

**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, July 16th, 2020 beginning at approximately 3:45 p.m., after a public hearing scheduled to start at 3:00 p.m.

In response to the public health emergency in connection with the COVID-19 pandemic, the meeting will be virtual only. The committee will be assisted in conducting the meeting 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 Street, Sturgeon Bay, Wisconsin. Applicants and members of the public may monitor and participate remotely only.

To join the hearings and meeting via computer, click on the following link, <https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=ec91db8d398fd7dd4351ee8ee5b04af69>, 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 (146 724 8437) and password (July16rpc2020).

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 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 act on minutes of June 4, 2020 meeting.
- 6.0 Zoning matters.
 - 6.1 Richard Berger and the Keith & Christine Bridenhagen Trust (on behalf of Richard Bierman); conditional use permit for commercial storage facility with three 40' x 230' and two 40' x 90' buildings on three vacant lots, with three of the buildings exceeding a footprint of 5,000 sq. ft;

**AGENDA
RESOURCE PLANNING COMMITTEE
July 16, 2020**

directly adjacent to and south of 10038 STH 57; Mixed Use Commercial (MC) zoning district; Liberty Grove.

6.2 Potential sponsorship for public hearing of zoning ordinance text amendments to clarify Chapter 14 as modified at county board June 23, 2020.

7.0 Future meeting schedule.

August 6, 2020 - ?
August 20, 2020 - ?

8.0 Meeting per diem code.

9.0 Adjourn.

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

David Enigl, Chair
Resource Planning Committee
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

MKG/SV/lr
07/09/20

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.

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

June 4, 2020

1.0 Open meeting.

After the conclusion of two public hearings, the first of which began at 1:15 p.m., Chair Enigl called a regular business meeting of the Resource Planning Committee to order at 6:19 p.m. in the Door County Government Center County Board Room (C101, 1st Floor) of the Door County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin.

Present:	<u>RPC Members</u>	<u>Staff</u>
	David Enigl	Mariah Goode
	Ken Fisher	Michelle Schuster
	Richard Virlee	Grant Thomas
	Roy Englebert	Ken Pabich (present for portion of Jordan hearing only)
	Vinni Chomeau (via WebEx)	

Joanne Kurowski and Jason Rouer, Door County Technology Services staff members, were present at the start of the hearings to ensure technology was operating correctly.

Persons who offered testimony for one of the two public hearings, participating remotely via software platform Cisco WebEx (some but not all still on-line when the business meeting opened):

Thomas Jordan	Gwenn Graboyes
Julian Hagen	Patricia Vickman
Steve Parent	Pam Gillespie
Juliann Gardener	Gerald Worrick
Ted Gardener	Diane McNeil
Attorney James R. E. Smith	Tina Van Meer
David Studebaker	Andrew Moore
Steve Jenkins	

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 Virlee, seconded by Fisher, to adopt the agenda as presented. Motion carried unanimously.

3.0 Public comment.

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

None.

4.0 Correspondence: May 18, 2020 e-mail from Department Director Goode to town officials and community association coordinators re: relaxed county zoning regulations for outdoor business activities during the public health emergency.

Noted. RPC members had no objections to the planned policy.

5.0 Review and act on minutes of May 7, 2020 meeting.

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
June 4, 2020**

Motion by Fisher, seconded by Englebert, to approve the minutes as presented. Motion carried unanimously.

6.0 Zoning matters.

6.1 Zoning ordinance text amendment petition.

Resource Planning Committee; amend Door County Comprehensive Zoning Ordinance Chapter 14, Communications Support Structures and Related Facilities.

After some discussion, there was a motion by Fisher, seconded by Englebert, to recommend to the county board approval of the amendments as presented. Motion carried (4-1, Virlee “nay”). Committee members noted that they plan to continue discussing this matter in the near future in order to potentially pursue additional amendments.

6.2 Conditional use permit application.

Thomas Jordan; establish nonmetallic mine on 3.94 acres of 10.17-acre parcel; directly north of 1342 East Side Road; General Agricultural (GA) zoning district; Washington.

Note: The discussion and decision-making regarding this conditional use permit application were actually held immediately subsequent to the public hearing, prior to the hearing regarding Chapter 14, rather than during the business meeting. Below is the decision rendered during that discussion.

Motion by Fisher, seconded by Enigl, that:

- A. Thomas Jordan proposes to establish a nonmetallic mine on 3.94 acres of a 10.17-acre parcel accessed from and located directly north of 1342 East Side Road, Town of Washington, Door County, Wisconsin, in Section 32, Town 34 North, Range 30 East and in a General Agricultural (GA) zoning district, under a conditional use permit.
- B. Following a public hearing, the Resource Planning Committee (RPC) finds and concludes that:
 1. The applicant has demonstrated by substantial evidence that the application and all conditions and requirements relating to the proposed conditional use are or will be satisfied.
 2. There was no substantial evidence to support the opposite conclusion.
 3. A conditional use permit is hereby granted, subject to the following conditions and requirements:
 - a. The use must be established within 12 months of the issuance of the conditional use permit.
 - b. The project shall comply with all applicable local, state, and federal codes and ordinances, including obtaining all required approvals and permits prior to mining.
 - c. The applicant shall consult with the United States Fish & Wildlife Service (USFWS) as to whether or not the parcel in whole or in part is designated as critical habitat for the Hine’s Emerald Dragonfly.

If the parcel is in whole or in part designated as such habitat, the nonmetallic mine and any mine-related actions or activities on the parcel where mining is to take place and on the property to the south (1342 East Side Road), where mine-related

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
June 4, 2020**

vehicles and equipment are to be stored, shall abide by any practices recommended by the Wisconsin Department of Natural Resources and/or the USFWS with regard to ensuring the habitat of the federally endangered Hine's Emerald Dragonfly is not destroyed, degraded, altered, or fragmented. Before mining commences, copies of the recommended practices shall be provided to the Land Use Services Department.

- d. Hours of operation for any mine-related activities shall begin no earlier than 8 a.m. and shall conclude no later than 5 p.m., Monday through Friday only.
- e. Access to the property shall be via the property immediately to the south (1342 East Side Road), as proposed, and shall be formalized via recorded easement.
- f. No materials shall be stored or processed – including but not limited to crushing, screening, storing, stockpiling – and no mine-related office or employee facilities shall be established on the property adjacent to the south (1342 East Side Road), from which the mine activities will take access. Storage of mine-related equipment and vehicles shall be permitted within the existing buildings at 1342 East Side Road.
- g. Four conditions outlined in Greg Coulthurst's April 15, 2020 memo shall be met to the satisfaction of Door County Soil and Water Conservation Department (SWCD) staff:
 - i. A storm water permit will be required by the WI DNR. Evidence of WI DNR coverage is required.
 - ii. A permanent benchmark within fifty feet of the mine site referenced to a USGS benchmark must be established and maintained throughout the life of the mine.
 - iii. Final submittal shall include two paper copies of all plan maps and narratives.
 - iv. Any additional requirements as may be imposed by WI DNR.
- h. Any outdoor lighting erected in conjunction with this use shall utilize fixtures whose lens, hood, or combination thereof allow no direct beams to be seen from off the property or cast skyward, and the lighting elements of which shall not be visible from adjacent properties.
- i. An affidavit shall be recorded with the Deed to provide successors in interest notice of the conditional use permit and conditions and requirements.

Motion carried (4-1, Chomeau "nay").

7.0 Budget matters.

a. 2020 budget year-to-date update.

Noted. Revenues are on track to be the same or higher than budgeted for 2020 and expenditures will definitely be lower than budgeted, due to being short one zoning administrator for ~4.5 months.

b. 2021 vehicle replacement.

Motion by Fisher, seconded by Chomeau, to recommend approval as presented/proposed. Motion carried unanimously.

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
June 4, 2020**

c. 2021 tech outlays.

Motion by Fisher, seconded by Englebert, to approve the proposed purchases (three smart phones and three tablets) in 2020, since the major item which was budgeted for 2020 purchase (scanner) is not going to be needed. If purchase of these six items in 2020 is not possible or allowable for some reason, the 2021 budget should reflect purchase of these items. Motion carried unanimously.

d. 2021 Capital Improvements Plan.

After some discussion, there was a motion by Englebert, seconded by Fisher, to place \$750,000 in the Capital Improvements Plan as a “placeholder” for address sign replacement in 2022. After further discussion, both the motion and second were revoked. Motion by Fisher, seconded by Virlee, to not put anything in the C.I.P. for this project, and to postpone discussion for one year the idea of replacing all of the address signs in the county, for the reasons noted in the May 7, 2020 motion: “Given the current economic uncertainty facing the county and its residents, business owners, and towns due to COVID-19, this is not a wise use of county money, and towns will not be in a position to help offset costs.” Motion carried unanimously.

e. FYI: 2021 non-CIP outlays: None.

Noted.

8.0 FYI/review: RPC/plan commission reference materials, which may be found on-line at this link: <https://www.co.door.wi.gov/164/Land-Use-Services> .

Goode reminded RPC members about the reference materials posted on the department website.

9.0 Future meeting schedule.

- June 18, 2020 - No meeting.**
- July 2, 2020 - ?**
- July 16, 2020 - ?**

There will not be hearings or meetings June 18th or July 2nd.
There will likely be a meeting, and possibly one hearing, on July 16th, beginning at 3:00 p.m.

Meeting schedule as discussed noted.

10.0 Meeting per diem code.

Chair Enigl assigned code 604.

11.0 Adjourn.

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

Meeting adjourned at 7:11 p.m.

Reported by,

Mariah Goode

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
June 4, 2020**

Land Use Services Director

MKG/lr

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

**DOOR COUNTY GOVERNMENT CENTER
421 NEBRASKA ST.
STURGEON BAY, WI 54235**

In response to the public health emergency in connection with the COVID-19 pandemic, **the public hearing to be held by the Door County Resource Planning Committee on Thursday, July 16, 2020 will be virtual only.** The committee will be assisted in conducting the hearing 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 committee business meeting to be held immediately subsequent to the hearing 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 hearing and meeting via computer, click on the following link, <https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=ec91db8d398fd7dd4351ee8ee5b04af69>, 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 (146 724 8437) and password (July16rpc2020).

