

**WASHINGTON ISLAND ZONING AND PLANNING  
COMMITTEE MEETING  
February 7, 2023 – 4:00pm  
Washington Island Community Center Rutledge Room &  
Virtual Option, Call in Instructions Below  
AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF MINUTES** of the November 9, 2023 meeting
- 4. CORRESPONDENCE:**
- 5. ACTION ITEMS**
  - a. Elect WIZAP Chairman **Discussion/Motion**
  - b. Elect WIZAP Secretary **Discussion/Motion**
  - c. Opening for WIZAP Committee **Discussion/Motion**
  - d. Island Zoning Overlay **Discussion Only**
  - e. Baylake Regional Planning Commission Introduction – baylakerpc.org  
**Discussion Only**

- 6. REPORTS/ANNOUNCEMENTS**
- 7. COMMUNITY INPUT**
- 8. BOARD INPUT**
- 9. NEXT MEETING:** Suggestions?
- 10. ADJOURN**

MORE THAN TWO TOWN BOARD MEMBERS MAY BE PRESENT  
*WISCONSIN'S OPEN MEETINGS LAW NOTICE (WIS.STAT. §19.84)*  
Posted February 2, 2023

**THE PUBLIC IS WELCOME**

Check the Town website for our posted agendas & minutes at:  
[www.washingtonisland-wi.gov](http://www.washingtonisland-wi.gov)

Computer, Tablet or Smartphone Link  
<http://meet.goto.com/985478557>

Call in Phone Number  
Access Code: 985-478-557  
United States: +1 (408) 650-3123

## RE: Zoning Ordinance - Uses Related to Minimum Lot Size Overlay

Kerwin, Rebecca <rkerwin@co.door.wi.us>

Thu 2/2/2023 11:42 AM

To: 'Michael Kickbush' <mkickbush@hotmail.com>

Cc: GOODE, MARIAH <mgoode@co.door.wi.us>;ldkahlscheuer@frontier.com' <ldkahlscheuer@frontier.com>

Hi, Mike -

Thanks for getting back to me. Sorry I was not clear about who is doing the discussing. "We" means Land Use Services staff members, consisting of myself, Mariah, and the zoning administrators. At this point, we are just discussing potential amendments to take to the Resource Planning Committee. Most of the amendments we are discussing are intended to clarify and clean-up some language. Nothing has been finalized or gone to our Committee yet.

Please let Mariah or I know if you or WIZAP have any other questions, thanks!

Becky

Rebecca Kerwin  
Door County, Planner  
Door County Government Center  
421 Nebraska Street  
Sturgeon Bay, WI 54235  
Ph: (920) 746-2327

Email: [rkerwin@co.door.wi.us](mailto:rkerwin@co.door.wi.us)

Website: <https://www.co.door.wi.gov/164/Land-Use-Services>

Apply for permits on-line: <https://www.citysquared.com/#/app/DoorCountyWI/landing>

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**From:** Michael Kickbush <mkickbush@hotmail.com>

**Sent:** Thursday, February 2, 2023 11:24 AM

**To:** Kerwin, Rebecca <rkerwin@co.door.wi.us>

**Cc:** Lawrence Kahlscheuer <ldkahlscheuer@frontier.com>

**Subject:** Re: Zoning Ordinance - Uses Related to Minimum Lot Size Overlay

Hi Becky,

WIZAP will be meeting on February 7 to discuss. Curious, when you say we who are you referring to?

