

Notice of Public Meeting

Thursday, February 5, 2026

Business meeting at approx. 3:15 p.m.
after public hearing starting at 3:00 p.m.

**DOOR COUNTY
RESOURCE PLANNING
COMMITTEE**

**Door County Government Center
Chambers Room
(C102, 1st floor)
421 Nebraska Street
Sturgeon Bay, WI 54235**

Oversight for Land Use Services Department

AGENDA

1. Call business meeting to order.
2. Establish a quorum: roll call.
3. Adopt agenda/properly noticed.
4. Approve minutes for January 15, 2025 meeting.
5. Correspondence.
6. Public comment: Information may be received from members of the public, *except* information related to a pending hearing (e.g., zoning amendment or conditional use permit). Extensive discussion and all action must be deferred until and unless specific notice of the subject matter is included on the agenda.
7. Zoning hearing: 1840 CTH U in Clay Banks; Joseph Maggle; conditional use permit to create a 2.76-acre non-farm residential lot to contain a residence and accessory buildings; Exclusive Agricultural (EA).
8. Matters to be placed on a future agenda or referred to a committee, official, or employee.
9. Next meeting dates:
 - February 19, 2026: Canceled
 - March 5, 2026: No hearings; conceptual sketch review of a major land division
 - March 19, 2026: Possible hearing(s)
 - April 2, 2026: ?
10. Adjourn.

Anyone wishing to speak must attend in person.

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/85015154400?pwd=hnfkeVMHqVQj2n7AxD7oaEkdAdSYig.1>

Webinar ID: 850 1515 4400

Passcode: 577057

Deviation from order shown may occur.

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.gov so that we may determine how to best assist you.

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

January 15, 2026

1. Call business meeting to order.

Chair Zettel called a business meeting to order at 3:30 p.m. in the Door County Government Center Chambers Room (C102, 1st floor), 421 Nebraska Street, Sturgeon Bay, Wisconsin.

2. Establish a quorum: roll call.

Present: **RPC Members**
 Hugh Zettel
 Ken Fisher
 Bob Bultman
 Claire Morkin
 David Enigl

Staff
Karyn Behling
Tess Trybull
Tara McKeefry
Jeff Kussow
Luke Pierre

3. Adopt agenda/properly noticed.

After confirmation of proper notice and posting procedures, there was a motion by Fisher, seconded by Bultman, to adopt the agenda as presented. Motion carried unanimously.

4. Approve minutes for December 18, 2025 meeting.

Motion by Morkin, seconded by Fisher, to approve the minutes as presented. Motion carried unanimously.

5. Correspondence.

Included in pages 4-36 of the agenda packet.

6. Public comment: Information may be received from members of the public, *except* information related to a pending hearing (e.g., zoning amendment or conditional use permit). Extensive discussion and all action must be deferred until and unless specific notice of the subject matter is included on the agenda.

None

7. Zoning hearing: Gibraltar: Resource Planning Committee; text amendments to the Door County Comprehensive Zoning Ordinance; to codify and clarify department policy, to reflect state statutes, etc.

Motion by Enigl, seconded by Fisher, to recommend to County Board a modified version of the proposed text amendments, with the recommended modification to Section 3.12(6) as written in Option B within the Agenda Packet. Motion carried unanimously.

8. Land Division: major land division preliminary plat review for a conservation subdivision; Mike McCarty, on behalf of Six Birches, LLC; the creation of (6) residential lots, approximately 1-acre in area, and (3) outlots comprised of (2) preserved open spaces and (1) private road; N Porte des Morts Dr; Town of Liberty Grove.

**MINUTES OF MEETING
RESOURCE PLANNING COMMITTEE
January 15, 2026**

Motion by Fisher, seconded by Enigl to conditionally approve the preliminary plat with the recommended staff conditions as presented, with an amendment to condition number 6 to state that “all lots shall be served by underground utilities.” Motion carried unanimously.

9. New Business:

a. 4th Quarter Report

Behling provided the dashboard data on Certificates of Compliance completed and on number of Complaints reviewed for 2025.

b. Staffing Update

New staff member Luke Pierre was introduced and committee was notified there is still a job posting for a Code Administrator and an Office Coordinator position.

10. Matters to be placed on a future agenda or referred to a committee, official, or employee.

A discussion about Data Centers

11. Next meeting dates:

- **February 5, 2026: One Hearing**
- **February 19, 2026: No Hearing**
- **March 5, 2026: ?**
- **March 19, 2026: ?**

Meeting schedule discussed as noted. February 19th meeting was cancelled.

12. Adjourn.

Motion by Enigl, seconded by Fisher, to adjourn. Motion carried unanimously.

Meeting adjourned at 4:36 p.m.

Reported by,

Karyn Behling
Land Use Services Director

Tara McKeefry
Code Administrator

**NOTICE OF PUBLIC HEARING BEFORE
THE DOOR COUNTY, WI RESOURCE PLANNING COMMITTEE**

**DOOR COUNTY GOVERNMENT CENTER
421 NEBRASKA ST.
STURGEON BAY, WI 54235**

A public hearing and subsequent business meeting will be held by the Door County Resource Planning Committee (RPC) on Thursday, February 5, 2026, in the Door County Government Center Chambers Room (C102, 1st Floor).

Applicants and others who wish to offer oral testimony must attend in person.

Members of the public who wish to simply monitor/observe the hearing and meeting may attend in person, or do so remotely by computer using the link below, or via the Zoom smartphone app, or by calling (312) 626-6799.

Link: <https://us02web.zoom.us/j/85015154400?pwd=hnfkeVMHgvQj2n7AxD7oaEkdAdSYig.1>

Zoom Webinar ID: 850 1515 4400

Passcode: 577057

The hearing will begin at 3:00 p.m. to give consideration to the application below for a Conditional Use Permit, as specified in the Door County Comprehensive Zoning Ordinance.

CLAY BANKS

Joseph Maggle requests a Conditional Use Permit to create a 2.76-acre non-farm residential lot to contain a residence and accessory buildings. The parcel is zoned Exclusive Agricultural (EA) and is located at 1840 CTH U.

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.

Written testimony will be accepted on 8 1/2" x 11" paper, or by email to LUSdepartment@co.door.wi.us, and must be received 48 hours prior to the day of the hearing. Anonymous correspondence will not be accepted. Letters are available for inspection upon request. Letters are entered into hearing records, but are not read aloud. **Please note: Correspondence or testimony submitted for town-level proceedings does NOT get forwarded to the county.**

All application materials may 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.

The list of names to whom this notice was sent by regular mail is available upon request.

Hugh Zettel, Chairperson
Resource Planning Committee
c/o Land Use Services Dept.
Door County Gov't. Center
421 Nebraska St.
Sturgeon Bay, WI 54235
Phone: (920) 746-2323
FAX: (920) 746-2387

Publication Dates: January 9th & January 16th 2026

CONDITIONAL USE PERMIT WORKSHEET

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.