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

The hearings will begin at 3:00 p.m., to give consideration to the applications listed below for a conditional use permit, as specified in the county comprehensive zoning ordinance:

TOWN OF LIBERTY GROVE

Richard Berger and the Keith & Christine Bridenhagen Trust (on behalf of Richard Bierman) request a conditional use permit as required by Door County Comprehensive Zoning Ordinance Sections 2.05(3)(a), 3.15(5), 4.04(8), and 11.04. The applicants propose to establish a commercial storage facility by constructing three 40' x 230' and two 40' x 90' buildings on three vacant lots (to be combined, for a total lot area of 200,243 sq. ft.). A conditional use permit is also required in the Town of Liberty Grove for the project since three of the buildings exceed a footprint of 5,000 sq. ft. The property is located directly adjacent and south of 10038 STH 57 in Section 17, Town 31 North, Range 28 East and in a Mixed Use Commercial (MC) zoning district.

The purpose of a 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 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 Resource Planning Committee 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 on-line 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 Resource Planning Committee 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.

David Enigl, Chair
Door County Resource Planning Committee
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: July 1, 2020 and July 8, 2020

06/25/2020
MKG/SV/lr

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MAY 22 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 Richard Bierman
No. 1574 Street Berkshire Dr.
City Green Bay State WI Zip 54313
Home Phone #
Daytime Phone # 920 - 362 - 3478
Email: rbierman@wcbags.com

2. BUILDING SITE LOCATION
Fire # Road Hwy 57
Town of Liberty Grove
Local Phone #

3. DEVELOPER NAME AND MAILING ADDRESS
Name Richard Bierman
No. 1574 Street Berkshire Dr
City Green Bay State WI Zip 54313
Phone # 920 - 362 - 3478
Email: rbierman@wcbags.com

4. PROPERTY IDENTIFICATION
Parcel No. 018 - 01 - 1731283 F1
1731283 F2
1731283 F3

5. USE
Proposed use of land or structure:
Self Storage

6. SANITARY PERMIT
Type of System N/A
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?
[X] 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
Richard Bierman
Date 5-18-20

Receipt No. 1549
Date Permit Issued:
Fee 500
Date 5-22-20
Certificate of Compliance: Date

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

Table with 3 columns: Date, Inspector, Remarks. Header: Inspections:

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

(w/conditions)

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

MAY 22 2020

APPLICATION FOR CONDITIONAL USE PERMIT – ADDENDUM

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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

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

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

Please provide the Resource Planning Committee members substantial evidence regarding:

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

The proposed storage facility will add value to the area as it is currently vacant land. The south side is a gift shop, the north side is an office. Behind the property is a concrete contractor. Across the highway an old oil depot/gas station

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

There is a storage facility behind the property and 1/2 mile down Hwy 57. It would not be out of character for the surrounding area

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

The current parcels are zoned MC with future use designated for commercial. The property is not prime farm land and is well drained

4) Provision of an approved sanitary waste disposal system.

<input type="checkbox"/> Public Sewer	<input type="checkbox"/> Private Onsite Wastewater Treatment System (POWTS)								
<u>N/A</u>	<table border="0"> <tr> <td><u>Check One</u></td> <td><u>Check One</u></td> </tr> <tr> <td><input type="checkbox"/> Existing</td> <td><input type="checkbox"/> Conventional Septic</td> </tr> <tr> <td><input type="checkbox"/> New</td> <td><input type="checkbox"/> Other In-ground System</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Holding Tank</td> </tr> </table>	<u>Check One</u>	<u>Check One</u>	<input type="checkbox"/> Existing	<input type="checkbox"/> Conventional Septic	<input type="checkbox"/> New	<input type="checkbox"/> Other In-ground System		<input type="checkbox"/> Holding Tank
<u>Check One</u>	<u>Check One</u>								
<input type="checkbox"/> Existing	<input type="checkbox"/> Conventional Septic								
<input type="checkbox"/> New	<input type="checkbox"/> Other In-ground System								
	<input type="checkbox"/> Holding Tank								

5) Provision for a potable water supply.

<input type="checkbox"/> Public Water Supply (Liberty Grove Sanitary District #1 and Maplewood only)	<input type="checkbox"/> Well						
<u>N/A</u>	<table border="0"> <tr> <td><u>Check One</u></td> <td><u>Check One</u></td> </tr> <tr> <td><input type="checkbox"/> Existing</td> <td><input type="checkbox"/> Private Well</td> </tr> <tr> <td><input type="checkbox"/> New</td> <td><input type="checkbox"/> Shared Well</td> </tr> </table>	<u>Check One</u>	<u>Check One</u>	<input type="checkbox"/> Existing	<input type="checkbox"/> Private Well	<input type="checkbox"/> New	<input type="checkbox"/> Shared Well
<u>Check One</u>	<u>Check One</u>						
<input type="checkbox"/> Existing	<input type="checkbox"/> Private Well						
<input type="checkbox"/> New	<input type="checkbox"/> Shared Well						

6) Provisions for solid waste disposal.

<input type="checkbox"/> Commercial hauler
<input checked="" type="checkbox"/> Private delivery to collection site
<input type="checkbox"/> Other _____

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

Noise: There will be no noise

Odor: There will be no odor

Dust: There will be little to no dust

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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 _____ (Road Name)

X New Driveway(s) to Highway 57 (Road Name)

A driveway has been approved by the state DOT for the purpose of the intended use

Pedestrian Access

Sidewalks

Path or Trail

X No Pedestrian Traffic

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

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

The frequency of use for a facility like this is traditionally low impact with low visitation

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 Sister Bay & Liberty Grove 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 Department approves with understanding actual facility size may change however access widths and layouts must be maintained.

[Signature], Fire Chief May 17, 2020 (Date)

11) Provision for proper surface water drainage.

Natural Infiltration (explain below)

X Some Grading of the Site (explain below)

Engineered Stormwater and/or Erosion Control Plan (attach)

There will be minimal amounts of excavation as the site is fairly flat with a slight drop in the rear of the property.

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

Buildings would be consistent with other properties in the area. The property will also be screened by trees to keep the aesthetics of the area.

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CONDITIONAL USE PERMIT ADDENDUM – PAGE 3

DOOR COUNTY LAND USE SERVICES DEPARTMENT

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

There will be exterior lighting with little overflow. There will be no pole lights or lighting that would create an adverse issue.

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 current field will be scraped down for the development. There will not be any material removed from the site

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

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

The proposed project is within the scope of making a financial commitment to finishing the project

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

The plan has the ability to be adjusted should it be necessary, and address any problematic concerns

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

There is no impact to health, safety in the area. The general welfare will be improved by having a needed service

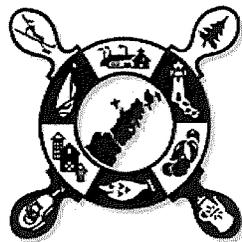
The Resource Planning Committee will establish a completion date for the proposed project. By what month and year will the project be completed? Dec 31st, 2026 build only based on demand

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.

I have the support of the people in the surrounding area. Everyone understands the need for storage as the lack of has created hardship for many in the area. I have and do operate a successful facility with very high reviews from customers and neighbors.

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

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



**DOOR
COUNTY
WISCONSIN**

(<http://www.co.door.wi.gov/>)



(<http://www.gcssoftware.com>)

Door County Web Portal

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

Wisconsin DOR
(<https://propertyinfo.revenue.wi.gov/wisconsinprod/search/advancedsearch.aspx?mode=advanced>)

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2020 ▼	Real Estate	0180117312833F1	018 - T OF LIBERTY GROVE		KEITH & CHRISTINE BRIDENHAGEN TRST 11085 BEACH RD SISTER BAY WI 54234

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

Property Summary

Parcel #:	0180117312833F1
Alt. Parcel #:	15 018 4 31 28 17 3 03 000
Parcel Status:	Current Description
Creation Date:	1/1/2002
Historical Date:	
Acres:	1.540

Property Addresses

No Property Addresses were found

Owners

Name	Status	Ownership Type	Interest
BRIDENHAGEN TRST, KEITH & CHRISTINE	CURRENT OWNER		

Parent Parcels

No Parent Parcels were found

Child Parcels

No Child Parcels were found

Workflow History and Messages

Tax Year	Last Updated	Type	Level
2020	1/1/1900 12:00:00 AM	MESSAGE	LOW
2019	1/1/1900 12:00:00 AM	MESSAGE	LOW

2018	1/1/1900 12:00:00 AM	MESSAGE	LOW
2017	1/1/1900 12:00:00 AM	MESSAGE	LOW
2016	1/1/1900 12:00:00 AM	MESSAGE	LOW
2015	1/1/1900 12:00:00 AM	MESSAGE	LOW
2014	1/1/1900 12:00:00 AM	MESSAGE	LOW
2013	1/1/1900 12:00:00 AM	MESSAGE	LOW
2012	1/1/1900 12:00:00 AM	MESSAGE	LOW
2011	1/1/1900 12:00:00 AM	MESSAGE	LOW
2010	1/1/1900 12:00:00 AM	MESSAGE	LOW
2009	1/1/1900 12:00:00 AM	MESSAGE	LOW
2008	1/1/1900 12:00:00 AM	MESSAGE	LOW
2007	1/1/1900 12:00:00 AM	MESSAGE	LOW
2006	1/1/1900 12:00:00 AM	MESSAGE	LOW
2005	1/1/1900 12:00:00 AM	MESSAGE	LOW
2004	1/1/1900 12:00:00 AM	MESSAGE	LOW
2003	1/1/1900 12:00:00 AM	MESSAGE	LOW
2002	1/1/1900 12:00:00 AM	MESSAGE	LOW
2002	1/1/1900 12:00:00 AM	NEW PARCEL	LOW

Search powered by

 (http://www.gcssoftware.com)

Abbreviated Legal Description

(See recorded documents for a complete legal description)

LOT 1 CSM #1274 V.7 PG.249 SEC. 17-31-28 SWSW

Public Land Survey - Property Descriptions

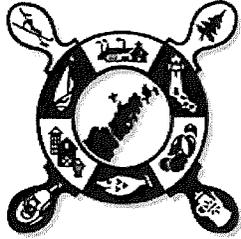
Primary	Section ▲	Town	Range	Qtr 40	Qtr 160	Gov Lot	Block/Condo Bldg	Type	#	Plat
	17	31 N	28 E	SW	SW			LOT	1	CERTIFIED SURVEY MAP 1274

District

Code ▲	Description	Category
	DOOR COUNTY	OTHER DISTRICT
	LOCAL	OTHER DISTRICT
	STATE OF WISCONSIN	OTHER DISTRICT
2114	GIBRALTAR	REGULAR SCHOOL
7070	LIBERTY GROVE 1	SANITARY
1300	N.W.T.C.	TECHNICAL COLLEGE

Associated Properties

No Associated properties were found



**DOOR
COUNTY
WISCONSIN**

(<http://www.co.door.wi.gov/>)



