

**AGENDA  
CITY OF STURGEON BAY  
ZONING BOARD OF APPEALS**

Tuesday, May 25, 2021  
12:00 Noon  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 13, 2020.
4. Public Hearing: Petition from David Davis (agent for Kelsie Marsh) for a variance from Section 20.29(2) to allow construction of an accessory building that would be 12 feet closer to the street than the existing dwelling, located at 812 Belmar Place.
5. Consideration of: Petition from David Davis (agent for Kelsie Marsh) for a variance from Section 20.29(2) to allow construction of an accessory building that would be 12 feet closer to the street than the existing dwelling, located at 812 Belmar Place.
6. Public Hearing: Petition from Mike Gibbons (agent for Rich Bartig), for a variance from Section 20.27(2) to allow a new single-family dwelling to be constructed 10 feet from the E. Walnut Place right-of-way, parcel #281-40-95004700.
7. Consideration of: Petition from Mike Gibbons (agent for Rich Bartig), for a variance from Section 20.27(2) to allow a new single-family dwelling to be constructed 10 feet from the E. Walnut Place right-of-way, parcel #281-40-95004700.
8. Adjourn.

*NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.*

ZBA Board Members  
William Murrock, Chair  
Dave Augustson  
Bill Chaudoir  
Nancy Schopf  
Morgan Rusnak

5/20/21  
3:00 p.m.  
CN

ZONING BOARD OF APPEALS  
Tuesday, October 13, 2020

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 12:00 Noon by Chairperson William Murrock in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members William Murrock, Nancy Schopf, Dave Augustson, and Alternate Morgan Rusnak were present. Excused: Members Wayne Spritka and Bill Chaudoir. Also present were Municipal Services Director Mike Barker, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Ms. Schopf, seconded by Ms. Rusnak to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 25, 2020.
4. Public Hearing: Petition from Richard Bosman to allow construction of a temporary/seasonal pier on a vacant lot located on Memorial Drive, parcel #281-62-31000229.
5. Consideration of: Petition from Richard Bosman to allow construction of a temporary/seasonal pier on a vacant lot located on Memorial Drive, parcel #281-62-31000229.
6. Consideration of: Ratification of decision letter regarding request from Fincantieri Bay Shipbuilding Co. for variances from Section 20.27(2) of the Municipal Code (Zoning Code) for expansion of a building located on parcel #281-10-85340109B (formerly addressed as 273 N First Avenue).
7. Consideration of: Ratification of decision letter regarding request from Fincantieri Bay Shipbuilding Co. for a building height variance from Section 20.27(2) of the Municipal Code (Zoning Code) for construction of a new building located on parcel #281-20-85360101C.
8. Adjourn.

All ayes. Carried.

**Approval of minutes from August 25, 2020:** Moved by Ms. Schopf, seconded by Mr. Murrock to approve the minutes from August 25, 2020. All ayes. Carried.

**Public hearing: Petition from Richard Bosman to allow construction of a temporary/seasonal pier on a vacant lot located on Memorial Drive, parcel #281-62-31000229:** Chairperson Murrock opened the public hearing at 12:03 p.m.

Mr. Sullivan-Robinson stated that Richard Bosman requested a variance from section 20.336 of the Municipal Code regarding Memorial Drive restrictions. This section allows construction of a temporary or permanent pier or dock to abutting property owners. Mr. Bosman is not considered an abutting property owner. Earlier this year, he sought a pier permit to construct a dock on his vacant parcel. At that time, staff's interpretation of the code allowed for the construction of the pier. The pier permit was approved at Council. During the approval time, the City received letters of correspondence from surrounding property owners. One letter included correspondence from a previous building inspector/zoning administrator, as well as correspondence from a previous city attorney. That letter included determination that the property owner could not build a pier. Because of a conflict of interpretation, it was appropriate to bring this to our current city attorney, James Kalny, for a new determination on this matter for construction of a pier on Memorial Drive. His determination was consistent with the previous city attorney. Because this permit was issued in error, it is currently on hold until a Zoning Board of Appeals decision is made. This property is zoned conservancy. Other things to consider are public safety, as well as potential future effects to the property and surrounding properties. Any self-created hardship should not be granted. The Board can grant the variance, conditions can be added, a decision can be held off if additional information is needed, or the variance can be denied. Mr. Sullivan-Robinson did point out that this property has been split off from at least the 1960's. It is considered legally non-conforming and grandfathered in. It is not attached to any property across Memorial Drive.

Mr. Olejniczak added that once the permit was revoked for the pier the City offered Mr. Bosman three options. Those options included appealing the revocation, applying for a variance, or requesting the Council to amend the code to make it clear that a pier is actually permitted. Much of the correspondence received expressed concern about commercial use. If the variance was approved, it would be for personal use. It is not zoned commercial, so marina-type use or charter fishing would not be permitted. If inclined to approve, he suggested that conditions be placed and made very clear to prohibit that.

Richard Bosman, 1650 Sycamore Street, stated that for the past 13 years there has been a dock on that property. From 2017-2018 he rented the dock that was on his property. He put his boatlift there and kept his boat at that dock. In 2019, only half the dock was put in because of the high water. The boatlift did not work there. The dock stayed in until June, 2020, at which time he knew that dock wasn't going to work for him, since he was renting it from the neighbor. He then put the property up for sale. The property was surveyed. He asked the dock owner's permission if the dock could be moved off his property onto her property and she agreed. This property is unique, because it is the only one like it on Memorial Drive. As far as negative impact to other property owners, he used the dock for two years and never had any complaints. The dock is four feet wide and 20 feet long. The dock that was approved by the Council in May was 40 feet long. He owned this property for the last 4 years, and he and his girlfriend owned it for two years before that. Only one boat would be using the dock. It would not be used for commercial use.

Mr. Olejniczak stated there is a grey area as far as letting a friend dock a boat, etc. He defined commercial as the principal use of the dock is to make money.

