

**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, August 20th, 2020 beginning at approximately 2:30 p.m., after a public hearing scheduled to start at 2:00 p.m.

In response to the public health emergency in connection with the COVID-19 pandemic, the meeting will be virtual only. The 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 hearing and meeting via computer, click on the following link, <https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=efa8535c2067db4b2629bfb4b3c951a91>, 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 (146 610 4619) and password (Aug20rpc2020).

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 July 16, 2020 meeting.
- 6.0 Zoning matters: Conditional use permit application.

Town of Gibraltar; conditional use permit to establish a bulk fuel storage (propane) facility comprised of two storage tanks, a generator, a shed, and a load/unload area on .51 acres zoned

AGENDA
RESOURCE PLANNING COMMITTEE
August 20, 2020

Light Industrial of a 4.24-acre parcel (remainder is zoned Recreational Commercial); 10997 Island Drive East; Chambers Island, Gibraltar.

7.0 Future meeting schedule.

September 3, 2020 - 1-2 hearings, budget review.
September 17, 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
08/13/20

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.

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

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

July 16, 2020

1.0 Open meeting.

Chair Enigl called a regular business meeting of the Resource Planning Committee to order at 5:02 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>	<u>Others (remote, via WebEx)</u>
	David Enigl	Mariah Goode	Rich Bierman
	Ken Fisher	Michelle Schuster	Carl Zapffe
	Richard Virlee	Sue Vanden Langenberg	Jean Thompson
	Roy Englebert		Don Thompson
	Vinni Chomeau		Amy Ensign
			Judy Drew
			David Clowers
			Michael Stebbins

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 Fisher, seconded by Englebert, 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.

None.

5.0 Review and act on minutes of June 4, 2020 meeting.

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

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

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
July 16, 2020**

Motion by Fisher, seconded by Enigl, that:

- A. Richard Berger and the Keith & Christine Bridenhagen Trust (on behalf of Richard Bierman) 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.), with three of the buildings exceeding a footprint of 5,000 sq. ft., the property being located directly adjacent to and south of 10038 STH 57, Town of Liberty Grove, Door County, Wisconsin, in Section 17, Town 31 North, Range 28 East and in a Mixed Use Commercial (MC) 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. A Door County Regular Zoning Permit authorizing construction of at least one of the buildings shall be obtained within 12 months; construction on the building(s) must begin within 12 months of the issuance of the regular zoning 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 opening.
 - c. 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.
 - d. Construction erosion control plans for the phased development of this site shall be developed, approved, installed, and maintained in accordance with applicable standards of the Wisconsin Department of Natural Resources and the Door County Soil & Water Conservation Department.
 - e. Post-construction storm water runoff control plans based on a full build-out of the approved development hereby authorized shall be developed, approved, installed, and maintained in accordance with applicable standards of the Wisconsin Department of Natural Resources and the Door County Soil & Water Conservation Department.
 - f. The properties shall be combined into one legal description prior to issuance of the first regular zoning permit.
 - g. Documentation verifying authorization to directly access STH 57 with a new driveway from the proposed reconfigured lot shall be provided to the Door County Land Use Services Department before a regular zoning permit may be issued.
 - h. Vegetative screening shall be installed and maintained parallel to STH 57 as required by Door County Comprehensive Zoning Ordinance Sections 3.10(4) and (5). In addition, vegetative screening consistent with the spacing and planting requirements in those same ordinance sections shall be installed from the northernmost point of the screening parallel to STH 57 extending to the east, along the northerly lot line, to the southeastern corner of the Door Shakespeare easterly lot line (parcel # 018-01-17312833D).
 - i. All required vegetative screening must be installed within three months of commencing construction of the first building.
 - j. No electrical service shall be provided within the interior of any of the individual storage units.

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
July 16, 2020**

k. The entire project shall be completed no later than December 31, 2026.

Motion carried unanimously.

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

After some discussion, there was a motion by Chomeau, seconded by Englebert, to sponsor for public hearing the text amendments as proposed. Motion carried unanimously.

7.0 Future meeting schedule.

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

There will be no meeting August 6th.
There will be 1-2 hearings on the 20th. The meeting will start at 2:00 p.m.

Meeting schedule as discussed noted.

8.0 Meeting per diem code.

Chair Enigl assigned code 716.

9.0 Adjourn.

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

Meeting adjourned at 5:53 p.m.

Reported by,

Mariah Goode
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, August 20, 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=efa8535c2067db4b2629bfb4b3c951a91> , 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 (146 610 4619) and password (Aug20rpc2020).

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

The hearings will begin at 2:00 p.m., to give consideration to the application listed below for a conditional use permit, as specified in the county comprehensive zoning ordinance:

TOWN OF GIBRALTAR

The Town of Gibraltar requests a conditional use permit as required by Sections 2.05(3)(a) and 11.04, Door County Comprehensive Zoning Ordinance, to establish a bulk fuel storage (propane) facility for Chambers Island property owners. The facility will occupy .51 acres of a 4.24-acre parcel, in the area of the parcel zoned Light Industrial; the remainder is zoned Recreational Commercial. The project includes a 15' x 25' foot concrete pad for two 1,000-gallon LPG storage tanks, a generator, a shed, an area to store/load/unload filled and empty tanks, fencing and gating. The parcel is located at 10997 Island Drive East, Chambers Island, in Section 33, Town 32 North, Range 26 East.

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 noon (12:00 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: August 5 and 12, 2020
07/31/2020
MKG/SV/lr

Door County Resource Planning Committee and Board of Adjustment Guidelines for Hearings Conducted “Virtually”

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

General Information Regarding Testimony

- Written testimony must be mailed, e-mailed, or FAXed to the Door County Land Use Services Department, and must be received by 12:00 p.m. (noon) the day prior to the hearing.

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

- **Anyone wishing to offer live oral testimony for a hearing must register in advance. Registration must be received by 12:00 p.m. (noon) the day before the hearing.** You may register via mail, phone, FAX, or e-mail (please see above for all contact information options). When registering to testify, please provide the following information:
 - Full name.
 - Full mailing address.
 - E-mail address.
 - Cell phone number at which you may be reached the day of the hearing.
 - Case/project about which you wish to provide testimony.
 - Whether you wish to speak in favor or in opposition.
- All live testimony will use the free software application Cisco WebEx. Information about how to access the meeting may be found on the hearing notice or business meeting agenda.
- You will not have the ability to provide handouts to committee members. Any materials you wish the committee to review and have part of the record, including anything you plan on using as a visual aid during testimony, must be received by 12:00 p.m. (noon) the day prior to the hearing so we may post them on-line.

Hearing Format

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

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

- Applicant, followed by others in favor of the project.
- Testimony from anyone in opposition.
- A rebuttal round will occur if testimony in opposition has been presented.
- All testimony will be taken in the order shown on the registration list.
- Only one person at a time may speak. Please mute yourself when it is not your turn to speak.