(<http://www.gcssoftware.com>)

Door County Web Portal

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

Wisconsin DOR

(<https://propertyinfo.revenue.wi.gov/wisconsinprod/search/advancedsearch.aspx?mode=advanced>)

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2020 ▾	Real Estate	0180117312833F2	018 - T OF LIBERTY GROVE		RICHARD L BERGER JUDY B BERGER 8878 CANA COVE RD BAILEYS HARBOR WI 54202

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

Property Summary

Parcel #:	0180117312833F2
Alt. Parcel #:	15 018 4 31 28 17 3 03 000
Parcel Status:	Current Description
Creation Date:	1/1/2002
Historical Date:	
Acres:	1.520

Property Addresses

No Property Addresses were found

Owners

Name	Status	Ownership Type	Interest
BERGER, RICHARD L	CURRENT OWNER		
BERGER, JUDY B	CURRENT CO-OWNER		

Parent Parcels

No Parent Parcels were found

Child Parcels

No Child Parcels were found

Workflow History and Messages

Tax Year	Last Updated	Type	Level

<landnav.co.door.wi.us/GCSWebPortal/Search.aspx?ParcelNumber=0180117312833F2>

1/2

<landnav.co.door.wi.us/GCSWebPortal/Search.aspx?ParcelNumber=0180117312833F2>

2/2

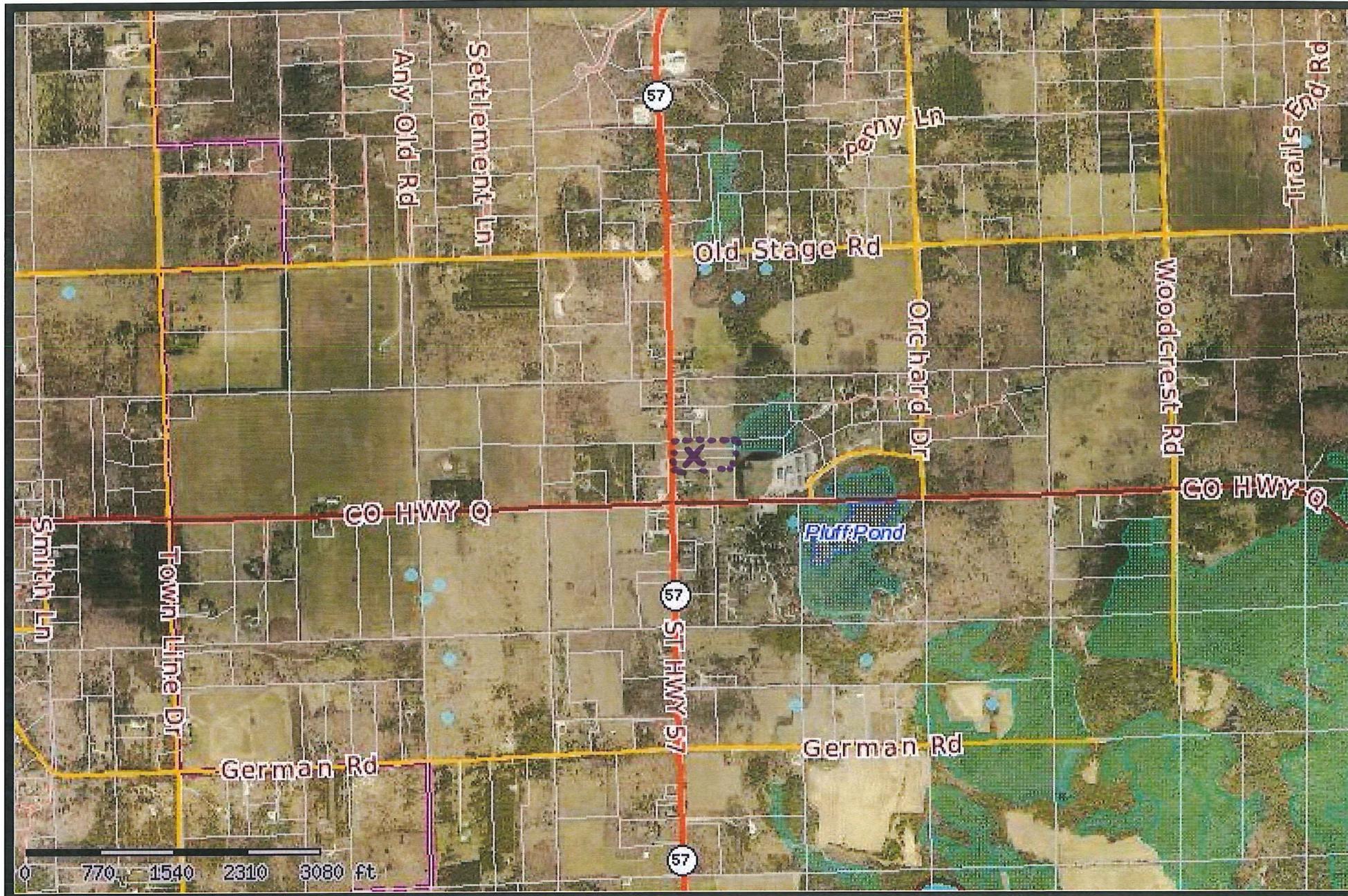
BIERMAN

Printed 06/26/2020 courtesy of Door County Land Information Office

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



Door County, Wisconsin
... for all seasons!



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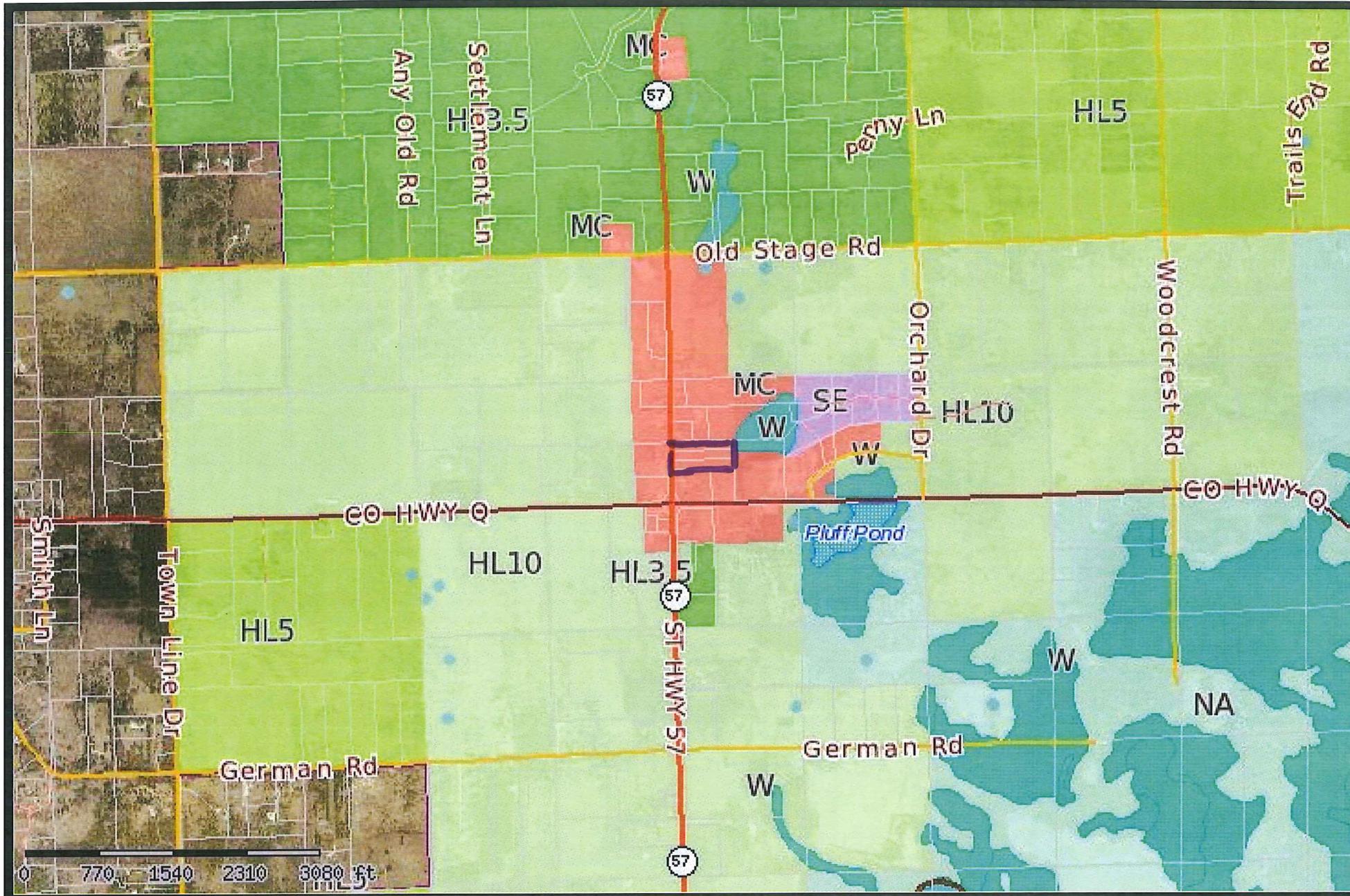
BIERMAN

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Door County, Wisconsin
... for all seasons!



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RECEIVED

MAY 22 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

5/18/2020

To: The Door County Planning Resource Committee

I am proposing a self-storage facility on Highway 57 near County Q. I currently own and operate a facility in the area with excellent reviews and outstanding customer service. I make sure it is maintained at the highest standards and have never received anything but positive feedback on what we have accomplished. I would look to gradually develop another location based on demand from the surrounding area. Currently, there is a demand for specific units as many people are either moving to the area or have been displaced from current locations during the offseason due to a lack of housing. I have been able to service my current customers yet as their needs change, I also must adapt to their requests.

The current project will be very well maintained and screened from the road per the code. I will be using the slight undulation in the topography to accommodate the larger buildings to the rear of the property as to make them less visible. The current neighborhood could support the development as it meets the requirements of the zoning and long-range plans for this area. The proposed project will also provide a very low impact to the environment as well as a very light footprint of services provided by Liberty Grove. By approving this the project, we will be expanding a very much needed service, as the expansion of many apartments in Sister Bay and surrounding areas will be supported in their storage requirements. People I have spoken with about this project agreed it is very much needed in the area and would for sure be of benefit.

Request

1. I am requesting a Conditional Use Permit be granted for this site which is zoned (MC).
2. I am also requesting a Conditional Use Permit from the town of Liberty Grove for buildings over 5,000 sq. ft in total building volume per code 3.15 (5)(c) for each building.