Mr. Bosman added that the previous owner had issues in 2006. There was a dock on the property and the building inspector at the time wrote the owner a letter that stated she had to remove the dock. The owner said she never applied for a permit. The highest and best use of the lot is to put a dock on the property. Neither of the adjoining property owners were interested in purchasing the property.

No one spoke in favor of the variance request.

There were no letters of correspondence in favor of the variance request.

The following spoke in opposition of the variance request:

Dan Mc Cluskey, 1312 Memorial Drive, was concerned with parking. If a dock was installed, there would be an addition of cars, which would limit the view of the water. Safety was also a concern.

Tom Hilbert, 1344 Memorial Drive, agreed with Mr. Mc Cluskey. It is a busy street. The view would be obstructed with cars parked on the street.

Ms. Nault read the following letters in opposition:

Helen Hendricks Urban, 1350 Memorial Drive  
Jason & Holly Feldman, 1309 Utah Street  
Thomas & Roxanne Hilbert, 1344 Memorial Drive  
James & Mary Michaud, 1304 Memorial Drive

Mr. Murrock offered rebuttal testimony. Mr. Bosman stated for the past 13 years there has been a dock stored on that lot. In Mr. Mc Cluskey's testimony, he stated it would limit his view of the water. Half way down Memorial Drive there are docks stored on lots. There would only be one boat parked by the dock, not 8-10 boats as heard in the testimony. There would only be one car parked on the street, which would be Mr. Bosman's car.

Pat Willman, 1322 Memorial Drive, stated that the City allows a property owner to store their dock on their property. It has to be in the water by Memorial Day weekend. She has lived in Sturgeon Bay since 1973 and

this is where the dock has always been. There has never been any problem with it. When the previous owner had it she got a letter from the City stating that the dock had to be removed.

Mr. Sullivan-Robinson stated that a portable seasonal dock can be stored on the property and has to be put back in the water in the summer. No porta-potties are allowed. The property cannot be turned into a commercial use. It is zoned conservancy. Signage or exchange of cash is not allowed.

Mr. Murrock wondered why this parcel got split off in the first place. Mr. Sullivan-Robinson responded that they pulled maps from the 1960's. That is how the property existed.

Mr. Olejniczak added that the lot is considered legal non-conforming because at the time it was created the City did not have the lot area and width standards that the code has now. According to a previous city attorney, the lot was created in 1961.

Mr. Olejniczak gave a history on the property. Back in the 90's, the previous property owner wanted to install a dock. The building inspector told her she couldn't. Jeff Wier, the city attorney at that time, came up with the original opinion that said abutting property owners means homeowners across the street. After Mr. Bosman got his permit, Mr. Mc Cluskey and Ms. Willman wondered how he was able to obtain a permit. The City was not aware of the attorney's opinion. The current city attorney's opinion matched the previous attorney's opinion.

The public hearing was declared closed at 12:53 p.m.

**Consideration of: Petition from Richard Bosman to allow construction of a temporary/seasonal pier on a vacant lot located on Memorial Drive, parcel #281-62-31000229:** Ms. Schopf wondered who would maintain the property if there was no dock. Mr. Augustson responded that the City cuts the grass on the waterside of Memorial Drive. It seemed like it was coming down to objections over parking on Memorial Drive. You can't rent out space. It is for a single boat. All property owners can store a dock.

Mr. Barker said that there are no parking restrictions on Memorial Drive. Parking is allowed on both sides of the street.

Mr. Mc Cluskey stressed that the point he was hoping to address was the statement made about this being just a parking issue. The city attorney's letter was more than that. It is the intent of the original ordinance to provide waterfront views. If there is another temporary dock stored in this small width of the lot, views will be limited. This would be an additional hindrance to that property.

Mr. Olejniczak stated that based on the ordinance language, the use of the area on Memorial Drive is for scenic purposes only. Physical use of the property is restricted to the property owners and/or their invited guests.

Ms. Schopf wondered if there would be an issue if a new owner of the property wanted to install a permanent dock. Mr. Barker responded that he didn't think it would change anything being permanent or temporary. There are about 3-5 docks pulled out of the water for the winter. Many of them are maintained better than the permanent docks.

Mr. Olejniczak recommended that members are to look at the standards for the use variance and consider whether those have been met and to look at the hardship, unique physical property limitation, and protection of the public interest. Increasing economic value of the property is not grounds for a variance. Showing that there is no reasonable alternative use for the property would be grounds for a variance. This is the only property in the entire area of Memorial Drive restrictions that does not have property across the street on which to build a house.

Ms. Schopf can see both sides. She also lives on the waterfront and can understand the obstruction of the view with cars, but that is part of living where they live. She can also see this being a useless piece of property if they didn't allow a dock.

Moved by Ms. Schopf, seconded by Mr. Augustson to approve the variance to make the property useable and to allow construction of a dock, subject to no commercial use and only one boat allowed. Also, there shall be no porta potties allowed on the property. Roll call vote. All ayes. Carried.

**Consideration of: Ratification of decision letter regarding request from Fincantieri Bay Shipbuilding Co. for variances from Section 20.27(2) of the Municipal Code (Zoning Code) for expansion of a building located on parcel #281-10-85340109B (formerly addressed as 273 N First Avenue):** Mr. Olejniczak stated that traditionally variances are approved orally at the meeting and then staff creates the official decision letter. If someone does not initiate the variance within one year it is voided. If someone wants to appeal a variance they have 30 days from the filing of the decision to appeal it. It is normally brought back to the ZBA. But, for those cases that are complicated or controversial, they may be brought back to make sure that staff correctly interpreted the decision. The city attorney thought that the ZBA should ratify the decision for Fincantieri Bay Shipbuilding since it is being appealed. It more or less puts the ZBA stamp of approval on the decision letter. The first letter is in regard to building 420.