To aid in the review of and decision-making regarding the proposed conditional use project, the Resource Planning Committee shall evaluate the following specific criteria as applicable, but shall not be limited thereto:

Decision-Making Criteria	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.



County of Door LAND USE SERVICES DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

STAFF REPORT Conditional Use Permit Application

Applicant Information

- **Owner name & property address:** Joseph R & Bonnie K Maggle, 1840 CTH U
- **Parcel identification number:** 006-00-05262611
- **Zoning district:** Exclusive Agricultural (EA) & Wetland (W)
- **Petition request, including sections of zoning ordinance requiring permit:**
Joseph Maggle is proposing to create a 2.76 - acre nonfarm residential lot which will contain the existing single family residence and three detached accessory buildings. This lot will remove the remaining 2.76 acres from the Maggle(b) Base Farm Tract.

Ordinance Sections: 2.05(3)(a), 4.08(2a), and 11.04.

Background/History

Please see the attached Exclusive Agricultural Worksheet which provides an explanation of the required process to create a nonfarm residential lot.

Description of Subject Property and Surrounding Area

Subject Property

- **Lot area:** 37.98 acres
- **Frontage - water, road:** The parcel fronts CTH U for about 1,020 feet and Hornspier Rd for about 1,300 feet. There is a creek that flows through the northeast portion of the lot.
- **Existing uses/structures:** The parcel contains a residence, two barns, and one shed. The track seen on air photos, presumably for horses, has been there at least since 2005. The remaining parcel has been used for agricultural purposes with the exception of the wetlands and wooded area along the east lot line.
- **Access:** There is an existing driveway off of CTH U which serves the structures.
- **Water and sanitation:** There is an existing POWTS and well.

Surrounding Area: The subject parcel is located along the northern town line. The parcels within the town of Clay Banks are primarily zoned Exclusive Agricultural with some Wetlands and contains low density residential development scattered throughout the agricultural lands. The lands to the north of the subject parcel are located within the Town of Sturgeon Bay and are zoned Estate and Rural Residential; one parcel immediately to the north is zoned Heartland 3.5.

Zoning Considerations

- **Purpose of zoning district: DCZO Section: 2.03(3):** “Exclusive Agricultural (EA): This district is intended to protect the agricultural industry from scattered nonagricultural development that may displace agricultural uses and is, therefore, not intended to accommodate future nonagricultural growth. This district is intended to help implement recommendations of the *Door County Comprehensive and Farmland Preservation Plan*.

Further, it is intended to meet the provisions of the Wisconsin Farmland Preservation Program, as specified in Ch. 91, Wis. Stats., and thereby establish eligibility for tax credits to farm owners as provided in Ch. 71, sub.ch. IX, Wis. Stats. It is intended that this district apply to lands included in productive farm operations and which have historically exhibited good crop yields, or are capable of such yields; have demonstrated productivity for dairying, livestock raising, and grazing; have been used for production of specialty crops such as tree and plant materials, fruits, and vegetables; or have been integral parts of such farm operations. Lot sizes of at least 35 acres 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 RPC determines that the location and size of the proposed nonfarm residential lot meets the above outlined parameters, the proposal complies with the state requirements.

If the Resource Planning Committee (RPC) finds and concludes that:

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, namely that:

- a. The ratio of non-farm residential acreage to farm acreage on the base farm tract on which the residence is located will not be greater than one-to-twenty after the residence is converted to a non-farm residence.
- b. There will not be more than four dwelling units in non-farm residences nor more than five dwelling units in residences of any kind on the base farm tract after the residence is converted to a non-farm residence.
- c. The location and size of the proposed non-farm residential parcel will not do any of the following:
 - i. Convert prime farmland from agricultural use or convert land previously used as cropland (other than a woodlot) from agricultural use if there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence on the farm.
 - ii. Significantly impair or limit the current or future agricultural use of other protected farmland.

Then the following is a possible condition that may be relevant to attach to the conditional use permit:

- a. A Certified Survey Map (CSM) shall be recorded at the Door County Register of Deeds office within one year from the date of the Conditional Use Permit.

Comprehensive & Farmland Preservation Plan Considerations

Below is a summary of County Comprehensive & Farmland Preservation Plan considerations, including the future land use and farmland preservation designations, and relevant goals/objectives/action items of this Plan. Please note that per Wisconsin Statute §66.1001, Comprehensive Planning:

- Conditional use permits do not need to be consistent with the County Comprehensive & Farmland Preservation Plan.
- “Consistent with” means *“furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”*

Future Land Use & Farmland Preservation Maps Designations & Descriptions:

- **Future Land Use & Farmland Preservation Designations:** The subject property which is proposed to be created as a “nonfarm residential lot” is designated as “Rural/Agricultural” on the Future Land Use Map and designated as “Farmland Preservation Area” on the Farmland Preservation Map, as described below.
- **“Rural/Agricultural” Future Land Use Description:** *“Rural/Agricultural” areas cover much of southern and central Door County, where there are currently relatively stable agricultural lands with few non-agricultural uses, as well as most of the cleared areas located within the northern part of the county, which has more limited or discontinued agricultural activities. These areas are not planned for non-agricultural development in the next 15 years, however, lands in this category can, and most likely will, contain residential uses compatible with agriculture. Agricultural and related operations in these areas should be protected by ensuring development is at low density levels.*
- **“Farmland Preservation Area” Farmland Preservation Description:** In the Town of Clay Banks, “Farmland Preservation Areas” cover all properties in the Exclusive Agricultural (EA) zoning district and most areas in the Estate (ES) or Prime Agricultural (PA) zoning districts. These areas are not planned for non-agricultural development in the next 15 years, however, lands in this category can, and most likely will, contain residential uses compatible with agriculture. “Nonfarm residential lots” are considered compatible with agriculture and the “farmland preservation area designation” if the zoning requirements relating to “nonfarm residential lots”, listed above, are or will be satisfied.

Relevant County Comprehensive & Farmland Preservation Plan Goals, Objectives, & Action Items:

- GOAL 3. Protect existing agriculture and promote sustainable agricultural innovations, operations, and techniques, with an emphasis on providing local food sources to serve present and future generations.
 - Objective 2. Minimize conflicts between agricultural and non-agricultural uses by supporting a compact land use pattern that directs future development to smaller, less productive land parcels.
- GOAL 4. Maintain and enhance the community’s rural atmosphere and agricultural heritage by pursuing policies and strategies that preserve the small-town aesthetic of the County.
 - Objective 1. Preserve rural character by maintaining large areas of natural and open space that provide scenic views.
 - Objective 3. Regulate new development to minimize its visual impact and preserve the county’s open spaces between communities.
 - Policy 1. Consider the appearance of new development, particularly along highway corridors, when reviewing conditional use permits and rezoning petitions.
- GOAL 6. Facilitate a diverse variety of quality, year-round and seasonal affordable housing for all income levels for the current and future population, and support economic opportunities that attract and retain residents, particularly young people and their families, to provide an adequate workforce and activate economic growth.
 - Objective 2. Maintain and rehabilitate the existing housing stock while promoting infill (re)development to enhance established neighborhoods and encouraging a mix of housing types in newly developed areas.