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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

DOOR COUNTY LAND USE SERVICES DEPARTMENT

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

1. OWNER NAME AND MAILING ADDRESS
Name TOWN OF GIBRALTAR
No. PO Box 850 Street _____
City Fish Creek State WI Zip 54212
Home Phone # _____
Daytime Phone # 920-868-1714
Email: clerk@townofgibraltar.us

2. BUILDING SITE LOCATION
Fire # 10997 Road ISLAND DRIVE
Town of GIBRALTAR
Local Phone # _____

3. DEVELOPER NAME AND MAILING ADDRESS
Name TOWN OF GIBRALTAR
No. PO Box 850 Street _____
City Fish Creek State WI Zip 54212
Phone # _____
Email: clerk@townofgibraltar.us

4. PROPERTY IDENTIFICATION
Parcel No. 014 - 17 - 0101A

5. USE
Proposed use of land or structure:
To be used as a bulk propane storage tank location

6. SANITARY PERMIT
Type of System NONE
Sanitary Permit No. _____
Date of Issuance _____
Approximate date of installation _____

7. BUILDING PLANS AND SITE PLAN
TO SCALE BUILDING PLAN AND SITE PLAN REQUIRED. IF PLANS EXCEED AN 11" X 17" FORMAT, SUBMIT ONE COPY OF EACH SHEET REDUCED TO 11" X 17".

8. ROCKHOLES
A rockhole is any depression or opening in the ground surface through which gathered surface water enters bedrock and eventually joins groundwater.
To the best of your knowledge, do any rockholes exist on the lot?
 No Yes
If yes, show location on Site Plan.

9. FEE \$500.00
Make check payable to the Door County Treasurer.

10. AUTHORIZATION FOR INSPECTION
I hereby authorize the Zoning Administrator(s) to enter and remain in or on the premises for which this application is made at any reasonable time for all purposes of inspection relative to this petition.

11. SIGNATURE OF APPLICANT OR AGENT
Steve Sohn
Date 3-8-2020

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

Inspections: Table with columns Date, Inspector, Remarks

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

(w/conditions) _____

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

Receipt No. _____ Fee _____ Date _____
Date Permit Issued: _____
Certificate of Compliance: Date _____

APPLICATION FOR CONDITIONAL USE PERMIT - ADDENDUM

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

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

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

Please provide the Resource Planning Committee members substantial evidence regarding:

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

No, it will benefit Chambers Island property owners as it is difficult to have propane deliveries made to the island.

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

This is the only such use on the island.

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

The town comp. plan speaks to utility enhancements of which given the limited utilities on the island this would be vital. The town's plan also speaks to our consistently aging population which this will greatly assist.

4) Provision of an approved sanitary waste disposal system.

Public Sewer

N/A

Private Onsite Wastewater Treatment System (POWTS)

Check One

Existing

New

Check One

Conventional Septic

Other In-ground System

Holding Tank

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5) Provision for a potable water supply.

Public Water Supply
(Liberty Grove, Sanitary District #1 and Maplewood only)

N/A

Well

Check One

Existing

New

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LAND USE SERVICES DEPARTMENT

Check One

Private Well

Shared Well

6) Provisions for solid waste disposal.

Commercial hauler

Private delivery to collection site

Other _____

N/A

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

Noise: No

Odor: No

Dust: No

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LAND USE SERVICES DEPARTMENT

8) Provision of safe vehicular and pedestrian access.

Vehicular Access

Existing Driveway(s) to Island Drive
(Road Name)

New Driveway(s) to _____
(Road Name)

Pedestrian Access

Sidewalks

Path or Trail

No Pedestrian Traffic

N/A

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

Existing traffic: High Levels Medium Levels Low Levels

No anticipated material traffic change.

10) Adequacy of emergency services and their ability to service the site. PLEASE SEE SEPARATE PAGE.

11) Provision for proper surface water drainage.

Natural Infiltration (explain below)

Some Grading of the Site (explain below)

Engineered Stormwater and/or Erosion Control Plan (attach)

N/A

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

N/A

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

N/A

CONDITIONAL USE PERMIT ADDENDUM -- PAGE 3

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.

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Natural Vegetation: No Removal
 Some Removal
 Significant Removal (provide Landscape Plan)

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

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

None

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

None

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

Public safety/health is improved by consolidating 16 transportation by commercial tank truck to island tank vs. individual 16 bottles being transported by Chambers Island residents.

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

By what month and year will the project be completed? May, 2021

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.

A group of Islanders has created an LLC to make this project a reality for residents. Dick Giesick spoke at the last APC meeting regarding the specifics of their portion of the project. The town portion is enabling the use via a conditional use application if approved and the rezoning which the County Board approved on June 2, 2020.

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.

APPLICATION FOR CONDITIONAL USE PERMIT – ADDENDUM PAGE 4
Question 10, Emergency Services

Please take this page to the local Fire Chief with a copy of the project plans for review. Have the Fire Chief complete and sign below.

Applicants are responsible for returning the completed form to the Land Use Services Department: 421 Nebraska Street, Sturgeon Bay, WI, 54235. FAX: (920) 746-2387. E-mail: lriemer@co.door.wi.us.

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

As Fire Chief of the GIBRALTAR Fire Department, I have reviewed the plans of this project. Our Department CAN / CANNOT (circle one) access this site for fire protection purposes.

Other Fire Chief comments: _____

Paul BA Fire Chief 6-9-2020
(Signature) (Date)

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DOOR COUNTY
LAND USE SERVICES DEPARTMENT

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JUL -9 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.

A .508 acre portion of parcel # 014-17-0101A will be used to hold a bulk propane storage tank for Chambers Island property owners. This will be a fill station for them

§ 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 Door on the 4 day of MARCH, 2020. I acknowledge and understand that, for purposes of § 66.10015(2)(b), Wis. Stats., the full scope of the project was identified in the first application.

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

Property Owner(s) Name(s):

TOWN OF GIBRACTAR

Signature Steve Johns

Date: 3-8-2020

Signature: _____

Date: _____

Parcel Number (of Project): 014 - 17 - 0101A

Fire Number & Street Address (of Project): 10997 Island Drive East

4/21/20 15:30:45

ASSESSMENT INQUIRY
014170101A R 2020

Geo.Loc: 15 014 4 32 26 33 4 01 002

N 10997 ISLAND E DR
GIBRALTAR, TOWN OF

MAIL TO:

GIBRALTAR
TOWN OF

PO BOX 850
FISH CREEK

WI 54212

3300

LEGAL DESCRIPTION

33 32 26 AC 4.24
LOT 1 CSM #928 V.5 PG.195
SEC. 33-32-26 (OUTLOT 1)
FIRST UNIT OF CHAMBERS
ISLAND ASSOC DEV
L 1 CSM V005 P0195
DOC# 594948 V 704 P 79 WD
MORE LEGAL AVAILABLE
BILL NO:

COMMENTS

PARENT PARCEL - 0101

CURRENT TAX ASSESSMENT AS OF 2019				
CODE	ACRES	LAND	IMPROVE	TOTAL
X4	4.24			

TOTALS 4.24

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

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DOOR COUNTY
LAND USE SERVICES DEPARTMENT

**Proposal for Formation of the
Chambers Island Propane Supply LLC**

The purpose of the LLC is to supply propane to its members at cost from a Propane Supply Depot to be established on Chambers Island on the Town of Gibraltar property near the cell tower. The objective is to establish a permanent way for islanders to obtain propane without having to haul empty tanks off the island, fill them on the mainland and then haul them back to the island. Instead, the Propane Supply Depot will maintain an inventory of full tanks which can periodically be exchanged for empties and the cost of the LPG.

