SITE PLAN & ELEVATION VIEW FOR BUILDING (C) NOT INCLUDED IN 1st PACKET FOR RICHARD BERGER AND KEITH & CHRISTINE BRIDENHAGEN TRUST (BIERMAN)
PRELIMINARY PLANS

"NOT FOR CONSTRUCTION"

BUILDING C,
4-10'6"x20' UNITS WITH 9'x10' ROLL UP DOORS
36-11'x20' UNITS WITH 10'x10' ROLL UP DOORS
LETTER(S) IN FAVOR

CONDITIONAL USE

RICHARD BERGER AND
KEITH & CHRISTINE
BRIDENHAGEN TRUST
(BIERMAN)
Hello
My name is Keith Clayton. I own the K Allen Gallery and The Glassblower and live on 18 acres on 57 down from the intersection of Q and 57.
I have heard you have plans to build storage units up the road and U just want you to know I have n on problem with that. My ex wife will be signing a petition but I am not any part of that. I wish you luck with your endeavor.
If you want to speak further feel free to call me at 421-1694.
Best
Keith Clayton

Sent from my iPhone
Keith Clayton
The K Allen Gallery
July 10th 2020

To whom it may concern:

I own the property next to the proposed site. Since Rich has purchased the facility on the other side of me it has been clean and very well managed and taken care of. It is very quiet and a nice use of the property. I would expect that any further development that is proposed would also be done with the same attention to detail as his current facility.

I support the development adjacent to my current property as it is better than the many other alternatives that could be proposed. I know there is a need in the area for this use and it would fit well.

Thank you for your consideration,

Sincerely,

Paul Hockers
LETTER(S) IN OPPOSITION

CONDITIONAL USE

RICHARD BERGER AND
KEITH & CHRISTINE
BRIDENHAGEN TRUST
(BIERMAN)
DC Resource Planning Committee
421 Nebraska Street
Sturgeon Bay, WI 54235

Re: Thursday, July 16, 2020 at 3:00 pm
Agenda Item 6.1, Zoning Matters, Richard Berger and Keith & Christine Bridenhagen Trust (on behalf of Richard Bierman) CUP permit request.

Dear Chair Enigl & Members of the DC Resource Planning Committee:

I have the high honor and the very great pleasure of serving as the Chair of Door Shakespeare, a treasured Door County theatrical company celebrating its 25th Silver Anniversary this year. Late last year, we purchased the property at 10038 State Hwy. 57, formerly the Blossom Flower Shoppe, etc. As an adjacent property owner, we have been notified of Mr. Richard Bierman’s CUP application to buy and join together the three properties directly to the south of our new home and then blanket this property with a giant storage building complex.

https://www.co.door.wi.gov/AgendaCenter/ViewFile/Agenda/ 07162020-674

Since this project needs a CUP application, I am wondering why it is being permitted, and, equally to the point, why the developer feels that a massive 44,000 square feet of building area needs to be built at this location. More to the point, why is the scale of this proposal even being considered and why hasn’t the developer been asked to come back with something more in keeping with this quaint area?

The 44,000 square foot size of the impermeable surface area of those roofs strikes me as incredibly excessive and would strongly suggest the high probability of causing considerable flooding downstream through the wetlands at the rear of these properties.
Suffice it to say that this area at the intersection of 57 and Q is slowly developing into a very quaint little shopping and cultural area, and that the construction of these industrial scale buildings is most certainly not in keeping with the image of the lovely little complex already developing there.

In point of fact, storage locker buildings are rarely placed on the main road, especially a State Highway, as they are much more in keeping when located on less visible side roads. I would hate to see massive, blank walled, steep sided, industrial-sized buildings lacking any kind of personality interrupting the quaint charm at this intersection of 57 and County Q on the property immediately adjacent to our new home.

I have submitted this situation to the Board of Directors of Door Shakespeare, and they have gone on record as unanimously opposing this CUP request.

I ask that your committee NOT vote to approve this CUP request from Mr. Bierman. I thank you for your thoughtful consideration of this request, as I remain,

Yours very truly,

Carl Zapffe,
Chair,
Door Shakespeare

* - Door Shakespeare’s Mailing Address:

PO Box 351
Baileys Harbor, WI 54202
DAVID R. CLOWERS  
Attorney and Counselor at Law  

Tel:    (920) 743-1716  
Fax:    (920) 743-6914  
Cell:   (920) 559-9242  
Email: david.clowers@icloud.com  