Other Relevant County Comprehensive Plan Text: None

The creation of this lot requires a conditional use permit simply due to State Statute requirements regarding the creation of “nonfarm residential lots” within the County’s certified farmland preservation zoning district (i.e., Exclusive Agricultural). A conditional use permit for creation of a “nonfarm residential lot” does not need to be consistent with the County Comprehensive & Farmland Preservation Plan, provided the zoning requirements relating to “nonfarm residential lots”, listed above, are or will be satisfied. That said, it is staff’s opinion that the proposed “nonfarm residential lot” is consistent with the County Comprehensive & Farmland Preservation Plan and associated future land use and farmland preservation designations.

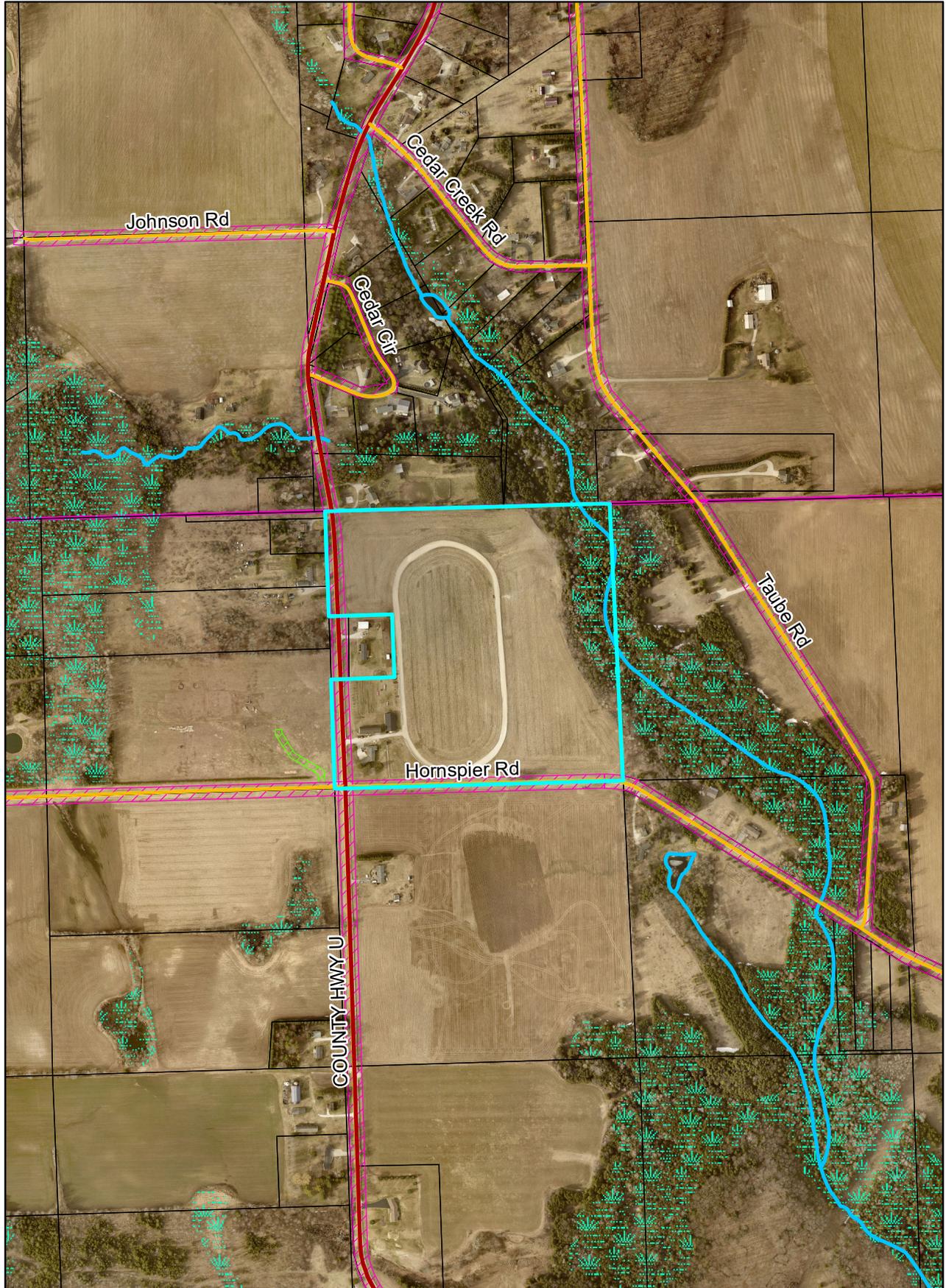
Aerial (town)

Joseph R & Bonnie K Maggle - PIN 006-00-05262611 (1840 County Highway U)
Proposed Use: Nonfarm Residential Lot