- Chambers Island Supply Co. LLC has been established to fund, build, and operate the Propane Supply Depot on Chambers Island.
 - Access to any propane services will be limited exclusively to members of the LLC
 - The Depot area will be set up on the Town of Gibraltar property near the cellphone tower.
 - See the attached sketch for location and layout plans.
 - Construction will include:
 - A 25 X 15 ft. concrete pad to support 2 1000 gal. LPG storage tanks.
 - A generator to power the dispensing equipment
 - A shed to house the generator and other misc. dispensing equipment
 - An area to store both filled and empty tanks to permit easy loading and unloading of tanks.
 - Secure fencing and gating of the depot area
 - The LLC has obtained insurance for its operation.
- Ferrellgas Operations:
 - Ferrellgas will barge out an LPG delivery truck at the beginning of the season to (or as needed) to fill the large storage tanks.
 - They will inspect the empty 100 lb. tanks at the Depot for conformance to certification criteria and make provision to exchange non-conforming tanks for certified tanks.
 - They will train certain LLC members to fill empty tanks.
- Propane Depot LLC Operations:
 - Certain LLC members will be trained to periodically fill empty tanks from the storage tank.
 - Certain LLC members will periodically man the depot to receive empty tanks and dispense full tanks to the members.
 - Certain LLC members will perform billing and accounting functions.
 - Members will be billed for each full tank taken from the depot. The fee will include the cost of gas plus prorated barging fees and other variable costs.
 - The members will be assessed an annual maintenance fee to cover maintenance of the depot, administrative costs associated with billing, inventory maintenance, operating the depot, legal and accounting fees etc. and any additional operating capital requirements.

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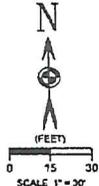
JUL 20 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

Site Sketch

LOCATED:
 PARTLY IN LOT 1 OF CERTIFIED SURVEY MAP #928, REC. IN VOL. 5, OF C.S.M., PG. 195,
 AS DOC. #586963 AND PARTLY IN OUTLOT 1 AND LOTS 3 & 4 OF BLOCK "E"
 OF THE FIRST UNIT OF CHAMBERS ISLAND ASSOCIATION PLAT IN
 GOV'T LOT 2 OF SECTION 33, T. 32 N., R. 26 E., CHAMBERS ISLAND -
 TOWN OF GIBRALTAR, DOOR COUNTY, WISCONSIN

PREPARED FOR
 CURRENT OWNER:
 TOWN OF GIBRALTAR
 P.O. BOX 850
 FISH CREEK, WI 54212
 PROPERTY ADDRESS:
 10997 ISLAND DRIVE EAST
 PREPARED BY:
 BRIAN FRISQUE SURVEYS INC.
 JOHN S. BAUDHUN
 PROFESSIONAL LAND SURVEYOR
 3121 MATHEY ROAD
 STURGEON BAY, WI 54235
 (920) 743-7183

