The Door County Board of Adjustment will conduct a meeting on Tuesday, July 14, 2020 beginning at 2:00 p.m. In response to the public health emergency in connection with the COVID-19 pandemic, the meeting will be virtual only. The board will be assisted in conducting the meeting by staff who will be located in the Door County Government Center County Board Room (C101, First Floor) and Peninsula Room (C121, First Floor) at 421 Nebraska Street, Sturgeon Bay, Wisconsin. Applicants and members of the public may monitor and participate remotely only.

To join the hearing and meeting via computer, click on the following link, [https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=ee09b1255f1a62c64e2bd7259ec408b0e](https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=ee09b1255f1a62c64e2bd7259ec408b0e), enter your name and e-mail address when prompted (the password is entered for you), and then click “join.”

Alternatively, using the free smartphone app “Cisco WebEx Meetings,” click “join” a meeting and then enter the meeting number/access code (146 969 3022) and password (July14boa).

You may also simply call (408) 418-9388 and enter the meeting number/access code.

Those who cannot attend remotely should call (920) 746-2323 or e-mail lriemer@co.door.wi.us. We will endeavor to facilitate reasonable access for people who cannot attend remotely. Likewise, if on the day of the hearing/meeting itself you have issues with meeting “entry” methods, please call (920) 746-2323 or e-mail lriemer@co.door.wi.us so we may assist you in entering the virtual meeting.

**AGENDA**

1.0 Call to order and declaration of quorum.

2.0 Discuss and arrive at decisions on Petitions for Grant of Variance.

   2.1 Mary Edwards & Thomas Meier; encroach into setback from ordinary high water mark; Gardner.

   2.2 William S. Nuhs, Jr.; reduction in floodplain fill requirement, encroach into setback from ordinary high water mark; Gardner.

3.0 Old Business.

   3.1 Read and act on Minutes of July 7, 2020 meeting.

   3.2 Final disposition of the following case considered by the Board of Adjustment at the July 7, 2020, meeting: Camp Zion, Inc.

4.0 Other Matters.

   4.1 Announce next meeting.

5.0 Vouchers.

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

Fred Frey, Chair
Board of Adjustment

06/30/20

* Application materials may be viewed on-line beginning approximately four business days before the hearing at: https://www.co.door.wi.gov/AgendaCenter

Notice in compliance with the Americans with Disabilities Act: 1) 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. 2) Door County is committed to making its electronic and information technology (e.g., website and contents) accessible for all persons. If you encounter difficulty accessing the posted materials for this meeting, located on-line at https://www.co.door.wi.gov/AgendaCenter under the committee name, please call (920) 746-2323, or send a FAX to (920) 746-2387, or send an e-mail lriemer@co.door.wi.us so that we may determine how to best assist you.
In response to the public health emergency in connection with the COVID-19 pandemic, the public hearings to be held by the Door County Board of Adjustment on Tuesday, July 14, 2020 will be virtual only. The board will be assisted in conducting the hearings by staff who will be located in the Door County Government Center County Board Room (C101, 1st Floor) and Peninsula Room (C121, 1st Floor) at 421 Nebraska St., Sturgeon Bay, WI. “Virtual only” is exactly what the name implies: the hearings will be conducted by means of remote communication (i.e., teleconference or video conference).

The board business meeting to be held immediately subsequent to the hearings will also be conducted by teleconference or video conference only. Applicants and members of the public may monitor and participate in the hearings and meeting remotely only.

To join the hearings and meeting via computer, click on the following link, https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=ee09b1255f1a62c64e2bd7259ec408b0e, enter your name and e-mail address when prompted (the password is entered for you), and then click “join.”

Alternatively, using the free smartphone app “Cisco WebEx Meetings,” click “join” a meeting and then enter the meeting number/access code (146 969 3022) and password (July14boa).

You may also simply call (408) 418-9388 and enter the meeting number/access code.

The hearings will begin at 2:00 p.m., to give consideration to the applications listed below for variances, as specified in the county shoreland and comprehensive zoning ordinances:

**TOWN OF GARDNER**

Mary Edwards & Thomas Meier petition for a variance from Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance which requires accessory structures be set back at least 75 feet from the ordinary high water mark. The petitioners propose to retain an 8’ x 10’ shed and cement slab placed on site by a previous owner, located as close as 7.5’ to the ordinary high water mark of Krueger Creek. The property is at 3270 N Stevenson Pier Road in Section 11, Town 27 North, Range 24 East, in the Town of Gardner.

**TOWN OF GARDNER**

William S. Nuhs, Jr. petitions for a variance from section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance which requires fill be placed at least 15 feet beyond a residence in the floodplain and Sections IV.B.2.b. and IV.B.2.c.2) of the Door County Shoreland Zoning Ordinance, which require accessory structures be set back at least 75 feet and the residence at least 48 feet from the ordinary high water mark of Green Bay. The petitioner proposes to replace an existing residence with a new 26’ x 31’ two-story residence. The home will comply with floodplain ordinance elevation standards, but the required fill will extend only 10.5’ from the home’s north side. The project also includes retaining walls to hold fill on the lot. The retaining wall along the northwest property line will be as close as 12 feet from the ordinary high water mark of a navigable lagoon and the retaining wall along the north line will extend to the edge of the ordinary high water mark (0’ setback). In addition, the proposed residence would be set back 41 feet from the ordinary high water mark, and a patio, 32 feet. The property is at 3356 S. Willow Road in Section 10, Town 27 North, Range 24 East, in the Town of Gardner.

All interested parties are urged to view the hearings and/or give oral testimony remotely via the free software application WebEx. In-person attendance and testimony will not be permitted. Anyone wishing to offer oral testimony needs to register in advance with the Door County Land Use Services Dept.
Persons who intend to participate in a hearing are advised to be familiar with the Board of Adjustment Guidelines for Virtual Hearings. The Guidelines, which include information on how to register to testify, may be found at: https://www.co.door.wi.gov/AgendaCenter.

Written testimony will be accepted on 8 1/2" x 11" paper only and must be received by 3:30 p.m. the day before the hearing. Anonymous correspondence will not be accepted. Letters may be made available for public inspection upon request filed with the Land Use Services Dept. Letters will be entered into the hearing record, but individual letters will not be read aloud. Please note: any correspondence or testimony submitted for town-level proceedings regarding these matters does NOT get forwarded to the county.

All application materials may be viewed by request. Application materials may also be viewed online approximately four business days before the hearing at: https://www.co.door.wi.gov/AgendaCenter. Additional materials may be posted up until 4:30 p.m. the day before the hearing.

A regular business meeting of the Board of Adjustment shall follow the public hearings.

Those who cannot participate remotely should call (920) 746-2323 or e-mail lriemer@co.door.wi.us so we may endeavor to facilitate reasonable access for you. Likewise, if on the day of the hearing/meeting itself you have issues with meeting “entry” methods, please call (920) 746-2323 or e-mail lriemer@co.door.wi.us so we may assist you in entering the virtual meeting.

The list of names to whom this notice was sent via regular mail is available upon request filed with the Land Use Services Dept.

Fred Frey, Chair
Door County Board of Adjustment
c/o Door County Land Use Services Dept.
Door County Government Center
421 Nebraska St.
Sturgeon Bay, WI 54235
Phone: (920) 746-2323
FAX: (920) 746-2387

Publication Dates: June 27, 2020 & July 4, 2020
06/22/20
RB/lr
Door County Resource Planning Committee and Board of Adjustment
Guidelines for Hearings Conducted “Virtually”

To mitigate the impact of COVID-19, Resource Planning Committee and Board of Adjustment hearings and meetings will until further notice be conducted as teleconference or video conference. Members of the public may observe or participate remotely via the free software application Cisco WebEx. Information on how to participate via WebEx may be found on the hearing notice or business meeting agenda.