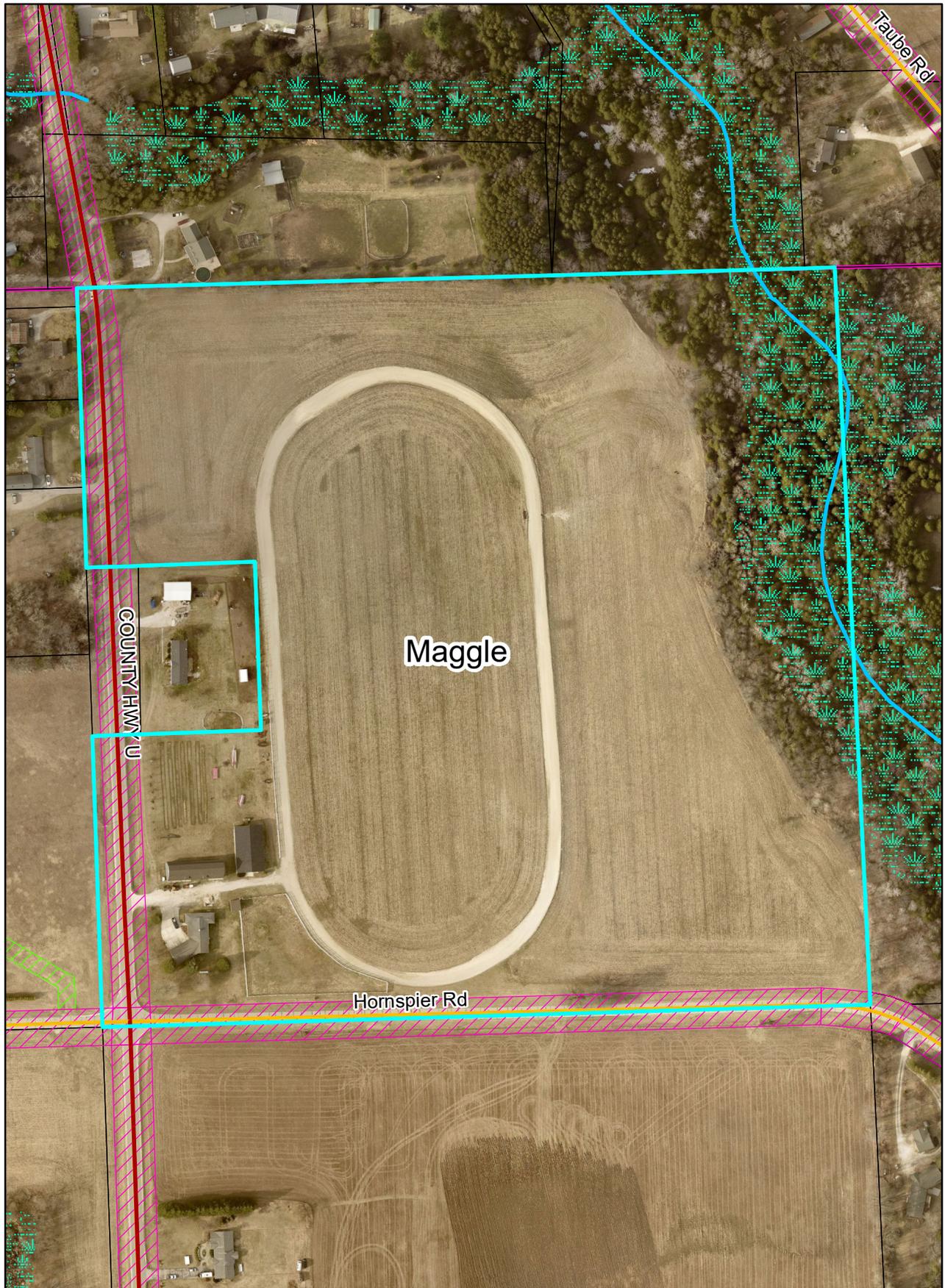
Aerial (neighborhood)

Joseph R & Bonnie K Maggle - PIN 006-00-05262611 (1840 County Highway U)
Proposed Use: Nonfarm Residential Lot



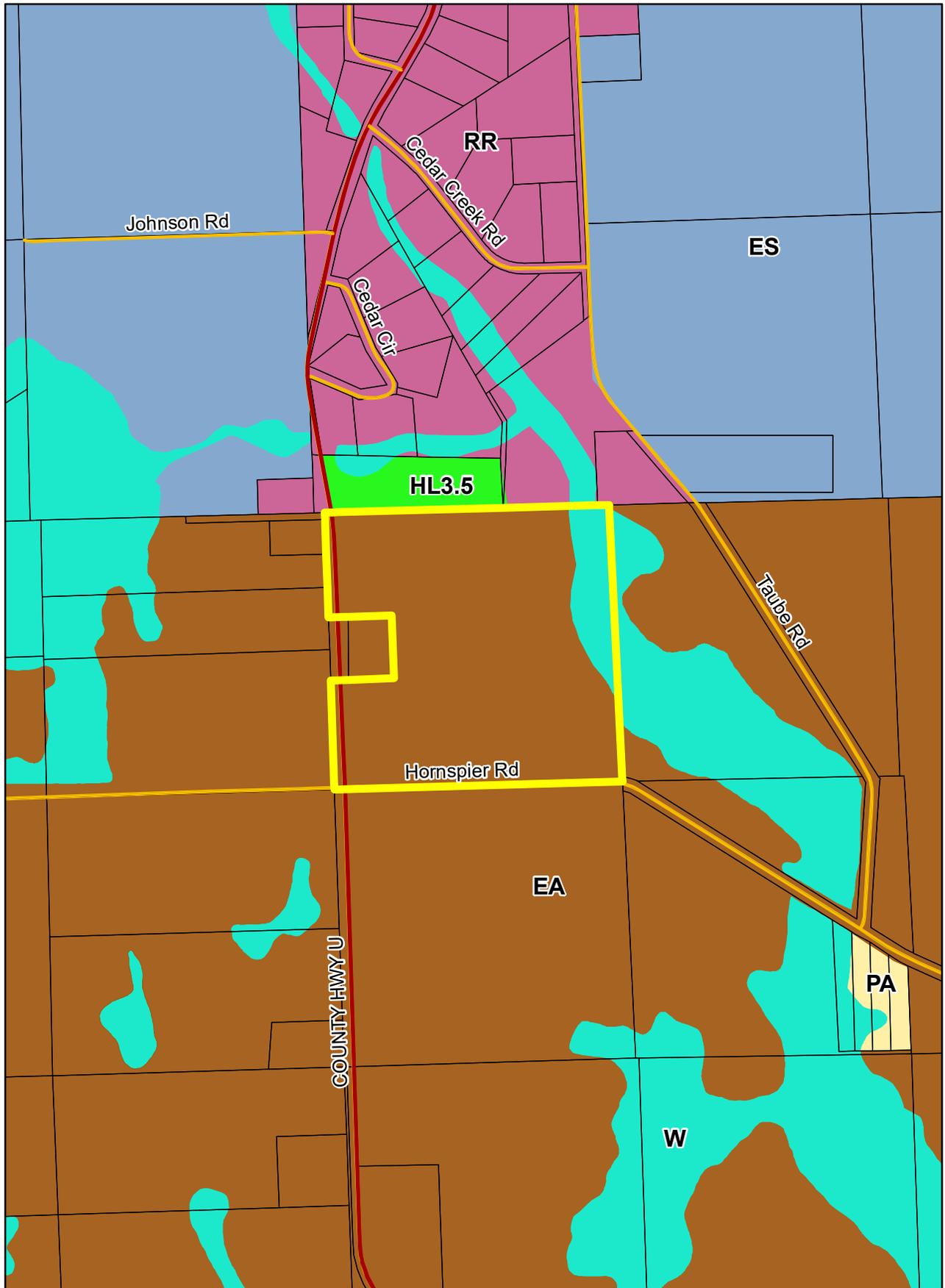
Aerial (close-up)

Joseph R & Bonnie K Maggle - PIN 006-00-05262611 (1840 County Highway U)
Proposed Use: Nonfarm Residential Lot