207 South 4th Avenue  
Sturgeon Bay, WI 54235  

Door County Land Use Services  
421 Nebraska Street  
Sturgeon Bay, WI 54235  

Re:    Thursday, July 16, 2020 at 3:00 pm  
Hearing on Conditional Use Permit Application:  
Tax Parcel Nos. 018-01-17312833F1,33F2, and 33F3  

Dear Sirs/Mesdames,  

If I understand how zoning is supposed to work, any conditional use granted would have to be specified as part of the base zoning district, which in the this case is set out in Chapter 2.03 Purpose and intent of zoning districts, Section (17) Mixed Use Commercial (MC), which provides:  

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. (Emphasis supplied)  

For example, if the base zone is mixed commercial, a permitted use would be a bar, like the AC Tap, but not a pig farm. The allowable conditional use should be specified in the development code as an allowable use. Contrary to the affirmative answer given to the question, “Does the proposed use the use meet the zoning ordinances stated purpose and intent?” on page 2 of the Staff Report recommending approval of the permit request, the language of Section 17, set forth above, does not clearly so provide.  

Instead, this conditional use permit request precisely meets the criteria set out for a Light Industrial zone. This request would convert an area now zoned MC into a Light Industrial zone (LI) use pursuant to Chapter 2.03, Section (19) Light Industrial (LI) zoning district under the guise of simply requesting a conditional use permit for an existing MC property.
To make this manifestly clear, it is Section (19) that provides specifically for the intended use sought in this application for conditional use:

This district is intended to provide for manufacturing, warehousing, and other light industrial operations. It is also intended that this district be used for the location of trade or contractor establishments, commercial storage facilities, and similar businesses. Such uses should not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance, degradation of groundwater, or other nuisance factors. Such uses may be subject to requirements which will reasonably ensure compatibility. This district can also be used for industrial or business parks. Lot sizes of at least 60,000 square feet are required for new lots. (Emphasis supplied)

In addition, the conditional use permit sought by the applicant in this case would combine three 20,000 square feet lots, as permitted in MC zoning districts, into one 60,000 square feet lot, as required by LI zoning districts, in order to put up commercial storage facilities.

Mr. Bierman’s offer is contingent on him getting this conditional use permit approved, but it should be clear that these buildings would not be not compatible with surrounding uses. As a city planner friend pointed out to me, when I ran this situation by him, continuity of uses is important for an area’s success. For example, stores fronting a highway that are not being interrupted by a non-compatible use are more likely to be successful in comparison to a checkerboard development of disparate uses along heavily traveled Highway 57.

It should be obvious that the existing galleries, restaurants, offices, taverns and residences are not the same sort uses as this commercial storage facility would be.

Ephraim has controls on the appearance of its buildings, and I’ve lived in Door County long enough to recall when writer Norbert Blei objected to allowing blue plastic newspaper boxes to line our scenic back roads. In short, esthetics are matters of concern to Door County citizens. And in that regard, and in reviewing the Conditional Use Application Checklist, I see that Question # 2 asked whether the proposed development is “similar to other uses in the area,” and # 12 asks, “whether the proposed buildings contribute to the visual harmony with existing buildings, particularly as related to scale and design.”

Given the proposed construction of 5 monolithic storage buildings in an area of small shops and single family residents, the answers to both of these questions should definitely have been, “No,”

But through the legerdemain of requesting a conditional use permit, the petitioner now requests a zoning change that would permit his Light Industrial development right in the midst of an MC zoned rural district, and the only good reason given for this change that I can find in his supporting materials is that this land is currently vacant. There is a lot of vacant land in Door
County; some of it is already zoned LI. Surely he can find another area for buildings like these that will not dwarf, or be out of character with, their surroundings.

Because this conditional use permit request violates Chapter 2.03 Sections (17) & (19) of existing Door County-wide zoning plans, which are intended to foster the responsible development of our beautiful county, on behalf Door Shakespeare, an adjoining property owner, it is respectfully requested that this application for a zoning change, made under the guise of requesting a conditional use permit, which would change an existing MC zone into a Light Industrialzone, should be denied as a matter of law and sound public policy,

Sincerely yours,

David R. Clowers
State Bar No. 1011279
Treasurer, Door Shakespeare
David Engl, Chair  
Resource Planning Committee  
County Government Center  
421 Nebraska Street  
Sturgeon Bay, Wisconsin 54235  

July 15, 2020  

Dear Mr. Engl:

I am writing to express my opposition to the Richard Berger and the Keith & Christine Bridenhagen Trust (on behalf of Richard Bierman) CUP (Conditional Use Permit) application.

To grant the CUP application, which would convert Mixed Use Commercial (MC) zones into a Light Industrial (LI) zone, would be a disservice. The proposed storage building/s use does not fit within the parameters of Chapter 2.03 Purpose and intent of zoning districts, Section (17) Mixed Use Commercial (MC), which states, "Lot sizes of at least 20,000 square feet are required for new lots which are not served by public sewer."