General Information Regarding Testimony

- Written testimony must be mailed, e-mailed, or FAXed to the Door County Land Use Services Department, and must be received by 3:30 p.m. the day prior to the hearing.

  Mail:  Door County Land Use Services, 421 Nebraska Street, Sturgeon Bay, WI, 54235
  E-mail:  lriemer@co.door.wi.us
  FAX:  (920) 746-2387
  Phone:  (920) 746-2323

- Anyone wishing to offer live oral testimony for a hearing must register in advance. Registration must be received by 12:00 p.m. (noon) the day before the hearing. You may register via mail, phone, FAX, or e-mail (please see above for all contact information options). When registering to testify, please provide the following information:
  - Full name.
  - Full mailing address.
  - E-mail address.
  - Cell phone number at which you may be reached the day of the hearing.
  - Case/project about which you wish to provide testimony.
  - Whether you wish to speak in favor or in opposition.

- All live testimony will use the free software application Cisco WebEx. Information about how to access the meeting may be found on the hearing notice or business meeting agenda.

- You will not have the ability to provide handouts to committee members. Any materials you wish the committee to review and have part of the record, including anything you plan on using as a visual aid during testimony, must be received by 3:30 p.m. the day prior to the hearing so we may post them on-line.

Hearing Format
At the start of the meeting, the Chair will explain the process that will be followed for the hearings.

Staff will provide an overview of each project at the start of that particular hearing. Testimony for each hearing will be taken as follows:

- Applicant, followed by others in favor of the project.
- Testimony from anyone in opposition.
- A rebuttal round will occur if testimony in opposition has been presented.
- All testimony will be taken in the order shown on the registration list.
- Only one person at a time may speak. Please mute yourself when it is not your turn to speak.
DOOR COUNTY LAND USE SERVICES
421 Nebraska Street
Door County Government Center
Sturgeon Bay, Wisconsin 54235
(920-746-2323)

PETITION FOR GRANT OF VARIANCE

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

PETITION: (I) (We) ______

Full Name __________________________ Telephone No. __________
Mailing Address __________________________
City __________________________ State ______ Zip ______

hereby petition(s) the Door County Board of Adjustment for a variance from

Section(s) ______

of the Door County Zoning Ordinance which requires ______

(I) (We) propose to ______

See Attachment A

Have a storage shed also See Attachment A

LOCATION:
The description of the property involved in this petition is located at:

Fire Lot ______ Road ______ Township ______
Govt Lot ______ of ______ Section ______ Township ______
Tax Parcel No. ______-______-0000 ______

Existing use of structure or land in question ______

Please see Attachment B for answers.

CERTIFICATION: Sections 1-3

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

SIGNATURE OF PETITIONER/AGENT: __________________________ DATE: ______/____/-____

SCHEDULING:

This petition will be scheduled for the next available Door County Board of Adjustment meeting. Approximately two weeks prior to that meeting, a legal notice will be published providing further information regarding the time and location of the meeting. It is recommended that the petitioner attend the Board of Adjustment meeting to present their case and to answer any questions the Board of Adjustment may ask. If you are unable to attend the meeting, you may want to have your attorney or contractor present on your behalf.
PETITION FOR GRANT OF VARIANCE

MARY EDWARS & THOMAS MEIER
ATTACHMENT A

The applicants hereby petition the Door County Board of Adjustment for a variance from Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance. According to Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance all accessory structures shall be located at least 75' from the ordinary high water mark of any navigable water.

The applicant proposes to retain an 8' x 10' shed and cement slab in the current location which the previous owner illegally placed on-site and which is located as close as 7.5' from the ordinary high water mark of Krueger Creek. Please see the attached site sketch.

BACKGROUND INFORMATION:
On November 25, 2019, the applicants purchased this Condo Unit.

This area has been flooding since Thanksgiving week in 2019 due to high water and wave action. The owner recently had the existing cottage elevated on blocks to reduce the risk of flood damage, but has not installed any fill under or around the cottage; therefore, the cottage is still considered a nonconforming structure per floodplain regulations.
Attachment B (5-13-20 Update)
Variance Petition for Thomas Meier/Mary Edwards
3270 N Stevenson Pier Rd Gardner, WI

Description of what we propose:
Mary Edwards and I purchased this property in November of 2019. The property came with a shed that is located in the back of the house. This shed was placed there by the previous owner and was used for storing their outdoor items, including lawn mower, tools, grill, charcoal, bikes, life jackets, etc. It is our intention to use the shed for the same purpose, that of storing all of our outdoor items in a secure, dry place, keeping them safely out of the view of neighbors and passersby’s.

In working with Sue Vander Langenberg we discovered that the previous owner had placed the shed on the lot illegally without seeking a Variance. The shed is at approximately 583.4 and about 8’ from the wetland. This petition is being submitted to you to rectify that situation and adhere to the Door County Land Use Services policy. We would like to keep the shed and concrete slab in the same location that the previous owner had placed it. Per code we will raise it to 585.1 or higher.

A. Unique property limitations
Our property is very unique in that it has navigable wetlands on two sides (back-south and right-west) of the cottage that are both within 75’ of the cottage. There is a County Road that runs through the property on the north side that is within 50’ of the cottage, and Little Sturgeon Bay is on the other side of the road. On the fourth side is a neighbor’s cottage as we are a part of a three unit condo association. Our neighbor’s cottage is about 30’ to the northeast of our cottage. The lot is relatively tiny with navigable water, a road or a condo on every side, all well within 75’ of our cottage.

B. No harm to public interest
- Public health, safety and welfare: Having a shed will allow us to store our outdoor items in a safe, secure location rather than have them visible or openly assessable in the yard. This is especially important for anything mechanical, flammable or sharp like a rake, ice pick or axe.
- The wetlands and well water quality will be positively effected as items like the lawnmower will be stored in a secure, dry place at or above the floodplain level rather than outside at 583.4 Storing some of these items outside, where it will flood, could potentially contaminate the surrounding wetland.
- I believe that the next door neighbor and other neighbors would prefer that our outdoor use items be stored in a shed and not openly around the yard.

C. Unnecessary hardship
Without a shed many of the items that one normally uses outside would have to remain outside in the elements, year round. Storing outdoor items in the cottage is untenable especially for items like a lawn mower and its fuel. Keeping these items outside year round is potentially harmful to the environment and damaging to the item. Having a waterproof shed to store outdoor use items is a minimum relief request. (Please see attached diagrams for additional details).
Door County Web Portal
Directory of Municipal Officials (https://www.co.door.wi.gov/635/4219/Treasurer-and-Assessor-Contact-Info)

Tax Year  Prop Type  Parcel Number  Municipality  Property Address  Billing Address
2020  Real Estate  012090001B  012 - T OF GARDNER  3270 N STEVENSON PIER RD UNIT B  MARY G EDWARDS THOMAS MEIER 2626 E PARK PL MILWAUKEE WI 53211

Tax Year Legend:  $ = owes prior year taxes  X = not assessed  $ = not taxed  Delinquent  Current

Property Summary
Parcels #:  012090001B
Alt. Parcel #:  15 012 4 27 24 11 1 03 002
Parcel Status:  Current Description
Creation Date:  1/1/1991
Historical Date:  
Acres:  0.320

Property Addresses
Primary Address  3270 N STEVENSON PIER RD UNIT B 54235

Owners
Name  Status  Ownership Type  Interest
EDWARDS, MARY G  CURRENT OWNER  JT
MEIER, THOMAS  CURRENT CO-OWNER  JT
DVORAK, DEAN J  FORMER OWNER
DVORAK, TONYA A  FORMER OWNER
MALVITZ JR, FRED C  FORMER OWNER

Parent Parcels
No Parent Parcels were found

landnav.co.door.wi.us/GCSWebPortal/Search.aspx?ParcelNumber=012090001B
Door County, Wisconsin
... for all seasons!