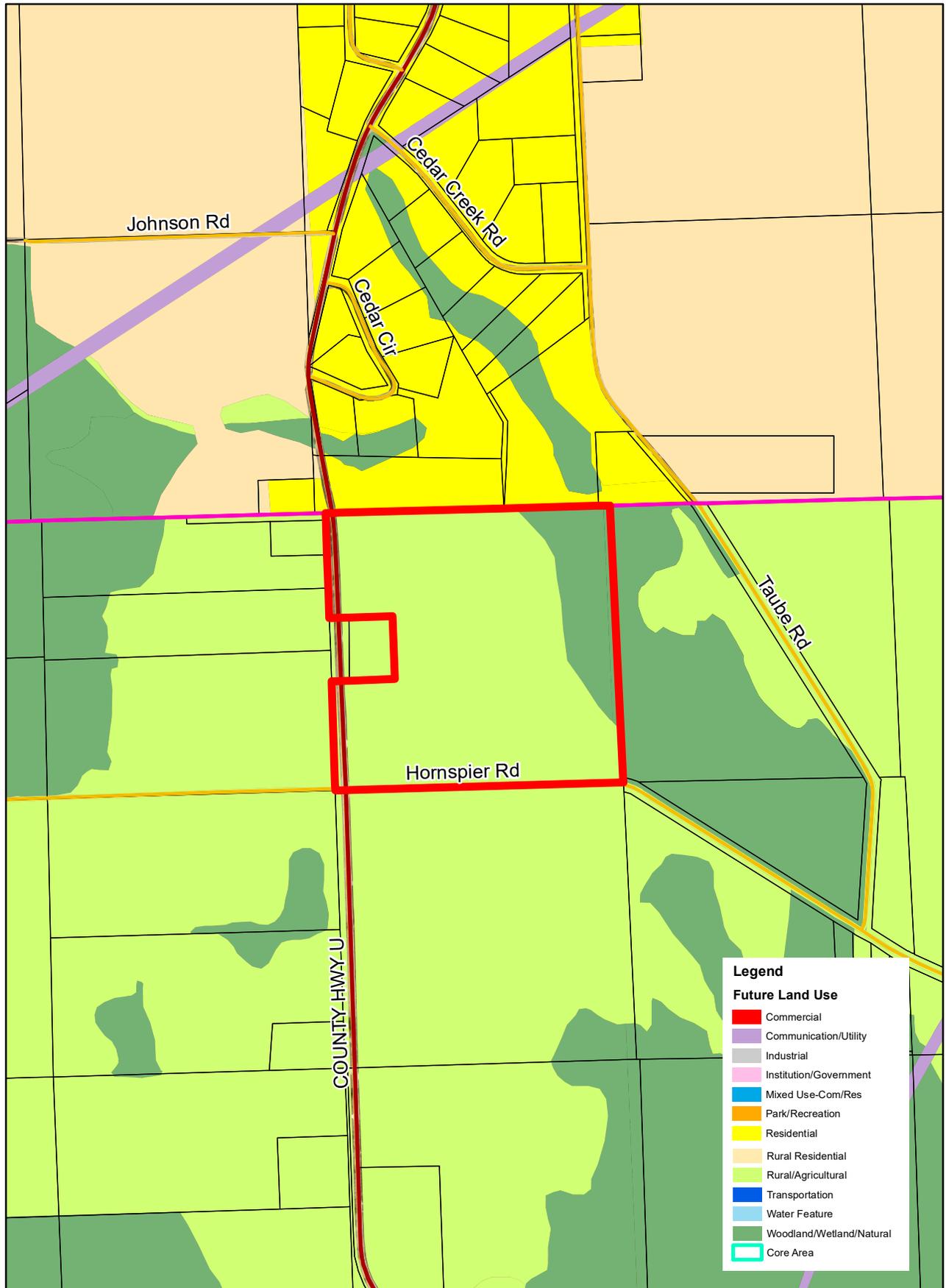
Zoning

Joseph R & Bonnie K Maggle - PIN 006-00-05262611 (1840 County Highway U)
Proposed Use: Nonfarm Residential Lot



Future Land Use

Joseph R & Bonnie K Maggle - PIN 006-00-05262611 (1840 County Highway U)
Proposed Use: Nonfarm Residential Lot