Moved by Mr. Murrock, seconded by Ms. Schopf to approve the decision letter for building 420. Roll call vote. All ayes. Carried.

**Consideration of: Ratification of decision letter regarding request from Fincantieri Bay Shipbuilding Co. for a building height variance from Section 20.27(2) of the Municipal Code (Zoning Code) for construction of a new building located on parcel #281-20-85360101C:** Mr. Olejniczak stated that this decision letter is in regard to building 433, which is the 110-foot tall structure.

Moved by Mr. Augustson, seconded by Ms. Schopf to approve the decision letter for building 433. Roll call vote. All ayes. Carried.

**Adjourn:** Moved by Ms. Schopf, seconded by Mr. Murrock to adjourn. All ayes. Carried. Meeting adjourned at 1:13 p.m.

Respectfully submitted,



Cheryl Nault  
Community Development Secretary



# MEMO

To: Zoning Board of Appeals  
From: Christopher Sullivan-Robinson  
Date: May 20, 2021  
Subject: Setback Variance – 812 Belmar Place

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David Davis on behalf of Kelsie Marsh is requesting the Zoning Board of Appeals (ZBA) grant a variance from section 20.29(2) of the Municipal Code (Zoning) to allow an accessory building to be built 12 feet closer than to the street than the dwelling. Below is that specific language from that section. The purpose of this requirement is to make sure accessory buildings are not the dominating feature on a lot. This is also partially why the setbacks from the side and rear lot line are less than the required setbacks for the dwelling.

*Section 20.29(2) - **Street yard.** There shall be a minimum setback from the street right-of-way line of 25 feet. In addition, except on waterfront lots abutting the waters of Sturgeon Bay, an accessory building shall be located no closer than the principal building to the street at its nearest point...*

The ZBA should consider if there is a unique hardship and any property limitation by examining the structure, layout, and location. The other setbacks for an accessory building include a 5-foot minimum from the side yard and 6-foot minimum from the rear. Also consider if there are any legitimate negative impacts to the public.

The ZBA has the ability to approve the variance not to exceed what is being ask for from Belmar Place (12 feet). Or, deny the request if it does not satisfy the conditions for granting a variance. For the ZBA to approve or deny a variance, they must define if the request presents a unique hardship, physical property limitations, and does not harm the public interests.

# CITY OF STURGEON BAY VARIANCE APPLICATION ZONING BOARD OF APPEALS

Date Received: 5/3/21  
Fee Paid \$ 300 + 50 Sign  
Received By: CN

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	David Davis	Kelsie J Marsh
Company	N/A	
Street Address	812 Belmar Place	
City/State/Zip	Sturgeon Bay WI 54235	
Daytime Telephone No.	(920) 585-5779	
Fax No.		

STREET ADDRESS OF SUBJECT PROPERTY: 812 Belmar Place Sturgeon Bay WI  
Location if not assigned a common address: 54235

TAX PARCEL NUMBER: 2812270000100

CURRENT ZONING CLASSIFICATION: Single Family Residential (R-d)

CURRENT USE AND IMPROVEMENTS:  
Residential No improvements at this time  
SINGLE FAMILY DWELLING

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: 20.29(2) ACCESSORY BUILDING STREET  
YARD SETBACK

ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:

North:	<u>Residential</u>	<u>(R-d)</u>
South:	<u>Residential</u>	<u>(R-d)</u>
East:	<u>Residential</u>	<u>(R-d)</u>
West:	<u>Residential</u>	<u>(R-d)</u>

# VARIANCE STANDARDS

Please address how the proposed variance meets each of the three required standards for authorizing variances. (Attach additional sheets, if necessary)

1. Unnecessary hardship: \_\_\_\_\_

2. Unique physical property limitation: Please See Attachment for  
Variance Standards

3. Protection of public interest: \_\_\_\_\_

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? NO IF YES, EXPLAIN: \_\_\_\_\_

Attach an 8-1/2" X 11" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 15 large sized copies), full legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Kelsie Marsh  
Property Owner (Print Name)

Kelsie Marsh  
Signature

4/27/21  
Date

David Davis  
Applicant/Agent (Print Name)

David Davis  
Signature

4/27/21  
Date

I, David Davis, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

5.3.21  
Date of review meeting

David Davis  
Applicant Signature

Chris  
Staff Signature

## Attachments:

Procedure & Check List

Agreement For Reimbursement of Expenses

## STAFF USE ONLY

Application conditions of approval or denial:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date

Community Development Director

Unique Hardship: This represents a corner lot built with the location of the house setback to the maximize the front yard. The existing house is nonconforming under the current zoning standards for a rear yard setback. If the house was positioned 25 feet off of Belmar Place the garage would have been approved.

Unique Physical Property Limitations – The property has two street frontages, which significantly limits the building area of the property. In addition, the proposed building is placed closer to the street not to impede the path of water drainage.

Protection of public interest – The proposed building will closely match the setbacks of surrounding homes as well as meeting the minimum setback requirements for a dwelling. The building is intended to be used for personal storage.

N 8TH AVE

812 BELMARK PL

BOC

12' BOC

R/O

R/W

#812  
HSE

24'

37.5'

49.5'

15'±

15'

25.5'±

37.5'±

GARAGE

PROP.