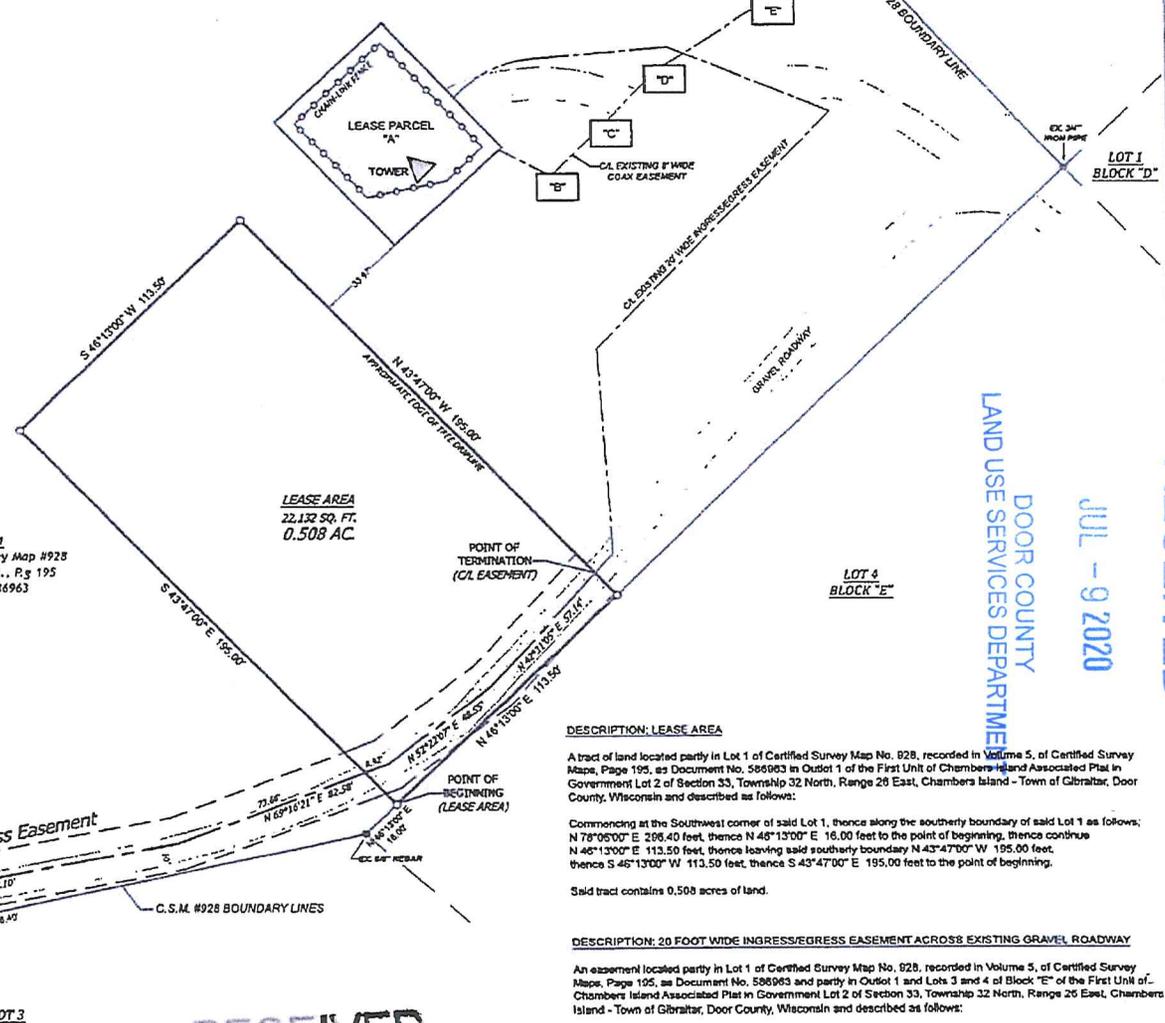


LEGEND
 ● = EXISTING IRON PIN AS NOTED
 ○ = SET 1" IRON PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT

SURVEYOR'S NOTES
 BEARINGS BASED FROM THE FIRST UNIT OF CHAMBERS ISLAND ASSOCIATION PLAT AND CERTIFIED SURVEY MAP #928, RECORDED IN VOL. 5, C.S.M., PG. 195, AS DOC. #586963
 TOWER LEASE AREAS AND CL EASEMENTS SHOWN AS PER MERIDIAN SURVEYING, LLC, MAP #015621, DATED MAY 29, 2009.
 PLATTED ROAD NOT SHOWN ON THIS SITE SKETCH AS EXISTING GRAVEL ROADWAY DOES NOT LIE ENTIRELY WITHIN ITS RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE
 I, John S. Baudhun, Professional Land Surveyor for Brian Frisque Surveys Inc., do hereby certify that I have surveyed the property described herein and to the best of my knowledge and belief the adjacent map is a true representation thereof.
 Dated _____
 John S. Baudhun
 P.L.S. S-1576

OUTLOT 1
FIRST UNIT OF CHAMBERS ISLAND ASSOCIATION PLAT



Lot 1
 Certified Survey Map #928
 Vol. 5, C.S.M., Pg 195
 Doc. #586963

LEASE AREA
 22,132.50 FT.
 0.508 AC

DESCRIPTION: LEASE AREA
 A tract of land located partly in Lot 1 of Certified Survey Map No. 928, recorded in Volume 5, of Certified Survey Maps, Page 195, as Document No. 586963 in Outlot 1 of the First Unit of Chambers Island Associated Plat in Government Lot 2 of Section 33, Township 32 North, Range 26 East, Chambers Island - Town of Gibraltar, Door County, Wisconsin and described as follows:
 Commencing at the Southwest corner of said Lot 1, thence along the southerly boundary of said Lot 1 as follows: N 78°05'00" E 208.40 feet, thence N 48°13'00" E 16.00 feet to the point of beginning, thence continue N 42°13'00" E 113.50 feet, thence leaving said southerly boundary N 43°47'00" W 195.00 feet, thence S 46°13'00" W 113.50 feet, thence S 43°47'00" E 195.00 feet to the point of beginning.
 Said tract contains 0.508 acres of land.

DESCRIPTION: 20 FOOT WIDE INGRESS/EGRESS EASEMENT ACROSS EXISTING GRAVEL ROADWAY
 An easement located partly in Lot 1 of Certified Survey Map No. 928, recorded in Volume 5, of Certified Survey Maps, Page 195, as Document No. 586963 and partly in Outlot 1 and Lots 3 and 4 of Block "E" of the First Unit of Chambers Island Associated Plat in Government Lot 2 of Section 33, Township 32 North, Range 26 East, Chambers Island - Town of Gibraltar, Door County, Wisconsin and described as follows:
 Commencing at the Southwest corner of said Lot 1, and being the point of commencement of the centerline of a 20 foot wide easement for ingress and egress being 10 feet on each side of said centerline, thence N 68°47'00" E 71.88 feet, thence N 79°14'32" E 158.10 feet, thence N 69°16'21" E 82.58 feet, thence N 52°22'07" E 48.55 feet, thence N 42°31'05" E 57.14 feet to the point of termination.

DOOR COUNTY
 LAND USE SERVICES DEPARTMENT
 JUL - 9 2020

RECEIVED

RECEIVED
 MAR - 4 2020
 DOOR COUNTY
 LAND USE SERVICES DEPARTMENT

Site Sketch

RECEIVED
JUL 20 2020

RECEIVED
JUL 20 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

LOCATED:
PARTLY IN LOT 1 OF CERTIFIED SURVEY MAP #928, REC. IN VOL. 5, OF C.S.M., PG. 195,
AS DOC. #586963 AND PARTLY IN OUTLOT 1 AND LOTS 3 & 4 OF BLOCK "E"
OF THE FIRST UNIT OF CHAMBERS ISLAND ASSOCIATION PLAT IN
GOVT LOT 2 OF SECTION 33, T. 32 N., R. 26 E., CHAMBERS ISLAND -
TOWN OF GIBRALTAR, DOOR COUNTY, WISCONSIN

PREPARED FOR:

CURRENT OWNER:
TOWN OF GIBRALTAR
P.O. BOX 850
FISH CREEK, WI 54212

PROPERTY ADDRESS:
10997 ISLAND DRIVE EAST

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.
JOHN S. BAUDHUIN
PROFESSIONAL LAND SURVEYOR
3121 MATHEY ROAD
STURGEON BAY, WI 54235
(920) 743-7183



- LEGEND**
- = EXISTING IRON PIN AS NOTED
 - = SET 1" IRON PIPE WEIGHING 1-13 LBS. PER LINEAL FOOT

SURVEYOR'S NOTES:

BEARINGS BASED FROM THE FIRST UNIT OF CHAMBERS ISLAND ASSOCIATION PLAT AND CERTIFIED SURVEY MAP #928, RECORDED IN VOL. 5, C.S.M., PG. 195, AS DOC. #586963

TOWER LEASE AREAS AND C/L EASEMENTS SHOWN AS PER MERIDIAN SURVEYING, LLC. MAP #013631. DATED MAY 26, 2008

PLATTED ROAD NOT SHOWN ON THIS SITE SKETCH AS EXISTING GRAVEL ROADWAY DOES NOT LIE ENTIRELY WITHIN ITS RIGHT-OF-WAY.

