exclusive use of which are restricted to the Unit and Unit Owner of that Unit upon and under such land. The horizontal (land surface) boundary lines of the Single-Family Residence Grounds for each Unit are shown on the Plat. The setback requirements of the Door County Zoning Ordinance as they pertain to private roads, side yard, front yard, and rear yard distances from Unit boundaries are applicable with respect to construction on any Single-Family Residence Grounds.

**1.17. Unit.** A part of the Condominium Property as shown on the Plat being a cubicle of air having vertical sides formed by the planes extending upward from the present land surface boundary lines of the Unit shown on the Plat, having a lower side formed by the present land surface of the Unit, and having an upper side a distance of thirty-five (35) feet above and parallel to the present land surface of the Unit. The Unit Owner, as herein defined, of each Unit shall have an exclusive and perpetual right and easement appurtenant to such Unit to construct, use, maintain, remove and replace surface and sub-surface improvements within the Unit as shown on the Plat, including, but not limited to, an access driveway, walkways, a sanitary system, and a water well only upon and within the Unit for the use and enjoyment of such Unit, in accordance with this Declaration. However, buildings as defined herein and building foundations for said buildings may only be erected, constructed, placed or permitted within the Single-Family Residence Grounds of each Unit subject to the restrictions set forth herein. A Unit shall include the fractional interest in the Common Elements as herein defined.

**1.18. Unit Number.** The number designating a specific Unit made up of the Condominium number assigned to the respective Unit, as shown on the Plat.

**1.19. Unit Owner.** The record owner of a Unit and the fractional interest in the Common Elements associated with said Unit. If there is more than one record owner, the record owner shall nevertheless be deemed to be collectively referred to as the Unit Owner.

**1.20. Unit Owner Improvements.** Any building, any structure, and any other surface or sub-surface improvement(s), including, but not limited to, the access driveway, walkways, building foundation and basement, located within a Unit or located within the respective Single-Family Residence Grounds.

**1.21. Voting Member.** The one person with respect to each Unit Ownership entitled to vote at any meeting of the Unit Owners.

## **ARTICLE II**

### **LEGAL DESCRIPTION**

**2.01. Legal Description.** The legal description of each Unit shall consist of the Unit number of such Unit as shown on the Plat. Every deed, lease, mortgage or other instrument shall legally describe a Unit by its unit number as shown on the Plat, and every such description shall

be good and sufficient for all purposes, as provided in the Act. No Unit boundaries may be relocated, nor may any Unit be separated into two or more Units. This restriction will constitute a covenant running with the land which shall be enforceable by the Declarant, its successors and assigns. This Declaration may not be amended to allow Unit boundaries to be relocated nor to allow a Unit to be separated or divided. All dwelling units constructed in this Condominium shall be Single-Family Residences constructed within the Single-Family Residence Grounds which is a part of each Unit.

Declarant hereby grants each Unit Owner the exclusive and perpetual right and easement appurtenant to such Unit to construct, use, maintain, remove and replace Unit Owner Improvements in, upon, within, and under the Single-Family Residence Grounds of a Unit, subject to the setback requirements of the Door County Zoning Ordinance.

### **ARTICLE III** **SUBJECTING THE CONDOMINIUM PROPERTY TO THE ACT**

**3.01. Subjecting the Condominium Property to This Declaration and to the Act.** The Declarant hereby subjects the Condominium Property described on the Plat to this Declaration and to the provisions of the Act.

### **ARTICLE IV** **COMMON ELEMENTS**

**4.01. Ownership of Common Elements and Unit Owner Improvements.** Each Unit Owner shall own an undivided interest in all Common Elements as a tenant-in-common with all other Unit Owners in the Condominium. Each Unit Owner shall have the right, appurtenant to their respective Unit, to use the Common Elements for all purposes necessary for the use and occupancy of such Unit as regulated and permitted by this Declaration. The undivided interest in the Common Elements shall not be separated from the Unit to which such undivided interest is appurtenant and shall be deemed to be conveyed, encumbered and leased with such Unit even though such undivided interest is not expressly mentioned or described in the conveyance or other instrument. All Unit Owner Improvements shall be and remain the exclusive property of each respective Unit Owner and the heirs, successors and assigns of such Unit Owner.

**4.02. No Partition of Common Elements.** In the event that this Declaration is terminated and the Condominium Property is removed from the provisions of the Act, no portion of the Property shall ever be used for access to any property adjoining the Condominium as described herein, whether by easement or conveyance of a roadway or driveway for the benefit of adjoining property. This provision shall constitute a covenant running with the land and shall be enforceable by the Declarant, its successors, and assigns, and may not be modified or changed by the amendment of this Declaration, even in the event that Declarant is no longer a Unit Owner. There shall be no partition of the Common Elements unless this Declaration is terminated by all Unit Owners and the Condominium Property is removed from the provisions of the Act.

**ARTICLE V**  
**GENERAL PROVISIONS FOR UNITS AND COMMON ELEMENTS**

**5.01. No Severance of Unit Ownership: No Division of Units.** No Unit Owner shall execute any deed, mortgage, lease or other instrument affecting any Unit without including therein both the interest in such Unit and the corresponding Fractional Interest. Any such deed, mortgage, lease or other instrument purporting to include the one without including the other shall be deemed and taken to include the interest so omitted. No Unit shall be divided. The ownership of a Unit may not be segmented into time periods of less than one year. "Timeshare" or "interval ownership" is prohibited. No Unit may be subjected to Chapter 707 of the Wisconsin Statutes which governs timeshare condominiums. The restrictions contained in this section of the Declaration shall constitute covenants running with the land which shall be enforceable by the Declarant, its successors and assigns, and said provisions may not be modified or changed in any manner by the amendment of this Declaration.

**5.02. Use of the Common Elements.** Subject to the exclusive rights of each Unit Owner to the use and enjoyment of the respective Single-Family Residence Grounds and Unit in which said Single-Family Residence Grounds is located, each Unit Owner shall have the right to the use and enjoyment of the Common Elements in common with all other Unit Owners. The use of the Common Elements and the rights of the Unit Owners with respect thereto shall be subject to and governed by the provisions of the Act, this Declaration, the Condominium Bylaws, and the Rules and Regulations adopted pursuant thereto.

There shall be not more than one (1) access driveway which shall serve two (2) Units (shared access drive) leading from the Common Element roadway to the Single-Family Residence Grounds of the two (2) Units. The location of the shared access drives for Units 1 and 2, 3 and 4, 5 and 6, 7 and 8, 9 and 10, and 11 and 12 shall be located only as shown on the Condominium Plat. Such shared access drives shall not exceed 20 feet (20') in width. Parking areas and circular driveways, if desired, shall be located within the Single-Family Residence Grounds of a Unit.

**5.03. Maintenance of Common Elements.** Except for the Single-Family Residence Grounds and the Unit Owner Improvements located thereon and/or within the Units which shall be the responsibility of each Unit Owner to maintain, the management, repair, alteration and improvement of the Common Elements shall be the responsibility of the Association. Each Unit Owner shall pay as an assessment a share of the common expenses for the maintenance, repair, replacement, administration and operation of the Common Elements in the same proportion as the Unit Owner's Fractional Interest. Payment thereof shall be in such amount and at such times as may be established in this Declaration or in the Condominium Bylaws. If a Unit Owner fails to pay such assessment when due, the amount thereof shall constitute a lien on the respective Unit, as hereinafter provided.

#### 5.04. Easements.

A. **Encroachments.** If any part of the Common Elements shall encroach upon any part of any Unit, then valid easements for the maintenance and continuation of such encroachment are hereby established and shall exist for the benefit of and be appurtenant to such Common Elements for the period of time any such encroachment shall remain.