36'

24'

58'±

15'±

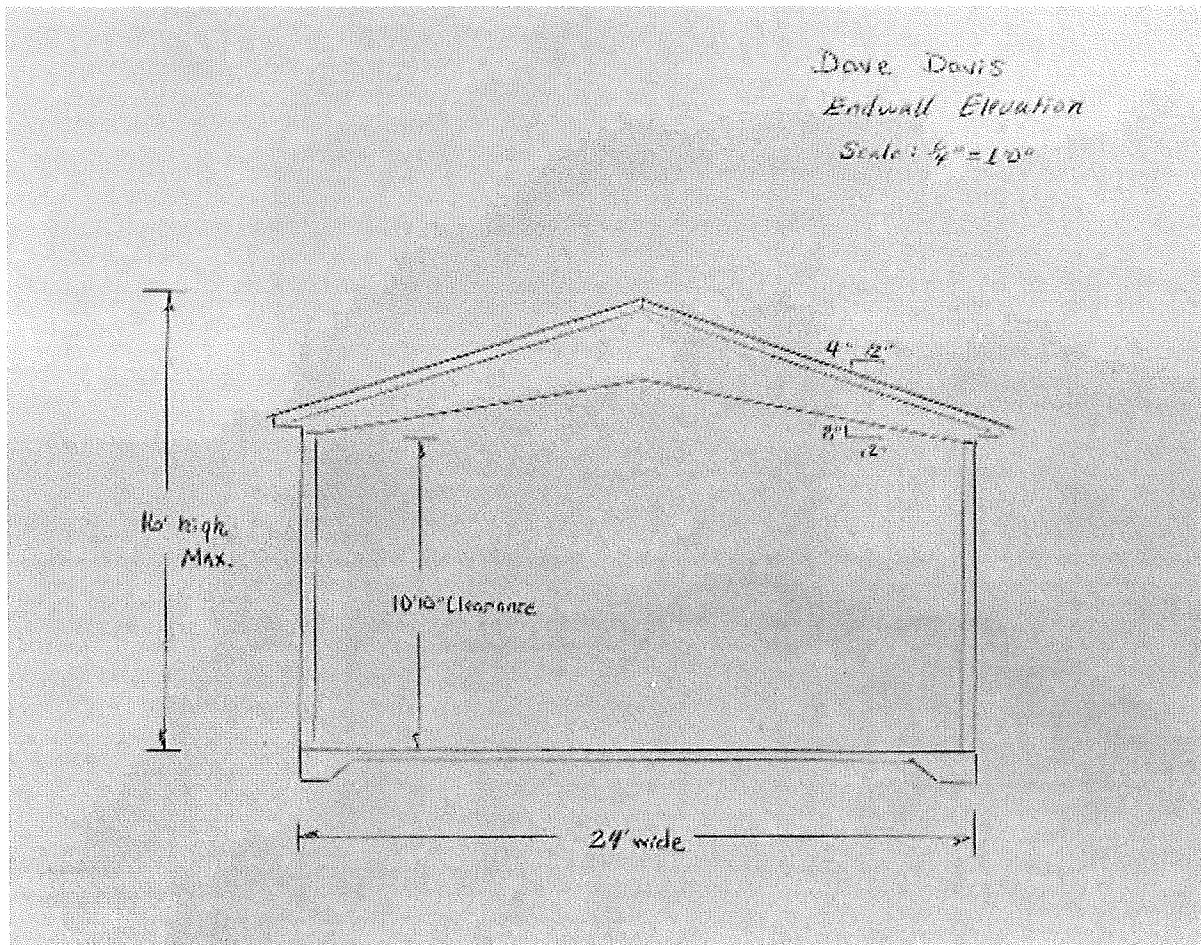
19'±

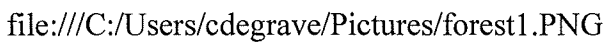
P/L

P/L

REAR

1"=20'





# 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!**



May 2019 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 31st March 2021

Parcel Number: 2812270000100 - CITY OF STURGEON BAY

PDF Map#: 05 21

PLSS Section-Town-Range: NE of NW 5-27-26

Property Address: 812 BELMAR PL

Owner Name: KELSIE J LADICK

Co-Owner:

Mailing Address:

812 BELMAR PL  
STURGEON BAY, WI 54235

Legal Description (See recorded documents for a complete legal description):  
GREENBRIAR PLAT LOT 1

School District: Sturgeon Bay

Valuations: 2021

Taxes: 2020

Acres: 0

Real Estate Tax: \$3528.46

Land Value: \$19500

Special Tax: \$0.00

Improved Value: \$146500

Forest Tax: \$0.00

Forest Value: \$0

Est Fair-Market Value: \$166800

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

## NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Zoning Board of Appeals will hold a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Tuesday, May 25, 2021 at 12:00 noon or shortly thereafter, regarding a request from David Davis and Kelsie Marsh, for a variance from section 20.29(2) of the Municipal Code (Zoning). The section requires accessory buildings to be setback 25 feet from the edge of the street right-of-way and be no closer than the dwelling is to the street. The property owner is requesting to be allowed to construct a 24 ft. x 36 ft. accessory building that would be 12 feet closer than the dwelling is to the edge of the Belmar Place right-of-way line. The subject property is located at 812 Belmar Place; parcel # 281-22-70000100. The variance application is on file with the Community Development Department and can be viewed at City Hall, 421 Michigan Street, weekdays between 8:00 a.m. and 4:30 p.m. or the city's website at [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org). The public is invited to attend the hearing and give testimony in favor or against the proposed variance either in person at the hearing or in writing.

By order of:

City of Sturgeon Bay Zoning Board of Appeals

# Site Map - 812 Belmar Place Variance Request



Subject Property

Note: Public hearing to be held on May 25, 2021 at City Hall





# MEMO

To: Zoning Board of Appeals  
From: Christopher Sullivan-Robinson  
Date: May 20, 2021  
Subject: Setback Variance – Lot 47 of the Purves Lagoon Subdivision

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Mike Gibbons on behalf of Richard Bartig is requesting that the Zoning Board of Appeals (ZBA) grant a variance from section 20.27(2) of the Municipal Code (Zoning) to allow a 15-foot street setback encroachment from the edge of the E Walnut Place right-of-way line. They plan to construct a single-family dwelling on the lot. Attached is the site plan illustrating the building layout.

