



Washington Island Chamber of Commerce

## DEATH'S DOOR BARBEQUE A KCBS Sanctioned BBQ Competition

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August 26 -27, 2016

Post Office Box 141 Washington Island, WI 54246 920-847-2784 [jepsenr@gmail.com](mailto:jepsenr@gmail.com)

December 28, 2015

Washington Island Town Board  
P. O. Box 220  
Washington Island, WI 54246

Dear Washington Island Town Board Members:

The Death's Door BBQ committee would like to request the use of the Washington Island Airport for the 5<sup>th</sup> Annual Death's Door Barbecue on Friday, August 26<sup>th</sup> and Saturday, August 27<sup>th</sup>, 2016. We are expecting in excess of 36 teams and 42 judges from throughout the country to participate in the event. The Kansas City Barbecue Society will sanction the event for those days, and we will have the Governor's Proclamation making it a State Championship. We expect a record crowd (weather permitting) which will greatly boost our local economy.

We would like to start site preparation on Monday, August 22<sup>nd</sup> and expect to have clean-up completed by Sunday or Monday, August 28<sup>th</sup> or 29<sup>th</sup>, depending on the weather.

We ask that you please consider our request at your next meeting so we can move forward with the planning stages. Early planning will help to ensure another successful event.

We look forward to working with the Town and Island businesses to make the 5<sup>th</sup> Annual Death's door BBQ the best yet.

Respectfully,

Death's Door BBQ Committee

Committee Members: Richard Jepsen, Chairman, Amy Rose, Tom Nikolai, Mary Andersen, Cathy Meader, William Nauta and Janet Hanlin



## County of Door PLANNING DEPARTMENT

County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235

**Mariah Goode, Director**

Phone: (920) 746-2323

FAX: (920) 746-2387

Website: <http://map.co.door.wi.us/planning>

E-mail: [mgoode@co.door.wi.us](mailto:mgoode@co.door.wi.us)

### MEMORANDUM

January 26, 2016

**TO:** Town board chairs, plan commission chairs, and clerks  
**FROM:** Mariah Goode *Mariah Goode*  
**RE:** Wetland zoning district map amendments

As you know, Door County has a Wetland zoning district. By state law, that district is based primarily on Wisconsin Department of Natural Resource (DNR) maps; the remainder is based on in-field determinations as to exact wetland boundaries. Over the years, as the county and DNR have shifted from paper to digital maps, a number of issues and discrepancies have arisen, which the county has worked with the DNR to correct.

A few years ago, a new issue arose when the DNR provided the county with new wetland maps: in many areas where the DNR shifted the mapped wetland boundaries, the underlying land was left with no zoning district designation. The county had to therefore fill in those "gaps" by extending the adjacent upland district, a very time-consuming process.

In order to avoid that situation each time the county receives DNR map updates, Door County Planning Department staff have been working with the Resource Planning Committee (RPC) for ten months to switch the Wetland zoning district to an "overlay" district. This means all parcels containing wetlands will have an upland zoning district digitally assigned to them to lie underneath the Wetland district, although that district will not be visible on paper or the county web maps. With this change, when the DNR provides the county with updated wetland maps, there will be no gaps created by shifts in the wetland boundaries. **Note that having the Wetland zoning district as an overlay will not change the boundaries of actual wetlands or how actual wetlands are regulated.**

Zoning map amendments are required to switch to having the Wetland zoning district as an overlay. The RPC is therefore sponsoring for public hearing a revised Wetland zoning map for each of the 14 towns. Included with this memo you will find a series of maps for your town: 1) existing zoning, showing numbered sites where a decision had to be made as to the underlying zoning; 2) proposed underlying zoning (wetlands are shown on these as cross-hatched); and 3) final zoning map as it would appear once the amendments are adopted.

In order to ensure town officials and the public understand the proposed changes, the Planning Department is holding an open house meeting in the Peninsula Room at the Government Center on Tuesday, February 16<sup>th</sup> from 3:00-6:00 p.m. The town review period won't commence until that day, so the public hearing will be no sooner than April 7, 2016.

Please let me know if you have any questions. Thank you!