B. **Declarant's Reservation and Right to Grant Easements for Utilities and Right to Connect to Utilities.** Declarant hereby reserves for itself and for the Association the right to use and grant to public or semi-public utility companies, easements and rights-of-way (and any and all improvements contained therein) over, across, and through the Condominium Property for the erection, construction and maintenance of poles, wires, pipes and conduits for the transmission of electricity, gas, water, telephone, sewers, storm water drains, gas mains, water pipes and mains and similar services, and for performing any public or quasi-public utility function that the Board of Directors may deem fit and proper for the improvement and benefit of the Condominium. Such easements and rights-of-way shall be confined, to the extent possible, in underground pipes or other conduits, with the necessary rights of ingress and egress and with the rights to do whatever may be necessary to carry out the purposes for which said easements are granted.

Declarant further reserves for itself, its successors and assigns, and for the Association, the right to connect with any of the above-described utility lines, underground pipes, or other conduits together with access to the Condominium Property for such connection.

C. **Easement for Construction, Access, and Maintenance.** Declarant hereby reserves for itself and its successors and assigns a right of access in the form of an easement, over, across and through the Condominium Property for the purpose of transporting construction materials and equipment, for making underground or above-ground utility connections, and for any other reasonable use or purpose related to the development of the Condominium. This easement shall terminate at such time as all Units are sold and conveyed to Unit purchasers other than the Declarant.

D. **Easements to Run With the Land.** All rights and easements described herein are perpetual in nature and shall be appurtenant to and run with the land and be binding upon and inure to the benefit of the Declarant and any Unit Owner, purchaser, mortgagee and other person having any interest in the Condominium Property or any part thereof. Reference in any deed of conveyance, mortgage, trust deed or other instrument affecting any part of the Condominium Property to the rights and easements contained in this Declaration shall be sufficient to create and reserve such rights and easements to the respective grantees, mortgagees and trustees named as fully as though such rights and easements were set forth in their entirety in such instrument.

5.05. **Single-Family Residence Grounds.** The Single-Family Residence Grounds shall be part of each respective Unit and is located within the Unit boundaries as shown on the Plat. The Owner of each Unit shall be entitled to the perpetual and exclusive use and possession of such respective Single-Family Residence Grounds and shall furnish, at such Unit Owner's

expense, all maintenance, cleaning, repair and replacement within such Single-Family Residence Grounds and the Unit within which it is located, and shall keep such Unit and such Single-Family Residence Grounds in good and sightly condition and repair, including grounds care and removal of debris.

**5.06. Separate Mortgages of Units.** No Unit Owner shall have the right or authority to mortgage or otherwise encumber in any manner whatsoever the Condominium Property or any part thereof, except only that each Unit Owner shall have the right to mortgage or encumber the Unit owned by such Unit Owner, and the Fractional Interest in the Common Elements applicable thereto.

**5.07. Separate Real Estate Taxes.** Each Unit shall be taxed separately to each respective Unit Owner, as provided in the Act. In the event that, for any year, such Units are not taxed separately to each Unit Owner but are taxed on the Condominium Property in its entirety, then each Unit Owner shall pay that portion of such taxes equal to its Fractional Interest multiplied by the real estate tax bill for the Condominium Property in its entirety.

**5.08. Utilities.** At such time as a Single-Family Residence is constructed upon any Unit, the Unit Owner shall be responsible for payment of the cost of telephone, electric, gas, pumping of water, and all other services and utilities used within or furnished to the Unit Owner's Unit. Each Unit Owner shall be responsible for the cost of installing, maintaining, repairing and pumping any on-site sewage disposal system which serves his/her Unit. Each Unit Owner shall be responsible for the cost of drilling and maintaining a well which furnishes water for said Unit. Each Unit Owner shall be responsible for installing the well and private on-site waste water treatment system serving the Unit prior to occupancy of the Single-Family Residence located thereon. Each Unit shall be served by a single well. There shall be no joint or shared wells within the Condominium.

**5.09. Insurance: Unit Owners.** Each Unit Owner shall be responsible for obtaining (i) fire, casualty and extended coverage insurance on Unit Owner Improvements for such Unit and on all personal property within the Unit, and (ii) personal liability insurance for all conditions and events occurring within the Unit and Common Elements and Limited Common Element entrance point driveways. Each Unit Owner hereby waives and releases any and all claims which may arise against any other Unit Owner, the Board, its officers, the Declarant and their respective employees and agents for damage to the Common Elements, the Units, the Unit Owner Improvements or any personal property located in the Common Elements or Units caused by fire or other casualty to the extent that such damage is covered by fire or other form of casualty insurance.

**5.10. Maintenance, Repair, and Replacement of Unit Owner Improvements.**

**A. By the Association.** The Association shall have no obligation to maintain, repair or replace any Unit Owner Improvements.

**B. By the Unit Owner.** Each Unit Owner shall be responsible for all maintenance, repair, and replacement of Unit Owner Improvements unless any such

maintenance, repair or replacement which is required for the delivery of gas, electricity, telephone, cable TV, security or any other utilities or services to the Unit is the responsibility of the provider of such services.

**5.11. Negligence of Unit Owner.** If, due to the willful or negligent act or omission of a Unit Owner, his/her family or invitee, or any pet of such Unit Owner, his/her family or invitee of such Unit Owner, any damage shall be caused to the Common Elements, any Unit, or any Unit Owner Improvements owned by others, then such Unit Owner shall pay for any such damage, including repair and replacement of the Common Elements as necessary, if so determined by the Board.

**5.12. Maintenance, Repair, and Replacement of Common Elements.** The Association shall be responsible for the maintenance, repair, and replacement of any and all Common Element improvements. The Association shall arrange for the maintenance, repair and snow plowing of the Common Element roadway and Limited Common Element shared access drives and shall assess the Owners equally for such costs. In the event that construction vehicles, material delivery vehicles, or construction equipment cause damage to the Common Element roadway, the Unit Owner of the Unit upon which construction activities are taking place and to which said vehicles or construction equipment are traveling shall be responsible for the costs of repair and maintenance of that portion of the roadway being used by such construction vehicles, material delivery vehicles, or construction equipment throughout the construction period at such Unit Owner's sole expense.

In the event that a Unit Owner fails to provide for the repair and maintenance of the Common Element roadway as required by this section of the Declaration, then the Association shall have the right to maintain and repair said roadway and assess the Unit Owner who fails to maintain and repair said roadway as required herein, for the costs incurred by the Association in doing so.

**5.13. Lease of Single-Family Residence.** The lease or rental of any Single-Family Residence located in the Condominium shall be subject to the following restrictions:

- A. A lease or rental of a Single-Family Residence shall be for not less than the entire Single-Family Residence and all improvements thereon. No rooms, garages, or basements may be leased separately.
- B. A lease or rental of a Single-Family Residence shall be for periods of not less than thirty (30) days.
- C. The lease or rental of a Single-Family Residence shall be to a family group only. A secondary dwelling may be rented only to the family which is renting the Single-Family Residence.
- D. A lease or rental of a Single-Family Residence shall be to a single family only. Leases or rentals to more than one (1) family or to groups of unrelated individuals are prohibited.

- E. The Board shall have the right to promulgate and amend from time to time additional rules and regulations concerning tenants and lessees of Single-Family Residences within the Condominium.

**ARTICLE VI**  
**ASSOCIATION OF UNIT OWNERS**

**6.01. Duties and Obligations.** Each Unit Owner shall be entitled and required to be a member of an association of Unit Owners to be known as the UPLANDS AT COTTAGE ROW CONDOMINIUM OWNERS ASSOCIATION, INC. (the "Association"). The Association shall be responsible for carrying out the purposes of this Declaration, including the exclusive management and control of the Common and Limited Common Elements and Facilities. The Association shall be incorporated under Chapter 181 of the laws of the State of Wisconsin as a non-stock corporation. Each Unit Owner and the occupants of each Unit and Single-Family Residence located thereon shall abide by and be subject to all of the rules, regulations, duties, and obligations established under this Declaration, the Condominium Bylaws, and the Rules and Regulations of the Association, as may be adopted and promulgated by the Board of Directors of the Association from time to time.

