

Notice of Public Meeting  
**Thursday, Sept. 30, 2021**

**Meeting start:  
2:00 p.m.**

**DOOR COUNTY  
RESOURCE PLANNING  
COMMITTEE**

Door County Government Center <sup>1</sup>  
Chambers Room  
(C102, 1st floor)  
421 Nebraska Street, Sturgeon Bay, WI

Oversight for Land Use Services Department

**AGENDA**

- 1.0 Open business meeting.
- 2.0 Verification of proper notice and posting procedures; quorum present; adoption of the agenda.
- 3.0 Review and act on minutes of September 16 and September 23, 2021 meetings.
- 4.0 Convene in Closed Session for purpose of "...[c]onfering with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved..." under § 19.85(1)(g), Wis. Stats. Specifically, "Camp Zion, Inc. vs. Door County BOA, et al", U.S. District Court for the Eastern District of Wisconsin Case # 20-CV-01248-WCG (concerning application of the RLUIPA to land use regulations and zoning approvals [including a conditional use permit] for a religious Institutional Recreation Camp).  
Roll call vote required.
- 5.0 Reconvene in Open Session to consider and act upon the matter discussed in Closed Session.  
Roll call vote required.
- 6.0 Future meeting schedule:
  - October 7, 2021: No meeting.
  - October 21, 2021: One zoning hearing, continued discussion of potential housing-related text amendments.
  - November 4, 2021: ?
- 7.0 Meeting per diem code.
- 8.0 Adjourn.

Members of the public who wish to monitor/observe the meeting may attend in person or do so remotely by using the link below, or via the Zoom smartphone app, or by calling (312) 626-6799. Masks are recommended for those attending in person.

**Link:**

<https://us02web.zoom.us/j/87355411815?pwd=WUpRQStrNijjeFFXYzZNRIFsMzM1QT09>

**Zoom Webinar ID:** 873 5541 1815  
**Passcode:** 527490

*Deviation from order shown may occur.*

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

MKG/r  
09/27/21

*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 72 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, or have trouble accessing the virtual meeting, please call (920) 746-2323, or send a FAX to (920) 746-2387, or send an e-mail to [Lriemer@co.door.wi.us](mailto:Lriemer@co.door.wi.us) so that we may determine how to best assist you.*

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

**September 16, 2021**

**1.0 Open business meeting (after three public hearings starting at 2:00).**

Chair Enigl called a regular business meeting of the Resource Planning Committee to order at 3:54 p.m. in the Door County Government Center Chambers Room (C102, 1<sup>st</sup> floor), 421 Nebraska Street, Sturgeon Bay, Wisconsin.

<b>Present:</b>	<b><u>RPC Members</u></b>	<b><u>Staff</u></b>	<b><u>Others</u></b>
	David Enigl	Mariah Goode	David Dougherty
	Ken Fisher	Tara McKeefry	Frederick Pesch
	Richard Virlee		Allen Sovereign
	Roy Englebert		Linda Wait
	Vinni Chomeau		Nancy Schrank
			Bob Schrank

**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 Englebert, 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.**

None.

**5.0 Review and act on minutes of September 2, 2021 meeting.**

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

**6.0 Zoning matters.**

- 6.1 David Dougherty; rezone ~9.7-acre upland portion of parcel at Sand Bay Lane and Waters End Road from Heartland-10 to Natural Area to allow more floor area of accessory structures; Liberty Grove.**

Motion by Englebert, seconded by Virlee, to recommend to county board approval of the zoning amendment petition as presented. Motion carried unanimously.

- 6.2 Fred Pesch for F & S Pesch Family Trust; rezone ~4.94 acres of upland from Prime Agriculture to Heartland-5 and ~2.92 acres of upland from Prime Agriculture to**

**Countryside to divide the 20.59-acre parcel into two buildable parcels; 3848 Mathey Rd; Sevastopol.**

Motion by Chomeau, seconded by Fisher, to recommend to county board approval of the zoning amendment petition as presented. Motion carried 3-2 (Englebert and Enigl “nay”).

**6.3 DHM Farms LLC; expand an existing commercial storage facility to include a ~30-40' x ~252' building with 21 storage units; 5628 Danmar Drive; Commercial Center zoning; Sevastopol.**

Motion by Fisher, seconded by Englebert, that:

A. DHM Farms LLC proposes to expand an existing Commercial Storage Facility to include a proposed 30'-40' x 252'-long building with 21 storage units at 5628 DanMar Drive in the Town of Sevastopol, Door County, Wisconsin, in a Commercial Center 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 valid for twelve months is hereby granted, subject to the following conditions and requirements:

a) The site plan hereby approved is that submitted by the applicant on September 15<sup>th</sup>, 2021.

b) A regular zoning permit authorizing construction of the building shall be obtained within twelve months of the issuance of the conditional use permit.

Before staff may issue the regular zoning permit, the applicant shall address items 1-7 below to ensure all activities on the property are in compliance with county regulations. Note that, even if the applicant chooses not to pursue the project authorized by this conditional use project and therefore no longer needs the regular zoning permit in question, these items need to be addressed and resolved.