Door County Land Information Office
Printed 05/28/2020

Maps are intended for informational purposes only. Door County Land Information Office does not make any warranty or representation regarding the accuracy or completeness of the information depicted on these maps. Use of this information is at your own risk. Door County Land Information Office shall not be responsible or liable, directly or indirectly, for any representation, warranty, or guarantee given by any third party. No warranty or representation, expressed or implied, as to the accuracy or completeness of any information is made. The Web Map is only a completion of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.
Door County, Wisconsin
... for all seasons!

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

Printed 05/29/2020 courtesy of Door County Land Information Office

... from the Web Map of...
(/www.co.door.wi.gov)
DOOR COUNTY LAND USE SERVICES
421 Nebraska Street – Door County Government Center
Sturgeon Bay, WI 54235
Tel 920-746-2323
Fax 920-746-2387

BUILDING PLANS

OWNER: Mary Edwards
Thomas Meier

DATE: 4-23-20

Below or on a separate sheet attach a scale drawing showing each of the following as applicable:

- All floor plans.
- At least two elevation views.

FLOOR PLAN

Scale: \( \frac{1}{4}'' = 1' \)

FRONT ELEVATION VIEW

END ELEVATION VIEW

Scale: \( \frac{1}{4}'' = 1' \)

RECEIVED
MAY 11 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT
Site Sketch

LOCATED IN:
GOVT LOT 2 OF SECTION 11, T. 27 N., R. 24 E.,
TOWN OF GARDNER, DOOR COUNTY, WISCONSIN

PREPARED FOR:
CURRENT OWNER:
MARY G. EDWARDS
THOMAS MEIER
2628 E. PARK PLACE
MILWAUKEE, WI 53211

PROPERTY ADDRESS:
3070 N. STEVENSON PIER ROAD

PREPARED BY:
BRIAN FRIQUE SURVEYS INC.
BRIAN D. FRISQUE
REGISTERED LAND SURVEYOR
3121 MATHY ROAD
STURGEON BAY, WI 54235
(920) 743-7185

SURVEYOR'S NOTES:
100 YEAR FLOODPLAIN ELEV. = 566.5'
FIRST FLOOR ELEVATION = 344.0'

LEGEND
☑️ = UTILITY POLE
☑️ = TELEPHONE RISER
Hi Tom,

Thank you for your thoughts and I'm glad to hear your family is safe and healthy! We are doing well here also.

We are in the process of issuing the permit today. I asked Linda to e-mail a copy to you at this address and sent Dean a hard copy in the mail.

One thing we still need to deal with is the illegal shed that was put on the lot by the previous owner. The required water setback is 75' from the ordinary high water mark and it is located as close as 7.5' from the ordinary high water mark. The options available to you are: remove the shed and slab from the property or request a variance from the required water setback. Normally the variance request would be an after-the-fact double fee, but because you inherited the problem, we would not charge you the double fee. Your unit does not have much land and you really don't have many options. I know Dean will need to move the shed in order to raise the home, do you have a plan for where the shed is going currently? Please let me know what your thoughts are, so we can work through whatever option you choose.

Take care and stay well!

Sue Vanden Langenberg
Zoning Administrator
Door County Land Use Services Department: Zoning
Door County Government Center
421 Nebraska Street
Sturgeon Bay WI 54235
Direct Line: (920) 746-2221
Main office line: (920) 746-2323
Fax: (920) 746-2387
E-mail: svanden@co.door.wi.us
Website: http://map.co.door.wi.us/planning/

From: Tom Meier <meiert003@gmail.com>
Sent: Tuesday, April 7, 2020 1:52 PM
To: VandenLangenberg, Sue <svandenlangenberg@co.door.wi.us>
Subject: Re: Meier property at 3270 STEVENSON PIER N RD - Permit Application Documents

Hello Sue,

I hope that you are staying healthy. I saw that Corona Virus has reached Door County. We have been staying mostly in our home except to go exercise. We have not shopped for almost two weeks. Tuna has never tasted so good and so many ways to eat it. Who knew.

Wondering if things are still moving along and that we might expect a permit later this week. If so I will let Dean Albert know so that he can get ready to lift the cottage.
June 22, 2020

Town of Gardner
C/o Amy Sacotte, Clerk
2026 CTH DK
Sturgeon Bay, WI 54235

Re: Petition for variance for Tax Parcel 012-02-10272411J (3356 S. Willow Road)

Greetings:

We are sending you this letter to notify the town that the Door County Board of Adjustment will be holding a public hearing and meeting on July 14, 2020 for a variance regarding a property in Gardner. There will be no additional town review period for this case since this is a time sensitive project; please see the attached Resource Planning Committee minutes regarding a policy change related to projects such as this. Comments may still be submitted to the Land Use Services Department concerning the proposal up to 3:30 p.m. on July 13, 2020, and/or the town may offer verbal testimony at the hearing.

Enclosed is a "Town Recommendation Worksheet" which we ask you to complete and send back to the Door County Land Use Services Department after you review the case at an upcoming meeting.

William Nuhs and Mary Nuhs are requesting variances from Section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance and Sections IV.B.2.b. and Section IV.B.2.c.2) of the Door County Shoreland Zoning Ordinance. Section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance states that fill shall be placed one foot or more above the regional flood elevation and extend at least 15 feet beyond the limits of the residence. According to Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance all accessory structures shall be located at least 75’ from the ordinary high water mark of any navigable water. According to Section IV.B.2.c.2) of the Door County Shoreland Zoning Ordinance the residence and associated patio shall be located at least 48’ from the ordinary high water mark of Green Bay.

The applicant proposes to replace the existing residence with a new 26’ x 31’, two-story single family residence which is built in compliance with the Floodplain Zoning Ordinance to the extent possible. The residence will be built on fill such that the crawlspace and first floor will be located at or above the required elevations and will place fill around the home at an elevation of 586.1’ NAVD or higher. Due to the shape and size of the lot which is surrounded by water on 3-sides, retaining walls will need to be constructed along the north and northwest lot lines to hold the fill on the owners’ lot. Please see the attached site plan illustrating the proposal.
Therefore, the applicants are requesting relief from the extent of fill since the residence is proposed to be located as close as 10.5’ from the north. The fill around the entire elevated residence will meet the required floodplain fill elevation, and fill will extend 15’ around the remainder of the residence. The applicants are requesting variances from the ordinary high water mark for retaining walls in the following locations: the proposed retaining wall along the northwest lot line will be located as close as 12’ from the ordinary high water mark of the navigable lagoon to the southwest and the proposed retaining wall along the north lot line will be located up to the ordinary high water mark (as close as 0’ (zero) from the ordinary high water mark). The applicants are working with the DNR so that the shoreline protection will meet with the retaining wall to prevent erosion into the navigable water. The applicants are also requesting a variance from the ordinary high water mark such the residence and patio will be located as close as 41’ and 32’ from the ordinary high water mark located to the southeast.

