

Notice of Public Meeting
Thursday, Feb. 17, 2022

**Meeting start:
3:00 p.m.**

**DOOR COUNTY
RESOURCE PLANNING
COMMITTEE**

Door County Government Center¹
Chambers Room
(C102, 1st floor)
421 Nebraska Street, Sturgeon Bay, WI

Oversight for Land Use Services Department

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 February 3, 2022 meeting.
- 6.0 City Squared/Municipality on-line application, permitting, and filing system demonstration.
- 7.0 Future meeting schedule:
 - March 3, 2022: One zoning hearing. 3:00 p.m. start.
 - March 17, 2022: ?
 - April 7, 2022: Zoning hearing(s). 3:00 p.m. start.
 - April 21, 2022: No meeting. (At county reorganizational meeting April 19th, new RPC member[s] will be assigned.)
- 8.0 Meeting per diem code.
- 9.0 Adjourn.

Anyone wishing to speak must attend in person. Masks are recommended.

Members of the public who wish to simply 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.

Link:

<https://us02web.zoom.us/j/87093708081?pwd=eVp4K2VuOUtLeFYyNmFldHVvU0dudz09>

Zoom Webinar ID: 870 9370 8081

Passcode: 504879

Deviation from order shown may occur.

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

MKG/lr
02/11/22

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 so that we may determine how to best assist you.

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

February 3, 2022

1.0 Open meeting (upon conclusion of four public hearings starting at 3:00).

After the first three public hearings, Chair Enigl paused in order to call a business meeting of the Resource Planning Committee to order at 4:15 p.m. in the Door County Government Center Chambers Room (C102, 1st floor), 421 Nebraska Street, Sturgeon Bay, Wisconsin.

Items 6.1.1, 6.1.2, and 6.1.3 were then discussed and decided. By consensus, the RPC then adjourned that business meeting at 4:29 p.m. in order to start the fourth public hearing. Upon conclusion of that hearing, the business meeting was reopened at 5:14 p.m.

Present:	<u>RPC Members</u>	<u>Staff</u>	<u>Others</u>
	David Enigl	Mariah Goode	Matthew Olson
	Ken Fisher	Tara McKeefry	MaryKay Shumway
	Roy Englebert	Kristin Rankin	Russ Forkert
	Vinni Chomeau	Rebecca Kerwin	Kerry Johnson
	Richard Virlee		Pete Hurth
			Jeanne Flock
			<i>Chris Schmeltz via Zoom</i>

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 January 20, 2022 meeting.

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

6.0 Zoning hearing matters:

6.1 Conditional use permits:

6.1.1 Larry A. & Diane J. Jacobson Trust, on behalf of Kerry Johnson; miniature golf

course (amusement park) and an assembly hall; building for concessions and educational programming; parcel between 3871 & 3859 STH 42; General Commercial (GC) zoning district; Gibraltar.

Motion by Fisher, seconded by Chomeau, that:

- A. Kerry Johnson proposes to establish an amusement park, comprised entirely of a miniature golf course, and an assembly hall, at the parcel located between 3871 and 3859 STH 42 in the Town of Gibraltar, Door County, Wisconsin, in a General Commercial 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. A Door County Regular Zoning Permit authorizing construction of the concessions/assembly hall building shall be obtained within 12 months; construction must begin within 12 months of the issuance of the regular zoning permit.
 - b. The entire project shall be completed by February 7, 2025.
 - c. The project shall comply with all applicable local, state, and federal building codes and ordinances, including obtaining all required approvals and permits prior to beginning construction.
 - d. The site plan hereby approved is that date-stamped February 3, 2022, which differed from the original only in its depiction of handicapped-accessible parking spaces and storm water runoff plan detention pond location. If amenable to the applicant and allowed by the county ordinances, the parking area depicted on the February 3, 2022 site plan may be decreased in size.
 - e. Any amusement park-type activities not depicted on the site plan – including but not limited to go-karts and batting cages – are not authorized by this permit. Establishment of those or any other similar activities, besides or in addition to miniature golf, would require successful application for a future conditional use permit.
 - f. 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.
 - g. The existing vegetation within 10 feet of the west lot line and within 20 feet of the south lot line shall be maintained. Diseased, dead, or invasive species may be removed now or in the future but shall be replaced with new plantings.
 - h. Hours of operation shall be between 9:00 a.m. and 10:00 p.m. (last tickets sold at 9:00 p.m.).
 - i. An affidavit shall be recorded with the Deed to provide successors in interest notice of the conditional use permit and conditions and requirements.