Requirements

1. I have met all the setback requirements per the code.
2. I will have the front of the site screened per the code.
3. I have provided ample amount of parking per the code.
4. I have obtained a permit from the State for highway access.

In closing, I was raised in Ephraim and have strong ties to the community and have always focused on making sure we do the right thing. I plan on continuing to call this home as does my family for future generations, I am not developer looking to flip a property, more so provide a much-needed service. I look forward to working with everyone involved to create a very successful project that will benefit everyone in the area.

Thank you for your time and consideration.

Respectfully,



Rich Bierman

RECEIVED
MAY 22 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

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

Please provide a description of your project.

My plan is to build a self storage facility with many different sizes to accommodate the demand from residents in the area

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

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

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

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

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

Property Owner(s) Name(s):

Richard Bierman - property under contract

Signature Richard Bierman

Date: 5-18-20

Signature: _____

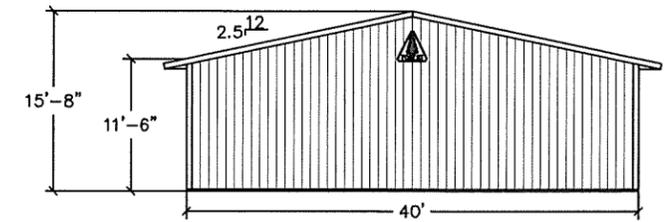
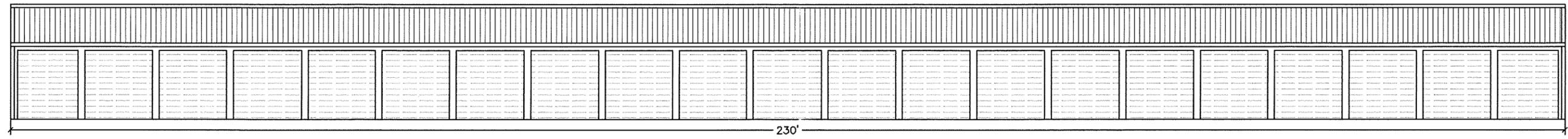
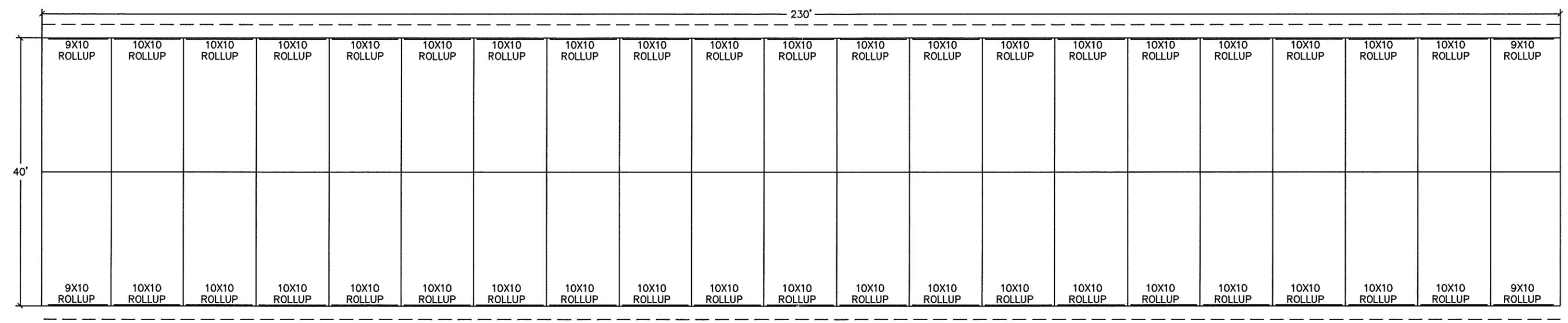
Date: _____

Parcel Number (of Project): 018 - 01 - 17312833 F1, F2, F3

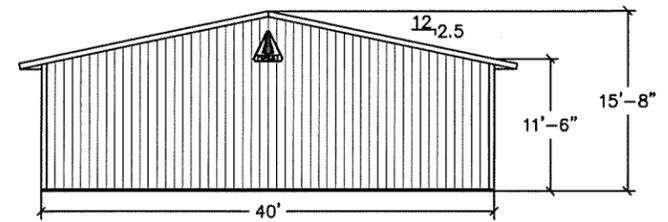
Fire Number & Street Address (of Project): State Hwy 57

PRELIMINARY PLANS

” NOT FOR CONSTRUCTION ”



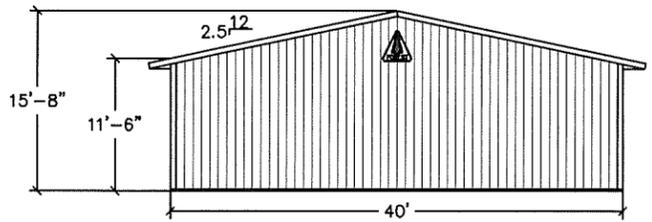
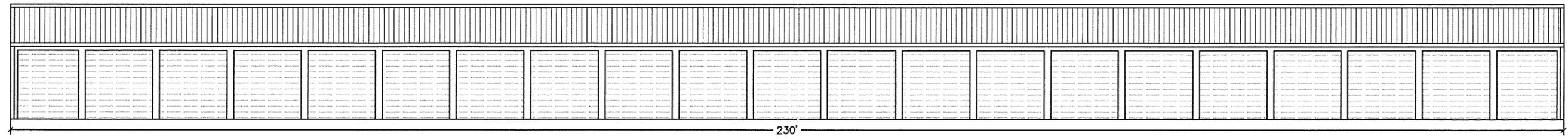
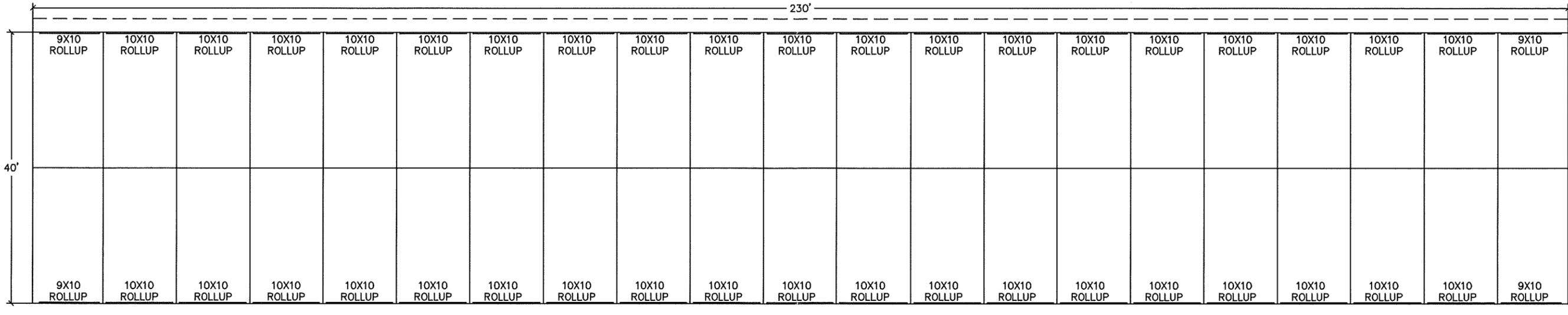
BUILDING B
 4-10'6"X20' UNITS WITH 9'X10' ROLL UP DOORS
 38-11'X20' UNITS WITH 10'X10' ROLL UP DOORS



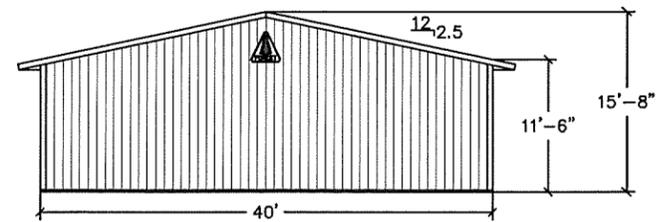
DRAWN BY: R.Y.N. DATE: 04/30/2020 SCALE: 1/16" = 1'	REVISED ON: 05/18/2020 REVISED ON: REVISED ON:	NAME: RICH BIERMAN DESCRIPTION: MULTI STORAGE FACILITY LOCATION: LIBERTY GROVE, WI	ADDITIONAL NOTES: VISIT OUR WEB SITE: WWW.FORESTBUILDINGS.COM	<small>THIS DRAWING WAS MADE EXCLUSIVELY FOR THE PARTY NAMED IN THE TITLE BLOCK. IT REMAINS THE PROPERTY OF FOREST CONSTRUCTION CO., INC. AND MAY NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART BY ANY METHOD WITHOUT THE EXPRESSED WRITTEN CONSENT OF FOREST CONSTRUCTION CO., INC.</small>	FOREST CONSTRUCTION CO., INC. <small>106 PRAIRIE LANE • P.O. BOX 350 • LUXEMBURG, WI 54217 920-845-2302 • 1-800-242-0085 • FAX: 920-845-5002 www.forestbuildings.com</small>	
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PRELIMINARY PLANS

” NOT FOR CONSTRUCTION ”



BUILDING A
 4-10'6"X20' UNITS WITH 9'X10' ROLL UP DOORS
 38-11'X20' UNITS WITH 10'X10' ROLL UP DOORS



DRAWN BY: R.Y.N. DATE: 04/30/2020 SCALE: 1/16" = 1'	REVISED ON: 05/18/2020	NAME: RICH BIERMAN	ADDITIONAL NOTES: VISIT OUR WEB SITE: WWW.FORESTBUILDINGS.COM	<small>THIS DRAWING WAS MADE EXCLUSIVELY FOR THE PARTY NAMED IN THE TITLE BLOCK. IT REMAINS THE PROPERTY OF FOREST CONSTRUCTION CO., INC. AND MAY NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART BY ANY METHOD WITHOUT THE EXPRESSED WRITTEN CONSENT OF FOREST CONSTRUCTION CO., INC.</small>	FOREST CONSTRUCTION CO., INC. <small>106 PRAIRIE LANE • P.O. BOX 350 • LUXEMBURG, WI 54217 920-845-2302 • 1-800-242-8035 • FAX: 920-845-5032 www.forestbuildings.com</small>	
	REVISED ON:	DESCRIPTION: MULTI STORAGE FACILITY				
	REVISED ON:	LOCATION: LIBERTY GROVE, WI				