The proposed new commercial storage facility’s use does, however, meet the criteria for Chapter 2.03, Section (19), Light Industrial (LI) zoning districts:

"This district is intended for manufacturing, warehousing, and other light industrial operations ... trade or contractor establishments, commercial storage facilities, and similar businesses. Such uses should not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance, degradation of groundwater, or other nuisance factors ... Lot sizes of at least 60,000 square feet are required for new lots."

The Conditional Use Property application is, then, a way to skirt around the fact that what is currently an MC zoning district would become a LI zoning district; a way to combine the three 20,000 square foot lots into one 60,000 lot, as required in order to be a LI zoned district.

While understanding that a CUP application is the procedural way to convert a MC zoned district into a LI zoned district, the opposition comes in what is meant by the following: "Such uses should not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance, degradation of groundwater, or other nuisance factors." What is the guarantee that by granting the CUP application that the aforementioned will not take place?

To speak to the physical appearance of a 60,000 square foot lot devoted to storage units is challenging, but there is every likelihood that their appearance would be detrimental - certainly less than appealing. With the understanding that storage units will attract primarily vehicles coming and going, would that not be cause for concern when it comes to "noise, dust, smoke/odor and traffic?"

By allowing the CUP application to be granted, once the storage units are built, the deed is done. There will be no chance for other retailers, restaurants/lounges, or other attractions to be built upon those three parcels of land. By allowing the CUP application to be granted, Liberty Grove will not have the opportunity to become another in a long line of strollable burgs along Hwy 57. I therefore request, on behalf of Door Shakespeare, which sits next door to these lots, these lots whose future life and livelihood is under consideration, that the CUP application be denied.

Sincerely,

Michael Stebbins  
Producing Artistic Director, Door Shakespeare
From: Judy Drew <judydrew@att.net>
Sent: Wednesday, July 15, 2020 3:27 PM
To: Riemer, Linda
Cc: GOODE, MARIAH

Please be advised that I intend to reference the following email from Brian Forest during my comments at tomorrow's Resource Planning Committee meeting.

Thank you.

Judy Drew

-------- Original message --------

From: "Forest, Brian" <bforest@co.door.wi.us>
Date: 7/15/2020 12:00 PM (GMT-06:00)
To: 'Judy Drew' <judydrew@att.net>
Re: 7/16/20 DC Resources Planning Committee: Agenda Item 6.1, Zoning Matters, Richard Berger and Keith & Christine Bridenhagen Trust (on behalf of Richard Bierman) CUP permit request.

Hi Judy,

I haven't been able to locate any additional information, regarding the status of this project.

I asked Greg Coulthurst, reviewer of stormwater runoff plans in our office, and he has not seen a plan. He did see some preliminary sketches, regarding building the proposed structures, but nothing formal. Greg is anticipating that a stormwater plan could be a requirement, based on the conditions of the permit and the final design. If the amount of impervious surface (roof, driveways, etc) exceeds one acre, it would likely be reviewed by the Wisconsin DNR. So...from a stormwater runoff concern, our office has not yet received a copy of anything to review.
As I mentioned, I would not be the one reviewing, but I hope that consideration to the proximity of the wetlands to the east will be made. I'm sure that they will be part of the evaluation, but I think an understanding of how the development might possibly impact them will be important. I know that some situations require a delineation to verify boundaries illustrated on the map...I'm not sure if that has happened, or will be necessary with this site.

My concern with the wetlands in that area is based on my knowledge of the many years of development that has occurred in that area and the impact that it has had on the once large open water/wetland complex that exists there. Road construction, residential development and construction of storage buildings have all contributed to the significant changes in this area. Attached are two photos that I've used in presentations that discuss impacts to wetlands and groundwater resources. The first is an image from 1938, the second from 2019. It's a striking difference, and I hope that future development in the area will take the remaining natural resources into consideration.

As I mentioned, I will not play a direct role in any of the permitting or decisions made, but I am always willing to provide feedback on anything I might know regarding the natural resources throughout the county.
July 1, 2020

With regards to parcel #s 018-01-17312833F1, F2, &F3 in The Town of Liberty Grove:

We the undersigned surrounding property owners located (the borough of old Germantown) around the intersection of Cty. Q and Hwy. 57, are concerned as to the impact that the intended future application of these above stated parcels might have, resulting in an overwhelming, most significant "industrial-park like" presence in our neighborhood, as well as in the better interests of navigating Door County's overall image thoughtfully.