The applicants have the responsibility to contact the Town of Gardner (Amy Sacotte, Clerk: 920-825-1137) to determine if/when the town may discuss this matter at a future meeting.

Please note that the Board of Adjustment Notice will be send in a separate mailing within a few days.

Sincerely,

Sue Vanden Langenberg
Zoning Administrator

Enc.: Variance application packet and town recommendation worksheet
December 19, 2019 RPC Minutes

C.C.: Applicants (via e-mail)
Skyler Witalison, P.E., Baudhuin Surveying & Engineering (via e-mail)
Adjacent property owners within 300’, without enclosure
Door County Land Use Services Department
Request for Town Recommendation

William Nuhs and Mary Nuhs are requesting variances from Section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance and Sections IV.B.2.b. and Section IV.B.2.c.2) of the Door County Shoreland Zoning Ordinance. Section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance states that fill shall be placed one foot or more above the regional flood elevation and extend at least 15 feet beyond the limits of the residence. According to Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance all accessory structures shall be located at least 75’ from the ordinary high water mark of any navigable water. According to Section IV.B.2.c.2) of the Door County Shoreland Zoning Ordinance the residence and associated patio shall be located at least 48’ from the ordinary high water mark of Green Bay.

The applicant proposes to replace the existing residence with a new 28’ x 31’, two-story single family residence which is built in compliance with the Floodplain Zoning Ordinance to the extent possible. The residence will be built on fill such that the crawlspace and first floor will be located at or above the required elevations and will place fill around the home at an elevation of 586.1’ NAVD or higher. Due to the shape and size of the lot which is surrounded by water on 3-sides, retaining walls will need to be constructed along the north and northwest lot lines to hold the fill on the owners’ lot. Please see the attached site plan illustrating the proposal.

Therefore, the applicants are requesting relief from the extent of fill since the residence is proposed to be located as close as 10.5’ from the north. The fill around the entire elevated residence will meet the required floodplain fill elevation, and fill will extend 15’ around the remainder of the residence. The applicants are requesting variances from the ordinary high water mark for retaining walls in the following locations: the proposed retaining wall along the northwest lot line will be located as close as 12’ from the ordinary high water mark of the navigable lagoon to the southwest and the proposed retaining wall along the north lot line will be located up to the ordinary high water mark (as close as 0’ (zero) from the ordinary high water mark). The applicants are working with the DNR so that the shoreline protection will meet with the retaining wall to prevent erosion into the navigable water. The applicants are also requesting a variance from the ordinary high water mark such the residence and patio will be located as close as 41’ and 32’ from the ordinary high water mark located to the southeast.

The (circle one) Town Board / Planning Committee of the Town of ______________ held a legally noticed and posted meeting on ____________, at which, by a vote of ____ (Yea) to ____ (Nay), the town recommended (check one) ____ SUPPORT ____ DENIAL for a variance.

Reason(s) for the town’s decision:

________________________________________

________________________________________

________________________________________

Is the proposal consistent with the Town Comprehensive Plan?

________________________________________

Concerns or objections the town may wish to see potentially addressed through conditions:

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

Town Clerk Signature ___________________________________________ Date __________________________

*See reverse for variance criteria.

Door County Land Use Services Department, 421 Nebraska St., Sturgeon Bay, WI, 54235. FAX: (920)746-2387.
GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY

This document is intended to provide a general guide to the issues and criteria to consider when making decisions regarding this type of zoning hearing. It should not be considered a complete guide to applicable statutes or ordinances.

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

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

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

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

- Do physical limitations of the property prevent compliance with ordinance standards? Examples of physical limitations include wetland presence, parcel shape, steep slopes, etc.
- Will granting the variance have no affect on the public interest?
  - Public interest includes additional runoff, affects on the quality of fish or wildlife habitat, impacts on scenic beauty, etc. Cumulative effects must be considered.
  - Public interest includes the interest of the public at large, not just that of nearby property owners.
  - Lack of local opposition does not in itself mean that a variance will not harm the public interest.
  - A variance should include only the minimal relief necessary to allow reasonable use of the property.
  - The board’s actions should be consistent with stated ordinance objectives.
- Is an “unnecessary hardship” present?
  - Does compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose, or is conformity with restrictions unnecessarily burdensome for the property owner?
  - Is there a unique physical property limitation? (See above.)
  - The variance is not warranted if the physical character of the property allows a landowner to develop or build in compliance with the zoning ordinance.
  - Financial hardship is not grounds for a variance.
  - Self-imposed hardship or personal preference are not grounds for a variance. (Note that “self-imposed hardship” has been determined by courts to mean either current or former owners.)
  - The hardship cannot be one that would have existed in the absence of zoning.

One final consideration: Will granting the variance serve an overriding public interest? (If yes, granting the variance may possibly be justifiable even if other criteria point toward denial.)
PETITION FOR VARIANCE
(See Door County Floodplain Zoning Ordinance section 7.3(4) Variance)

(a) The Board may, upon appeal, grant a variance from the standards of this Ordinance if an applicant convincingly demonstrates that:

1. Literal enforcement of the ordinance will cause unnecessary hardship;
2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
3. The variance is not contrary to the public interest; and
4. The variance is consistent with the purpose of this Ordinance in s. 1.3.

(b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:

1. The variance shall not cause any increase in the regional flood elevation;
2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

(c) A variance shall not:

1. Grant, extend or increase any use prohibited in the zoning district;
2. Be granted for a hardship based solely on an economic gain or loss;
3. Be granted for a hardship which is self-created.
4. Damage the rights or property values of other persons in the area;
5. Allow actions without the amendments to this Ordinance or map(s) required in s. 8.0, Amendments; and
6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to $25.00 per $100.00 of coverage. A copy shall be maintained with the variance record.
d. January 16, 2020 community meeting regarding flooding issues.

Goode reminded the committee that FEMA has been conducting a Great Lakes Coastal Engineering study which will be used to create new Flood Insurance Rate Maps. Goode also informed the committee that we have not had any recent update as to when we may expect to have the preliminary maps delivered by FEMA; however, in the past we had heard that we may expect to receive the maps this winter. FEMA has a set timeline for review and appeal of the preliminary maps which is then followed by a specific timeline in which the county will be required to adopt the new Flood Insurance Rate Maps and new Floodplain Ordinance. The county has also not yet seen the updated model ordinance, which will contain new regulations.

Goode relayed information related to some flooding that has taken place this summer and during the Thanksgiving week due to high water levels and wind and discussed the potential for additional flooding in 2020. Goode and Vanden Langenberg informed the committee of additional work load related to flood damage assessments and necessary permits required by participation in the National Flood Insurance Program and the Door County Floodplain Ordinance in order for the property owners to be eligible to purchase federally backed flood insurance and in some cases to provide property owners with necessary paperwork to make flood insurance claims.

Goode and Vanden Langenberg explained that there have been a couple of variances obtained already and several more initiated which are needed to raise and fill under and around structures in order to bring these structures into compliance with floodplain and shoreline zoning regulations. Staff anticipates many more of these variances since much of the lower lying areas contain small lots which can’t contain the extent of fill required and which contain nonconforming structures located close to lot lines and navigable water bodies. Goode asked the committee to allow waiving of the additional town review period on these type of variance requests as a way to speed up the variance process, knowing that the public notice process is set by statute and cannot be shortened. It was noted that the towns would still receive the same information regarding these upcoming hearings and would still have 3-4 weeks to provide comments up to and at hearings. The committee also discussed if fees should be altered for those going through this process but ultimately decided not to amend the fees.