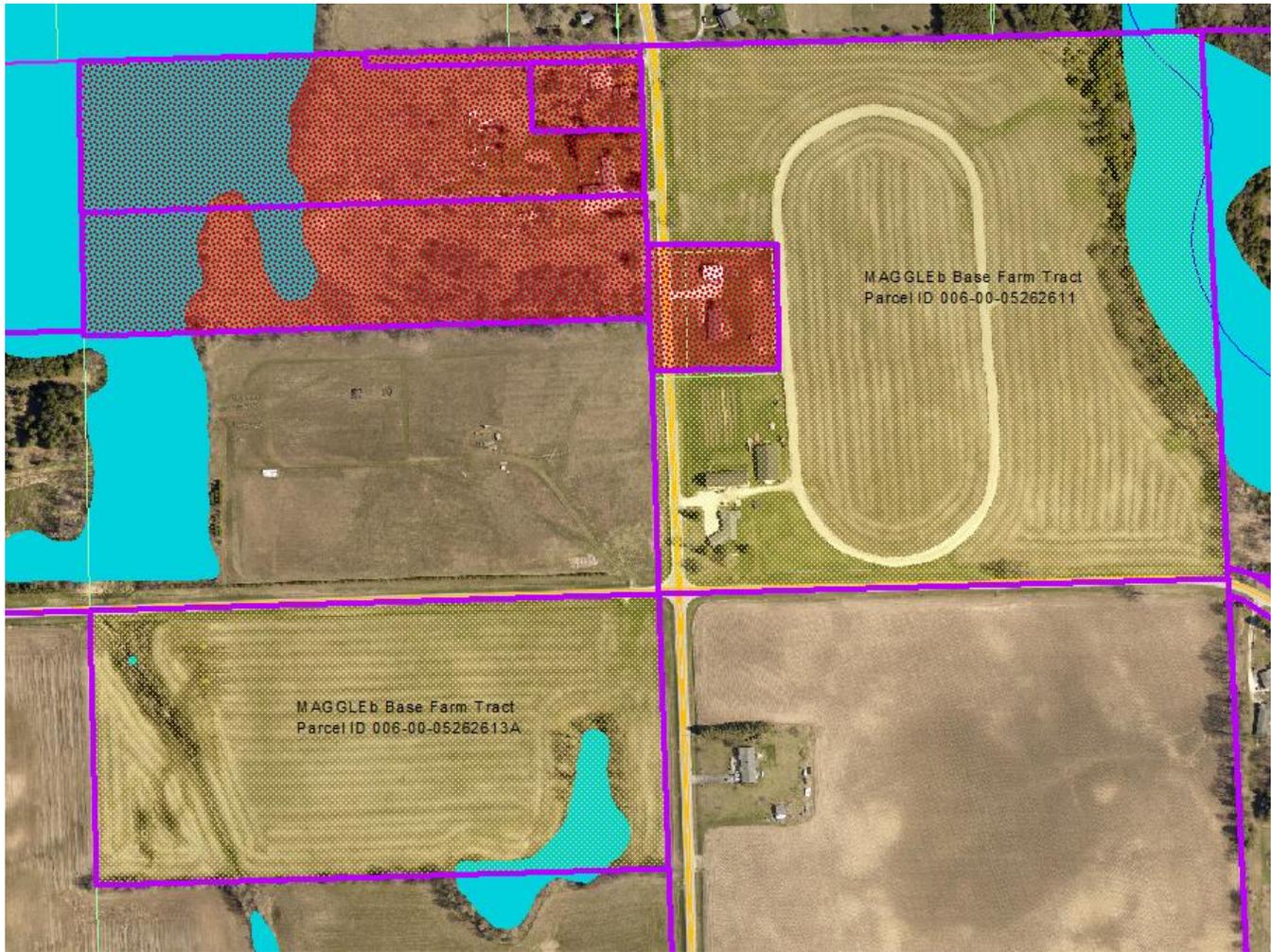


Exclusive Agricultural - Worksheet

Property Owner Name: Joseph Maggle
Property Address: 1840 County Highway U

Date: 12/26/25

MAGGLEb Base Farm Tract Acreage: 57.98 acres **1:20 Ratio Max Non-Farm Acreage:** 2.76 acres
Parcel ID: 006-00-05262611 contains 37.98 acres
Parcel ID: 006-00-05262613A contains 20 acres



The proposed new non-farm residential lot, and the remnant lot, will comply with the requirements of Section 4.08(2a) of the Door County Comprehensive Zoning Ordinance.

FARMLAND PRESERVATION & EXCLUSIVE AGRICULTURAL ZONING REGULATIONS

Door County Zoning Ordinance Standards

EA minimum lot size 35 acres & 600' width (same as in past).

Except...County Ordinance allows for a nonfarm residential lot that meets the following:

- Minimum lot size of at least 0.75 acres
- Minimum lot width of 150'
- All buildings located on the nonfarm residential lot shall be located at least 20' from all new side and rear lot lines
- The remnant parcel shall contain at least 35 acres and all buildings located on the remnant lot shall be located at least 50' from all new lot lines.

***What is NEW...**Now in EA, the State requires that these new small lots shall be authorized with a conditional use permit OR by rezoning that area to a different zoning district (see below).

Chapter 91, Wis. Stats – New Farmland Preservation Rules

Base Farm Tract (BFT): One or more contiguous parcels in the EA zoning district in the same ownership (same name on the deed) on the date the ordinance was certified (September 30, 2010), regardless of any subsequent changes in the size of the farm.

Maximum allowed residences per BFT = 5

Maximum # of non-farm residences per BFT = 4

1:20 ratio = Maximum allowed non-farm acreage to farm acreage. Divide BFT acreage by 21 to determine the number of acres that may be dedicated to non-farm residential acreage.

If you are proposing to create a new non-farm residence/small lot via a conditional use permit (CUP) the above mentioned base farm tract, 1:20 ratio, and total maximum number of residences apply.

In addition, it shall be determined that the location and size of the proposed nonfarm residential will not do any of the following:

1. Convert prime farmland from agricultural use or convert land previously used as cropland, other than a wooded lot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence.
2. Significantly impair or limit the current or future agricultural use of the other protected farmland.

If you choose to rezone a portion of your property to create a new lot instead of pursuing a CUP, the base farm tract, 1:20 ratio, and total maximum number of residences do **NOT** apply. However, in order to rezone out of EA, it shall be determined that all of the following apply:

1. The land is better suited for a use not allowed in the farmland preservation zoning district.
2. The rezoning is consistent with any applicable comprehensive plan.
3. The rezoning is substantially consistent with the county certified farmland preservation plan
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for a or legally restricted to agricultural use.

Exclusive Agricultural (EA) zoning district setbacks

50' from side and rear lot lines

35' from any wetland

75' from any navigable stream

Road setbacks depend on class of road (state or county highway, town or private road).

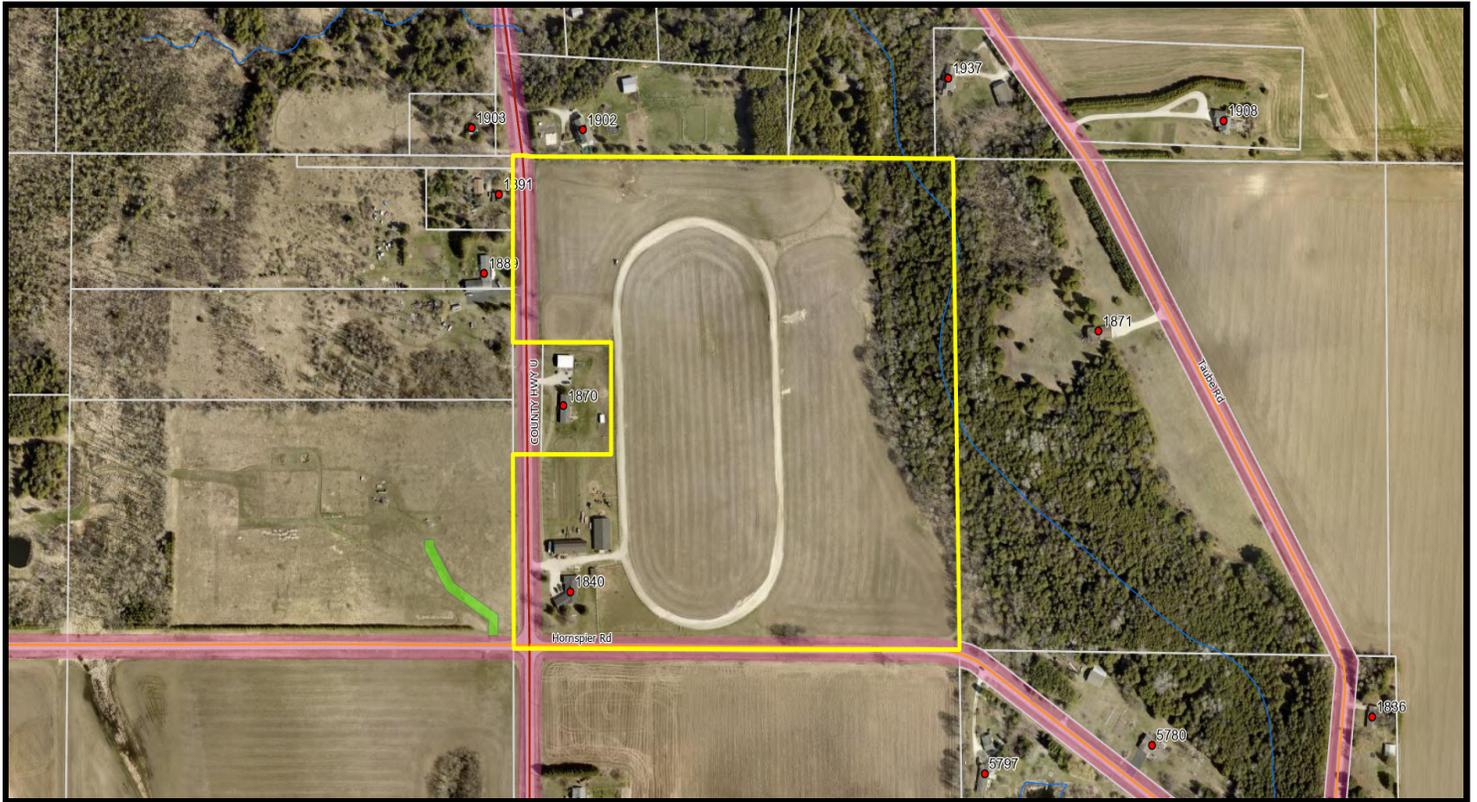
Uses allowed in EA and type of permit required: See Table 2.05(3)(a), Door County Zoning Ordinance.