Otherwise a mostly quaint local, featuring fine arts, culinary, cultural and boutique attractions, collectively our efforts are developing this borough as a noteworthy destination offered to the Door County tourist industry.

As residents of Liberty Grove Township, perhaps it is in all of our best interests, that this sort of application, involving the proposed scale of construction, should be reserved for positioning in a more discrete "off-the-beaten-path" location, than directly placed in both appearance and function on the hopefully scenic northern miles of one of our primary roads ie. State Highways.

Name

Don Thompson

Address

- 10048 Hwy. 57
  Sturgeon Bay
- 620 Cty. Rd. NP
  Ellison Bay
- 11868 N. Newport Ln.
  Ellison Bay

RECEIVED

JUL 14 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT
July 1, 2020

With regards to parcel #s 018-01-17312833F1, F2, &F3 in The Town of Liberty Grove:

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Name

Donna Lee
Griffin Olson
Evan Gresko
Vanda Simmons
Donald H. Day
Mary Nevaeham
Corrine Petersilka
Jorje Simmons

Address

1457 C Door Bluff Road
Ellison Bay, WI

11218 Frontier LN
Ellison Bay, WI

12090 State Hwy 42
Ellison Bay, WI 54210

11811 Minic River Road
1423 Dragon Fly Lane
10430 Co 22, Sister Bay, WI
1230 Gourret Bay Rd
Ellison Bay, WI 54210
9239 Fish Creek WI 54212
11811 Minic River Rd
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Judith C. Seiler</td>
<td>10048 Hwy 57, Sister Bay, WI 54234</td>
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<tr>
<td>Karl W. Blankenship</td>
<td>63-13 State Highway S7, Baileys Harbor, WI 54202</td>
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<tr>
<td>Jeffrey Schelke</td>
<td>AQUIA LAND Camp Resort</td>
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<tr>
<td>Mary Schell</td>
<td>7754 Chapel Ln., Baileys Harbor</td>
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<td>Charlotte F. Schell</td>
<td>7754 Chapel Ln., Baileys Harbor</td>
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<td>Lin Beste</td>
<td>9589 N Bit 1/2, Bit</td>
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<tr>
<td>James C. Steury</td>
<td>11751 Beach Rd S R</td>
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<tr>
<td>Daniel J. Bogda</td>
<td>1574 BLUEBIRD TRAIL E.B.</td>
</tr>
<tr>
<td>Charlotte Bogda</td>
<td>1981 Hubbs Rd, Baileys Harbor, WI</td>
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<tr>
<td>Andy Zettke</td>
<td>1574 Bluebird Trail EB</td>
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<tr>
<td>Jill Maye</td>
<td>4267 GIBALTON BLUFF RD</td>
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<tr>
<td>Jill Maye</td>
<td>12107 Rustic Lane, Ellison Bay</td>
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<td>Jill Maye</td>
<td>1848 Winding Lane, Baileys Harbor</td>
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<tr>
<td>Jeff McKinley</td>
<td>476 Antler Rd, Ellison Bay</td>
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<tr>
<td>Glen Rob</td>
<td>19655 Jamestown Pl, unit 201, Bristol, WI</td>
</tr>
<tr>
<td>Steve Foucher</td>
<td>53104</td>
</tr>
<tr>
<td>Joseph Behrens</td>
<td>Box 909 Sister Bay, WI 54234</td>
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<tr>
<td>Matt Roberts</td>
<td>10567 Westwood Dr, Sister Bay, WI 54234</td>
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<td>Saud Mungo</td>
<td>54234</td>
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<td>PO Box 175, Sister Bay, WI 54234</td>
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<tr>
<td>Colleen Kiley</td>
<td>10451 Township Dr, Ephraim WI</td>
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<td>Mary Elwell</td>
<td>9508 Maple Grove, Fish Creek</td>
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<tr>
<td>Frank Tausen</td>
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<td>John Calhoun</td>
<td>12382 Old Stage Rd, Sister Bay</td>
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<tr>
<td>Grace Bernhard</td>
<td>10055 Hwy 57, Sister Bay</td>
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<td>William Reed</td>
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<td>Julian</td>
<td>2729 Pioneer Rd, Sister Bay</td>
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<td>Donnado</td>
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<tr>
<td>282</td>
<td>96648 Hwy 57, Bailey Harbor</td>
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<tr>
<td>Carol Oajes</td>
<td>13636 Rmk River Rd, Ellison Bay</td>
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<tr>
<td>Carolyn Nitzman</td>
<td>14715 Quince Miled Lane, Ellison Bay</td>
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<tr>
<td>Smith</td>
<td>10018 Hwy 57, Sister Bay #1</td>
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<td>Maxx J. Krieck</td>
<td>10241 Orchard Rd, Sister Bay</td>
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<tr>
<td>Donald Badthe</td>
<td>10047 Hwy 57, Sister Bay</td>
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<tr>
<td>Ruth Mc</td>
<td>3293 Kangaroo Beach Rd, Bullocks</td>
</tr>
<tr>
<td>Judy Mc</td>
<td>10002 St. Hwy 57, Sister Bay, WIS</td>
</tr>
<tr>
<td>Ryan Hill</td>
<td>2772 Arbour Dr #1302, Sister Bay</td>
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<tr>
<td>Sue Then</td>
<td>10668 Orchard Rd, Sister Bay</td>
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<tr>
<td>Sue Unkefer</td>
<td>2570 County Q St, Sister Bay, WI 54234</td>
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<td>Dean Cobb</td>
<td>2571 County Q, Sister Bay, WI 54234</td>
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<td>Eileen Jacobson</td>
<td>9990 Hwy, Sister Bay, WI 54234</td>
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<td>Brett Kaimidir</td>
<td>9912 Hwy 57, SB, WI 54234</td>
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<tr>
<td>Peggy Reinick</td>
<td>4300 Juddville Rd, FC, WI 54212</td>
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<td>Theresa Evans</td>
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<tr>
<td>Pete Evans</td>
<td>theresa Evans, Richard (Pete) Lang</td>
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<td>Stephanie Event</td>
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<td>Scott Zimmerman</td>
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<td>Nadya Clark</td>
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<td>Peter Thelen</td>
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<td>Lyle Schramm</td>
<td>9922 Townline Dr</td>
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<td>James P Surge</td>
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<td>Mike Surge</td>
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<td>Mike Surge</td>
<td>2991 Gilbaker Rd</td>
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<tr>
<td>Janet Peters</td>
<td>2514 Lake Forest Park Rd</td>
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<td>Darrell Pat</td>
<td>2314 Lk Forest Park Rd</td>
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<tr>
<td>Mary Ann Lette</td>
<td>2620 Hwy Q, Sister Bay</td>
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<tr>
<td>Doug Lette</td>
<td>2620 Hwy Q, Sister Bay</td>
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<tr>
<td>Andrea Staver</td>
<td>326 N. 17th Dr., Sturgeon Bay</td>
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<tr>
<td>Mark Nelson</td>
<td>476 W. Redwood St., Sturgeon Bay</td>
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<td>Donald Kapsel</td>
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<td>Dan Jungwirth</td>
<td>2524 Settlement Rd. Bayside</td>
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<td>Randall Hage</td>
<td>10060 Hwy 57</td>
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<td>Bob R. Call</td>
<td>11196 Old Stage Rd. Sister Bay</td>
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<td>Mary A. Hage</td>
<td>11657 Beach Rd. Bayside</td>
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<tr>
<td>Fred俄军</td>
<td>2576 Old Lane Way Rd., Bayside</td>
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<tr>
<td>Robin Knoblow</td>
<td>8462 High Ridge Rd., 54202</td>
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<td>Jack Roth</td>
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**JUL 14 2020**