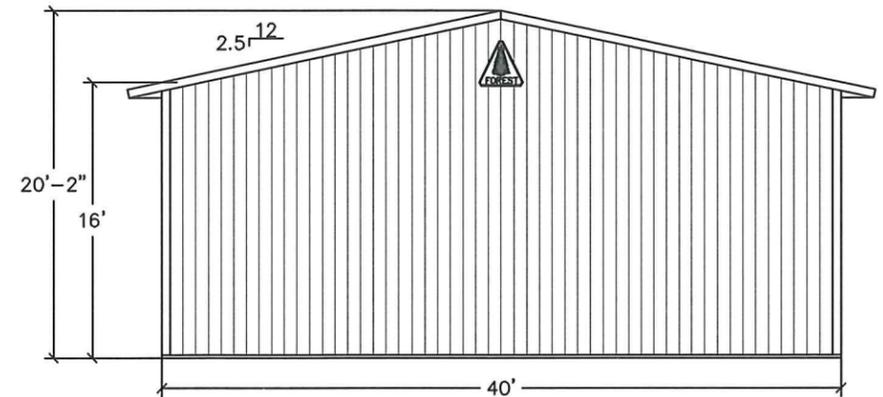
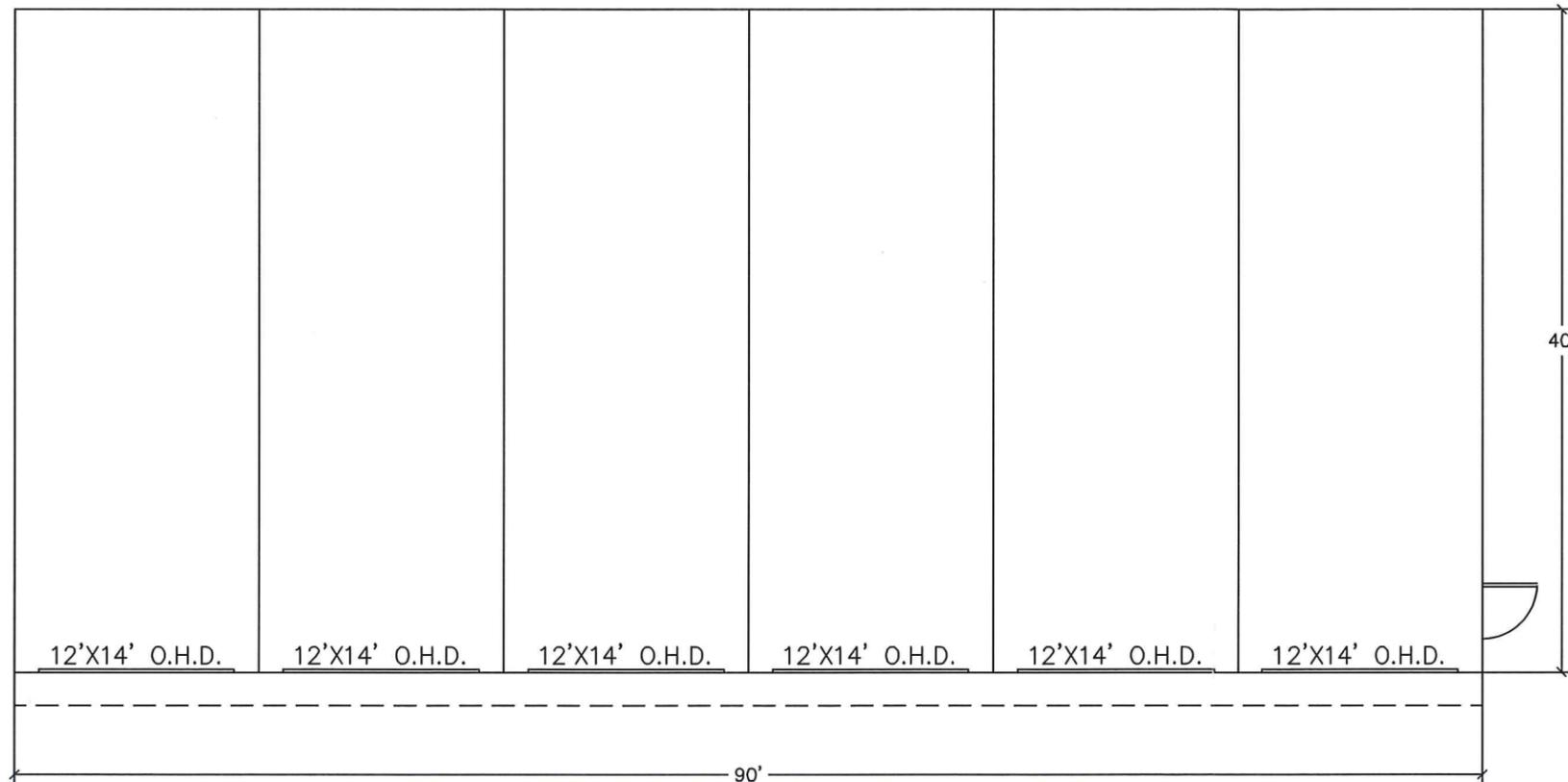
RECEIVED

MAY 22 2020

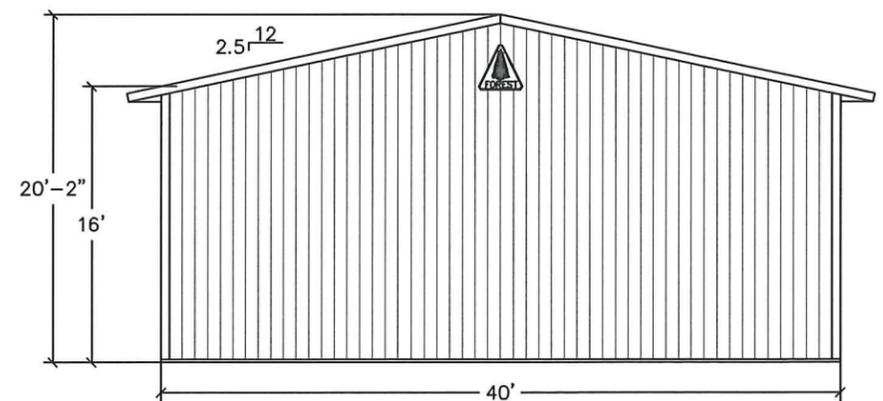
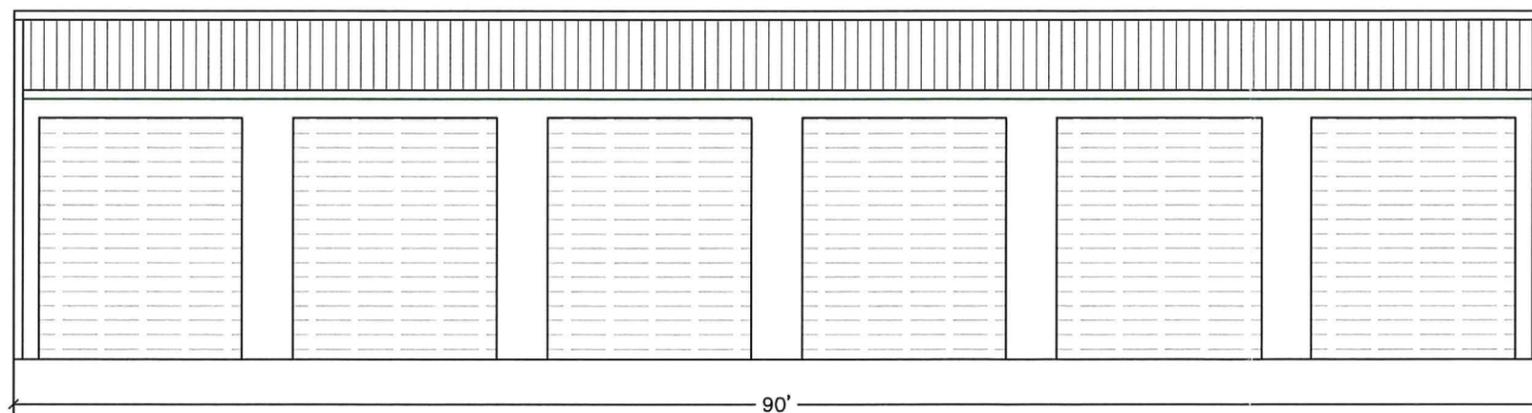
DOOR COUNTY
LAND USE SERVICES DEPARTMENT

PRELIMINARY PLANS

” NOT FOR CONSTRUCTION ”