The property is zoned Single-Family Residential (R-1) and is currently undeveloped. There are no previous variances granted for this site. The lot size is 0.27 acres. Zoning requires single family dwellings to be at least 1400 square feet of livable area. The building must be setback at least 25 feet from the street right-of-way, 10 feet from the side yard line, and 25 feet from the rear property line.

Corner lots are more burdened by the zoning code, since there is an additional 25 feet setback. However, this does not make this a unique unnecessary hardship. The setback issue combined with a uniquely shaped lot could satisfy the unique hardship and property limitation requirements. The Board should consider whether the building layout is appropriate and if there are any alternative building layouts that would reduce or eliminate the proposed encroachment. Also consider if there are there any legitimate negative impacts to the community.

The ZBA has the ability to approve the variance not to exceed what is being ask for from Walnut Place (15 feet). Or, deny the request if it does not satisfy the conditions for granting a variance. For the ZBA to approve or deny a variance, they must define if the request presents a unique hardship, physical property limitations, and does not harm the public interests.

**CITY OF STURGEON BAY  
VARIANCE APPLICATION  
ZONING BOARD OF APPEALS**

Date Received: 5-3-21  
Fee Paid: \$ 300 + 50  
Received By: CN

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	<u>Mike Gibbons</u>	<u>Rich Bertig</u>
Company	<u>Wausau Homes of Appleton</u>	
Street Address	<u>1980 N. Casaloma DR</u>	<u>9708 Newberry DR.</u>
City/State/Zip	<u>Appleton WI 54913</u>	<u>Weston, WI 54476</u>
Daytime Telephone No.	<u>920-720-0808</u>	<u>920-715-298-2392</u>
Fax No.		

STREET ADDRESS OF SUBJECT PROPERTY: Lot 47 E Walnut DR.  
Location if not assigned a common address: Corner of E. Walnut DR. + E. Walnut Place.

TAX PARCEL NUMBER: 2814095004700

CURRENT ZONING CLASSIFICATION: Residential.

CURRENT USE AND IMPROVEMENTS:  
Vacant.

IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: Variance to side yard set back on E Walnut Place From 25' to 10' ⑧ 20.27(2)

ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:  
North: \_\_\_\_\_  
South: \_\_\_\_\_  
East: \_\_\_\_\_  
West: \_\_\_\_\_

**VARIANCE STANDARDS**

Please address how the proposed variance meets each of the three required standards for authorizing variances. (Attach additional sheets, if necessary)

1. Unnecessary hardship: None

2. Unique physical property limitation: See Attached sheet

3. Protection of public interest: There will be NO Harm to ANY Public Interests

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? NO IF YES, EXPLAIN: \_\_\_\_\_

Attach an 8-1/2" X 11" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 15 large sized copies), full legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Property Owner (Print Name)

Signature

Date

Michael J Gibbons  
Applicant/Agent (Print Name)

[Signature]  
Signature

5-3-21  
Date

I, \_\_\_\_\_, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

Date of review meeting

Applicant Signature

Staff Signature

**Attachments:**

Procedure & Check List

Agreement For Reimbursement of Expenses

**STAFF USE ONLY**

Application conditions of approval or denial:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date