Motion carried unanimously.

6.1.2 Yacht Haven, LLC; expand the existing marina with a new 20' x 80' private boat launch ramp; parcel north of and adjacent to 10967 STH 42; Mixed-Use Commercial (MC) zoning district; Liberty Grove.

Motion by Englebert, seconded by Fisher, that:

- A. Yacht Haven, LLC proposes to expand the existing marina with a new 20' x 80' private boat launch ramp on the parcel north of and adjacent to 10967 STH 42 in the Town of Liberty Grove, Door County, Wisconsin, in a Mixed-Use Commercial 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 entire project shall be completed by February 7, 2024.
 - b. The proposed reconfiguration of parcels 0180232322844C5 and 0180232322844M shall comply with county zoning and land division ordinance requirements.
 - c. The project shall comply with all applicable local, state, and federal building codes and ordinances, including obtaining all required approvals and permits prior to beginning construction.
 - 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. 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 unanimously.

6.1.3 Marina Development, LLC; expand the existing Multiple Occupancy Development known as Yacht Harbor Shores Condo to include a 2-unit building with a total of 7 bedrooms; 10977 Harbor Shores Ct.; High Density Residential (HD) zoning district; Liberty Grove.

Motion by Fisher, seconded by Virlee, that:

- A. Marina Development, LLC proposes to expand the existing Multiple Occupancy Development known as Yacht Harbor Shores Condo to include a duplex with a total of seven bedrooms at 10977 Harbor Shores Court in the Town of Liberty Grove, Door County, Wisconsin, in a High-Density Residential 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. A Door County 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.
 - b. The entire project shall be completed by February 7, 2024.
 - c. The project shall comply with all applicable local, state, and federal building codes and ordinances, including obtaining all required approvals and permits prior to beginning construction.
 - 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. 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 unanimously.

6.2 Zoning ordinance text amendments:

6.2.1 Resource Planning Committee; Door County Comprehensive Zoning Ordinance regulations related to housing; including decreasing minimum square footage for many housing options, less restrictive permit processes for some housing options, and elimination of numerous town-specific regulations.

Motion by Fisher, seconded by Englebert, to recommend to county board adoption of the zoning ordinance text amendments as presented. Motion carried unanimously.

7.0 Adoption of Resolution regarding potential amendment of Door County Comprehensive & Farmland Preservation Plan to expand the Core Area Boundary of Ellison Bay; related hearing held January 20th, 2022.

Motion by Fisher, seconded by Chomeau, to adopt the resolution as presented. Motion carried unanimously.

8.0 Future meeting schedule:

- February 17, 2022: Possible zoning hearing, City Squared demonstration. 3:00 p.m. start.
- March 3, 2022: Likely 2-4 zoning hearings. 3:00 p.m. start.
- March 17, 2022: ?

There will be no hearings February 17th, but the committee will meet for the City Squared demo. There will be several hearings March 3rd; not known if any hearings will be ready for March 17th.

Meeting schedule as discussed, noted.

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
February 3, 2022**

9.0 Meeting per diem code.

Chair Enigl assigned code 519.

10.0 Adjourn.

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

Meeting adjourned at 5:19 p.m.

Reported by,

Mariah Goode
Land Use Services Director

MKG/lr