**PETITION FOR ZONING AMENDMENT**

To: Door County Board of Supervisors  
Door County Government Center  
Sturgeon Bay, WI 54235

Mail To: Door County Planning Department  
421 Nebraska Street  
Sturgeon Bay, WI 54235

The undersigned owner of the property herein described hereby petitions your honorable body for an amendment to the Door County Zoning Ordinance and Map to effect a change in the Zoning Classification of real estate in the Town of \_\_\_\_\_, Door County, Wisconsin, located at Fire No. \_\_\_\_\_, \_\_\_\_\_ Road, Highway, more particularly described as follows; to-wit (attach copy of deed, tax bill, or survey):

**See Attached**

From \_\_\_\_\_ Zoning District to \_\_\_\_\_ Zoning District.  
The land described above will be used for:  
(optional)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ if the amendment is adopted.

Respectfully submitted,

**Resource Planning Committee**

NAME Kenneth L. Fisher  
ADDRESS \_\_\_\_\_

(Legal Signature)

January 7, 2016  
(Date)

**ACTION TAKEN**

(By County Planning Committee)

DATE \_\_\_\_\_  
Approved Denied

(By Board of Supervisors)

DATE \_\_\_\_\_  
Approved Denied

**PARCEL**

NO.: 0 - - - - -

DATE FILED: \_\_\_\_\_

FEE PAID (Date) \_\_\_\_\_  
(\$550.00)

(Make check payable to: Door County Treasurer)

MINUTES OF MEETING  
RESOURCE PLANNING COMMITTEE  
January 7, 2016

**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 Read and act on minutes of December 17, 2015 meeting.**

Motion by Enigl, seconded by Kohout, to approve the minutes as presented. Motion carried unanimously.

**6.0 Zoning matters.**

**6.2 Discuss/decide sponsorship of county-wide wetland zoning map amendments.**

Goode explained to committee members that she had reviewed the zoning ordinance text, and that no text amendments would be necessary to shift to having the Wetland district as an "overlay" district; the RPC therefore need only sponsor a map amendment petition reflecting the zoning map changes discussed with GIS Mapping Specialist Audrey Forslund at six+ meetings in 2015. Goode noted that zoning map amendment packets would be mailed to the towns for their review, with an open house meeting to be held for town officials and the general public roughly two weeks after that mailing. The standard review time for the town officials would not start until after the open house meeting.

Motion by Enigl, seconded by Sitte, to sponsor for public hearing the zoning map amendments which would establish the Wetland zoning district as an overlay. Motion carried unanimously.