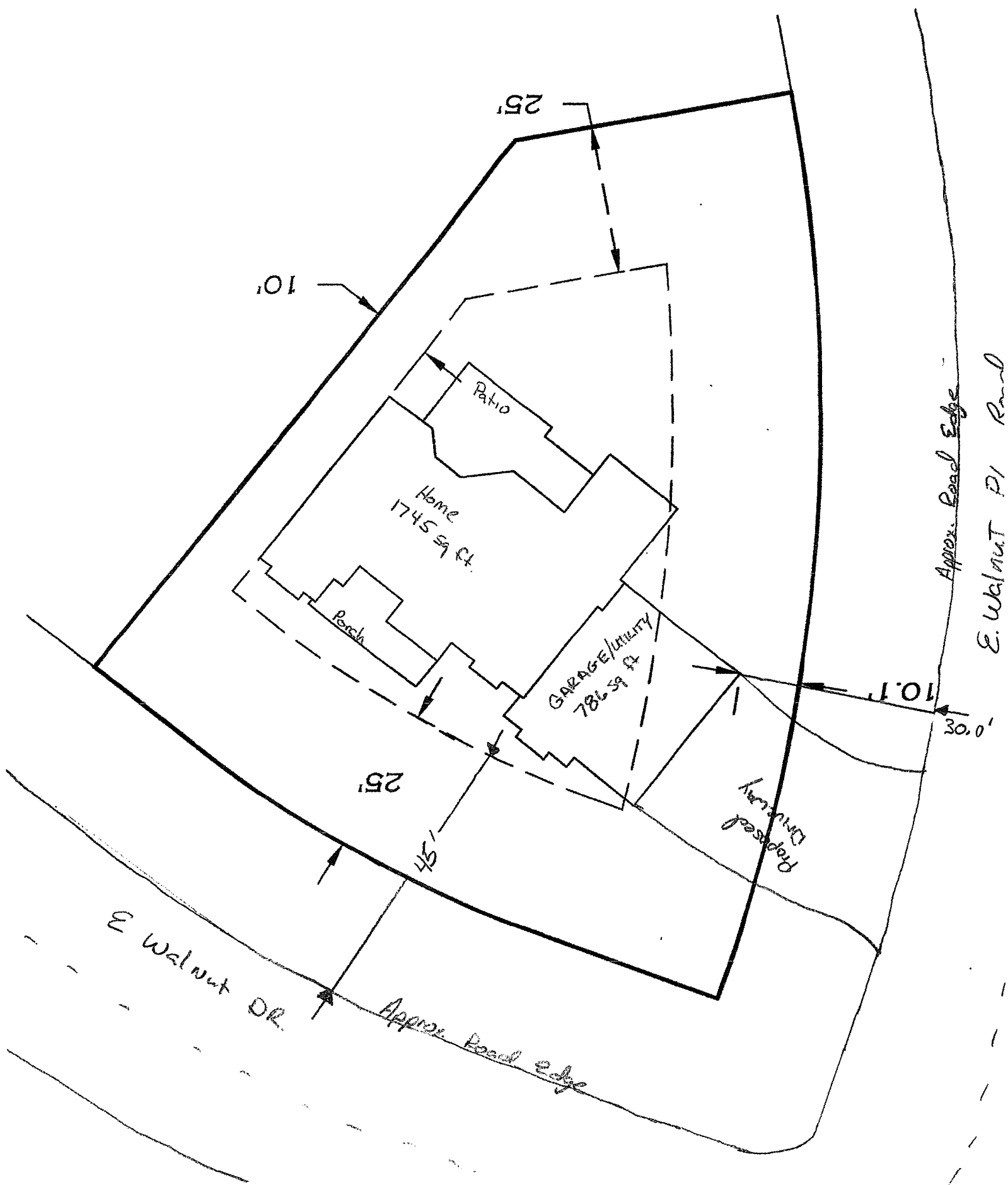
Community Development Director

### Variance Summary

Unnecessary Hardship: The zoning setback requirements and the site dimensions have created a unique hardship for any individual seeking to build a home on this lot. I am seeking to building a ranch home with an attached 2-car garage which will encroach the street setback by 15 feet. Per the site plan the garage would be 10 feet from the Walnut Place right-of-way line and 30 feet from the edge of the street.

Unique Property Limitation: The City's zoning regulations require a minimum 1400 square-foot for a home. Having three 25-foot setbacks and an abnormally shaped lot makes it extremely difficult to fit a 1400s.f. building with an attached garage on this lot.

Public Interest: This home is located in Purvis Lagoon subdivision, which is a residential neighborhood fronting on the water. Most of the properties contain single- and two-story homes with attached garages. The type of construction that we are proposing will be compatible with other builds within the neighborhood and will ultimately bring more value to the city.



Approx. Road Edge  
E. Walnut Pl Road

E Walnut Dr.

Approx. Road Edge

# PLAT OF SURVEY

BEING:  
LOT 47 OF PURVES LAGOON SUBDIVISION  
LOCATED IN:  
THE NE 1/4 OF THE NW 1/4, OF SECTION 17,  
TOWNSHIP 27 NORTH, RANGE 26 EAST,  
CITY OF STURGEON BAY,  
DOOR COUNTY,  
WISCONSIN



LEGEND	
⊙	-FOUND 1" STEEL PIPE UNLESS OTHERWISE NOTED
⊙	-FOUND 5/8 REBAR
●	-SET 1" STEEL PIPE

PREPARED FOR:  
RICHARD R. BARTIG  
9708 NEWBERRY DR.  
WESTON, WI  
54476

PREPARED BY:  
BAUDHUIN SURVEYING  
& ENGINEERING  
312 N. 5TH AVENUE  
P.O. BOX 105  
STURGEON BAY, WI 54235  
(920)743-8211  
www.baudhuin.com  
DRAWN BY: C.M.M.

Tax Parcel Number  
281 40950004700

PARCEL  
CONTAINS  
11,913 SQ. FT.

## CURVE DATA

	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE
C1	300.00	157.08	S04°53'49"W	155.29	30°00'00"
C2	212.00	69.46	S60°43'03"E	69.15	18°46'16"

### SURVEYOR'S CERTIFICATE:

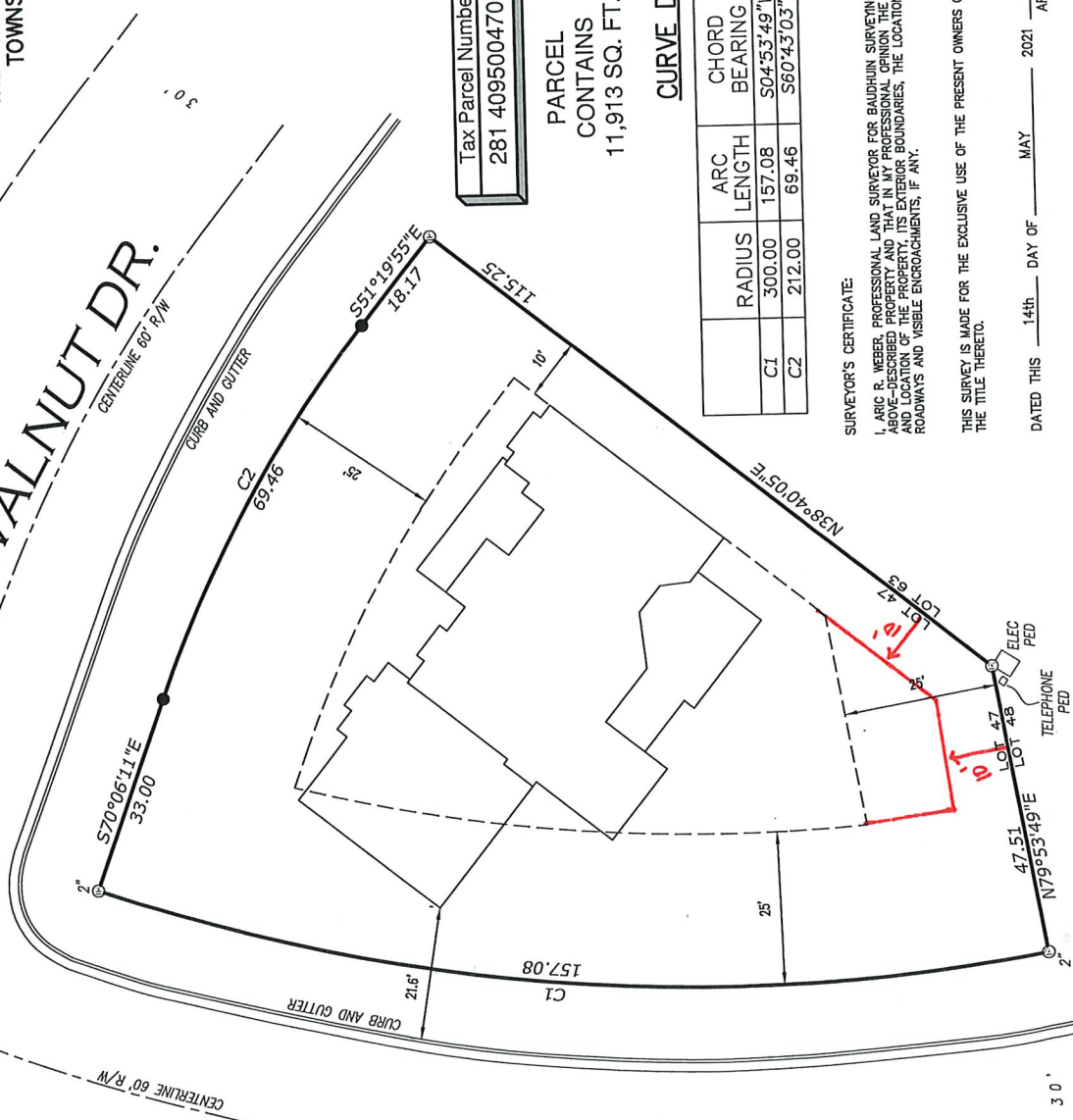
I, ARIC R. WEBER, PROFESSIONAL LAND SURVEYOR FOR BAUDHUIN SURVEYING & ENGINEERING, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THAT THE PLAT OF SURVEY AND THE CURVE DATA THEREON IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, THE BOUNDARIES, THE LOCATION OF ALL STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR INSURE THE TITLE THEREOF.