**6.02. Voting Rights.** There shall be one (1) vote in the Association appurtenant to each Unit Owner, however, the Declarant shall have three (3) votes for each Unit contemplated by the Declaration, less Units sold, subject to the requirements of Wis. Stats. Section 703.15(2)(c) which governs Declarant control of the Association.

**6.03. Association Powers.** The Association shall have all of the powers set forth in Section 703.15(3)(a) and (b) of the Wisconsin Statutes.

**ARTICLE VII**  
**RESTRICTIONS AND BUILDING REGULATIONS**

**7.01. Building Setbacks.** No building(s) shall be constructed outside of the Single-Family Residence Grounds located within each Unit as shown on the Plat. In the event that a Unit Owner acquires two (2) Units and wishes to construct a single residence within the two (2) Units, then the Declarant shall have the right to designate a Single-Family Residence Grounds for the combined Units, and the Declarant shall have the right to file an amended plat showing the location and dimensions of the Single-Family Residence Grounds for the two (2) Units. The Units will, however, remain as two (2) separate Units, each of which will be assessed by the Association for its share of the common expenses as set forth and described herein and each shall have one (1) vote. Only the following Units may be combined: Units 2 and 3, Units 5 and 6, Units 7 and 8, Units 8 and 9, and Units 9 and 10.

Notwithstanding the size and location of the Single-Family Residence Grounds located upon each Unit, construction of improvements thereon is subject to the setback requirements and other provisions of the Door County Zoning Ordinance.

**7.02. Residential Use.** The Units shall be used for single-family residential purposes only. Not more than one (1) single-family residence may be constructed within a Unit. Two (2) additional buildings ("auxiliary buildings") may be constructed within a Single-Family Residence Grounds as accessory buildings to the principal structure. No business, profession, or trade of any kind shall be carried on anywhere within the Condominium, except for such activities which do not include retail sales of goods or services being produced, rendered, or sold on the Property, and/or which do not require or permit customers, clients, or supply vehicles to frequent the Property. The intent of this provision is to permit Unit Owners or occupants of Units to engage in limited business, professional, or artistic endeavors. Sales of household and other goods, including "yard sales", "rummage sales", and the like shall not be allowed anywhere on the Condominium Property.

**7.03. Principal Building.** The principal building which may be constructed on each Single-Family Residence Grounds shall be a single-family residence. No auxiliary building(s) may be constructed on any Single-Family Residence Grounds prior to the completion of the principal structure. The exterior of the principal building, any auxiliary buildings, and any renovation or remodeling of same shall be fully completed within nine (9) months of the date of commencement of construction.

**7.04. Architectural and Design Standards.** The following restrictions, requirements, and standards shall apply to all buildings to be constructed on the Single-Family Residence Grounds located within each Unit.

<b>Construction</b>	<b>Frame or log only</b>
<b>Exterior Materials</b>	<b>Wood siding or wood shingles, log and/or stone, or fiber cement only</b>
<b>Minimum Gross Living Area for Total Building of Single-Family Residence</b>	<b>1,500 square feet (excluding attached garage, porch, and basement)</b>
<b>Maximum Height of Any Building</b>	<b>35 feet</b>
<b>Primary Exterior Colors</b>	<b>Grays, greens, tans, browns, whites, and blues only</b>
<b>Exterior Trim Colors</b>	<b>Grays, greens, tans, browns, blues corresponding to primary exterior color or white only</b>

**7.05. Auxiliary Unit Owner Improvements** Not more than two (2) auxiliary buildings may be constructed on any Single-Family Residence Grounds. The maximum floor area and gross square footage for said building is noted above. The auxiliary building may not be erected, constructed, placed or permitted outside of the Single-Family Residence Grounds.

Television antennae and satellite dishes are permitted and shall be placed within a Single-Family Residence Grounds only. No satellite dish greater than thirty-six inches (36") in diameter shall be permitted anywhere on the Condominium Property.

**7.06. Construction Methods.** All of the floor, wall, and roof structures of any building constructed, erected, placed or permitted in the Condominium shall be site- manufactured or fabricated, except for engineered trusses and beam work which may be manufactured off-site.

**7.07. Miscellaneous Restrictions.**

**A. On-site Fuel Tanks.** On-site fuel tanks, including but not limited to, LP gas, or any other fuel used for home heat and/or the operation of appliances shall be placed underground. No on-site fuel storage tanks for gasoline or diesel fuel shall be allowed. All on-site fuel tanks shall be located within the Single-Family Residence Grounds.

**B. Signage.** A sign indicating "Private Road" shall be placed at the entrance to the Condominium off of Cottage Row Road by the Association. The sign shall contain the name of the Condominium. The sign shall be a Common Element which shall be maintained by and at the expense of the Association. Replacement of any names or nameplates placed on said sign due to change of ownership or change of name shall be at the expense of the Unit Owner causing the change.

**C. Mailboxes.** The Declarant shall place a central mailbox structure near the main entrance to the Condominium. The location of the mailbox structure which contains the ten (10) individual mailboxes is shown on the Condominium Plat as "Mailbox Easement". Unit Owners may place a newspaper delivery box directly below their respective mailbox. All such newspaper delivery boxes shall be uniform in size and color and approved by the Association. The mailbox mount(s) and mailbox drive area shall be maintained by the Association.

**D. Identification of Individual Units.** The Unit number of each Unit shall be placed at each driveway entrance. The individual Unit identification signs shall be part of the Common Elements and maintained at the expense of the Association. The name of the Unit Owner may be placed at each driveway entrance on a uniform sign. Said sign shall not exceed 200 square inches in size. No "for sale", "for rent", or business signs of any kind shall be allowed anywhere on the Condominium Property. Individual name signs shall be the property of each Unit Owner and shall be maintained by the Unit Owner.

**E. Outdoor Lighting.** No exterior lighting fixtures shall be permitted on any Unit with a light output exceeding 300 watts per fixture. Such lighting fixtures shall be standard incandescent fixtures and shall not be located more than fifteen feet (15') above ground level unless attached to a residence. *(Tom and Tad – what about allowing LED or solar lighting?)*

**F. Sanitation System.** The individual private on-site wastewater treatment system ("POWTS") which serves each residence shall be subject to the following restrictions:

- (1) The POWTS shall be located within the respective Single-Family Residence Grounds, if allowed by the Door County Sanitarian.
- (2) The drainfield, which is a component of the POWTS, including, but not limited to, a mound system drainfield, may be located

outside of the Single-Family Residence Grounds but must be located within the Unit boundaries.

**G. Cutting and Removal of Trees and Vegetation.** No Unit Owner other than the Declarant may cut, remove, or mutilate trees, shrubs, bushes, or other vegetation located outside of a Single-Family Residence Grounds on a Unit except for driveway and POWTS installation. Only the following exceptions apply to this restriction:

- (1) Dead, diseased, or dying trees or vegetation may be removed from a Unit at the expense of the Unit Owner. All debris resulting from this activity, if not chipped or mulched and leveled and applied on site, must be removed at the Unit Owner's expense within two (2) weeks of commencement of such work. "Completed" as used herein means all debris, including brush, branches, logs, etc., which are generated by the trimming, cutting, or removal which shall be removed from the site or chipped or mulched on the site. Any damage which may occur to another Unit Owner's premises or improvements, or any roadways or Common Elements shall be the responsibility of the Unit Owner initiating the work.

Trimming, cutting, or removal of trees within a Unit but outside of the Single-Family Residence Grounds on said Unit, may not commence until the Unit Owner has notified the Board in writing three (3) weeks in advance of commencement and permission of the trimming, cutting, or removal, and said Unit Owner has received written confirmation from the Board to proceed with same. The Board may require, at its discretion, that affected trees be marked or designated (with ribbon, etc.) prior to approving commencement of the work. The Board shall be required to respond within two (2) weeks following its receipt of notice from Unit Owner if the plan is approved by the Board. Failure by the Board to respond within two (2) weeks shall be deemed a denial.