Following this discussion, there was a motion by Koch, seconded by Enigl, to allow at the discretion of Land Use Services staff the waiving of the additional town review period for variances or conditional use permits for situations caused by natural disasters where owners have very limited options and where what is being proposed is essentially the same as what existed previously. Motion carried unanimously.

Goode informed the committee that some Land Use Services staff met with Dan Kane, Emergency Management Director, in early November to discuss high water and potential flooding and realized both departments were thinking about putting together educational meetings regarding the same topic. That has evolved into the public meeting being held on January 16, 2020 at the ADRC building. There will be experts presenting information about current and potential water levels, floodplain insurance and mitigation options. There will be tables set up before and after the meeting staffed by other professionals such as DNR water management specialists, Zoning Administrators, Highway Department, and Emergency Services to answer questions and provide additional information.

* 8.0 Review/approval Real Property Listing 3-year contract with Baudhuin, Inc.: Recovery, Relocation & Monumentation of Public Land Survey Corners.

Motion by Koch, seconded by Enigl, to approve the contract as presented. Motion carried unanimously.

* 9.0 Request to refill position: zoning administrator/assistant sanitary.
PETITION FOR GRANT OF VARIANCE

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

PETITION: (I) (We)

Pull Name Avrick Nuda
Mailing Address 7005 County Road C
City Sturgeon Bay
State WI
Zip 54235

Hereby petition(s) the Door County Board of Adjustment for a variance from Section (s)

of the Door County Zoning Ordinance which requires

(SEE ATTACHMENT A)

(I) (We) propose to

(SEE ATTACHMENT A)

LOCATION:

The description of the property involved in this petition is located at:

Township

Section

Lot Size

Existing use of structure or land in question

ATTACHMENTS:

1) A site plan, drawn to scale, indicating lot size, size of buildings and decks, distances between buildings and the centerlines of all abutting roads, ordinary high water mark, lot lines (identify lot lines), the sanitary waste disposal system and well. If a survey is available, please submit the survey. IF PLANS EXCEED AN 11" X 17" FORMAT, SUBMIT ONE COPY OF EACH SHEET REDUCED TO NO LARGER THAN 11" X 17".

2) Building plans, drawn to scale, of the proposed project, including floor plans and elevation views. The application will not be processed without scaled drawings. (Plans submitted with this petition will be the only plans reviewed by the Board of Adjustment. A change in plans will warrant a new petition, fee, and public hearing.) IF PLANS EXCEED AN 11" X 17" FORMAT, SUBMIT ONE COPY OF EACH SHEET REDUCED TO NO LARGER THAN 11" X 17".

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

(a) Unique property limitations

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

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

See Attachment B
(b) No Harm to Public Interests
A variance may not be granted which results in harm to public interests. In applying
this test, the Board of Adjustment must consider the impacts of the proposal and the
cumulative impacts of similar projects on the interests of the neighbors, the entire
community and the general public. These interests are listed as objectives in the
purpose statement of an ordinance and may include:

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

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

See Attachment B

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

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

Unnecessary hardship is present because:

See Attachment B

6) A non-refundable $500.00 fee payment to defray the cost of publishing the legal notice and
mailing to all interested parties.

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

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

SIGNATURE OF PETITIONER/AGENT: [Signature]
DATE: 04/29/2020

SCHEDULING:
This petition will be scheduled for the next available Door County Board of Adjustment
meeting. Approximately two weeks prior to that meeting, a legal notice will be mailed to you
providing further information regarding the time and location of the meeting. It is recommended
that the petitioner attend the Board of Adjustment meeting to present the case and to answer
any questions the Board of Adjustment may ask. If you are unable to attend the meeting, you
may want to have your attorney or contractor present on your behalf.
PETITION FOR GRANT OF VARIANCE

WILLIAM NUHS JR & MARY NUHS

ATTACHMENT A

The applicants hereby petition the Door County Board of Adjustment for variances from Section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance and Sections IV.B.2.b. and Section IV.B.2.c.2 of the Door County Shoreland Zoning Ordinance. Section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance states that fill shall be placed one foot or more above the regional flood elevation and extend at least 15 feet beyond the limits of the residence. According to Section IV.B.2.b. of the Door County Shoreland Zoning Ordinance all accessory structures shall be located at least 75' from the ordinary high water mark of any navigable water. According to Section IV.B.2.c.2) of the Door County Shoreland Zoning Ordinance the residence and associated patio shall be located at least 48' from the ordinary high water mark of Green Bay.

The applicant proposes to replace the existing residence with a new 26' x 31', two-story single family residence which is built in compliance with the Floodplain Zoning Ordinance to the extent possible. The residence will be built on fill such that the crawlspace and first floor will be located at or above the required elevations and will place fill around the home at an elevation of 586.1' NAVD or higher. Due to the shape and size of the lot which is surrounded by water on 3-sides, retaining walls will need to be constructed along the north and northwest lot lines to hold the fill on the owners' lot. Please see the attached site plan illustrating the proposal.

Therefore, the applicants are requesting relief from the extent of fill since the residence is proposed to be located as close as 10.5' from the north. The fill around the entire elevated residence will meet the required floodplain fill elevation, and fill will extend 15' around the remainder of the residence. The applicants are requesting variances from the ordinary high water mark for retaining walls in the following locations: the proposed retaining wall along the northwest lot line will be located as close as 12' from the ordinary high water mark of the navigable lagoon to the southwest and the proposed retaining wall along the north lot line will be located up to the ordinary high water mark (as close as 0' (zero) from the ordinary high water mark). The applicants are working with the DNR so that the shoreline protection will meet with the retaining wall to prevent erosion into the navigable water. The applicants are also requesting a variance from the ordinary high water mark such the residence and patio will be located as close as 41' and 32' from the ordinary high water mark located to the southeast.

BACKGROUND INFORMATION:

Due to the high water, the entire lot has been covered in several inches of water periodically since the approximately November of 2019. The crawlspace of the existing home has sustained water damage. The existing residence is a nonconforming structure and the Floodplain Zoning Ordinance limits all repairs and modifications to the structure to 50% the equalized assessed value of the residence over the lifetime of the structure. Compliance requires the residence to be elevated and placed on fill such that the crawlspace is at or above 585.1' NAVD, first floor is at or above an elevation of 587.1' NAVD and 15' of fill shall be placed around the home at or above an elevation of 586.1' NAVD.

Due to the proximity of the ordinary high water mark on 3-sides, it is impossible for a residence to meet shoreland and floodplain zoning requirements without relief (variances) from the extent of floodplain fill and water setbacks (see site plan).

Currently the existing boathouse is a wet boathouse (water inside) which is not built on fill. This structure is nonconforming to the floodplain and shoreland zoning regulations. The DNR is allowing the area underneath the boathouse to be filled and a new boathouse will be built in compliance with shoreland and floodplain zoning regulations.
Attachment B

3a) When evaluating our property lot there are several limiting factors the property faces that require variances.

1. With the property being surrounded with water on three sides, the house and patio will be a minimum of 32’. Being this close to, the water on three sides does not allow these structures to meet the 48’ set back that is required.

2. Due to the current location of the house, the required 15’ of back fill surrounding the house would not be met, due to the property line being 10’ from north side of the house. The house cannot be moved due to the septic system 5’ set back that is required from the edge of the tank that is located on the south side of the house.