DOOR COUNTY LAND USE SERVICES DEPARTMENT
<table>
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<tbody>
<tr>
<td>Bob Reagan, Crew</td>
<td>11641 LAKEVIEW</td>
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<td>Jim Heath</td>
<td>11641 LAKEVIEW E B</td>
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JUL 14 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT
Conditional Use Permit
Bierman: 018-01-17312833F1, F2, & F3
Proposed Use: Commercial Storage Buildings
BEING:
LOT 3 OF C.S.H. NO. 1274,
RECORDED AT VOL. 7, PAGE 249 OF CERTIFIED SURVEY MAPS
AS DOCUMENT NO. 01371
LOCATED IN
THE SW 1/4 OF THE SW 1/4 OF SECTION 17,
TOWNSHIP 36 NORTH, RANGE 28 EAST,
TOWN OF LIBERTY GROVE,
DOOR COUNTY,
WISCONSIN.

RECEIVED
JUN 01 2020
DOOR COUNTY
LAND USE SERVICES DEPARTMENT

AREA OF PARCEL = 202,243 S.F.
IMPERVIOUS SURFACE = 89,714 S.F.
PER CENT IMPERVIOUS = 44.00%
AREA OF BUILDING = 34,600 S.F.
PARKING SPACES REQ'D = 35
PARKING SPACES SHOWN = 35
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 Riehlman - property under contract

Signature ___________________________ Date: 5/18/20

Signature: __________________________ Date: ________________