Mike

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**From:** Kerwin, Rebecca <[rkerwin@co.door.wi.us](mailto:rkerwin@co.door.wi.us)>  
**Sent:** Friday, January 13, 2023 1:13 PM  
**To:** 'mkickbush@hotmail.com' <[mkickbush@hotmail.com](mailto:mkickbush@hotmail.com)>  
**Subject:** Zoning Ordinance - Uses Related to Minimum Lot Size Overlay

Hi, Mike -

We are discussing potential amendments to the zoning ordinance and would like to know how to proceed on some uses related to the Island's minimum lot size overlay (60,000 sq. feet in the specified areas; see text below in yellow high-light). There are several uses that allow for lesser lot sizes where it is not totally clear which set of rules apply. The way the ordinance is written, we probably should not be allowing conservation subdivisions (10,000 min. residential lot size), farm related residences (1 ac. minimum lot size), or single family residences separated from farm parcels (1 ac. minimum lot size). Attached are pages from the ordinance that relate to these uses.

Please let us know if the Town would like to allow these uses in the future. If so, we will propose amendments to make it clear that they are allowed. If not, we may still propose amendments to make it clear that they are not allowed.

Let me know if you have any questions, thanks.

Becky

**DCCZO**

**3.15 Special development requirements.**

- (1) Purpose. The purpose of this section is to provide specific development requirements which are necessary to protect scenic and natural resources, preserve the character of an area, or otherwise protect public health, safety, and welfare within certain towns, portions of towns, or portions of the county.*
- (2) Applicability. The requirements of this section shall apply only to the districts and/or areas specified in each subsection. These requirements shall override any requirements which are described elsewhere in this Ordinance for the zoning districts, but only to the extent that they conflict with such requirements.*
- (3) Town of Washington special development requirements.*
  - (a) The requirements in subds. 1.-5. shall apply to all parts of the Town of Washington, except for the following parcels of land:*

*In Section 32, Town 34 North, Range 30 East, the NE1/4 NE1/4, the SW1/4 NE1/4, the SE1/4 NE1/4, the NE1/4 SE1/4 and the NW1/4 SE1/4.*

*In Section 33, Town 34 North, Range 30 East, the SW1/4 NE1/4 NE1/4, the S1/2 NW1/4 NE1/4, the SW1/4 NW1/4, the SE1/4 NW1/4, the NE1/4 SW1/4, the NW1/4 SW1/4 and the SW1/4 SW1/4.*

1. *Minimum lot area. The minimum required lot area in all districts shall be as specified in s. 3.02(3), table of district requirements, or 60,000 square feet, whichever is greater.*
2. *Minimum lot width. The minimum required lot width in all districts shall be as specified in s. 3.02(3), table of district requirements, or 200 feet, whichever is greater. For lots fronting on navigable water, the distance as measured along the shore between the points of intersection of the lot lines with the ordinary high water mark shall also be at least 200 feet.*
3. *Side yard, principal building. The required minimum side yard for each principal building shall be as specified in s. 3.02(3), table of district requirements, or 25 feet, whichever is greater, except that for lots of record which do not contain sufficient area or width to conform to the requirements of subs. 1. and 2. the yard requirements of s. 3.02(3), table of district requirements, shall apply. (Amended and relocated from s. 3.15(3)(a)4.; 20 Sept. 2016; Ord.2016-14)*

4. (Amended: 27 May 2014; Ord. 2014-10) (Deleted: 20 Sept. 2016; Ord. 2016-14)

5. *Manufactured homes restricted. No manufactured home park shall be permitted. No manufactured home shall be permitted, except as provided by s. 4.08(6), temporary manufactured homes.*

Rebecca Kerwin  
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421 Nebraska Street  
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water protection regulations in s. 3A.06 revised and moved to Door County Shoreland Zoning Ordinance: 20 Sept. 2016; Ord. 2016-14)

(3) Land disturbance. A regular zoning permit shall be required for any land disturbance of a site in excess of 10,000 square feet or in excess of 1,000 cubic yards of earth material by means of filling, grading, or excavating. This section shall not apply to planting, growing, cultivating and harvesting agricultural crops, nor to installation of public utilities or sanitary waste disposal systems or construction of public roads and walkways.