DATED THIS 14th DAY OF MAY 2021 ARIC R. WEBER S-2584

E. WALNUT DR.  
CENTERLINE 60' R/W

E. WALNUT PL.

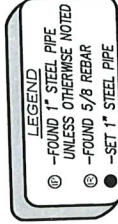


# PLAT OF SURVEY

BEING:  
LOT 47 OF PURVES LAGOON SUBDIVISION  
LOCATED IN:  
THE NE 1/4 OF THE NW 1/4, OF SECTION 17,  
TOWNSHIP 27 NORTH, RANGE 26 EAST,  
CITY OF STURGEON BAY,  
DOOR COUNTY,  
WISCONSIN



NORTH  
1" = 20'



Tax Parcel Number  
281 40950004700

PARCEL  
CONTAINS  
11,913 SQ. FT.

## CURVE DATA

	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE
C1	300.00	157.08	S04°53'49"W	155.29	30°00'00"
C2	212.00	69.46	S60°43'03"E	69.15	18°46'16"

## SURVEYOR'S CERTIFICATE:

I, ARIC R. WEBER, PROFESSIONAL LAND SURVEYOR FOR BAUDHUIN SURVEYING & ENGINEERING, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE-DERIVED PLAT AND THAT IN MY PROFESSIONAL OPINION THE ABOVE MAP IS A TRUE REPRESENTATION OF THE LAND AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR INSURE THE TITLE THERETO.

DATED THIS 14th DAY OF MAY 2021 ARIC R. WEBER S-2564

E. WALNUT DR.  
CENTERLINE 60' R/W

E. WALNUT PL.

CURB AND GUTTER

C2  
69.46

S51°19'55"E  
18.17

S70°06'11"E  
33.00

C1  
157.08

N38°40'05"E

LOT 47

LOT 48  
ELEC PED  
TELEPHONE PED

LOT 49  
N79°53'49"E  
47.51

# EXAMPLE

## BUILDING PLANS

OWNER: Rich + Bernadette Bartig

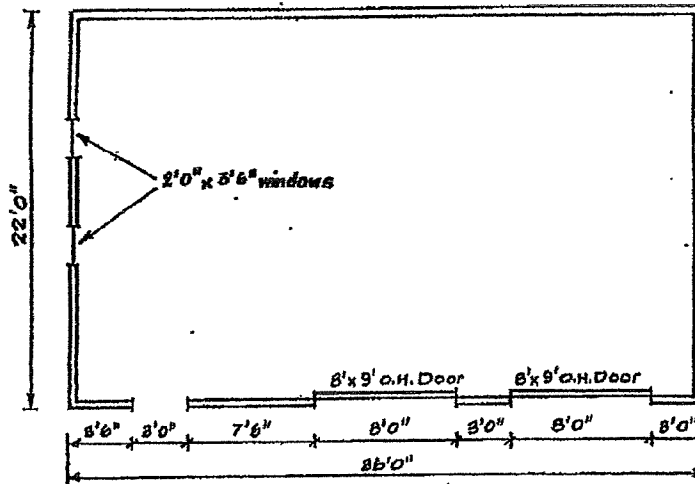
Date: 4-22-21

Below or on separate sheet(s) attach scale drawings showing the following:

- All floor plans. *\*SEE ATTACHED PLANS*
- At least two elevation views.