**H. Site Restoration.** Site restoration of a Single-Family Residence Grounds following completion of construction of any building, well, or POWTS must be completed prior to occupancy of the Single-Family Residence located thereon unless seasonal changes cause a delay, in which case, the Board may grant an extension to a Unit Owner who applies to the Board for same. The extension, if sought, shall not be unreasonably denied. Site restoration shall include, but shall not be limited to, grading, removal of construction and other debris, and completion of the driveway serving the Unit.

**I. Utility Lines, Pipes, and Wires.** All utilities, including, but not limited to, electrical lines, gas lines, water lines, sewer lines, and all other utilities shall be located in underground pipes or other conduits and may not be located above ground. All such utilities shall be located immediately beside or within the driveway extension leading from the Common Element roadway to a Single-Family Residence Grounds.

**J. Coverage of Objects on a Unit.** Except during the eight-month period of time during which construction of Unit Owner Improvements on a Unit may be conducted, no

objects, including but not limited to wood piles, construction materials, firewood, and the like shall be maintained on any Unit or on any Single-Family Residence Grounds, whether covered by a tarp, poly-tarp, or plastic cover of any kind, or uncovered. This prohibition shall not include typical grill covers, deck furniture covers, and the like which are used on decks, porches, or patios.

**K. On-Premise Storage.** The Board of Directors shall have the authority to promulgate and amend from time to time rules and regulations to govern or prohibit the outside storage or parking upon any Single-Family Residence Grounds, Unit, or the Common Elements. On-premise storage of boats, recreational vehicles, campers, buses, and the like is prohibited except within approved auxiliary buildings or garages. No Unit Owner or other occupant of any portion of the Condominium Property shall repair or restore any vehicle of any kind upon or within any Single-Family Residence Grounds or Single-Family Residence or within any portion of the Common Elements, except (i) within enclosed garages or workshops or (ii) for emergency repairs, and then only to the extent necessary to enable the movement thereof to a proper repair facility.

**L. Trash Removal and Recycling.** Trash and debris removal, including removal of household waste, shall be the responsibility of each Unit Owner. Collection of these materials by a commercial waste hauler shall be at the driveway entrance of each Unit or at the residence located on the Single-Family Residence Grounds and not at the common roadway entrance off of Cottage Row Road. Garbage cans, plastic bags, and other trash containers may not be placed at any driveway entrance off the Common Element roadway except on the day of the scheduled pickup. Except for periods of time when construction is taking place on a Single-Family Residence Grounds, metal refuse containers and dumpsters shall be kept within the Single-Family Residence Grounds of each Unit and shall not be larger than two (2) cubic yards nor shall more than one (1) such container be used at any time. Individual Unit Owners shall be responsible for compliance with all local, state, and federal recycling laws and ordinances for their Unit. There shall be no burning of trash, rubbish, or debris of any kind within the Condominium.

## **ARTICLE VIII**

### **SALE OR OTHER ALIENATION**

**8.01. Responsibility of Transferees for Unpaid Assessments.** In a voluntary transfer of a Unit, the transferee of the Unit shall be jointly and severally liable with the transferor for all unpaid Assessments against the Unit up to the time of transfer, without prejudice to the transferee's right to recover from the transferor the amounts paid by the transferee therefor. Any Unit Owner or prospective Unit Owner shall be entitled to a statement from the Board or the managing agent of the Association as the case may be, setting forth the amount of the unpaid Assessments against the transferor and due to the Association, and such transferee shall not be liable for, nor shall the Unit conveyed be subject to, a lien for any unpaid assessments made by the Association against the transferor in excess of the amount therein set forth. The Association shall have the right to charge a reasonable fee for such statements.

**ARTICLE IX  
SALE OR RESTORATION OF DAMAGED  
OR DESTROYED COMMON ELEMENTS**

Notwithstanding any language in this Declaration to the contrary, in the event that all or any part of the Common Elements are damaged or destroyed by fire, casualty or any other act, the Association shall follow the requirements of Wis. Stats. Section 703.18(2)(a) which governs repair or reconstruction of the Common Elements in the event of damage to or destruction thereof.

**ARTICLE X  
REMEDIES FOR BREACH OF  
COVENANTS, RESTRICTIONS AND REGULATIONS**

**10.01. Abatement and Enjoyment.** The violation or breach of any covenant, condition or restriction contained in this Declaration, or the violation of any Bylaw or any of the Association Rules and Regulations or any provision of the Act, shall give the Board the following rights, in addition to any other rights it may have:

- A. To enter upon any part of the Condominium Property upon which, or as to which, such violation or breach exists and to summarily abate and remove, at the expense of the defaulting Unit Owner, any structure, thing or condition that may exist thereon contrary to the intent and meaning of the provisions of this Declaration, and the Declarant or the Board of Directors of the Association or its agent, shall not thereby be deemed guilty in any manner of trespass; and
- B. To enjoy, abate or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any breach.
- C. In the event that the Association incurs attorney fees and costs in the enforcement of the Declaration, the Bylaws, or Rules and Regulations of the Condominium, the Association shall have the right to specially assess the offending Unit Owner for such actual attorney's fees and costs and any such special assessment shall constitute a lien against said Unit Owner's Unit pursuant to Wis. Stats. Section 703.16(4), et seq.

**ARTICLE XI  
GENERAL PROVISIONS**

**11.01. Notice to Mortgage Lenders.** Upon written request to the Board of Directors, the holder of any duly recorded mortgage, land contract or trust deed which is a lien upon any Unit

shall be given a copy of all notices permitted or required by this Declaration to be given to the Unit Owner whose Unit is subject to such mortgage, land contract or trust deed. The Association shall have the right to charge the Unit Owner a reasonable fee with respect to the notices requested hereunder.

**11.02. Services of Notices on Devisees and Personal Representatives.** Notices required or desired to be given to any devisee or personal representative of a deceased Unit Owner may be delivered either personally or by mail to such party at the address appearing in the records of the court wherein the estate of such deceased Unit Owner is being administered.

**11.03. Covenants to Run With Land.** Each grantee of the Declarant, by the acceptance of a deed of conveyance of a Unit, or each purchaser of a Unit under a land contract or contract for any deed of conveyance, accepts the same subject to all covenants, conditions, restrictions, reservations, liens and charges and to the jurisdiction, rights, benefits and privileges of every character hereby granted, created, reserved or declared, and all impositions and obligations hereby imposed shall be deemed and taken to be covenants running with the land and shall be binding upon any person having at any time any interest or estate in said land and shall inure to the benefit of such Unit Owner in like manner as though the provisions of this Declaration were recited and stipulated at length in each and every deed of conveyance.

**11.04. Non-Waiver of Covenant.** No covenants, restrictions, conditions, obligations, or provisions contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur or any lapse of time.

**11.05. Waiver of Damages.** The Declarant shall not be liable for any claim whatsoever arising out of, or by reason of, any actions performed pursuant to any authority reserved, granted or delegated to Declarant by, or pursuant to, this Declaration or in any other capacity in which Declarant may act, whether or not such claim (a) shall be asserted by any Unit Owner, Occupant, the Board of Directors of the Association, or by any person claiming through any of them; or (b) shall be asserted on account of any alleged injury to person or damage to or loss of property wherever located and however caused. The foregoing enumeration includes, but is not limited to, all claims for, or arising by reason of, the Condominium Property or any part thereof being or becoming out of repair or containing any patent or latent defects or by reason of any act or neglect of Declarant or of any Unit Owner, Occupant, the Board, or the Association, the managing agent or their respective agents, employees, guests and invitees or by reason of any neighboring property or personal property located on or about the Condominium Property, or by reason of the failure to function, or disrepair of, any utility services.