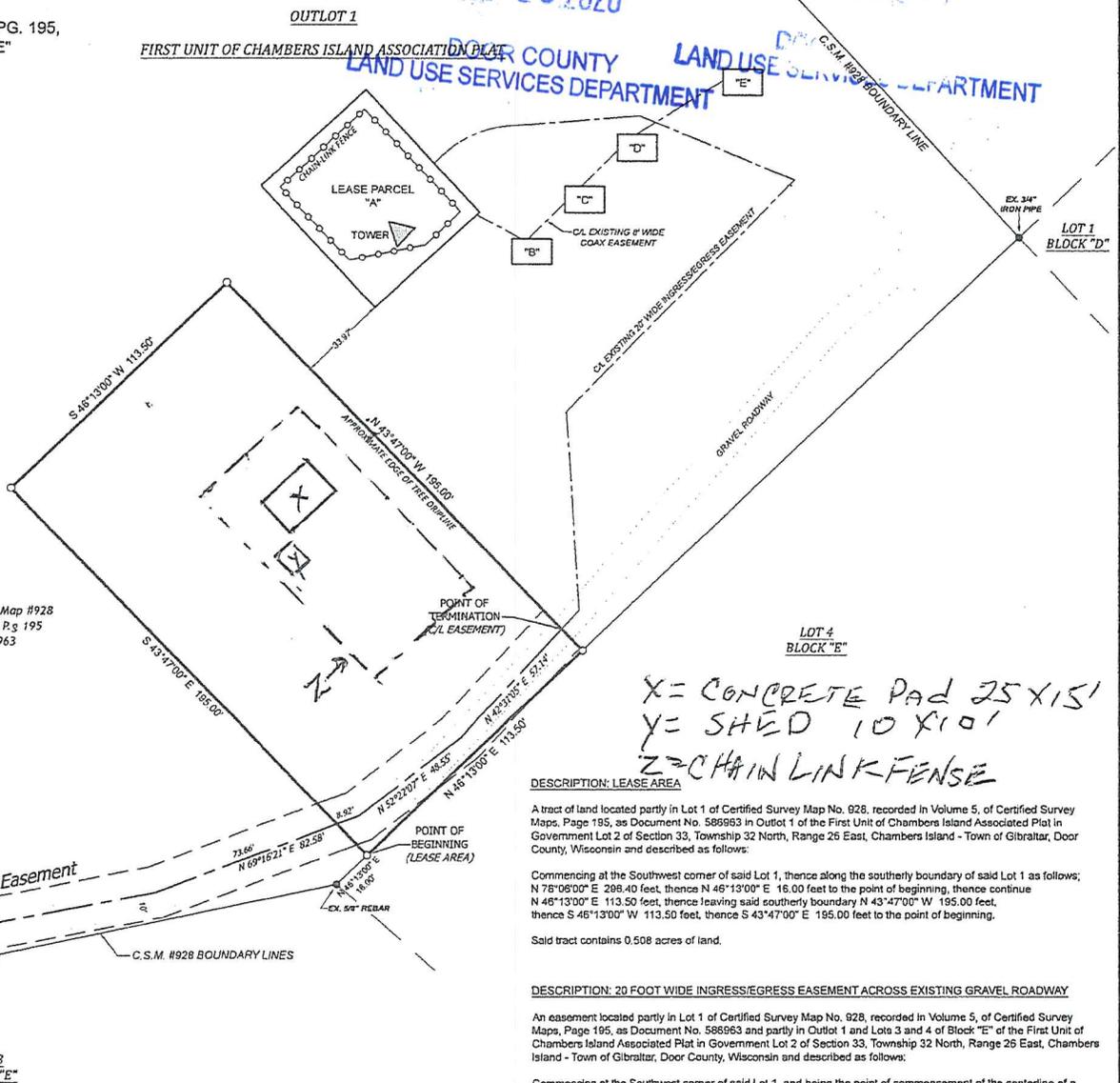
Lot 1
Certified Survey Map #928
Vol. 5, C.S.M., Pgs 195
Doc. #586963

SURVEYOR'S CERTIFICATE:

I, John S. Baudhuin, Professional Land Surveyor for Brian Frisque Surveys Inc., do hereby certify that I have surveyed the property described herein and to the best of my knowledge and belief the adjacent map is a true representation thereof.

Dated _____

John S. Baudhuin
P.L.S. S-1578



X = CONCRETE PAD 25 X 15'
Y = SHED 10 X 10'
Z = CHAIN LINK FENCE

DESCRIPTION: LEASE AREA

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Town of Gibraltar

Printed 04/21/2020 courtesy of Door County Land Information Office

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([//www.co.door.wi.gov](http://www.co.door.wi.gov))



Door County, Wisconsin
... for all seasons!



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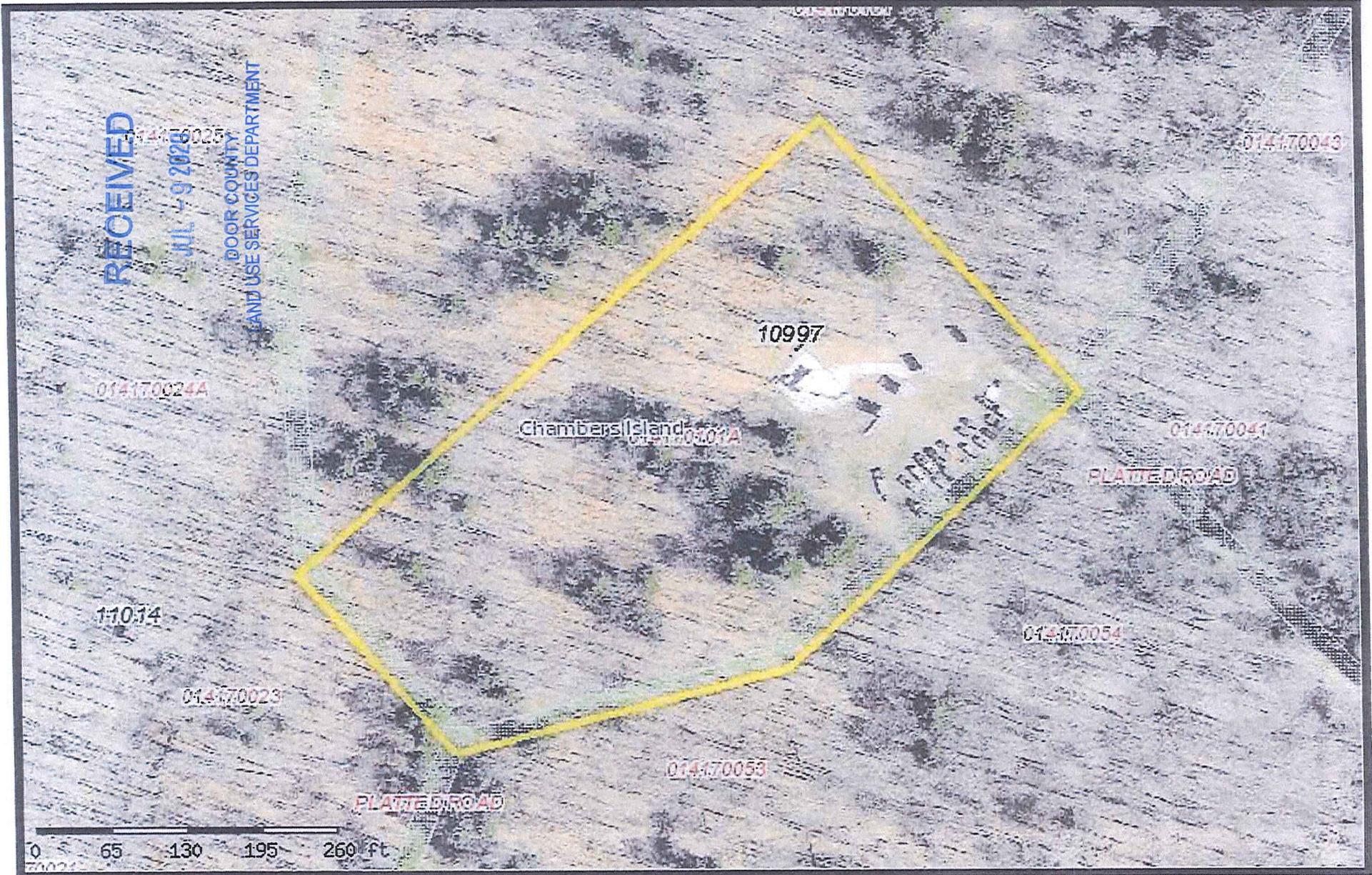
Town of Gibraltar