(4) Permit. If a regular zoning permit is required by sub. (3) for the filling, grading, lagooning, dredging, ditching, excavating, or land disturbance, the permit shall be granted only upon finding that the proposed activity would not result in erosion nor alter any wetland, and would be designed and constructed in accordance with standards contained in the *United States Department of Agriculture/ Soil Conservation Service/ Wisconsin Section IV Technical Guide*. (Amended: 8 August 2000; Ord. 15-00) (Amended: 20 Sept. 2016; Ord. 2016-14)

Commentary: Filling and grading in the Wetland district may only be authorized under s. 2.05(4), uses pertaining to the Wetland district.

### 3.15 Special development requirements.

(1) Purpose. The purpose of this section is to provide specific development requirements which are necessary to protect scenic and natural resources, preserve the character of an area, or otherwise protect public health, safety, and welfare within certain towns, portions of towns, or portions of the county.

(2) Applicability. The requirements of this section shall apply only to the districts and/or areas specified in each subsection. These requirements shall override any requirements which are described elsewhere in this Ordinance for the zoning districts, but only to the extent that they conflict with such requirements.

(3) Town of Washington special development requirements.

(a) The requirements in subds. 1.-5. shall apply to all parts of the Town of Washington, except for the following parcels of land:

In Section 32, Town 34 North, Range 30 East, the NE1/4 NE1/4, the SW1/4 NE1/4, the SE1/4 NE1/4, the NE1/4 SE1/4 and the NW1/4 SE1/4.

In Section 33, Town 34 North, Range 30 East, the SW1/4 NE1/4 NE1/4, the S1/2 NW1/4 NE1/4, the SW1/4 NW1/4, the SE1/4 NW1/4, the NE1/4 SW1/4, the NW1/4 SW1/4 and the SW1/4 SW1/4.

1. Minimum lot area. The minimum required lot area in all districts shall be as specified in s. 3.02(3), table of district requirements, or 60,000 square feet, whichever is greater.

2. Minimum lot width. The minimum required lot width in all districts shall be as specified in s. 3.02(3), table of district requirements, or 200 feet, whichever is greater. For lots fronting on navigable water, the distance as measured along the shore between the points of intersection of the lot lines with the ordinary high water mark shall also be at least 200 feet.

3. Side yard, principal building. The required minimum side yard for each principal building shall be as specified in s. 3.02(3), table of district requirements, or 25 feet, whichever is greater, except that for lots of record which do not contain sufficient area or width to conform to the requirements of subds. 1. and 2. the yard requirements of s. 3.02(3), table of district requirements, shall apply. (Amended and relocated from s. 3.15(3)(a)4.: 20 Sept. 2016; Ord.2016-14)

4. (Amended: 27 May 2014; Ord. 2014-10) (Deleted: 20 Sept. 2016; Ord. 2016-14)

5. Manufactured homes restricted. No manufactured home park shall be permitted. No manufactured home shall be permitted, except as provided by s. 4.08(6), temporary manufactured homes.

(b) The following shall apply to the areas excepted in par.(a) above: (Amended: 20 Sept. 2016; Ord. 2016-14)

1. Minimum lot area. The required minimum lot area shall be 5 acres.

2. Minimum lot width. The required minimum lot width shall be 300 feet.

3. (Deleted: 20 Sept. 2016; Ord. 2016-14)

(4) Town of Gibraltar special development requirements. (Deleted: 20 Sept. 2016; Ord. 2016-14)

(a) (Added: 22 Aug. 2006; Ord. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated to s. 3.08: 20 Sept. 2016; Ord. 2016-14)

(b) (Deleted: 20 Sept. 2016; Ord. 2016-14)

1. (Deleted: 20 Sept. 2016; Ord. 2016-14)

2. (Added: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated to s. 3.08: 20 Sept. 2016; Ord. 2016-14)

(c) Blank

(d) (Added: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated to sections 4.08(8)(c)1.a. and (c)2.a.: 20 Sept. 2016; Ord. 2016-14)

(5) Town of Liberty Grove special development requirements. (Created 6 May 1996, Ord. 10-96)