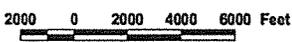
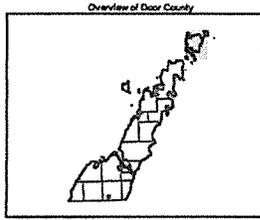
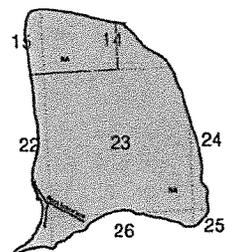
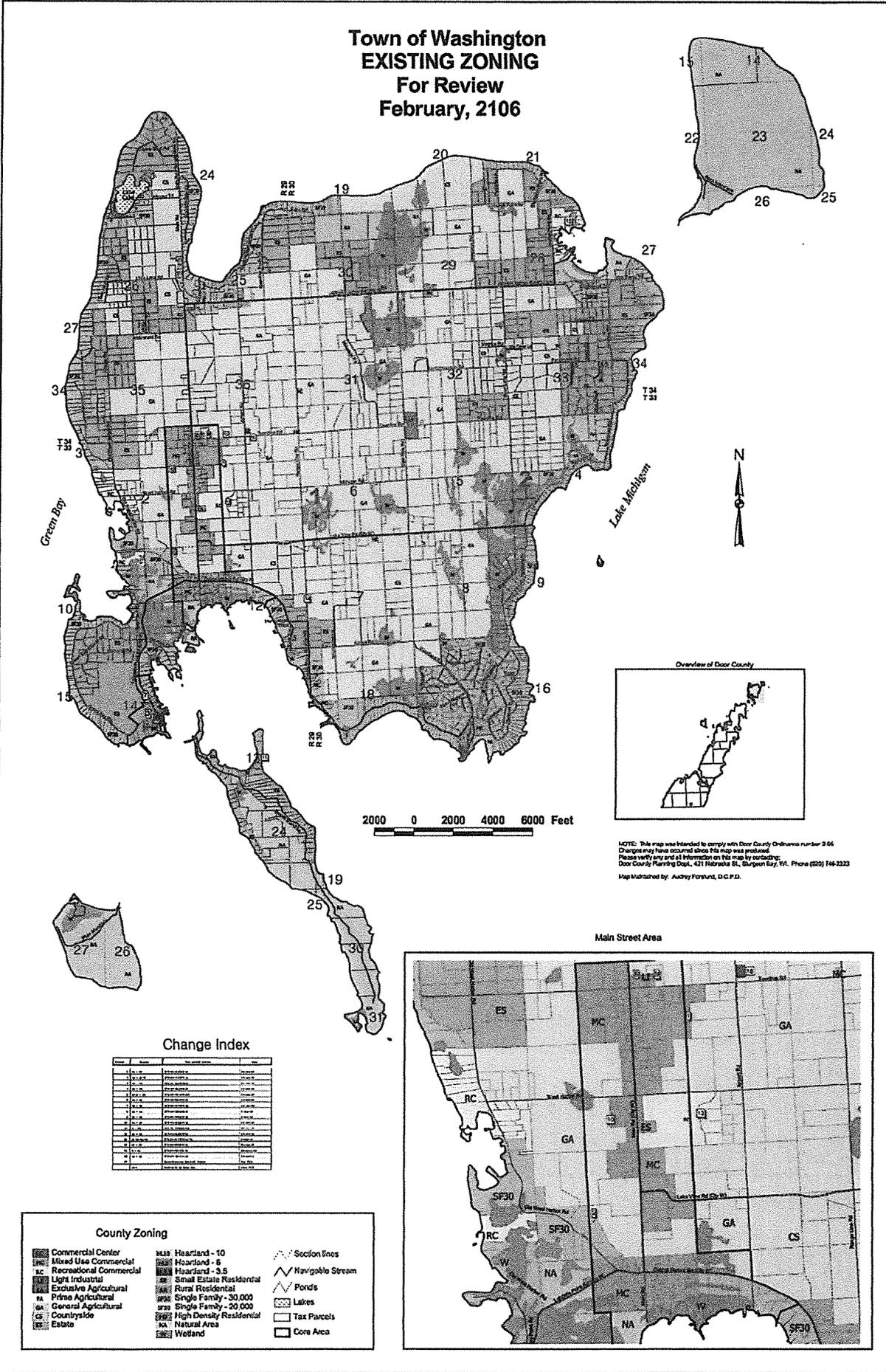
**6.3 Consider sponsorship of resolution regarding budget bill 2015-2017 shoreland zoning provisions and other recently proposed shoreland zoning-related legislation.**

After some discussion, there was a motion by Sitte, seconded by Enigl, to sponsor the resolution as proposed, with direction to staff to forward a copy of the resolution to Senator Frank Lasee and Representative Joel Kitchens asking for their input, and ideally, support, on or before January 22<sup>nd</sup>, so RPC members could potentially meet before the county board meeting on January 26<sup>th</sup> to consider suggesting modified language on the county board floor. Motion carried unanimously.

**6.4 Discuss/confirm plan to move forward on re-writing existing zoning ordinance so as to comply with state statutes. End result: separate shoreland and general zoning ordinances, with only the shoreland ordinance to apply in Brussels, Egg Harbor, Gardner, Nasewaupsee, and Union. Both ordinances will apply in the remaining towns.**

After lengthy discussion of the various options county staff think are available and the ramifications of those options, there was a motion by Sitte, seconded by Enigl, to move forward on splitting the existing zoning ordinance into two ordinances, shoreland and

# Town of Washington EXISTING ZONING For Review February, 2106



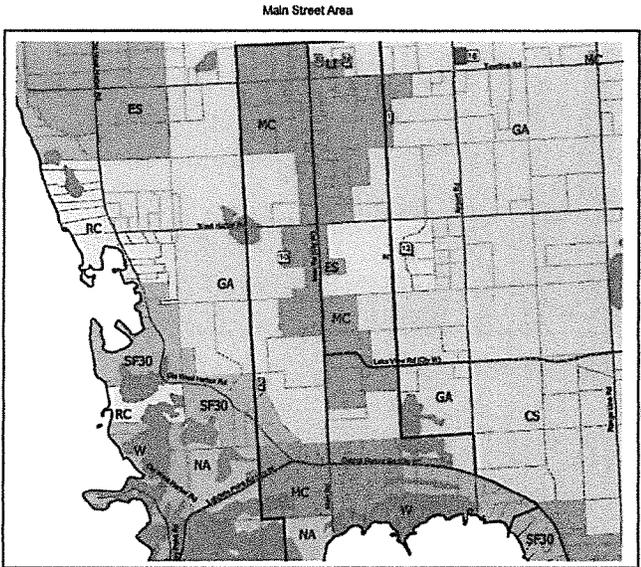
NOTE: This map was intended to comply with Door County Ordinance number 2 06  
Changes may have occurred since this map was produced.  
Please verify any and all information on this map by contacting:  
Door County Planning Dept., 421 Nebraska St., Sturgeon Bay, WI. Phone (920) 746-3333  
Map Maintained by: Audrey Forstard, D.C.P.D.