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



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Town of Gibraltar

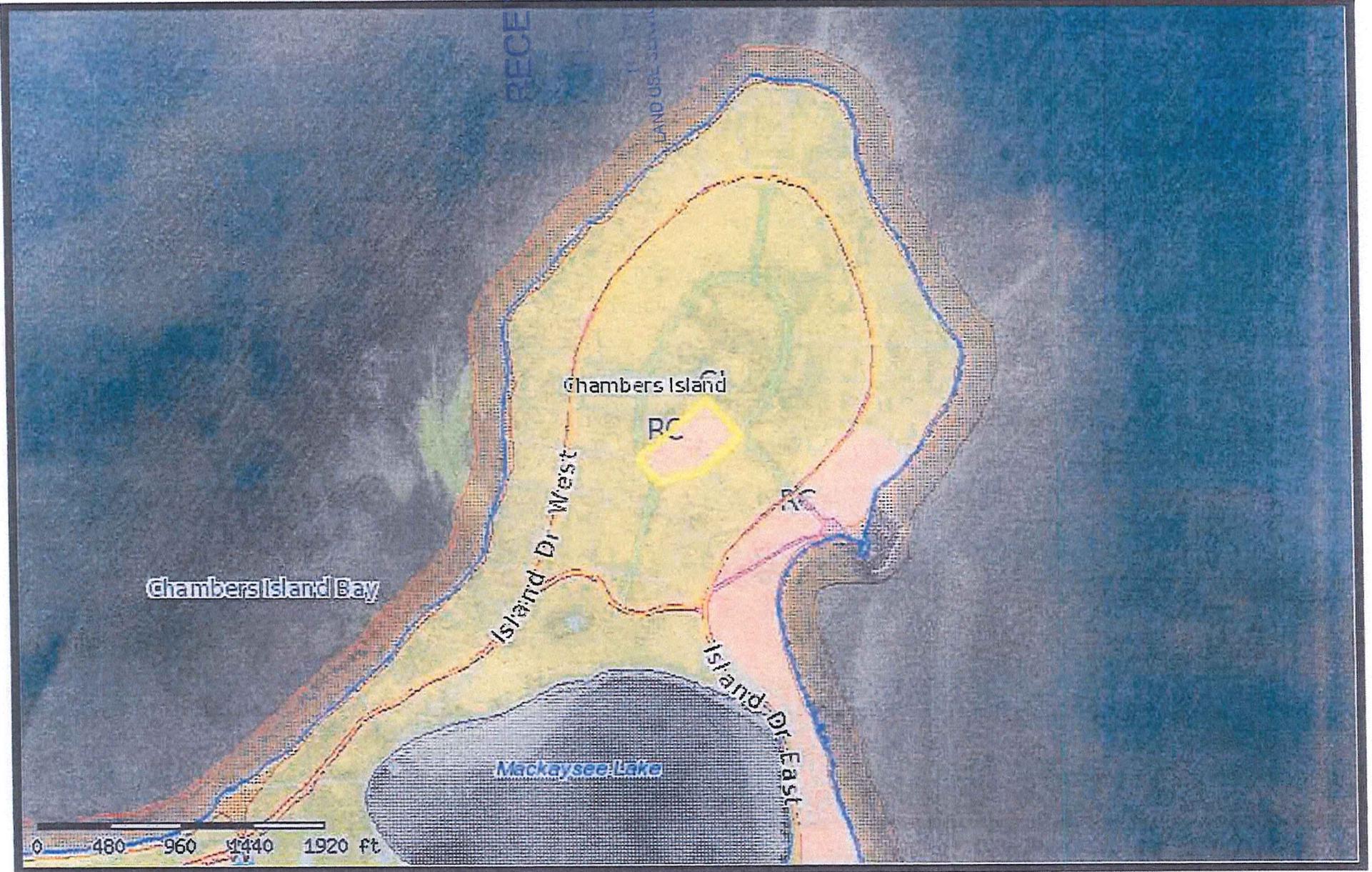
Printed 04/21/2020 courtesy of Door County Land Information Office

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Door County, Wisconsin
... for all seasons!

RECEIVED
2020
DOOR COUNTY
LAND USE SERVICES DEPARTMENT



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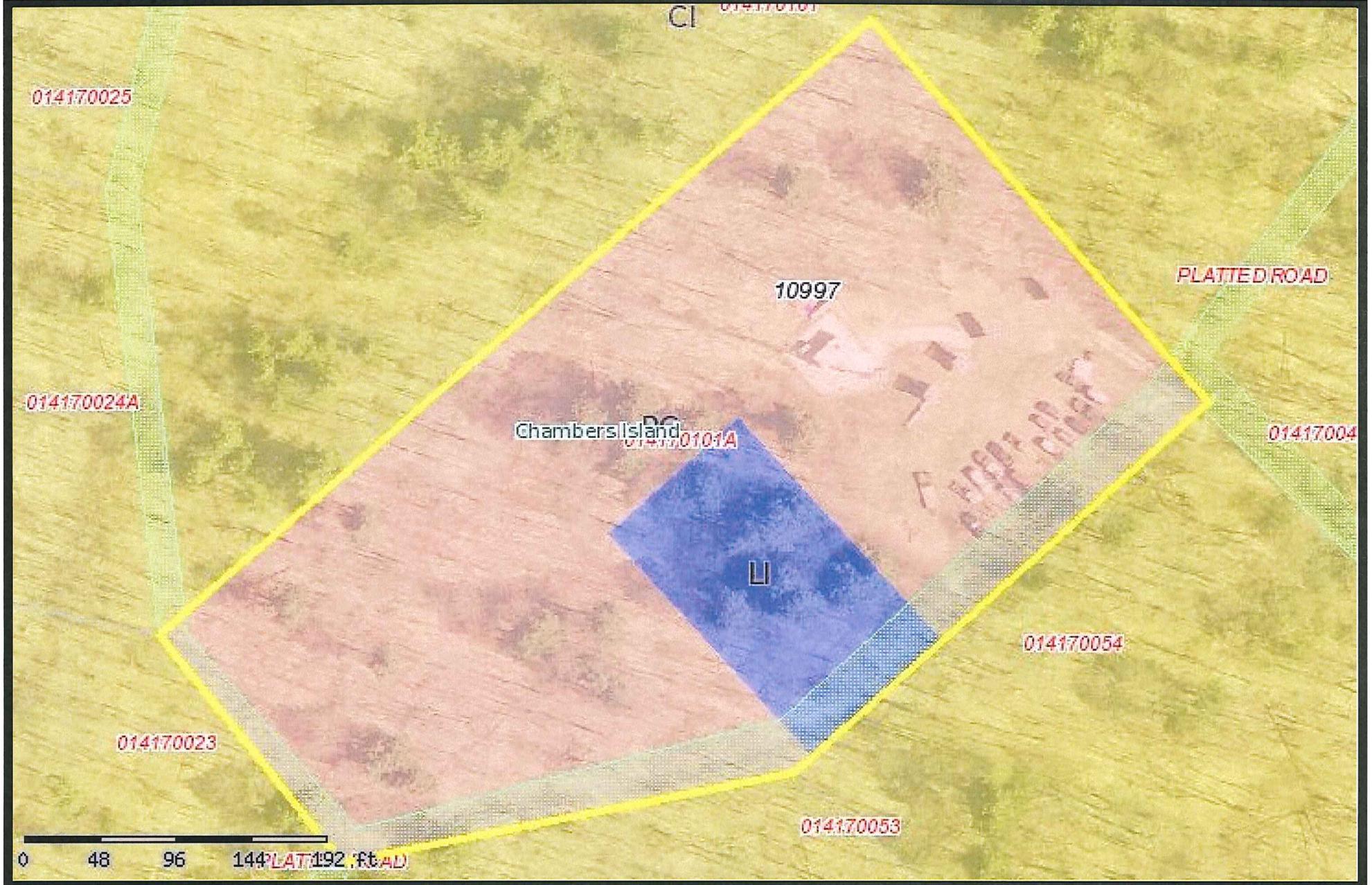
Gibraltar: 014-17-0101A