1. All previous conditions attached to the 2019 conditional use permit authorizing the first commercial storage facility shall be met, including but not limited to, installation and on-going maintenance of required vegetative screening. A vegetative screening plan shall be submitted to and approved by the Land Use Services Department.
2. Any gravel that has been placed within five feet of the south lot line shall be removed. The area between the lot line and the gravel drive shall then be graded, including such that the surface of the ground on either side of the lot line/fence line is level. The area between the lot line and gravel drive shall then be revegetated. A vegetative screening plan shall be submitted to and approved by the Land Use Services Department.
3. The Door County Soil & Water Conservation Department (SWCD) shall inspect the activities that have occurred to the property to date and the proposed scope of work for this project to determine if a stormwater plan is

- required. If yes, the plan shall be developed, installed, and maintained per applicable requirements.
4. If a land disturbance zoning permit is required, such permit shall be obtained.
  5. The Sanitarian division of Land Use Services shall review the POWTS component located in the gravel driveway along the south lot line as well as other portions of the POWTS system in relation to proposed activities to ensure compliance with POWTS regulations.
  6. If a trade & contractor/construction/excavation business or anything similar is being operated from the property – i.e., a business doing off-site work – it shall cease operating from the property until appropriate zoning and any other approvals have been obtained. If only on-site work is being conducted, once the building authorized by this conditional use permit is complete, all vehicles and equipment shall be stored inside a building.
  7. If camping has been occurring on the portions of the property zoned Commercial Center, it shall cease immediately – neither camping by private parties nor campgrounds are allowed in this zoning district. Camping occurring in other zoning districts within the property shall be in accordance with county zoning regulations.
- c) The project(s) shall comply with all applicable local, state, and federal building codes and ordinances.
- d) 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.
- e) The new commercial storage facility building shall be screened from view from all directions on STH 42/57 by a vegetative screening as described in Section 3.10(4) of the Door County Comprehensive Zoning Ordinance. A vegetative screening plan shall be submitted to and approved by the Land Use Services Department prior to issuance of the regular zoning permit.
- f) Storage units shall not be used as workshops or retail shops.
- g) Outside storage shall be prohibited.
- h) If construction equipment is to remain on-site after construction of the storage facility and related parking, it shall be stored inside a structure.
- i) The entire project shall be completed by September 21, 2023.
- j) 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 (Enigl “nay”). RPC members also asked staff to make sure the fire chief sign-off regarding the final site plan is on file with the permit and that the committee be kept apprised of the progress in meeting the regular zoning permit pre-issuance conditions.

**7.0 Continued review/discussion/consideration of sponsorship for public hearing: potential Comprehensive Zoning Ordinance text amendments related to housing.**

Consensus to instead continue this discussion at the next meeting, on September 23<sup>rd</sup>.

**8.0 Personnel matter FYI: Youth Apprentice program participant at Land Use Services.**

The program participant decided not to work at the department after all.

**9.0 Budget matters:**

- a. **2020 year-to-date budget report (January 1 through August 31).**
- b. **2021 budget request.**

Motion by Fisher, seconded by Chomeau, to approve the budget as presented and forward back to the Finance Committee. Motion carried unanimously.

**10.0 Future meeting schedule:**

- **September 23, 2021: 2:00-4:00 p.m. Business meeting to continue review of housing-related text amendments.**
- **September 30, 2021: 2:00 p.m. start. Conferring with legal counsel with respect to litigation – “Camp Zion, Inc. v. Door County BOA.”**
- **October 7, 2021: ?**

Virlee cannot attend on the 30<sup>th</sup>.  
There will be no meeting on the 7<sup>th</sup>.

Schedule as discussed noted.

**11.0 Meeting per diem code.**

Chair Enigl assigned code 444.

**12.0 Adjourn.**

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

Meeting adjourned at 4:42 pm.

Reported by,

Mariah Goode  
Land Use Services Director

Tara McKeefry  
Zoning Administrator

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

**September 23, 2021**

**1.0 Open business meeting.**

Chair Enigl called a regular business meeting of the Resource Planning Committee to order at 2:00 p.m. in the Door County Government Center Chambers Room (C102, 1<sup>st</sup> floor), 421 Nebraska Street, Sturgeon Bay, Wisconsin.

<b>Present:</b>	<b><u>RPC Members</u></b>	<b><u>Staff</u></b>	<b><u>Others (via Zoom)</u></b>
	David Enigl	Mariah Goode	Tammy (no last name provided)
	Ken Fisher	Becky Kerwin	
	Richard Virlee		
	Roy Englebert		
	Vinni Chomeau (via Zoom)		

**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 Englebert, 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.**

None.

**6.0 Personnel matters:**

**6.1 Request to refill Zoning Administrator position (Ben Degner).**

Goode explained Degner needs to leave the position with the county due to family matters. Motion by Fisher, seconded by Englebert, to approval refilling the position. Motion carried unanimously.

**6.2 Request to potentially contract out for zoning administrator services, using budgeted wage funds, until position is filled.**

Motion by Fisher, seconded by Englebert, approving use of budgeted wage funds for contracting out for zoning administrator services, if necessary and appropriate in order to assist with department workload. Motion carried unanimously.

**7.0 Zoning matters: Continued review/discussion/consideration of sponsorship for public hearing: potential Comprehensive Zoning Ordinance text amendments related to housing.**

RPC members and staff continued the discussion begun on September 2<sup>nd</sup> about the potential text housing-related amendments. After about 90 minutes of discussion, consensus was to continue/wrap up discussion on the final 3-4 matters yet to be finalized at the next regular meeting (October 21<sup>st</sup>).

**8.0 Future meeting schedule:**

- **September 30, 2021: 2:00 p.m. start. Conferring with legal counsel with respect to litigation – “Camp Zion, Inc. v. Door County BOA”.**
- **October 7, 2021: No meeting.**
- **October 21, 2021: Likely one zoning hearing.**

Virlee cannot attend on the 30<sup>th</sup>.

There will definitely not be a meeting on the 7<sup>th</sup>.

There will be one hearing on the 21<sup>st</sup>, and continued discussion of the housing amendments.

Schedule as discussed noted.

**9.0 Meeting per diem code.**

Chair Enigl assigned code 347.

**10.0 Adjourn.**

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

Meeting adjourned at 3:47 pm.

Reported by,

Mariah Goode  
Land Use Services Director

MKG/lr