BUILDING E
6-15'X40' UNITS WITH
12'X14' SECTIONAL DOORS



DRAWN BY: R.Y.N. DATE: 04/30/2020 SCALE: 3/32"=1'	REVISED ON: 05/18/2020 REVISED ON: REVISED ON:	NAME: RICH BIERMAN DESCRIPTION: MULTI STORAGE FACILITY LOCATION: LIBERTY GROVE, WI	ADDITIONAL NOTES: VISIT OUR WEB SITE: WWW.FORESTBUILDINGS.COM	<small>THIS DRAWING WAS MADE EXCLUSIVELY FOR THE PARTY NAMED IN THE TITLE BLOCK. IT REMAINS THE PROPERTY OF FOREST CONSTRUCTION CO., INC. AND MAY NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART BY ANY METHOD WITHOUT THE EXPRESSED WRITTEN CONSENT OF FOREST CONSTRUCTION CO., INC.</small>	FOREST CONSTRUCTION CO., INC. <small>106 PRAIRIE LANE • P.O. BOX 350 • LUXEMBURG, WI 54217 920-845-2302 • 1-800-242-8085 • FAX: 920-845-5002 www.forestbuildings.com</small> 
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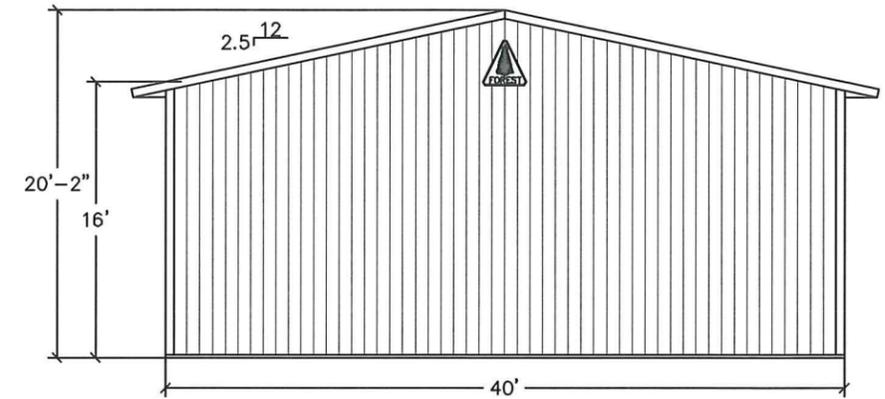
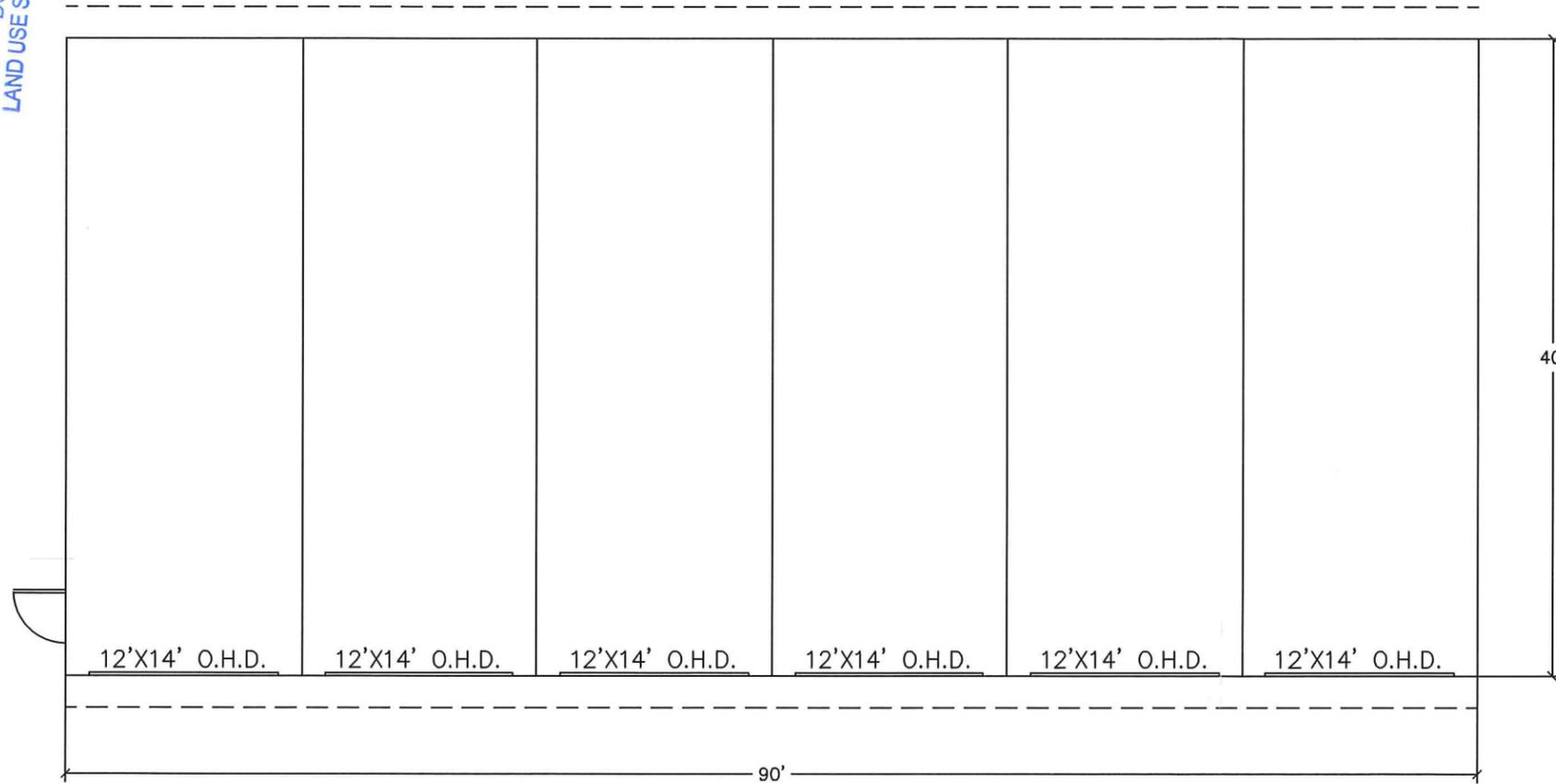
RECEIVED

MAY 22 2020

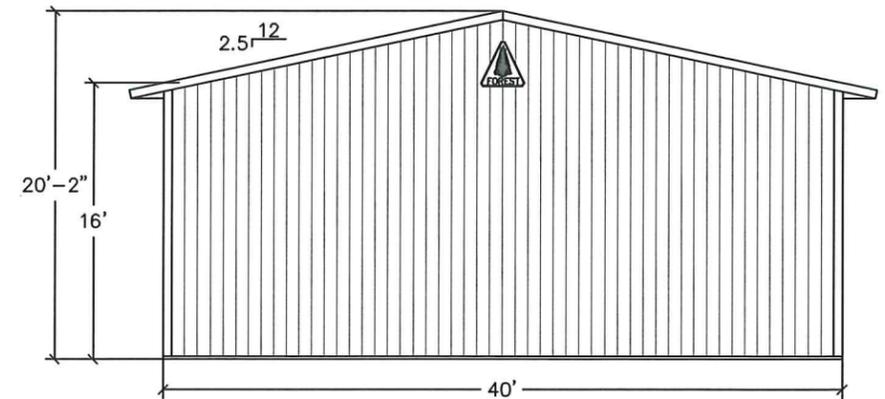
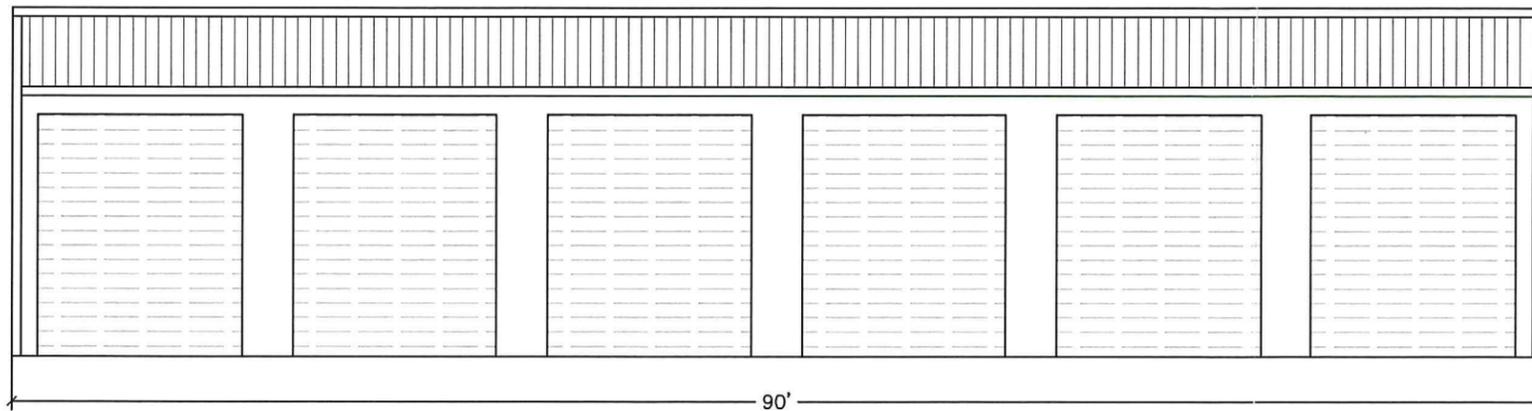
DOOR COUNTY
LAND USE SERVICES DEPARTMENT

PRELIMINARY PLANS

NOT FOR CONSTRUCTION



BUILDING D
6-15'X40' UNITS WITH
12'X14' SECTIONAL DOORS



DRAWN BY: R.Y.N.	REVISED ON: 05/18/2020	NAME: RICH BIERMAN	ADDITIONAL NOTES: VISIT OUR WEB SITE: WWW.FORESTBUILDINGS.COM	<small>THIS DRAWING WAS MADE EXCLUSIVELY FOR THE PARTY NAMED IN THE TITLE BLOCK. IT REMAINS THE PROPERTY OF FOREST CONSTRUCTION CO., INC. AND MAY NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART BY ANY METHOD WITHOUT THE EXPRESSED WRITTEN CONSENT OF FOREST CONSTRUCTION CO., INC.</small>	FOREST CONSTRUCTION CO., INC. <small>106 PRAIRIE LANE • P.O. BOX 350 • LUXEMBURG, WI 54217 920-845-2302 • 1-800-242-8085 • FAX: 920-845-5002 www.forestbuildings.com</small>
DATE: 04/30/2020	REVISED ON:	DESCRIPTION: MULTI STORAGE FACILITY			
SCALE: 3/32"=1'	REVISED ON:	LOCATION: LIBERTY GROVE, WI			



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:** Richard Bierman (proposed buyer); three (3) vacant parcels located north of 10002 State Highway 57.
- **Parcel identification numbers:** 018-01-17312833F1, 33F2, and 33F3.
- **Zoning district:** Mixed Use Commercial (MC).
- **Petition request, including sections of zoning ordinance requiring permit:** Richard Bierman proposes to construct three 40' x 230' commercial storage buildings and two 40' x 90' commercial storage buildings on the properties mentioned above. The petitioner understands that the parcels will have to be combined into one legal description if the conditional use permit is approved. In addition, section 3.15(5) of the Door County Comprehensive Zoning Ordinance states that, "For each individual building in the Town of Liberty Grove, the total area of the building footprint shall not exceed 5,000 square feet unless a conditional use permit is issued." The three 40' x 230' buildings all exceed a building footprint of 5,000 square feet and will require this authorization.

Ordinance sections: 2.05(3)(a), 11.04., & 3.15(5)

Description of Subject Property and Surrounding Area

Subject Property

- **Lot area:** 4.6 acres (total of 3 lots).
- **Frontage - water, road:** No water frontage; 300 feet of frontage along State Highway 57.
- **Existing uses/structures:** Currently vacant/mainly open field.
- **Access:** The property will be accessed from State Highway 57.
- **Traffic patterns/road usage:** State Highway 57 is a heavily travelled road. (Note: This is a straight stretch of highway, with a 45 mph speed limit. There are a number of other uses and driveways in the nearby area.)
- **Water and sanitation:** There will be no well or septic service provided on the property.
- **Significant topography or vegetation:** This is a fairly level site. Drops about 10 feet from west to east.