Tax Parcel Report

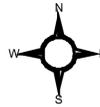
Courtesy of the Door County Land Information Office



... from the GIS Map of ...
(//map.co.door.wi.us/map)
Door County, Wisconsin
... for all seasons!



Map 2023 Orthophoto as default backdrop



Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.

Data current through Wednesday, Dec 31, 2025

Parcel Number: 0060005262611 - TOWN OF CLAY BANKS

PDF Map #: 05

PLSS Section-Town-Range: NE of NE 5-26-26

Property Address: 1840 COUNTY HWY U

Owner Name: JOSEPH R MAGGLE

Co-Owner: BONNIE K MAGGLE

Mailing Address: 1840 COUNTY HIGHWAY U
STURGEON BAY WI 54235

Legal Description (See recorded documents for a legal description):

NE1/4 NE1/4 S.5-26-26 EXC CSM 281, V.4

School District: Southern Door

Valuations: 2025

Taxes: 2024

Acres: 37.98

Real Estate Tax: 4814.41

Land Value: 31700

Special Tax: 0

Improved Value: 229600

Forest Tax: 0

Forest Value: 0

Est Fair-Market Value: 410900

* Valuations are subject to change until Final Board of Review. Contact Local Assessor for questions regarding assessed valuations.

CONDITIONAL USE PERMIT APPLICATION OVERVIEW AND ON-SITE INSPECTION AUTHORIZATION

A "conditional use" is one that has been determined to be compatible in a particular area, not a use that is always compatible at a specific site within that area. The use is subject to requirements and conditions, and is only allowed under a conditional use permit (CUP) issued by Door County. A conditional use permit is also required if an owner wishes to expand a non-conforming use (i.e., a use previously legally established which would not be allowed under current zoning regulations).

(I) (We)

Full name(s): Joseph Maggle and Bonnie Maggle

Propose to:

Divide Door County Tax Parcel No. 006-00-05262611 in the Town of Clay Banks to create a nonfarm residential lot. The new parcel being created will comply with all Farmland Preservation Act and setback requirements, as well as Section 4.08(2a) of the Door County Comprehensive Zoning Ordinance.

The existing use of structure or land in question is:

Single family residential within an exclusive agricultural zoning district.

AUTHORIZATION FOR INSPECTION:

I hereby authorize the Zoning Administrator to enter upon the premises for which this petition is made at any reasonable time for all purposes of inspection related to this petition.

SIGNATURE OF APPLICANT/AGENT:

DATE:

Joseph R. Maggle, Bonnie R. Maggle
12/19/2025

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.

N/A

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

Compliant nonfarm residential lot in exclusive agricultural zoning district as authorized by Section 4.08(2a) of the Door County Comprehensive Zoning Ordinance

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

Land division is consistent with the Door County Comprehensive Zoning Ordinance and Farmland Preservation Act

4) Provision of an approved sanitary waste disposal system.

Public Sewer X Private Onsite Wastewater Treatment System (POWTS)

Check One

X Existing
New

Check One

X Conventional Septic
Other In-ground System
Holding Tank

5) Provision for a potable water supply.

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

Check One

X Existing
New

Check One

X Private Well
Shared Well

CONDITIONAL USE PERMIT ADDENDUM – PAGE 2

6) Provisions for solid waste disposal.

Commercial hauler

Private delivery to collection site

Other _____

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

Noise: None

Odor: None

Dust: None

8) Provision of safe vehicular and pedestrian access.

Vehicular Access

Existing Driveway(s) to County Hwy U
(Road Name)

New Driveway(s) to _____
(Road Name)

Pedestrian Access

Sidewalks

Path or Trail

No Pedestrian Traffic

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

Existing traffic: High Levels Medium Levels Low Levels

N/A

CONDITIONAL USE PERMIT ADDENDUM – PAGE 3

10) Adequacy of emergency services and their ability to service the site. No change.

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

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.

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

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

CONDITIONAL USE PERMIT ADDENDUM – PAGE 4

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.
None

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

By what month and year will the project be completed? Immediately upon recording.

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.

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 5

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.

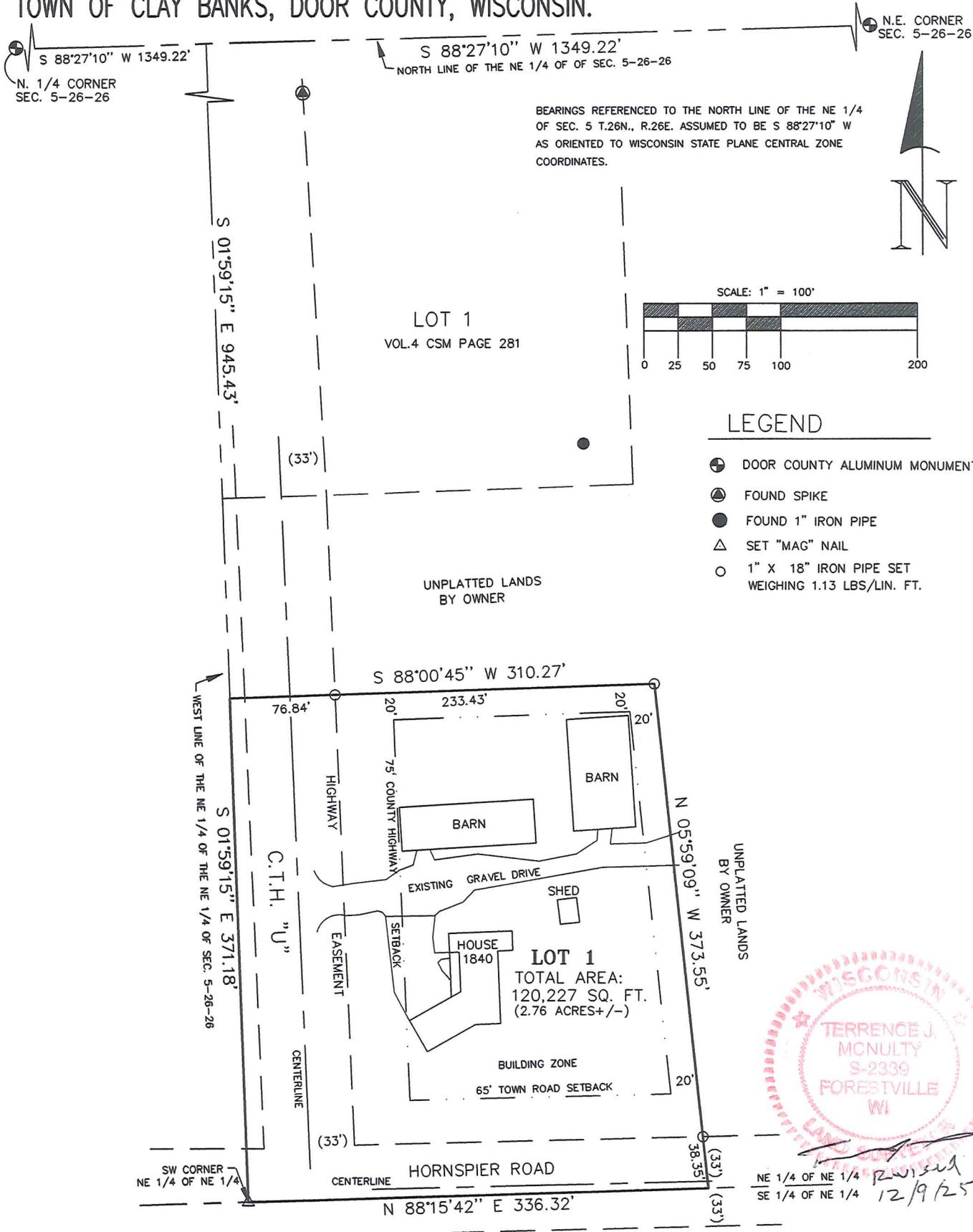
As Fire Chief of the Southern Door Fire Department, I have reviewed the plans of this project. Our Department CAN / ~~CANNOT (circle one)~~ access this site for fire protection purposes.