3. The property is currently in the high flood plain area, resulting in consistent flooding to be present. Bringing the property and buildings up to compliance with the flood plain requirements will help reduce this.

3b) since this property was originally developed, overtime the water level has increased significantly resulting in the natural habitat being disrupted due to the dying off vegetation. Bringing the property up to compliance will allow for many improvements that will encourage the habitat to re-established.

1. The proposed property elevations will allow vegetation to grow without drowning out and dying. With living vegetation, habitat within land and in the water will be encouraged to the property.

2. The current trees that exist on the property have died. We are going to be planting a variety of new tree types that will encourage wildlife to reside back onto the property. We have both deciduous and coniferous tree types in our plan. We are also going to be planting a variety of perennials and bushes that will also give the habitat multiple cover/flood options.

3. With redoing the waterfront and adding the riprap, this will protect what is left of the land from eroding away more. The work that will be performed will not alter the current water flow that occurs in this area of the bay.

4. With the current wet boathouse breaking down, we will be putting a dry boathouse in its place. This upgrade will improve the boathouse structure while maintaining its historic property look when all small cottages had boathouses.

5. During the construction process, precautions will be implemented to protect the water from run off that may occur if not implemented. Maintaining the water quality that currently exists is our top priority.

With the above improvements, this will improve the overall property look and preserve this unique property location for multiple generations. The view from the water will not be improvised, but rather improved significantly. By eliminating, the dead vegetation and the deteriorating structures will give the property an updated look that now is landscape friendly. Surrounding properties will only benefit from these upgrades. With our current situation, flooding and soil erosion that occurs on this property affects the surrounding properties negatively. With the vegetation that is planned will improve the living conditions that our current fish population prefer. With that, the anglers that come to this body of water to fish will have an improved fishing experience.

3c) Like mentioned in 3a this is a very unique property due to its location to the water (south, east, and west side being closer than the set back of 75’), the property line (being closer than the 15’ backfill requirement), and septic tank (6’ setback requirement). These limitations do not allow the liveable structure to be relocated to another location within the property.
# Door County Web Portal

**Directory of Municipal Officials** [https://www.co.door.wi.gov/635/4219/Treasurer-and-Assessor-Contact-Info](https://www.co.door.wi.gov/635/4219/Treasurer-and-Assessor-Contact-Info)


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<td>WILLIAM S NUHS JR MARY J NUHS 7055 COUNTY HIGHWAY C STURGEON BAY WI 54235</td>
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**Tax Year Legend:**
- $\text{O}$: owes prior year taxes
- $\text{X}$: not assessed
- $\text{S}$: not taxed
- Delinquent
- Current

## Property Summary

- **Parcel #:** 0120210272411J
- **Alt. Parcel #:** 15 012 4 27 24 10 1 02 001
- **Parcel Status:** Current Description
- **Creation Date:** 1/1/1991
- **Historical Date:**
- **Acres:** 0.350

## Property Addresses

**Primary Address**

- 3356 S WILLOW RD 54235

## Owners

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## Parent Parcels

No Parent Parcels were found

## Child Parcels

landnav.co.door.wi.us/GCSWebPortal/Search.aspx?ParcelNumber=0120210272411J
FEMA FLOOD SAFETY CERTIFICATION

Prepared for:
Nuhs, William & Mary (& Crystal Drager)

Project Address:
3356 South Willow Road, Sturgeon Bay, WI 54235

SECTION:
PROJECT INFORMATION: .................................................................................................................. 2
DESIGN DATA .................................................................................................................................. 2
Pertinent Elevations: .......................................................................................................................... 2
Flood Datum Determination: .............................................................................................................. 2
Project Narrative: ............................................................................................................................... 2
Professional Opinion.......................................................................................................................... 3
PROFESSIONAL CERTIFICATION................................................................................................. 3
SUPPORTING DOCUMENTATION/APPENDICES .................................................................................. 4
Appendix “A” Flood Protection Plan/Site Plan .................................................................................. 4
Appendix “B” WI DNR Surface Water Data Viewer Maps ................................................................. 4
Appendix “C” Door County Maps ..................................................................................................... 4
Appendix “D” Product Specification Sheets ..................................................................................... 4
PROJECT INFORMATION:
Landowner/Contact: Nuhs, William and Mary
Contact: Crystal Drager
7055 Cty Hwy C
Sturgeon Bay, WI 54235
c_drager20@hotmail.com

Project Engineer: Skylar Witalison, P.E.
312 N. 5th Avenue
Sturgeon Bay, WI 54235
(920) 743-8211
switalison@baudhuin.com

Location: 3356 South Willow Road, Sturgeon Bay, WI 54235
Parcel ID: 0120210272411J

Project Description: The proposed project is a lifting/re-construction of a residence to place the finished floor at or above flood protection levels regulated by Door County ordinance.

DESIGN DATA

Pertinent Elevations:
- Regional Base Flood Elevation = 585.10
- Flood Protection Elevation = 587.10
- Proposed First Floor Elevation = 590.00
- Crawlspace Elevation = 585.15
- Basement: None proposed, crawl space
- Lowest proposed grade elevation within 15’ of building = 586.10
- Adjacent (existing) grade/elevation = ±583.0

Flood Datum Determination:
The base flood elevation (BFE0) was determined from Flood Insurance Rate Map (FIRM) Panel Number 55029C0429C, Effective date March 2, 2009. The BFE is determined to be 585.10.

Project Narrative:
The residence will be re-constructed at a higher elevation. A new foundation and crawlspace (concrete slab) will be constructed under the residence. The crawlspace floor elevation will be set slightly above floodplain elevation. The crawlspace will have a concrete slab floor that will be connected to the surrounding foundation walls with a water-stop seal. Along with the application of a liquid-applied waterproofing membrane on all exterior foundation walls, the crawlspace will be dry/flood-proofed.
The first floor elevation of the home shall be at least two feet above the BFE. The first-floor elevation was selected based on a 3.85’ crawlspace height and additional 1’ of floor system. Compacted fill shall be placed around and fully surrounding the foundation. The finished ground grade for all points within 15 feet of the habitable portion of the home shall be at least 1 foot above the BFE. If lot line encroachments restrict a 15’ fill area, a retaining wall with a top elevation of 1 foot above BFE will be placed at the furthest possible distance from the foundation. The fill will provide foundation support as well as providing the protection against flooding. The driveway will be raised to Base Flood Elevation to accommodate emergency services during flooding events.
Professional Opinion:
The proposed foundation construction methods and proposed heights will follow the guidance of FEMA Technical Bulletin 10-01 and result in a building that is considered reasonably safe from flooding.

PROFESSIONAL CERTIFICATION

I, Skyler Witalison, certify that the design for the aforementioned house construction is reasonably safe from flooding in accordance with the guidance provided with FEMA's Technical Bulletin 10-01 related to ensuring that structures are reasonably safe from flooding and in accordance with accepted professional practices.