Printed 07/29/2020 courtesy of Door County Land Information Office

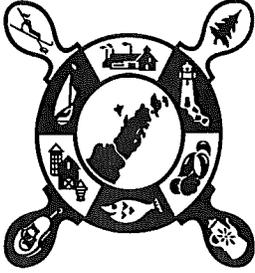
... from the Web Map of ...
(//www.co.door.wi.gov)



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Door County, Wisconsin
... for all seasons!



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County of Door LAND USE SERVICES DEPARTMENT: Planning

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

STAFF REPORT Petition for Conditional Use Permit

Applicant Information

- **Name & property address:** Town of Gibraltar, 10997 Island Drive East
- **Parcel identification number:** 014-17-0101A
- **Zoning District:** Light Industrial (LI)
- **Petition Request, including sections of zoning ordinance requiring permit:** Conditional Use Permit authorizing "Bulk Storage of Fuel Products" for a propane tank that will serve Chambers Island property owners. The portion of the lot proposed for the propane tank is 0.51-acres (22,132 sq. ft.), zoned Light Industrial (LI), located within a 4.24-acre parcel. The residual 3.73-acres of the lot is zoned Recreational Commercial (RC).

Ordinance sections: s. 2.05(3)(a), Bulk Storage of Fuel Products, and s. 11.04, Conditional Use Permits

Description of Subject Property and Surrounding Area

Subject Property:

- **Lot area:** 4.24 acres.
- **Frontage - water, road:** No water or road frontage.
- **Existing uses/structures:** A telecommunications tower, solar panels, and a municipal parking lot are located on the lot.
- **Access:** Accessed from easement that is approximately 500 feet long and extends off of Island Drive East.
- **Traffic patterns/road usage:** Island Drive East is a very lightly travelled private driveway.
- **Water and sanitation:** None proposed.
- **Significant topography or vegetation:** The majority of the property is wooded.

Surrounding Area:

- **North:** Large, mostly vacant, wooded lots, several of which have residential homes, zoned Chambers Island (CI).
- **South:** Large, mostly vacant wooded lots, several of which have residential homes, zoned CI.
- **East:** Large, mostly vacant, wooded lots, several of which have residential homes, zoned CI. Further east, across Island East Drive, is the Holy Name Retreat House and marina, zoned Recreational Commercial (RC).

- **West:** Large, mostly vacant, wooded lots, several of which have residential homes, zoned CI.

Background/history: The Town of Gibraltar purchased this property from Reinhart and Virginia Krause in 1999 with the intent to use the property as a municipal parking lot for the residents of Chambers Island. A new lot in the interior of the island is required to be 10 acres in area. The Board of Adjustment granted a variance to allow the creation of the subject 4.43-acre lot. The Town then petitioned to rezone the property from Small Estate Residential (SE) to Recreational Commercial (RC), which was subsequently approved. The municipal parking lot was then approved at a Site Plan Review meeting held on April 20, 1999.

In April of this year the Town of Gibraltar petitioned to rezone 0.51-acres (22,132 sq. ft.) of the 4.24-acre parcel from Recreational Commercial (RC) to Light Industrial (LI) in order to pursue authorization for the propane tank. This petition was approved by the Door County Board of Supervisors in May.

The Town has now applied for a conditional use permit to authorize “Bulk Storage of Fuel Products” on the property. The project will include a 15’ x 25’ foot concrete pad to support two 1,000 gallon LPG storage tanks, a generator to power the equipment, a shed to house the generator and other miscellaneous dispensing equipment, an area to store both filled and empty tanks to permit easy loading and unloading of tanks, and secure fencing and gating of the depot area. (Note: Full explanation is included with application.)

Zoning Considerations

- **Purpose of zoning district - DCCZO Section 2.03(19), Light Industrial (LI):**
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.
- **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. At minimum, a Door County Regular Zoning Permit shall be obtained within 12 months of issuance of the conditional use permit, and construction must begin within 12 months of the issuance of the regular zoning 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 construction.
3. Any outdoor lighting erected in conjunction with this use shall utilize lighting fixtures whose hood, lens, or combination thereof allow no direct beams of light to be seen from off the property or to be cast skyward, and the lighting elements of which shall not be visible from adjacent properties.
4. *The RPC will need to set a completion date for the project.*

Comprehensive Plan Considerations

- **County comprehensive plan future land use map designation and description. (Please see the attached Future Land Use Map.)**

The parcel proposed for the bulk storage propane tank is designated on the county's comprehensive plan future land use map primarily as "Woodland/Wetland/Natural Area," with some "Transportation," as described below and shown on the attached map.

Woodland/Wetland/Natural – Lands designated as "Woodland/Wetland/Natural" are primarily in a natural state, and include wetlands, woodlands, and public and private conservancy areas. Note that lands in this category can – outside of wetland and conservancy areas – and most likely will, contain very low-density residential uses in upland areas. The character of these regions should be protected by discouraging any development that would adversely impact the environmental quality or natural beauty of these areas. Maintenance of these natural areas should include continued private stewardship and public ownership or, if necessary, acquisition of easements or additional public lands.