**11.06. Amendments to Declaration.** The provisions of this Declaration may only be changed, modified or rescinded by an instrument setting forth such change, modification or rescission signed and acknowledged by the Board of Directors of the Association and by at least four-fifths (4/5ths) of the Unit Owners, provided that the consent of any Unit Owner is not effective unless such consent is approved by the mortgagee of record with respect to such Unit, if any. As heretofore stated in this Declaration, this Declaration may not be amended to allow the division of any Unit nor to allow the granting of any access rights or easements over the

Condominium Property to adjoining properties. These restrictions constitute covenants running with the land and may not be changed, modified, or rescinded even upon the unanimous approval of all Unit Owners.

Any change, modification or rescission of this Declaration shall be effective upon recording of such instrument in the Office of the Register of Deeds for Door County, Wisconsin. No provision in this Declaration may be changed, modified or rescinded so as to conflict with the provisions of the Act or release or modify the restrictive covenants contained herein imposed on the Property by the Declarant.

**11.07. Severability.** The invalidity of any covenant, restriction, condition, limitation or any other provision of this Declaration, or any part of the same, shall not impair or affect in any manner the validity, enforceability or effect of any provision of this Declaration not declared invalid by a court of competent jurisdiction.

**11.08. Interpretation of Declaration.** The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of a first-class residential condominium.

**11.09. Indemnity.** The members of the Board and the officers of the Association, as well as the members of the Association shall not be liable to the Unit Owners for any mistake of judgment or any acts or omissions made in good faith as such members or officers. The Unit Owners shall indemnify and hold harmless each of such members and officers against all contractual liability to others arising out of contracts made by such members or officers on behalf of the Unit Owners and the Association unless any such contract shall have been made in bad faith or contrary to the provisions of this Declaration. Such members and officers shall have no personal liability with respect to any contract made by them on behalf of the Unit Owners or the Association. The liability of any Unit Owner arising out of any contract made by such members of the Board and officers or arising out of the aforesaid indemnity shall be limited to the Fractional Interest of such Unit Owner. Each agreement made by such members of the Board or officers or by the managing agent on behalf of the Unit Owners or the Association shall be executed by such members of the Board or officers or by the managing agent, as the case may be, as agents for the Unit Owners or for the Association.

**11.10. Service of Process.** All legal notices and service of process which may be made or given to the Unit Owners or the Association shall be served upon:

Thomas M. Birmingham  
3860 County Hwy. F  
Fish Creek, WI 54212

or at the home address of the President of the Board as may be reflected on the records of the Association from time to time. The Board may designate any successors as may be required to the aforementioned party at any Board meeting.

**11.11. Address of Condominium.** The address of the Condominium is as follows:

**IN WITNESS WHEREOF**, Great Northern Development Corporation has caused this Declaration to be executed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Great Northern Development Corporation

By: \_\_\_\_\_  
Thomas M. Birmingham, President

STATE OF WISCONSIN    )  
  )SS  
COUNTY OF DOOR        )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the above-named Thomas M. Birmingham, to me known to be the person who executed the foregoing instrument and has acknowledged the same.

\_\_\_\_\_  
Name:  
Notary Public, State of Wisconsin  
My commission is/expires: \_\_\_\_\_

This document drafted by:  
Attorney James R. Smith  
Pinkert Law Firm LLP  
454 Kentucky Street, P.O. Box 89  
Sturgeon Bay, WI 54235

F:\Clients\UU\Uplands at Cottage Row\Declaration 03-20-19.docx

**Brauer, Rick**

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**From:** Hartwig, Mary A <MHartwig@pinkertlawfirm.com> on behalf of Jim Smith <JSmith@pinkertlawfirm.com>  
**Sent:** Friday, February 21, 2020 4:56 PM  
**To:** Brauer, Rick  
**Cc:** Jim Smith  
**Subject:** Uplands at Cottage Row - Revised Road Maintenance Agreement  
**Attachments:** Road Maintenance Agrmt 02-21-20.pdf

Good afternoon – attached is the revised Road Maintenance Agreement; Paragraph 2 has been revised and Paragraph 8 has been added. Please get back to Jim with your comments and/or approval.

Jim – the original signed agreement and check for recording fee are in the file.

*Mary Hartwig*  
*Assistant to James R. Smith*  
Pinkert Law Firm LLP  
454 Kentucky Street, P.O. Box 89  
Sturgeon Bay, WI 54235  
Phone: 920.743.6505  
Fax: 920.743.2041  
[www.pinkertlawfirm.com](http://www.pinkertlawfirm.com)



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**ROAD MAINTENANCE AGREEMENT  
FOR  
THE UPLANDS AT COTTAGE ROW,  
A CONDOMINIUM**

This Road Maintenance Agreement for The Uplands at Cottage Row Condominium ("Agreement") is made this 19<sup>th</sup> day of February, 2020, by and between Great Northern Development Corporation, a Wisconsin corporation ("Declarant") and The Uplands at Cottage Row Condominium Owners Association, Inc. ("Association").

Recording Area

Name and Return Address  
Attorney James R. Smith  
Pinkert Law Firm LLP  
454 Kentucky St., P.O. Box 89  
Sturgeon Bay, WI 54235

014-02-32312733B  
Parcel Identification Number (PIN)

**WHEREAS**, The Uplands at Cottage Row, a Condominium ("Condominium") is a site condominium which will be created by the recording of a condominium declaration and a condominium plat in the Office of the Register of Deeds for Door County, Wisconsin; and,

**WHEREAS**, the Door County Land Division Ordinance requires that a site condominium plat ("Plat") be approved by the Door County Resource Planning Committee ("RPC"); and,

**WHEREAS**, RPC, pursuant to Section 6.01 of the Door County Land Division Ordinance, as a condition of approval of the Plat, requires that a road maintenance agreement be imposed on the Condominium to require that the owners of Units in the Condominium (including, but not limited to, the Declarant) contribute to the cost of maintaining the private road located in and serving the Units in the Condominium.

**NOW, THEREFORE**, the Declarant and The Uplands at Cottage Row Condominium Owners Association, Inc., a Wisconsin nonstock corporation, which is the unit owners' association for the Condominium created pursuant to §703.15, Wis. Stats., agree and state as follows:

1. The Condominium will be located on the Condominium Parcel legally described on Addendum A attached hereto and made a part hereof.

2. The private road in the Condominium which serves the Condominium and the Units located therein shall be maintained, repaired, and replaced by the Association. Maintenance and repair shall include dust control, snow and ice removal, elimination of potholes and rutting, and maintenance of required clear zones.

3. All of the costs of maintenance, repair and reconstruction of the private road (known as Cottage Lane) shall be paid by the Association as a common expense.

4. The Units in the Condominium and the Unit Owners of said Units shall be assessed by the Association to procure the funds necessary to pay for the costs of maintenance, repair, and reconstruction of the private road, from time to time; however, the initial cost of constructing and surfacing the private road shall be that of the Declarant.

5. Article V, Section 5.12 of the Declaration states that the Association is responsible for the management and control of the Common Elements and is required to maintain them in good repair. The Declaration further provides that the Association is responsible for all snow plowing of the private streets and parking areas within the Condominium.

6. Article V, Section 5.03 of the Declaration states that the cost of maintenance of the Common Elements and the repairs and reconstruction thereof shall be deemed common expenses, including any improvements to the Common Elements, and Article V, Section 5.12 of the Declaration states that the Association may levy periodic general assessments against the Unit Owners to maintain a fund from which common expenses may be paid.

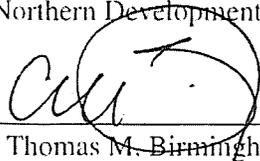
7. The foregoing subsections of the Declaration cited above are incorporated herein by this reference and made a part of this Agreement.