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RECEIVED

JUN 15 2020

DOOR COUNTY LAND USE SERVICES DEPARTMENT
### SUPPORTING DOCUMENTATION/APPENDICES

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<tr>
<td>“B”</td>
<td>WI DNR Surface Water Data Viewer Maps</td>
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<td>“C”</td>
<td>Door County Maps</td>
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<tr>
<td>“D”</td>
<td>Product Specification Sheets</td>
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**RECEIVED**

**JUN 15 2020**

DOOR COUNTY
LAND USE SERVICES DEPARTMENT
APPENDIX A

Flood Protection Plan/Site Plan
Exhibit
APPENDIX B

WI DNR Surface Water Data Viewer
Maps
-Floodplains
-Wetlands

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JUN 15 2020
DOOR COUNTY
LAND USE SERVICES DEPARTMENT
APPENDIX C

Door County Maps
- Parcel/Parcel Report
- Floodplain Elevations

RECEIVED
JUN 15 2020
DOOR COUNTY
LAND USE SERVICES DEPARTMENT
Tax Parcel Report
Courtesy of the Door County Land Information Office

May 2019 Orthophoto as default backdrop

Data Current through 31st May 2020

Parcel Number: 0120210272411J - T OF GARDNER
PLSS Section-Town-Range: NW of NE 10-27-24
Property Address: 3356 S WILLOW RD
Owner Name: WILLIAM S JR NUHS
Co-Owner: MARY J NUHS
Mailing Address:
7055 COUNTY HIGHWAY C
STURGEON BAY, WI 54235

Legal Description (See recorded documents for a complete legal description):
COM SE COR 74/505 (111) GL# 1 SEC.10:SLY ALG SHR 95' W TO E LN 12' DRWY NLY TO 7
4/ 505 E TO BG.

School District: Southern Door

Valuations: 2020
- Acres: 0.35
- Land Value: $93100
- Improved Value: $56800
- Forest Value: $0

Taxes: 2019
- Real Estate Tax: $2155.76
- Special Tax: $0.00
- Forest Tax: $0.00
- Est Fair-Market Value: $156500
Door County Floodplain Elevations
Per Flood Insurance Study Number 55029CV000A
(Feet NAVD*)

Town of Washington

Scale: 1" = 25,000'

PROJECT SITE

584.9'

584.6'

584.3'

584.2'

585.1'

Kangaroo Lake
86.6' local datum

Clark Lake
103.2' local datum

Eagle Lake
88.0' local datum

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JUN 15 2020
DOOR COUNTY
LAND USE SERVICES DEPARTMENT

FF = + 2
GRND W/K 15" = 1'
CRAWL SUB 85MT SUB
2 AT OR ABOVE FF

*Conversion: NAVD = NGVD + 0.1'
For stream elevations, refer to FIS
Sanitarian Information

Parcel Number: 012 0210272411J 2020
Fire Number: 3356 SOUTH WILLOW RD
Owner: WILLIAM S JR & MARY J NUHS

Sanitary Permits

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Evaluations and Inspections

NOTICE: Some active systems are not yet entered into the computerized records. Contact the Door County Sanitarian for complete information about the system(s) on this parcel.

CLOSE WINDOW

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APPENDIX D

Product Specification Sheets

RECEIVED
JUN 15 2020
DOOR COUNTY
LAND USE SERVICES DEPARTMENT
The superior hang strength of TUFF-N-DRI® H8 delivers a consistent thickness for maximum waterproofing performance when it cures to 40 mils. Other waterproofing products slide down the wall and pool at the footer, leaving basement walls vulnerable to leaks and seepage. TUFF-N-DRI is performance-engineered to hang in place on the wall, eliminating product waste and providing exceptional waterproofing protection.

Only TUFF-N-DRI H8:

- holds back up to 8 feet of water under hydrostatic pressure
- is specifically formulated to span concrete settling cracks, sealing against water leaks
- offers up to a 30 year performance warranty
- stays where it’s sprayed for maximum protection
**A History of PERFORMANCE**

For well over 30 years, Tremco Barrier Solutions has helped builders across North America offer drier, more comfortable homes by manufacturing the industry's best foundation waterproofing system.

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**Membrane Properties**

<table>
<thead>
<tr>
<th>Property</th>
<th>Result</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resistance to Hydrostatic Head</td>
<td>8'</td>
<td>ASTM D-5385</td>
</tr>
<tr>
<td>Type</td>
<td>Polymer-enhanced asphalt liquid-applied membrane</td>
<td></td>
</tr>
<tr>
<td>Color</td>
<td>Black</td>
<td></td>
</tr>
<tr>
<td>Solids</td>
<td>64% ± 3% [percent by weight]</td>
<td></td>
</tr>
<tr>
<td>Density</td>
<td>8.2 ± 1.5 lbs/gal</td>
<td></td>
</tr>
<tr>
<td>Application</td>
<td>Airless spray</td>
<td></td>
</tr>
<tr>
<td>Application Temperature</td>
<td>Minimum 20°F</td>
<td></td>
</tr>
<tr>
<td>Application Thickness</td>
<td>60 mils (wet)</td>
<td></td>
</tr>
<tr>
<td>Typical Cure Time</td>
<td>16-24 hrs [under normal conditions]</td>
<td></td>
</tr>
<tr>
<td>Crack Bridging Ability</td>
<td>Passes</td>
<td></td>
</tr>
<tr>
<td>Water Vapor Permeance</td>
<td>&lt;1 perm for 40-mil dry coating (grains/l-fit/hr)</td>
<td></td>
</tr>
<tr>
<td>Elongation</td>
<td>&gt;1800%</td>
<td></td>
</tr>
<tr>
<td>Adhesion to Concrete</td>
<td>Exceeds</td>
<td></td>
</tr>
<tr>
<td>Resistance to Degradation in Soil</td>
<td>Good</td>
<td></td>
</tr>
<tr>
<td>Mold Growth and Bacterial Attack</td>
<td>No degradation</td>
<td></td>
</tr>
</tbody>
</table>

---

**Board Properties**

<table>
<thead>
<tr>
<th>Property</th>
<th>WARM-N-DRI Foundation Board</th>
<th>TUFF-N-DRI Barrier Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
<td>4' x 4'</td>
<td>4' x 8'</td>
</tr>
<tr>
<td>Board Size</td>
<td>4' x 8'</td>
<td>4' x 8'</td>
</tr>
<tr>
<td>Board Thickness</td>
<td>3/16&quot;</td>
<td>3/8&quot;</td>
</tr>
<tr>
<td>Drainage Ability</td>
<td>&gt;70</td>
<td>&gt;110</td>
</tr>
<tr>
<td>Thermal Resistance</td>
<td>R-3</td>
<td>R-5</td>
</tr>
</tbody>
</table>

---

1. Meets requirements for ASTM C-612.
2. Hydraulic gradient of 1.0. Drainage rates with 10% board compression. At 65% compression, foundation board has the drainage capabilities of coarse sand.
3. As manufactured resistance values (R-value).

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**For more details on TUFF-N-DRI H8, contact your local Barrier Solutions Contractor, call 800-DRY-BSMT or visit TUFF-N-DRI.com**

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*TREMCO Barrier Solutions*
Waterstops play a critical role in the integrity of concrete structures. They provide a fluid-tight diaphragm when embedded in, and running through concrete joints. Earth Shield® Thermoplastic Vulcanize Waterstop (TPV), by JP Specialties, Inc., greatly expands the scope of conventional waterstop by offering unmatched chemical resistance to a broad spectrum of aggressive chemicals, solvents, and hot petroleum oils. Manufactured NSF certified, EPA-compliant waterstop profiles are available for new construction and retrofit, as well as the tools and accessories for proper field installation.

JP Specialties, Inc. is the leading manufacturer of chemical resistant waterstop and related concrete accessories. Our NSF 61 certified Earth Shield® line of chemical resistant waterstop is used throughout the world by major engineering firms and project owners for primary and secondary containment applications, as well as industrial wastewater treatment and ozone contactor structures. We invented and hold the patent on the technology used to mechanically weld thermoplastic waterstops.