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

The area for the proposed bulk storage tank is designated as Woodland/Wetland/Natural Area. The proposed storage tank is not a good fit with this future land use designation because the area will be altered from its natural state. However, as stated previously in this report, the request is not simply to economically benefit one property owner or a small group of property owners, rather there is an overriding public good to be gained by rezoning the property. The tank will serve the property owners of Chambers Island. Additionally, the property already has a telecommunications tower and four solar panels located adjacent to the area proposed for the tank.

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

Conditional Use Permit
Town of Gibraltar: 014-71-0101A
Proposed Use: Bulk Storage Fuel Tank



LETTER(S) IN FAVOR

CONDITIONAL USE

**TOWN OF GIBRALTAR
(CHAMBERS ISLAND)**

Door County Land Use Services
421 Nebraska St
Sturgeon Bay WI

8-4-2020

Dear RPC Chairman and Committee members,

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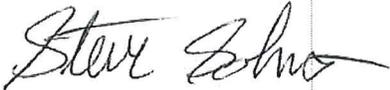
AUG - 5 2020

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

This is in regards to the conditional use permit request for a bulk propane storage facility on Town of Gibraltar property. I would ask for your support in this request. As you may know, Chambers Island and the residents do not have public power, so they rely on generators and propane to meet basic needs. Propane is used for cooking, heating, and hot water. Over the years, people who have relied on propane have had to transport cylinders back and forth by boat to get them filled. A normal 100# cylinder weighs almost 170 pounds when filled, so this is not an easy task, dealing with the transportation issues. Also there are many safety concerns with this process and thankfully nothing has ever happened, to my knowledge.

In the long term, this facility will be a much better solution for everyone.

Thank you for your consideration,



Steve Sohns
Chairman
Town of Gibraltar
2833 Maple Grove East
Fish Creek WI 54212
ssohns@townofgibraltar.us
920-559-6268

Applicant

Project

The Door County Resource Planning Committee (RPC) decision to approve, approve with conditions, or deny a Conditional Use Permit (CUP) must be supported by substantial evidence. A CUP applicant has the burden of proof. S/he must demonstrate, by substantial evidence, that the application and all requirements and conditions established in the ordinance and by the RPC relating to the conditional use are or shall be satisfied. If an applicant meets their burden of proof, then the RPC must grant the CUP.

If an applicant fails to meet their burden of proof, the CUP will be denied. The CUP may also be denied if substantial evidence exists to support the opposite conclusion, i.e., that the conditions and requirements the applicant must meet to obtain the conditional use permit are not or will not be satisfied.

Substantial evidence: 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.

Standard	Has the applicant met their burden of proof? (Yes / No / N/A)	Has convincing opposing substantial evidence been provided? (Yes / No / N/A)	Are there conditions which should or can be attached, whether to: a) insure ordinance compliance, b) address the lack of substantial evidence, and/or c) address convincing and substantial opposing evidence?
1) Whether the proposed project will adversely affect property values in the area.			
2) Whether the proposed use is similar to other uses in the area.			
3) Whether the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan or any officially adopted town plan.			
4) Provision of an approved sanitary waste disposal system.			
5) Provision for a potable water supply.			
6) Provisions for solid waste disposal.			
7) Whether the proposed use creates noise, odor, or dust.			
8) Provision of safe vehicular and pedestrian access.			

9) Whether the proposed project adversely impacts neighborhood traffic flow and congestion.			
10) Adequacy of emergency services and their ability to service the site.			
11) Provision for proper surface water drainage.			
12) Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.			
13) Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.			
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.			
15) Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.			
16) Whether, and to what extent, site-specific conditions should be imposed to mitigate potentially problematic impacts of the use.			<i>For example: Access restrictions? Parking? Hours of operation? Hours open to public? Screening? Increased setbacks? Restrictions on signs?</i>
17) The impact of the proposed project on public health, public safety, or the general welfare of the County.			<i>For example: Compliance with local, state, and federal codes, laws, orders, ordinances, and rules?</i>
Other topics? (The RPC may consider topics in addition to the above.)			

The Resource Planning Committee shall establish a completion date for the proposed project: _____

The Resource Planning Committee may impose conditions regarding the permit's duration, transfer, or renewal.

GENERAL TEMPLATE FOR GRANTING A CONDITIONAL USE PERMIT

Motion by (RPC member), seconded by (RPC member), that:

A. The applicant seeks to establish a (specified use in specified building and/or on specified portion of a lot) at (street address), Town of (X), Door County, Wisconsin, Section (##), Town (##) North, Range (##) East 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. (OR) Evidence exists to support an opposite conclusion, but it is not considered sufficient.
3. A conditional use permit is hereby granted, subject to the following conditions and requirements:

Standard conditions

- a) A regular zoning permit authorizing construction of the building shall be obtained within 12 months; construction must begin within 12 months of the issuance of the regular zoning permit. (Permit expiration.)
- b) The entire project shall be completed by (month/day/year). (Project duration.)
- c) The project shall comply with all applicable local, state, and federal codes, laws, ordinances, rules, and statutes.
- d) The conditional use permit will remain in effect as long as the conditions upon which the permit was issued are followed.
- e) County retains the authority to administer and enforce the conditional use permit. This includes the ability to revoke or add conditions if the conditions upon which the permit was issued are violated or the use changes.
- f) An affidavit is to be recorded with the deed by (set recording date, such as before issuance of regular zoning permit) to provide successors in interest notice of the conditional use permit and conditions and requirements.
- g) 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.

Statutory condition options

- h) Establish conditional use permit duration and renewal conditions/terms, if any.
- i) Establish conditional use permit transferability terms, if any.

Specific conditions/topics to address

- j) *See decision-making worksheet.*

4. The requirements and conditions described above are reasonable, objective and measurable to the extent practicable, related to the purpose of the ordinance, and based on substantial evidence.

C. The RPC's decision is supported by substantial evidence.

Motion carried unanimously.

GENERAL TEMPLATE FOR DENYING A CONDITIONAL USE PERMIT

Motion by (RPC member), seconded by (RPC member), that:

A. The applicant seeks to establish a (specified use in specified building and/or on specified portion of a lot) at (street address), Town of (X), Door County, Wisconsin, Section (##), Town (##) North, Range (##) East under a conditional use permit.

B. Following a public hearing, the Resource Planning Committee (RPC) finds and concludes that:

1. The applicant has not demonstrated by substantial evidence that the application and all conditions and requirements relating to the proposed conditional use are or will be satisfied. (Specify why... in context of the ordinance standards.)

(AND/OR)

2. Substantial evidence exists to support the conclusion that the conditions and requirements the applicant must meet to obtain the conditional use permit are not or will not be satisfied. (Specify why... in context of the ordinance standards.)
3. The particularized concerns set forth, including the ordinance standards at issue, in 1. and/or 2., above, cannot be adequately addressed by the placement of conditions on the permit.
4. The conditional use permit application is therefore hereby denied.

C. The RPC's decision is supported by substantial evidence.

Motion carried unanimously.