### Change Index

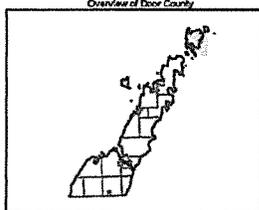
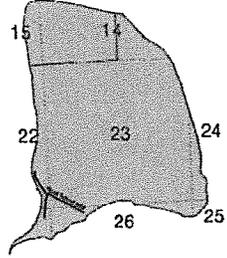
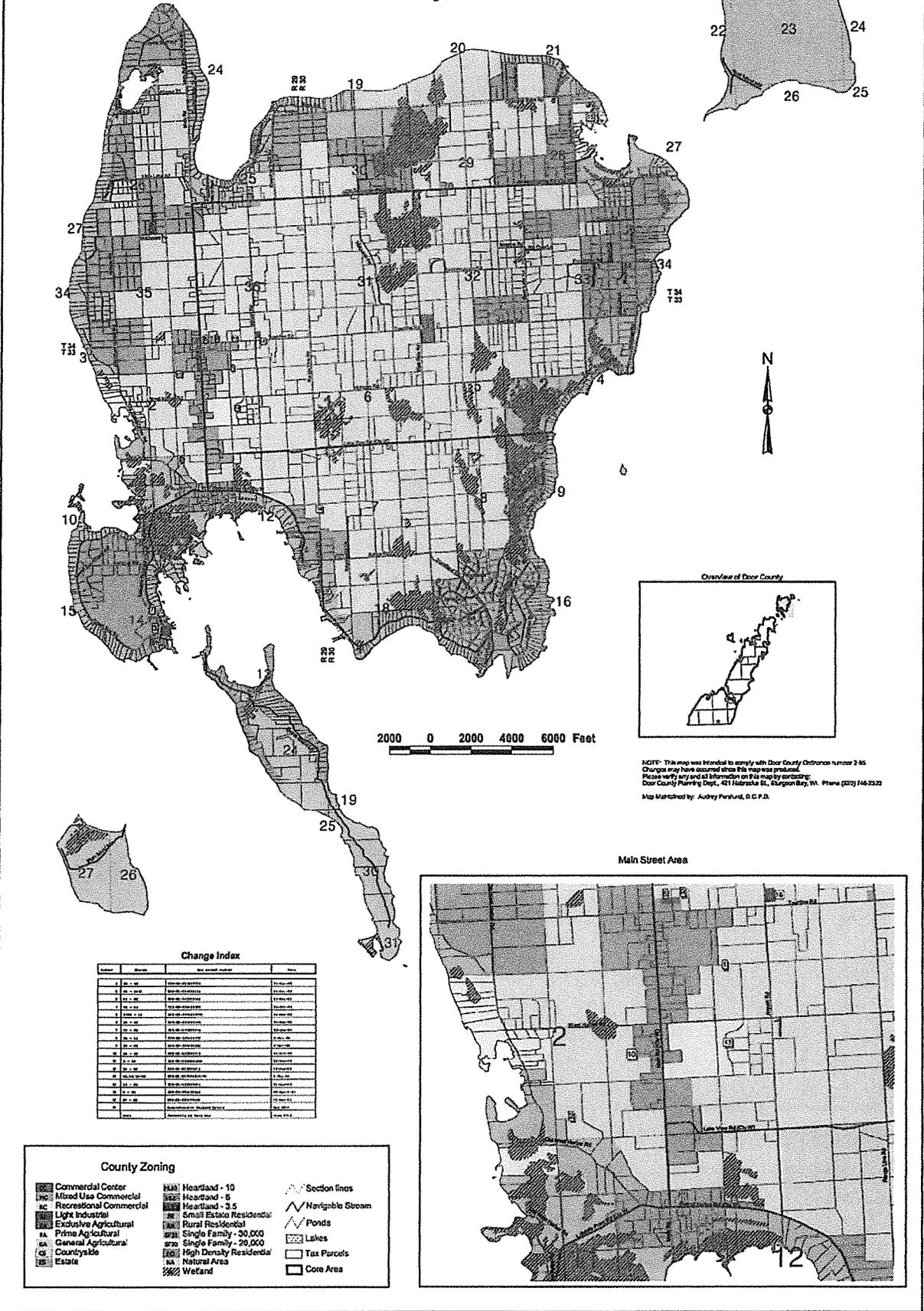
Section	From	To	Effective Date
1	RC	MC	1/1/10
2	RC	MC	1/1/10
3	RC	MC	1/1/10
4	RC	MC	1/1/10
5	RC	MC	1/1/10
6	RC	MC	1/1/10
7	RC	MC	1/1/10
8	RC	MC	1/1/10
9	RC	MC	1/1/10
10	RC	MC	1/1/10
11	RC	MC	1/1/10
12	RC	MC	1/1/10
13	RC	MC	1/1/10
14	RC	MC	1/1/10
15	RC	MC	1/1/10
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28	RC	MC	1/1/10
29	RC	MC	1/1/10
30	RC	MC	1/1/10
31	RC	MC	1/1/10
32	RC	MC	1/1/10
33	RC	MC	1/1/10
34	RC	MC	1/1/10
35	RC	MC	1/1/10