Services offered include free blueprint take-off and shop drawings, on-site welding certification, and individual corrosion resistance certification for the project owner.
Earth Shield® Thermoplastic Vulcanize
ate (TPV / TPER) Waterstop Basic Use
Earth Shield® Thermoplastic Vulcanize Waterstop is used as a fluid-tight diaphragm, embed
ded in concrete, across and along the joint, for primary and secondary containment structures. Earth Shield® Chemical Resistant Waterstops are resistant to a wide range of oils, solvents, and aggressive chemi
cals. Alcohol, ketones, glycols, esters, and aqueous solutions of acids, salts, and bases have little effect on Earth Shield® Thermoplastic Vulcanize Waterstop.

Unlike polyvinyl chloride (PVC) wa
terstop, Earth Shield® waterstop contains no plasticizer, stabilizer, or filler to leech out when exposed to chemicals, fuels, and aggres
sive industrial fluids. Also, unlike PVC waterstop, Earth Shield® can withstand prolonged exposure to high and low temperatures (-78°F to 275°F long term) without detrimental effect.

Earth Shield® TPV Waterstop is NSF Standard 61 Certified for use in drinking water and is made of a recyclable polymer, so it's good for health and the environment.

The superior chemical resistance of Earth Shield® Thermoplastic Vulcanize Waterstop is enhanced by the use of a ribbed centerbulb configura
tion, which is available in a 4, 6, and 9-inch width. This provides for greater mechanical bonding with the concrete and a barrier against migration of liquid flow around the waterstop. The ribbed centerbulb style also allows for joint movement and may be used in above or below grade applications. Additional shapes are available for retrofit, extreme expansion, stainless steel and base seal applications.

Different varieties and grades of thermoplastic elastomers (TPE) are commercially available. On the low-end there is thermoplastic polyolefin (TPO), which has a rubber phase that is not cross-linked. On the high-end there is thermo-

plastic vulcanize (TPV)... Earth Shield® has chosen a fully cross-linked TPV as our standard elastomer compound, which provides superior mechanical properties, retention, and chemical resistance. In fact, when compared side-by-side, no competitive product is even close to achieving the physical properties of Earth Shield®.

Typical Applications
- Primary and secondary containment
- Waste water treatment plants
- Refineries
- Ozone contactor structures
- Mining facilities
- Fueling areas
- Chemical factories
- Manure pits

Earth Shield® Advantages
- Outstanding fluid resistance to a wide range of aqueous-based fluids, oils, and hydrocarbons
- Excellent retention of physical properties at elevated temperatures
- Superior ozone and weather resistance

Installation
Install Earth Shield® TPV Waterstop in all concrete joints. Waterstop should be centered in, and run the extent of the joint. All changes of directions should be prefabricated (see Shop Made Fittings), leaving only butt-welding for the field. If installing in an expansion joint, keep center bulb unembedded to allow it to accom
modate movement as designed. Use optional factory installed brass eyelets (or #3 hog rings) and tie wire to secure waterstop to reinforcing steel to avoid displacement during the concrete pour. Splice straight lengths of waterstop, and Shop Made Fittings to straight lengths, with an ST-10® in Line Waterstop Splicer with the iron temperature set to 410°F to 430°F. More detailed installation instructions can be found in our Standard 3-part Specifications.
Technical Assistance
Qualified technical assistance is available during any phase of your construction project.

Specifications
Standard 3-part Specifications are available at our website in Microsoft® Word and Adobe® PDF format, and upon request in printed and a variety of computer word processor formats. Call our Technical Sales Staff for additional help with your specification.

Suggested Proprietary Short Form Guide Specification Section 03150
(Master Format 2004 — 03 15 13)
TPV Chemical Resistant Waterstop
Waterstop indicated in drawings and specifications for contraction (control), expansion and construction joints shall be Earth Shield® TPV Chemical Resistant Waterstop Part No. 0000
[Designer insert appropriate part number here] as manufactured by JP Specialties, Inc.; Murrieta, CA 92562; Phone 951-763-7077

1. Thermoplastic Vulcanizate (TPV) Waterstop shall conform to EPA Title 40 CFR Section 265.193. The suitability of the waterstop for a specific application should be determined by specific testing for that particular requirement per ASTM D471. Project-specific certification to be provided by the manufacturer.

2. Thermoplastic Vulcanizate (TPV) Waterstop shall be independently certified for use in potable water per NSF/ANSI Standard 61. Third-party certified documentation to be provided by the manufacturer.

3. No equals or substitutions allowed.

<table>
<thead>
<tr>
<th>Property</th>
<th>Test Method</th>
<th>Required Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific Gravity</td>
<td>ASTM D792</td>
<td>.96</td>
</tr>
<tr>
<td>Shore A Hardness (5 sec.)</td>
<td>ASTM D2240</td>
<td>90±3 at 25°C (77°F)</td>
</tr>
<tr>
<td>Tensile Strength</td>
<td>ASTM D412</td>
<td>2,300 psi</td>
</tr>
<tr>
<td>Ultimate Elongation</td>
<td>ASTM D412</td>
<td>530%</td>
</tr>
<tr>
<td>100% Modulus</td>
<td>ASTM D746</td>
<td>1,000 psi</td>
</tr>
<tr>
<td>Tear Strength</td>
<td>ASTM D624</td>
<td>278 psi at 25°C (77°F)</td>
</tr>
<tr>
<td>Compression Set</td>
<td>ASTM D395</td>
<td>29% at 25°C (77°F)</td>
</tr>
<tr>
<td>Brittle Point</td>
<td>ASTM D746</td>
<td>-61°C (-78°F)</td>
</tr>
<tr>
<td>Drinking Water Safe</td>
<td>NSF/ANSI 61</td>
<td>Waterstop certified by NSF for use in potable water</td>
</tr>
<tr>
<td>Ozone Resistance</td>
<td>ASTM D1171</td>
<td>Passed, no cracking at 500 pphm</td>
</tr>
<tr>
<td>Chemical Resistance</td>
<td>ASTM D471</td>
<td>Meet or exceed specific testing standards for contained fluids as required by Owner and certified by Manufacturer</td>
</tr>
<tr>
<td>Green Certification</td>
<td>GreenSpec</td>
<td>Approved</td>
</tr>
</tbody>
</table>
Ribbed Centerbulb for Moving and Non-Moving Joints

Ribbed centerbulb is the most versatile type of waterstop available. The centerbulb accommodates lateral, transverse, and shear movement. Ribbed centerbulb can be used in expansion, construction, and control joints.

Ribbed centerbulb waterstops provide superior anchoring abilities and a long fluid-flow path because of the multiple ribs on the exterior flanges. Under stress, the multiple ribs will distort less than a dumbbell type waterstop. This is because the stress is first applied to the inward-most anchoring rib, and decreases to the subsequent ribs.

The centerbulb allows for joint movement beyond the ultimate elongation of the material (530%), without causing distortion to anchoring ribs. All of our ribbed centerbulb waterstops are manufactured with a large outer diameter centerbulb. This centerbulb, coupled with the outstanding mechanical properties of our proprietary TPV elastomer (ultimate elongation, tensile strength, etc.), provides for unsurpassed joint movement and sealing abilities.

Like all our thermoplastic vulcanizate waterstops, ribbed centerbulb can be heat-welded using a standard waterstop splicing iron. This allows for easy field fabrications, and allows the waterstop to function as a continuous, homogeneous, fluid-tight diaphragm. Waterstop change of directions (fittings) can be purchased along with straight roll stock, and custom, fit-to-print waterstop modules are produced to order.