Surrounding Area:

- **North:** The properties directly north are Door Shakespeare, Inc., a bakery, and a vacant lot. These parcels are all zoned Mixed Use Commercial (MC). The lots further north include residences, an older farm with rental rooms, and a vacant lot. These properties are all zoned MC. There is a large vacant lot zoned Heartland-10 (HL10) located further to the northeast.
- **South:** The lot directly south of the subject property is a retail shop that is zoned MC. There is also a vacant lot located directly south that is zoned MC. County Highway Q is

located south of these properties. There is a residence, church, and Acqualand campground located further south. They are zoned MC and then HL10 further south.

- **East:** The properties to the east are zoned MC with some Wetlands (W). There is a trade and contractor shop located directly east and then commercial storage buildings a little further east. There are two large vacant lots located to the northeast that are zoned MC with some wetlands. There are some homes located further to the east on properties zoned MC and Small Estate Residential (SE). Those homes are over 800 feet from the proposed buildings and are well screened from the site by existing trees.
- **West:** State Highway 57 runs along the western property line. The properties across the road are zoned MC and include a restaurant, storage building, a residence, and a residence with a greenhouse. The properties further west are zoned HL10 and include a couple of homes that are located over 1,000 feet from the proposed building site.

Background/History

The properties are currently owned by Richard Berger and Keith and Christine Bridenhagen Trust. Mr. Bierman will purchase the properties if the conditional use permit is approved. There is a history of commercial use at the intersection of State Highway 57 and County Highway Q so the proposed use will not be out of character with the area. There are existing commercial storage buildings that were previously approved by the Resource Planning Committee located approximately 800 feet to the east. This property was also developed by Mr. Bierman.

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.
- **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.
 2. The project shall comply with all applicable local, state, and federal codes and ordinances, including obtaining all required approvals and permits prior to opening.
 3. The properties shall be combined into one legal description if the conditional use permit is approved.
 4. All lighting associated with the project 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.

Comprehensive Plan Considerations

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

The area of the parcel under consideration for the proposed commercial storage buildings is designated as “Commercial” on the comprehensive plan’s future land use map, as described below and shown on the attached map.

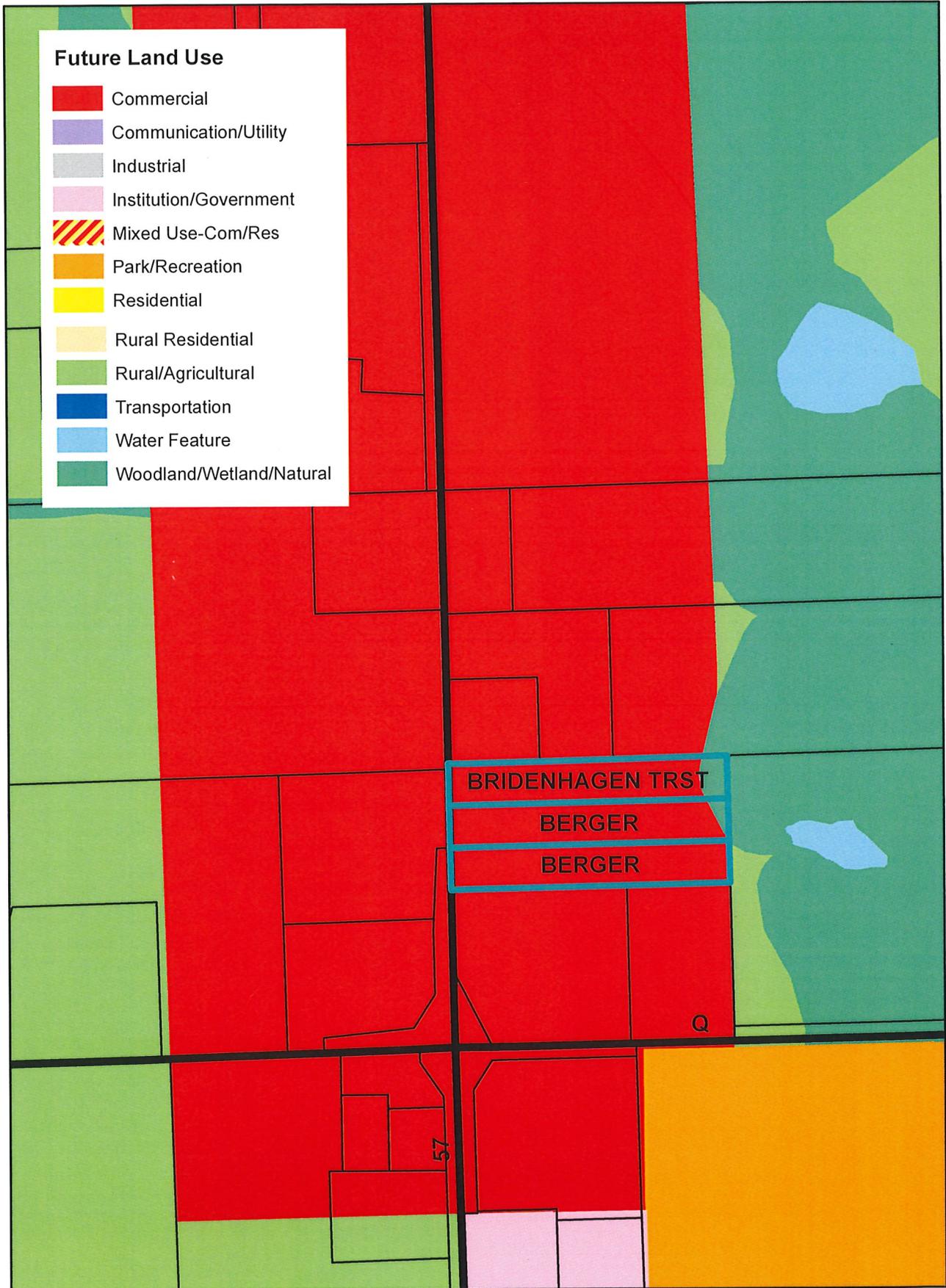
Commercial – *“Commercial” areas are those intended for development with retail sales, trade of goods and/or services, commercial offices, and commercial lodging establishments and are found largely in community centers, core areas, or “downtowns.” Commercial areas should maintain defined boundaries,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

Commercial storage buildings are consistent with the Commercial future land use designation as long as appropriate buffering or screening from adjacent public rights-of-way and residential areas occurs. The residential homes east of the area proposed for the Bierman storage buildings are over 800 feet away and already screened by existing trees. The Resource Planning Committee may want to consider visibility of the proposed storage buildings from State Highway 57 and County Highway Q and any need for buffering or screening from these public rights-of-way.

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

RB/RYK
07/09/2020

Conditional Use Permit
Bierman: 018-01-17312833F1, F2, & F3
Proposed Use: Commercial Storage Buildings



LETTER(S) IN FAVOR

CONDITIONAL USE

**RICHARD BERGER AND
KEITH & CHRISTINE
BRIDENHAGEN TRUST
(BIERMAN)**

Door County Planning Department Request for Town Recommendation

Richard Bierman proposes to construct three 40' x 230' commercial storage buildings and two 40' x 90' commercial storage buildings. The subject property is currently three separate Tax Parcel numbers. The petitioner realizes that the parcels will have to be combined into one legal description if the conditional use permit is approved. In addition, section 3.15(5) of the Door County Comprehensive Zoning Ordinance states that, "For each individual building in the Town of Liberty Grove, the total area of the building footprint shall not exceed 5,000 square feet unless a conditional use permit is issued." The three 40' x 230' buildings all exceed a building footprint of 5,000 square feet and will require this authorization. (Note: The parcels are currently owned by Richard Berger and The Keith and Christine Bridenhagen Trust. Mr. Bierman will purchase the properties if the Resource Planning Committee approves the Conditional Use Permit.)

The (circle one) Town Board Planning Committee of the Town of LIBERTY GROVE held a legally noticed and posted meeting on 06/24/2020, at which, by a vote of 6 (Yea) to 0 (Nay), the town recommended (check one) **SUPPORT** **DENIAL** for conditional use permit

Reason(s) for the town's decision:

permitted use for mixed use commercial zoning
relatively quiet use of the property does not appear
applicant expressed willingness to work with neighbors
regarding screening.

Is the proposal consistent with the Town Comprehensive Plan?

yes

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

Storm water runoff plan approval
Cooperative agreement, if possible, between neighbors regarding
vegetative screening.

Anastasia P. Bell
Town Clerk Signature

06/25/2020
Date

See attached for conditional use permit criteria

June 5, 2020

Door County Land Use Services

421 Nebraska Street – Door County Government Center

Sturgeon Bay, Wisconsin 54235

To Whom it may concern:

I am writing this letter on behalf Rich Bierman to represent my interest as the owner in the property parcels: 018 0117312833F2, 018 0117312833F3. Rich also has my full support for this project and the ability to obtain any permits necessary to move forward with the development.

Sincerely,

Richard Berger

A handwritten signature in black ink, appearing to read "Richard Berger", is written over a horizontal line. The signature is fluid and cursive, with a large, sweeping flourish at the end.

June 5, 2020

Door County Land Use Services

421 Nebraska Street – Door County Government Center

Sturgeon Bay, Wisconsin 54235

To Whom it may concern:

I am writing this letter on behalf Rich Bierman to represent my interest as the owner in the property parcels: 018 0117312833F1. Rich also has my full support for this project and the ability to obtain any permits necessary to move forward with the development.

Sincerely,

A handwritten signature in cursive script that reads "Christine Bridenhagen".

Christine Bridenhagen Trustee

Keith and Christine Bridenhagen Trust

**Proposed Door County Comprehensive Zoning Ordinance Text Amendment
Chapter 14, Communications Support Structures and Related Facilities
Exemption in section 14.01(4)e
July 16, 2020 (Resource Planning Committee sponsorship consideration)**

Language in effect currently, until 41 days after June 23rd (date of county board enactment of modified ordinance): There is no language in the current regulations whereby any towers under a certain height are automatically exempt from the ordinance.

Language sponsored by RPC for public hearing June 4, 2020: "Support structures 50 feet or less in height."

Language that will be effective 41 days after June 23rd (modified ordinance adopted by county board): "Support structures with an overall height of 120 feet or less, with an area at the base not greater than 9 square feet if guyed or 36 square feet if free-standing, and used (i.e., actually supports the equipment and components, including antennas, necessary) to provide wireless broadband service."

Language discussed on county board floor but not part of motion or county clerk official records: "Support structures 50 feet or less in height. Support structures with an overall height of 120 feet or less, with an area at the base not greater than 9 square feet if guyed or 36 square feet if free-standing, and used (i.e., actually supports the equipment and components, including antennas, necessary) to provide wireless broadband service."