County Zoning	
CC	Commercial Center
MCC	Mixed Use Commercial
RC	Recreational Commercial
LI	Light Industrial
EA	Exclusive Agricultural
PA	Prime Agricultural
GA	General Agricultural
CS	Countryside Estate
H10	Heartland - 10
H5	Heartland - 5
H3.5	Heartland - 3.5
SER	Small Estate Residential
RR	Rural Residential
SF30	Single Family - 30,000
SF20	Single Family - 20,000
HDR	High Density Residential
NA	Natural Area
W	Wetland

- Section lines
- Navigable Stream
- Ponds
- Lakes
- Tax Parcels
- Core Area



# Town of Washington ZONING with WETLAND OVERLAY February, 2016



2000 0 2000 4000 6000 Feet

NOTE: This map was intended to comply with Door County Ordinance Number 7-95. Changes may have occurred since this map was produced. Please verify any and all information on this map by contacting Door County Planning Dept., 421 Hubbard St.,urgeon Bay, WI. Phone (920) 748-2322. Map Maintained by: Audrey Penfold, D.C.P.D.

**Change Index**

Symbol	Meaning	Map symbol number	Meaning
[Symbol]	Section Lines	1	Section Lines
[Symbol]	Wetland	2	Wetland
[Symbol]	Core Area	3	Core Area
[Symbol]	High Density Residential	4	High Density Residential
[Symbol]	Single Family - 20,000	5	Single Family - 20,000
[Symbol]	Single Family - 30,000	6	Single Family - 30,000
[Symbol]	Rural Residential	7	Rural Residential
[Symbol]	Small Estate Residential	8	Small Estate Residential
[Symbol]	Heartland - 3.5	9	Heartland - 3.5
[Symbol]	Heartland - 5	10	Heartland - 5
[Symbol]	Heartland - 10	11	Heartland - 10
[Symbol]	County Zoning	12-18	County Zoning
[Symbol]	Esate	19	Esate
[Symbol]	Countryside	20	Countryside
[Symbol]	General Agricultural	21	General Agricultural
[Symbol]	Prime Agricultural	22	Prime Agricultural
[Symbol]	Exclusive Agricultural	23	Exclusive Agricultural
[Symbol]	Light Industrial	24	Light Industrial
[Symbol]	Recreational Commercial	25	Recreational Commercial
[Symbol]	Mixed Use Commercial	26	Mixed Use Commercial
[Symbol]	Commercial Center	27	Commercial Center