8. The Association shall ensure potential passage by law enforcement vehicles, fire trucks, ambulances, and other emergency vehicles, and vehicles used for sanitation purposes, including, but not limited to, trash pickup, recycling, and private septic system maintenance, pumping, and repair.

Dated this 19<sup>th</sup> day of February, 2020.

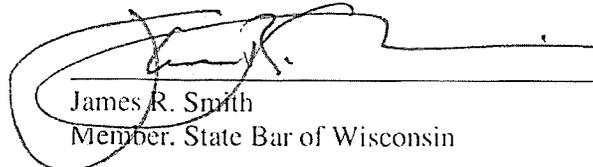
This document drafted by:  
Attorney James R. Smith  
Pinkert Law Firm LLP  
454 Kentucky Street, P.O. Box 89  
Sturgeon Bay, WI 54235

Great Northern Development Corporation

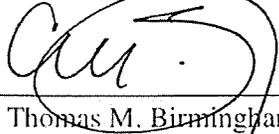
By:  \_\_\_\_\_  
Thomas M. Birmingham, President

**AUTHENTICATION**

Signature of Thomas M. Birmingham authenticated this \_\_\_\_ day of February, 2020.

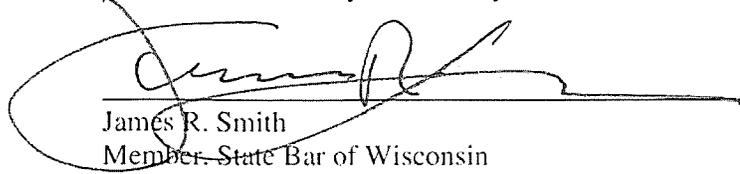
 \_\_\_\_\_  
James R. Smith  
Member, State Bar of Wisconsin

The Uplands at Cottage Row Condominium  
Owners Association, Inc.

By:  \_\_\_\_\_  
Thomas M. Birmingham, President

**AUTHENTICATION**

Signature of Thomas M. Birmingham authenticated this \_\_\_\_\_ day of February, 2020.

 \_\_\_\_\_  
James R. Smith  
Member, State Bar of Wisconsin

**ADDENDUM A TO  
ROAD MAINTENANCE AGREEMENT FOR  
THE UPLANDS AT COTTAGE ROW, A CONDOMINIUM**

A tract of land located in the Southwest one-quarter of the Southwest one-quarter of Section 32, Township 31 North, Range 27 East, Town of Gibraltar, Door County, Wisconsin and described as follows:

Commencing at the Southwest corner of said Section 32, thence N 89°27'00" E along the south line of said Southwest one-quarter 30.00 feet to the intersection with the platted centerline of Gibraltar Bluff Road and the point of beginning, thence northeasterly along said platted centerline as follows; N 00°18'00" E 543.92 feet, thence 149.92 feet along the arc of a curve to the right whose chord bears N 01°22'00" E (Long Chord = 149.91, Delta Angle = 02°08'00", Radius = 4026.42), thence N 02°26'00" E 340.08 feet, thence 200.05 feet along the arc of a curve to the right whose chord bears N 04°09'30" E (Long Chord = 200.02, Delta Angle = 03°20'07", Radius = 3436.49), thence N 05°53'00" E 47.26 feet, thence S 85°07'00" E 780.00 feet, thence S 03°39'18" W 432.02 feet, thence N 89°26'22" E 144.19 feet, thence S 00°18'00" W 775.00 feet to the intersection with the south line of said Southwest one-quarter, thence S 89°27'00" W along said south line 930.00 feet to the point of beginning.

**Brauer, Rick**

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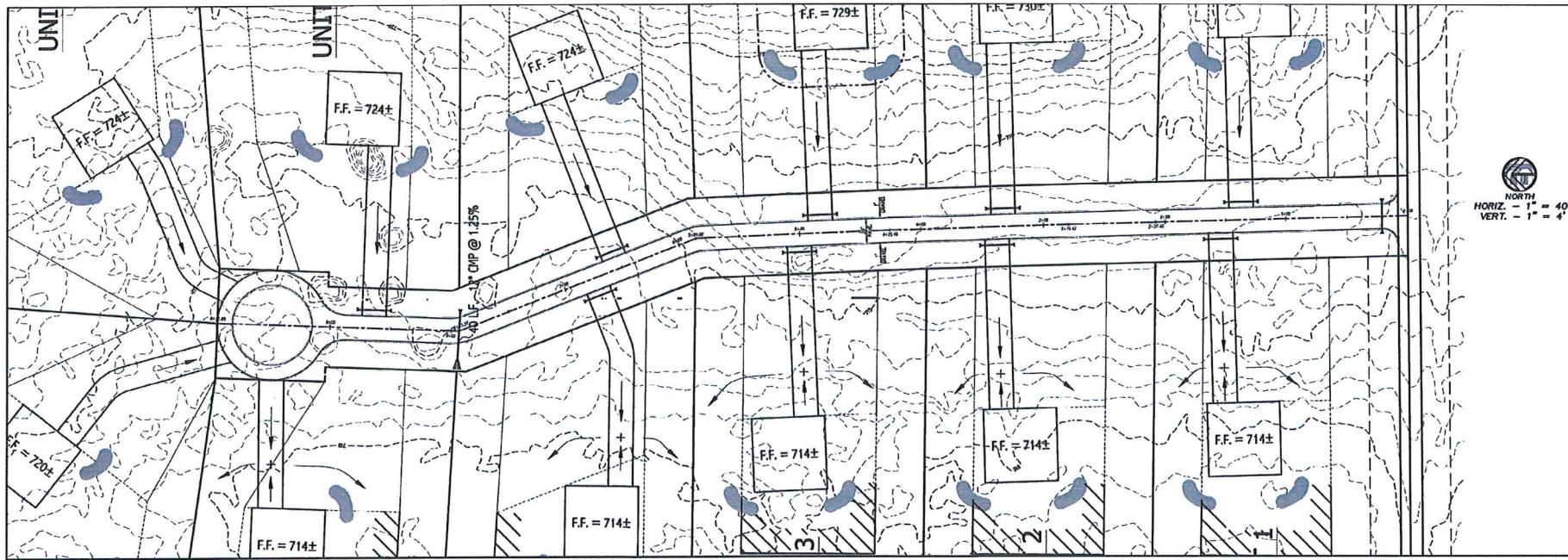
**From:** Pete Hurth <phurth@baudhuin.com>  
**Sent:** Tuesday, December 17, 2019 10:18 AM  
**To:** Brauer, Rick  
**Cc:** Renee Borkovetz; Thomas M. Birmingham  
**Subject:** Road Plan  
**Attachments:** MultiPDF0967-01.pdf

Hi Rick,

Attached is the engineered road plan you requested. Please copy Renee as well, on any changes needed. Thanks.