Clean-up language proposed to be sponsored for a new public hearing: "All support structures 50 feet or less in height as well as support structures with an overall height of 120 feet or less, with an area at the base not greater than 9 square feet if guyed or 36 square feet if free-standing, and which will be at least in part used (i.e., actually supports the equipment and components, including antennas, necessary) to provide wireless broadband service."



**County of Door
COUNTY CLERK'S OFFICE**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Jill M. Lau
County Clerk
(920) 746-2200
jlau@co.door.wi.us

June 29, 2020

CERTIFIED MAIL

Clerks of All Zoned Towns
Door County, WI

Dear Town Clerk:

PLEASE TAKE NOTICE that the attached is a true copy (in duplicate) of amendatory zoning ordinance, number 2020-07, passed by the Door County Board of Supervisors amending the Door County Zoning Ordinance. This amendatory ordinance is hereby referred to each of the zoned towns for appropriate consideration and action pursuant to Section 59.69(5)(e)6., Wisconsin Statutes.

SAID AMENDATORY ORDINANCES having been adopted by the Door County Board of Supervisors on the 23rd day of June, 2020, true copies in duplicate thereof having been sent within seven (7) days thereof by certified mail to the town clerk of each zoned town, said ordinances will take effect on the 41st day after the date of such adoption unless: 1) the majority of the zoned towns shall have filed certified copies of resolutions disapproving of either of these amendments with the county clerk prior thereto in which case the amendment shall be void; or 2) unless within a shorter time a majority of the zoned towns shall file certified copies of resolutions approving either amendment, where upon it shall then come into full effect.

Dated this 29th day of June, 2020.

Sincerely,

Jill M. Lau bp

Jill M. Lau
County Clerk

JL/lr

Enc: Ordinance No. 2020-07 (in duplicate)

**AMENDATORY ZONING ORDINANCE 2020 – 07
AMENDMENT TO THE TEXT OF THE DOOR COUNTY
COMPREHENSIVE ZONING ORDINANCE**



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BULTMAN	X		
CHOMEAU	X		
COUNARD	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL		X	
FISHER	X		
GAUGER	X		
GUNNLAUGSSON	X		
HEIM-PETER	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NORTON	X		
ROBILLARD	X		
TAUSCHER	X		
THAYSE	X		
VIRLEE	X		
VRIES WOTACHEK	X		
VOGEL	X		

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
 2 Wisconsin Statutes, does hereby amend the Door County Comprehensive
 3 Zoning Ordinance to read as follows:
 4
 5 See Exhibit A, incorporated herein as if fully set forth.
 6
 7 Pursuant to Section 59.69(5)(e).6., Wisconsin Statutes, this ordinance shall
 8 become effective upon passage.
 9
 10

**SUBMITTED BY:
Resource Planning Committee**

David Enigl

 David Enigl, Chair

Kenneth Fisher

 Kenneth Fisher

Roy Englebert

 Roy Englebert

Vinni Chomeau

 Vinni Chomeau

Richard Virlee

 Richard Virlee

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve *Amended* Adopted

1st *Enigl* Defeated

2nd *Fisher*

Yes: 20 No: 1 Exc: 0

Reviewed by:
 _____, Corp. Counsel

Reviewed by:
 _____, Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 23rd day of June, 2020 by the Door County Board of Supervisors.

Jill M. Lau

 Jill M. Lau
 County Clerk, Door County

COUNTERSIGNED
David Lienau

 David Lienau, Chairman
 Door County Board of Supervisors

Effective Date: 6/23/20

and violent wind), explosion, terrorism, vandalism, or similar calamity that was not caused by, and could not have been prevented by the exercise of foresight or caution of the mobile service support structure owner or property owner, may be replaced with a mobile service support structure of the same type and heights without a permit, but only upon prior written notice to and with approval of the Land Use Services Department.

Version sent to towns w/ June 29 letter

(d) ~~Structures for r~~Residential satellite dishes, residential television antennas, or other antennas that are used privately, provided that the antenna use constitutes ancillary or secondary use, not primary use, of the property.

(e) Support structures 50 feet or less in height. Support structures with an overall height of 120 feet or less, with an area at the base not greater than 9 square feet if guyed or 36 square feet if free-standing, and used (i.e., actually supports the equipment and components, including antennas, necessary) to provide wireless broadband service.

(f) Any wireless facility (§66.0414(1)(z), Wis. Stats.) located outside a right-of-way (§66.0414(1)(t), Wis. Stats.) meeting the definition of a small wireless facility (§66.0414(1)(u), Wis. Stats).

(g) Small wireless facilities permissibly located in rights-of-way (§66.0414(2)(e), Wis. Stats.) provided the following height requirements are met, as applicable.

1. The height of a utility pole installed, or modified, in a right-of-way may not exceed the greater of:

a. A height that is ten percent (10%) taller than the tallest existing utility pole as of July 12, 2019, that is located within five hundred (500) feet of the new or modified utility pole in the same right-of-way.

b. Fifty (50) feet above ground level.

2. The height of a small wireless facility installed, or modified, in a right-of-way may not exceed the greater of:

a. A height that is ten percent (10%) taller than the existing utility pole or wireless support structure on which the small wireless facility is located.

b. Fifty (50) feet above ground level.

3. A wireless provider may construct, modify, and maintain a utility pole, wireless support structure, or small wireless facility along, across, upon, and under a right-of-way that exceeds the height limits in this section (i.e., s. 14.01(4)(g)), if the wireless provider complies with height limits under the Door County Comprehensive Zoning Ordinance.

DRAFT



County of Door
COUNTY CLERK'S OFFICE

County Government Center
 421 Nebraska Street
 Sturgeon Bay, WI 54235

Jill M. Lau
 County Clerk
 (920) 746-2200
 jlau@co.door.wi.us

July 8, 2020

CERTIFIED MAIL

Clerks of All Zoned Towns
 Door County, WI

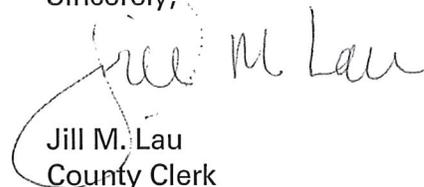
Dear Town Clerk:

PLEASE TAKE NOTICE that the attached is a true copy (in duplicate) of amendatory zoning ordinance, number 2020-07, passed by the Door County Board of Supervisors amending the Door County Zoning Ordinance. (Note: The language in the version of the ordinance sent out with the letter dated June 29th reflected discussion at county board but not the actual motion made and carried; the enclosed is what was actually adopted by county board.) This amendatory ordinance is hereby referred to each of the zoned towns for appropriate consideration and action pursuant to Section 59.69(5)(e)6., Wisconsin Statutes.

SAID AMENDATORY ORDINANCES having been adopted by the Door County Board of Supervisors on the 23rd day of June, 2020, true copies in duplicate thereof having been sent by certified mail to the town clerk of each zoned town, said ordinances will take effect on the 41st day after the date of such adoption unless: 1) the majority of the zoned towns shall have filed certified copies of resolutions disapproving of either of these amendments with the county clerk prior thereto in which case the amendment shall be void; or 2) unless within a shorter time a majority of the zoned towns shall file certified copies of resolutions approving either amendment, where upon it shall then come into full effect.

Dated this 8th day of July, 2020.

Sincerely,


 Jill M. Lau
 County Clerk

JL/lr

Enc: Ordinance No. 2020-07 (in duplicate)



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2020 – 07
AMENDMENT TO THE TEXT OF THE DOOR COUNTY
COMPREHENSIVE ZONING ORDINANCE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BULTMAN	X		
CHOMEAU	X		
COUNARD	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL		X	
FISHER	X		
GAUGER	X		
GUNNLAUGSSON	X		
HEIM-PETER	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NORTON	X		
ROBILLARD	X		
TAUSCHER	X		
THAYSE	X		
VIRLEE	X		
VLIES WOTACHEK	X		
VOGEL	X		

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
 2 Wisconsin Statutes, does hereby amend the Door County Comprehensive
 3 Zoning Ordinance to read as follows:
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 5 *See Exhibit A, incorporated herein as if fully set forth.*
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 7 Pursuant to Section 59.69(5)(e).6., Wisconsin Statutes, this ordinance shall
 8 become effective upon passage.
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**SUBMITTED BY:
Resource Planning Committee**

David Enigl
David Enigl, Chair

Kenneth Fisher
Kenneth Fisher

Roy Englebert
Roy Englebert

Vinni Chomeau
Vinni Chomeau

Richard Virlee
Richard Virlee

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve ^{amended} Adopted
 1st Enigl Defeated
 2nd Fisher
 Yes: 20 No: 1 Exc: 0

Reviewed by:

[Signature], Corp. Counsel

Reviewed by:

[Signature], Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 23rd day of June, 2020 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

David Lienau
David Lienau, Chairman
Door County Board of Supervisors

Effective Date: 6/23/20

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- (d) ~~Structures for r~~Residential satellite dishes, residential television antennas, or other antennas that are used privately, provided that the antenna use constitutes ancillary or secondary use, not primary use, of the property.
- (e) ~~Support structures 50 feet or less in height.~~ Support structures with an overall height of 120 feet or less, with an area at the base not greater than 9 square feet if guyed or 36 square feet if free-standing, and used (i.e., actually supports the equipment and components, including antennas, necessary) to provide wireless broadband service.
- (f) Any wireless facility (§66.0414(1)(z), Wis. Stats.) located outside a right-of-way (§66.0414(1)(t), Wis. Stats.) meeting the definition of a small wireless facility (§66.0414(1)(u), Wis. Stats).
- (g) Small wireless facilities permissibly located in rights-of-way (§66.0414(2)(e), Wis. Stats.) provided the following height requirements are met, as applicable.
 1. The height of a utility pole installed, or modified, in a right-of-way may not exceed the greater of:
 - a. A height that is ten percent (10%) taller than the tallest existing utility pole as of July 12, 2019, that is located within five hundred (500) feet of the new or modified utility pole in the same right-of-way.
 - b. Fifty (50) feet above ground level.
 2. The height of a small wireless facility installed, or modified, in a right-of-way may not exceed the greater of:
 - a. A height that is ten percent (10%) taller than the existing utility pole or wireless support structure on which the small wireless facility is located.
 - b. Fifty (50) feet above ground level.
 3. A wireless provider may construct, modify, and maintain a utility pole, wireless support structure, or small wireless facility along, across, upon, and under a right-of-way that exceeds the height limits in this section (i.e., s. 14.01(4)(g)), if the wireless provider complies with height limits under the Door County Comprehensive Zoning Ordinance.

Version on file @ City Clerk's office. What was officially adopted. Sent to town on July 8 letter.