**County Zoning**

[Symbol]	Commercial Center	[Symbol]	Heartland - 10	[Symbol]	Section Lines
[Symbol]	Mixed Use Commercial	[Symbol]	Heartland - 5	[Symbol]	Navigable Stream
[Symbol]	Recreational Commercial	[Symbol]	Heartland - 3.5	[Symbol]	Ponds
[Symbol]	Light Industrial	[Symbol]	Small Estate Residential	[Symbol]	Lakes
[Symbol]	Exclusive Agricultural	[Symbol]	Rural Residential	[Symbol]	Tax Parcels
[Symbol]	Prime Agricultural	[Symbol]	Single Family - 30,000	[Symbol]	Core Area
[Symbol]	General Agricultural	[Symbol]	Single Family - 20,000		
[Symbol]	Countryside	[Symbol]	High Density Residential		
[Symbol]	Esate	[Symbol]	Natural Area		
		[Symbol]	Wetland		



**ASSIGNMENT OF ZONING DISTRICTS WHERE WETLANDS OBSCURE THE BOUNDARY  
-NECESSITATED BY REPRESENTING WETLANDS AS AN OVERLAY-**

**Changes for RPC Review  
WASHINGTON**

**Reminder:** As previously mentioned, NA zoning within wetland cannot be preserved

1	028-03-06333032A	Upland pockets zoned GA with rest of parcel
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**Arbitrary split:** Zoning divided somewhere in the middle of the wetland

2	028-03-04333032B	Parcel divided in half - SF30/NA
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**Door County Planning Department  
Request for Town Recommendation**

The Resource Planning Committee is petitioning to switch the existing Wetland zoning district to an "overlay" district, meaning that an underlying zoning district will be assigned to each parcel which contains wetlands.

The (circle one) Town Board / Planning Committee of the Town of \_\_\_\_\_ held a legally noticed and posted meeting on \_\_\_\_\_, at which, by a vote of \_\_\_\_ (Yea) to \_\_\_\_ (Nay), the town recommended (check one) \_\_\_\_ **SUPPORT** \_\_\_\_ **DENIAL** for a petition to rezone.

**Reason(s) for the town's decision:**

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**Is the proposal consistent with the Town Comprehensive Plan?**

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**Concerns or objections the town may wish to see potentially addressed through modifications to the proposed amendment:**

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\_\_\_\_\_  
Town Clerk Signature

\_\_\_\_\_  
Date

**\*See reverse side for map amendment criteria.**

## GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY

*This document is intended to provide a general guide to the issues and criteria to consider when making decisions regarding this type of zoning hearing. It should not be considered a complete guide to applicable statutes or ordinances.*

### ZONING AMENDMENT – MAP

*(See also Door County Zoning Ordinance section 11.08 and Wisconsin Statutes section 59.69(5).)*

By state law, petitions to rezone property which are under county zoning jurisdiction are heard at a public hearing before the county planning committee (called the Resource Planning Committee in Door County), which makes a recommendation to the county board for final decision. The town board of a town under comprehensive zoning does have, however, statutory authority to essentially "veto" rezonings approved at the county level that it (the town) does not support. (Comprehensively zoned towns may not, however, force the county to rezone property through this authority – the town can only prevent a rezoning. Note that towns with shoreland-only county zoning do not have any "veto" authority.)

A petition to change the zoning district designation of a property or properties may be submitted by: 1) the property owner(s) of all or some of the land in question, 2) the town board of the town in which the land is located, if the town is under county zoning, 3) the Door County Resource Planning Committee, or 4) any county board supervisor.

#### Considerations in evaluating petitions to rezone

- Was the existing district due to a mistake in the mapping process?
- Have circumstances changed for this property or surrounding properties since the original zoning district designation?
- How are the adjacent properties zoned and used?
- Is the land area in question large or small?
- Would the new district fit official plan guidelines for the property? Is the existing district a better fit?
- Is the request simply to economically benefit one property owner or a small group of property owners?
- Is there an overriding public good to be gained by rezoning the property? (If yes, rezoning might be justified even if other considerations point toward denying the petition.)

In general, a rezoning that 1) will economically benefit only one or a few property owners, 2) affects a small area of land, 3) is not a fit with official plans, 4) will allow for higher intensity or higher density uses than those allowed on surrounding properties, and 5) will not result in any overall public benefit may constitute "spot zoning," which may be deemed illegal.

Note that rezoning a property means that any use allowed in the new zoning district may be established on the property, now or in the future, not just the use being proposed by the current applicant. A property owner may volunteer to legally restrict the uses to which the property may be put, such as through a deed restriction naming the county as enforcement agency, but the planning committee may be reluctant to participate in such discussions or agreements for fear of inadvertently engaging in "contract rezoning," which is illegal.