Pete Hurth, P.E., LEED AP  
[phurth@baudhuin.com](mailto:phurth@baudhuin.com)  
Baudhuin Surveying & Engineering (920)743-8211  
(920)495-9101 cell  
[www.baudhuin.com](http://www.baudhuin.com)

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NORTH  
 HORIZ. - 1" = 40'  
 VERT. - 1" = 4'

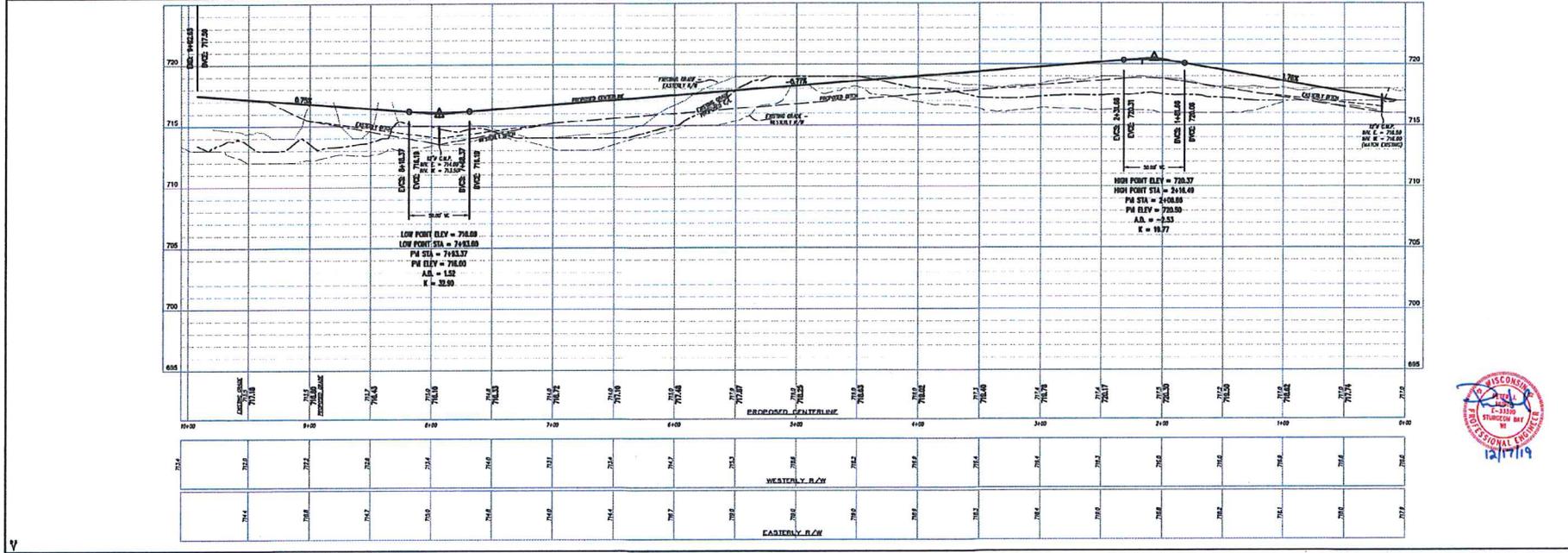
**BAUDHUN**  
 SURVEYING & ENGINEERING  
 312 N. 8TH AVE.  
 STURGEON BAY, WI. 54235  
 PHONE: 920-742-5211



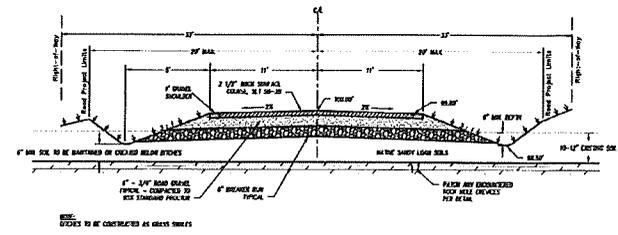
The Uplands at Cottage Row

PROPOSED ROAD  
 CONSTRUCTION PLAN

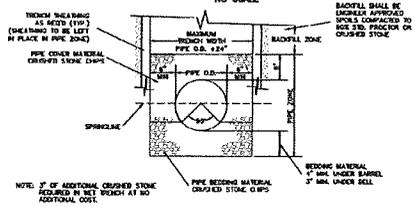
1 of 2



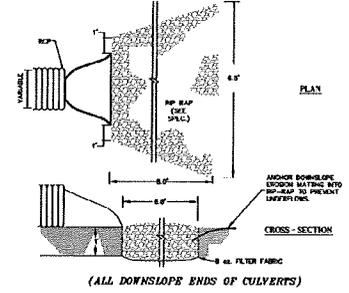
Typical Road Cross-Section  
NO SCALE



Culvert & Storm Sewer Bedding Detail  
NO SCALE



Culvert Rip-rap Detail  
NO SCALE

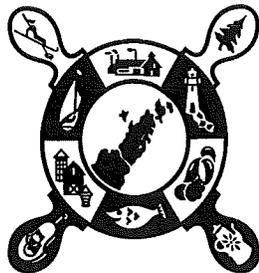


<p>PROJECT ARCHITECT BAUDHUN SURVEYING &amp; ENGINEERING</p>		<p>DATE: 11/11/11 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: 1" = 10'-0"</p>
<p>312 N. 20TH AVE STURGEON BAY, WI 54233 PHONE: 920-745-8211</p>		<p>PROJECT: PROPOSED ROAD CONSTRUCTION PLAN</p>
<p><b>BAUDHUN</b> SURVEYING &amp; ENGINEERING</p>		
<p>The Uplands at Cottage Row</p>		
<p>PROPOSED ROAD CONSTRUCTION PLAN</p>		
<p>2 of 2</p>		

RELEASE OF DOCUMENTS  
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## COUNTY OF DOOR

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

Ken Pabich  
County Administrator  
(920) 746-2303  
kpabich@co.door.wi.us

TO: Town Chairperson, Town Clerk, Town Planning Commission Chair

FROM: Mariah Goode, Land Use Services Director  
Ken Pabich, County Administrator

DATE: March 2, 2020

RE: County / Town Meeting on Address Signage and County Tower Ordinance

The County would like to invite you to a meeting to discuss potential changes to both the County Addressing Program and to Door County Comprehensive Zoning Ordinance Chapter 14, which is our Communication Structures (tower) Ordinance. The meeting will be on **Monday March 30, 2020 at 5:30 p.m. in the Door County Government Center Peninsula Room.**

### **Background**

**Address Signs:** Based on requests by some Towns and also public safety groups, the County is considering changing all of the rural address signs in the County. We currently have a single-one sided sign that is parallel to the road. The County is considering installing single double-sided signs that would be perpendicular to the road and be more easily identifiable from both directions. The new signs may also require new stakes to be installed.

**Chapter 14:** Since the adoption of the ordinance in 2015, there has been some concern with the chapter's impact on broadband deployment. The ordinance was later modified to become "Broadband Forward" compliant with the PSC for future grant opportunities. Over the past year, the County has worked with stakeholders to identify potential changes to be made to the ordinance.

On both of these items, the oversight Committees (RPC and Public Safety) are requesting that staff obtain input from the Towns before proceeding any further.

### **Input Requested:**

**Address Signs:** The County is interested in building a partnership with the Towns for this project and also for the long-term maintenance of the signage in the future.

**Chapter 14 Tower Ordinance:** We are looking for two types of information from the Towns. One is how the current ordinance is or would have specifically impacted projects (i.e., we are looking for examples). Second, the County could proceed with the proposed changes to the ordinance, or pursue different/additional changes. At the meeting will we present information on these options and ask for your input.

### **Timing:**

We are hoping for final feedback on these matters by mid-April so we can move forward with both of these projects. The signage replacement would be part of the County 2021 budget. Chapter 14 changes would go to RPC to be schedule for a hearing and ultimately to County Board.

## Door County Land Use Services Department 2019 Annual Report

### A. Mission Statement

The Door County Land Use Services Department does not have a formal mission statement. We do, however, have various policies and procedures in place as well as an overall departmental work ethic which guide our activities: We strive to effectively and efficiently administer the programs under our jurisdiction; to be efficient, accurate, courteous, helpful, knowledgeable, and timely in our work with our clients; and to ensure our activities are coordinated with the work of the many other local and state agencies and organizations with which we interact.