Other Fire Chief comments: _____

Richard Olson
(Signature)

Fire Chief 12-19-25
(Date)

CERTIFIED SURVEY MAP NO. _____
IN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 26 EAST, TOWN OF CLAY BANKS, DOOR COUNTY, WISCONSIN.



LEGEND

- ⊕ DOOR COUNTY ALUMINUM MONUMENT
- ⊙ FOUND SPIKE
- FOUND 1" IRON PIPE
- △ SET "MAG" NAIL
- 1" X 18" IRON PIPE SET WEIGHING 1.13 LBS/LIN. FT.

CAVEAT: BUILDING ZONES DEPICTED ARE BASED ON ZONING SETBACKS IN EFFECT AT THE TIME OF RECORDING AND SHOULD NOT BE RELIED UPON WITHOUT FIRST OBTAINING WRITTEN VERIFICATION THERE OF FROM THE TOWN OF CLAYBANKS AND DOOR COUNTY LAND USE SERVICES.

OWNER:
 JOSEPH R MAGGLE
 1840 COUNTY HIGHWAY "U"
 STURGEON BAY, WI 54235

McNULTY SURVEYING & MAPPING LLC
 300 E. PARK ST.
 FORESTVILLE, WI. 54213
 (920) 856-6711



PART OF PARCEL 006-00-05262611

CERTIFIED SURVEY MAP NO. _____

IN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 26 EAST, TOWN OF CLAYBANKS, DOOR COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Terrence J. McNulty, professional land surveyor, hereby certify: That I surveyed, divided and mapped in the NE 1/4 of the NE 1/4 of Section 5, Township 26 North, Range 26 East, Town of Claybanks, Door County, Wisconsin described as follows:

Commencing at the Northeast corner of said section; thence S 88°27'10" W along the North line of said Northeast 1/4 section a distance of 1349.22 feet; thence S 01°59'15" E along the West line of said Northeast 1/4 of the Northeast 1/4 section a distance of 945.43 feet to the point of beginning; thence continuing S 01°59'15" E along said West line a distance of 371.18 feet to the Southwest corner of said Northeast 1/4 of the Northeast 1/4; thence N 88°15'42" E a distance of 336.32 feet; thence N 05°59'09" W a distance of 373.55 feet; thence S 88°00'45" W a distance of 310.27 feet to the point of beginning. Said parcel containing 120,227 square feet, 2.76 acres of land more or less.

I further certify that this map is a correct representation of the exterior boundaries and the division thereof, that I have made this survey by the order of Joseph Maggle, and that I fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the land division ordinances of the Door County and the Town of Claybanks in surveying, dividing, and mapping the same.

Dated this 30th day of September 2025

[Signature]
Terrence J. McNulty, P.L.S. No. 2339



OWNER'S CERTIFICATE

As owner, I hereby certify that I caused the land described on this plat to be surveyed, divided, mapped as represented on the map.

Dated this 4th day of November 2025

[Signature]
Joseph R. Maggle

[Signature]
Bonnie K. Maggle

STATE OF WISCONSIN
COUNTY OF DOOR

Personally came before me this 4th day of November, 2025, the above named Joseph R. Maggle and Bonnie K. Maggle

To me known to be the person who executed the foregoing instrument and acknowledged the same.

[Signature]
Print or Type Name: Amy Sullivan
Notary Public, State of Wisconsin
My Commission Expires is permanent



DOOR COUNTY LAND USE SERVICES DEPARTMENT APPROVAL

This certified survey map in the Town of Claybanks, Joseph R. Maggle, owner, is hereby approved by the Door County Land Use Services Department.

Date _____ Approved _____
(County Zoning Administrator/Planning Agent)

Door County Land Use Services Department Request for Town Recommendation

Joseph Maggle requests a Conditional Use Permit to create a 2.76-acre non-farm residential lot to contain a residence and accessory buildings. The parcel is zoned Exclusive Agricultural (EA) and is located at 1840 CTH U.

The (circle one) Town Board Planning Committee of the Town of Clay Banks held a legally noticed and posted meeting on 1/12/2026, at which, by a vote of 3 (Yea) to 0 (Nay), the town recommended (check one) **SUPPORT** **DENIAL** for the conditional use permit.

Reason(s) for the town's decision: This request falls under the
guidelines of the EA zoning

Is the proposal consistent with the Town Comprehensive Plan? (Note: Conditional Use Permits do not need to be consistent with county or town comprehensive plans per §66.1001, Wis. Stats.):
Yes.

Concerns or objections the town may wish to see potentially addressed through conditions:
None.

Jessica Bayle
Town Clerk Signature

1/12/26
Date

*To aid you in your review, please see the attached decision-making worksheet used by the Door County Board of Adjustment. (Note: This worksheet is being provided for reference only & does not need to be completed by town)

RECEIVED
JAN 20 2025
DOOR COUNTY
LAND USE SERVICES DEPARTMENT