### B. Summary of Responsibilities

The Land Use Services Department program areas are:

- Planning
- Zoning and other land development ordinance administration
- Private On-site Wastewater Treatment Systems (POWTS) code administration
- Real Property Listing
- Geographic Information Systems (GIS) Mapping and Addressing

Department staff members during 2019 were:

Mariah K. Goode	Department Director
John Teichtler	Sanitarian
Chris Olson	Assistant Sanitarian
Richard D. Brauer	Zoning Administrator
Jeffrey Kussow	Zoning Administrator
Susan Vanden Langenberg	Zoning Administrator
Rebecca Kerwin	Planner
Tom Haight	GIS/Land Information Office (LIO) Coordinator
Holly Hansen	Real Property Lister
Chris Moe	GIS Technician
Linda Riemer	Administrative Assistant III
Lois Goetz	Administrative Assistant II

The department's oversight committee is the Resource Planning Committee, comprised of five county board members. Per state statute, the county board-appointed Board of Adjustment, comprised of all laypersons, also participates in administration of the zoning ordinances. Both bodies typically hold public hearings and regular business meetings once or twice monthly. Also per state statute, a Land Information Council has been established to advise the Resource Planning Committee on GIS/Land Information Office (LIO) programs.

### C. Program Summary

All program administration and enforcement is carried out by staff, with oversight from the Resource Planning Committee. Note that a significant amount of the activity related to the department's programs includes informal and formal exchanges of information with clients, municipal officials, and other internal and external entities involved or interested in the program area in question; site visits; preparation of materials for the Resource Planning Committee, Board of Adjustment, and county board meetings; pursuit of violations; etc. All of these are activities which cannot be easily quantified or represented in an annual report.

## **Planning**

Planning program staff members are responsible for developing and implementing comprehensive, farmland preservation, and other land use-related plans, as well as developing and updating the department's ordinances. Planning staff also organize and participate in a variety of educational and information-sharing programs with local municipalities, government agencies, and non-profits.

## **Zoning and Other Land Development Ordinance Administration**

Staff members process all regular zoning permit applications, as well as conditional use permit applications, the latter of which go to the Resource Planning Committee for public hearing and approval or denial. Staff also process the paperwork for petitions for variance from county zoning ordinances, appeals of either Resource Planning Committee or zoning administrator decisions, and petitions for zoning ordinance text or map amendments. The public hearings at which decisions are made regarding variances and appeals are held by the Board of Adjustment. Public hearings regarding text or map amendments are conducted by the Resource Planning Committee, with the County Board making the final determinations regarding such petitions.

The Door County Comprehensive Zoning Ordinance is in effect in all areas of nine towns per their voluntary enrollment in comprehensive county zoning. Per state statute, the Door County Shoreland Zoning Ordinance and the Door County Floodplain Zoning Ordinance are in effect in all 14 towns. The Door County Land Division, Wind Energy Facility, and Communication Tower Ordinances are also in effect in all 14 towns. The Door County Height Limitation Zoning Ordinance is in effect in areas surrounding the Cherryland Airport.

## **Private On-site Wastewater Treatment Systems (POWTS) Code Administration**

The POWTS program strives to protect ground and surface waters via the Sanitarians' regulation, inspection, monitoring, and education regarding existing and proposed private on-site wastewater treatment systems in unsewered areas of the county. The program involves significant coordination with soil testers, septic system installers, plumbers, property owners, and state-level agencies. Door County's POWTS regulations – derived from state administrative code – are contained in Chapter 21 of the county code, which governs all POWTS in the county, regardless of location.

## **Real Property Listing**

The Real Property Listing program is tasked with providing accurate tax parcel information for all 41,100+ parcels of real estate in Door County. The information processed and verified deals with all documents of transfer recorded at the Register of Deeds, all plat of surveys, and all assessments and real estate and personal property tax-related matters. Information maintained includes computer databases and related GIS layers, websites, and physical maps regarding all aspects of properties and their ownership, past and present.

Real Property Listing staff also generate, coordinate, and distribute for all 19 municipalities the assessment rolls, tax rolls, assessment notices, property tax bills, and related documents to and with County departments, assessors, town officials, taxation districts, Department of Revenue, Department of Natural Resources, and other related agencies.

## **Geographic Information Systems (GIS) Mapping and Addressing**

The GIS mapping functions of the department include acting as the county's state-mandated Land Information Office, maintenance and upgrades to the county-wide "web map," and maintenance of land information data to create a wide variety of land information-related maps for county staff, local municipalities and agencies, residents, and property owners. The addressing program, in effect in the unincorporated areas (towns) and three of the four villages, ensures consistent address number assignment, avoidance of duplicative road names, and transfer of information to E-911 dispatch entities. Program responsibilities include all aspects of assignment of addresses, ordering and placement of signs, creation of all maps related to addresses, tracking of all expenses, and communication of address information to Intrado, the county's E-911 system manager.

## D. Goals / Objectives Achieved in 2019

The only goal listed in the 2018 annual report for the department for 2019 was to “make the transition to the software which will replace the AS400 permit/application tracking system as seamless as possible.” Work on this matter is still on-going; the shift from the existing system to the chosen vendor’s system has not yet occurred.

## E. Knowledge Sharing

All members of the department are constantly sharing knowledge, providing an array of informational and educational services, namely with:

- Each other
- Other county departments
- Local public and private agencies and organizations
- Regional, state, and federal public and private agencies and organizations
- Residents and property owners
- Elected and appointed officials
- Real estate agents, title companies, developers, surveyors, architects, attorneys, builders, appraisers, municipal assessors, soil testers, septic system installers, plumbers, and their associations

In addition, the department’s website provides all ordinances, application forms, and significant amounts of resource information. The county “web map,” containing a multitude of GIS layers and information related to land ownership and characteristics, is also maintained by the department. Both the department website and the web map are frequently updated.

Staff attend various environmental, development community, and governmental agencies’ meetings as requested for presentations and discussions, and meet frequently with staff members of other county departments in order to ensure coordination of program administration and for educational purposes. They also meet or talk frequently – for the same reasons – with staff of other governmental agencies, local and state, and elected and appointed officials.

## F. Department Budget

	<b>Expenditures</b>	<b>Revenues</b>	<b>Levy appropriation</b>
<b>2019 Adopted</b>	\$ 1,362,340	\$ 401,736	\$ 766,168
<b>2019 Amended</b>	\$ 1,386,424		
<b>2019 Actual</b>	\$ 1,288,437	\$ 487,843	
<b>2018 Adopted</b>	\$ 1,410,768	\$ 422,353	\$ 783,435
<b>2018 Amended</b>	\$ 1,416,506		
<b>2018 Actual</b>	\$ 1,191,090	\$ 381,713	

In 2019, \$107,016 was received in support of LIO programs. The LIO funds are a combination of state grant dollars and returns to the county by the state from county real estate transfer tax collections.

## **G. Other Accomplishments**

Staff members are continuously seeking ways or undertaking projects to improve individual and departmental performance and improve services, ordinances, programs, and related matters. Staff members also work in an on-going basis to address issues arising due to external forces.

As in 2018, numerous department staff members spent a significant amount of time in 2019 exploring and ultimately selecting software to replace the county's AS400 system, as well as working with the vendor to ensure the end product would meet county needs.

Planning staff in 2019 spent a significant amount of time on housing-related issues, including: ensuring completion of a county-wide study with the consultant conducting the study, organizing one invitation-only symposium and four community meetings, launching a website regarding housing resources and programs, and working to re-establish a county-wide nonprofit housing trust.

## **H. Issues, Concerns, and Restraints**

Due to the high water levels of Lake Michigan the past two years, more and more staff time is being taken up with flooding-related matters. Lake levels are projected to be even higher in 2020.

As noted in the reports the past few years, merging program and personnel responsibilities has been determined to be a multi-year process.

State-level legislative changes continue to leave staff scrambling to keep up with understanding and administering changing requirements and making appropriate ordinance and program changes to reflect those new mandates.

State levy limit impositions are a long-range concern in terms of how the county's (and therefore the department's) budget overall will be affected.

## **I. Goals and Objectives for 2020**

Our primary "out of the ordinary" goals for 2020 are to: 1) transition to the AS400 replacement software systems (intentionally plural – the vendor is outsourcing the permitting system functions) and 2) hire and train a replacement Zoning Administrator/Assistant Sanitarian (replacing Kussow, who left for a position in the private sector in mid-January 2020).

MKG  
03/05/2020