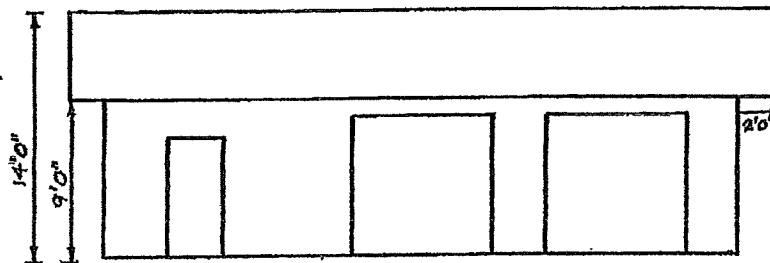
### FLOOR PLAN

Scale:  $\frac{1}{8}'' = 1'0''$



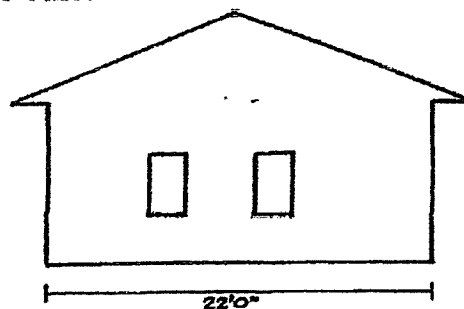
### FRONT ELEVATION VIEW

Scale:  $\frac{1}{8}'' = 1'0''$



### END ELEVATION VIEW

Scale:  $\frac{1}{8}'' = 1'0''$

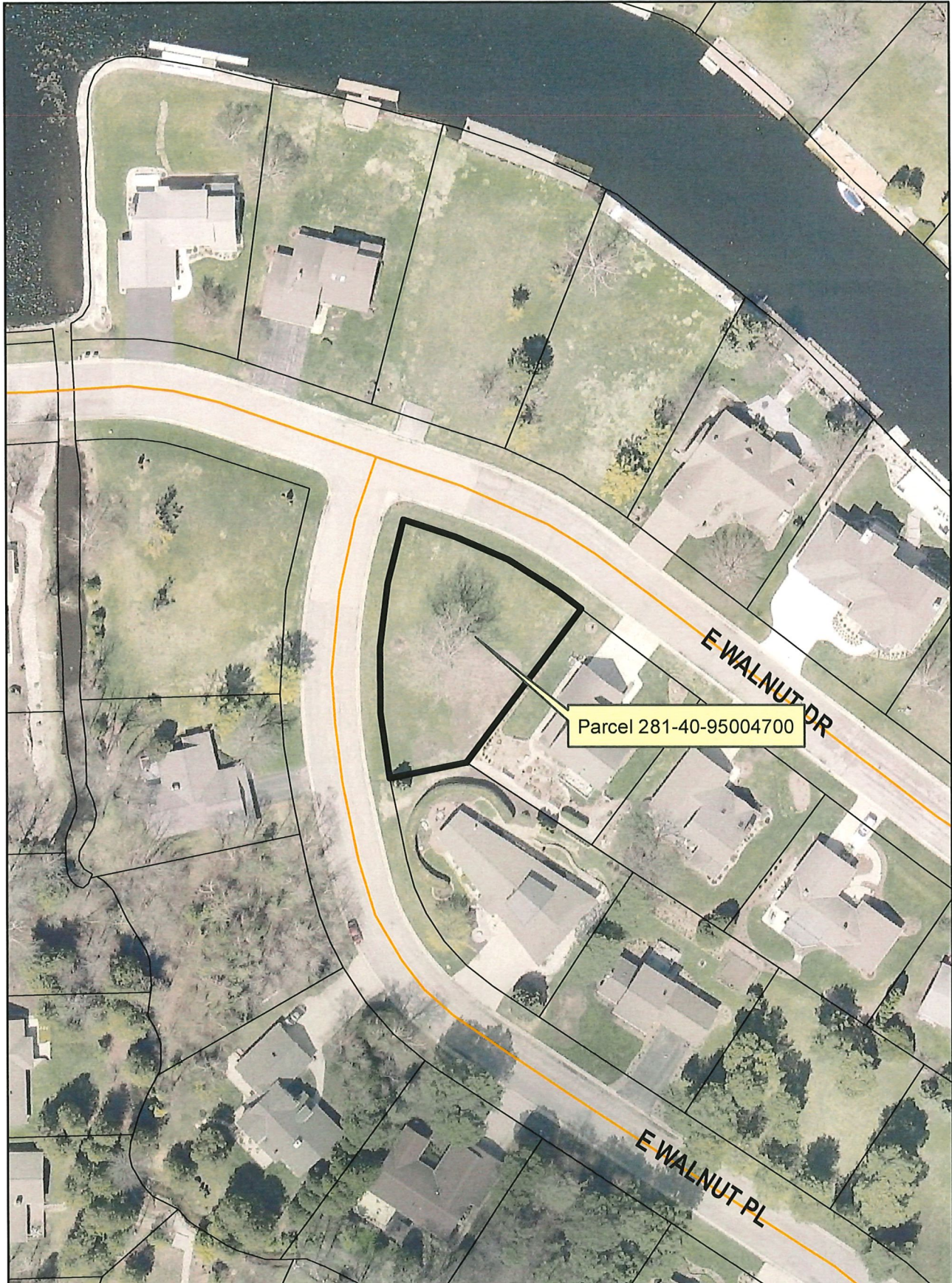


## NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Zoning Board of Appeals will hold a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Tuesday, May 25, 2021 at 12:00 noon or shortly thereafter, regarding a request from Mike Gibbons on behalf of Richard Bartig, for a variance from section 20.27(2) of the Municipal Code (Zoning). This section requires principal buildings to be setback 25 feet from the edge of the street right-of-way. The property owner is seeking to construct a dwelling that would encroach the street setback by 15 feet off of E Walnut Place. The subject property is located at the south corner of E Walnut Place and E Walnut Drive; parcel # 281-40-95004700. The variance application is on file with the Community Development Department and can be viewed at City Hall, 421 Michigan Street, weekdays between 8:00 a.m. and 4:30 p.m. or on the city's website at [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org). The public is invited to attend the hearing and give testimony in favor or against the proposed variance either in person at the hearing or in writing.

By order of:  
City of Sturgeon Bay Zoning Board of Appeals

# Site Map - Lot 47 Purves Lagoon Sub Richard Bartig Variance Request



 Subject Property

Note: Public hearing to be held on May 25, 2021 at City Hall



## GENERAL NOTES

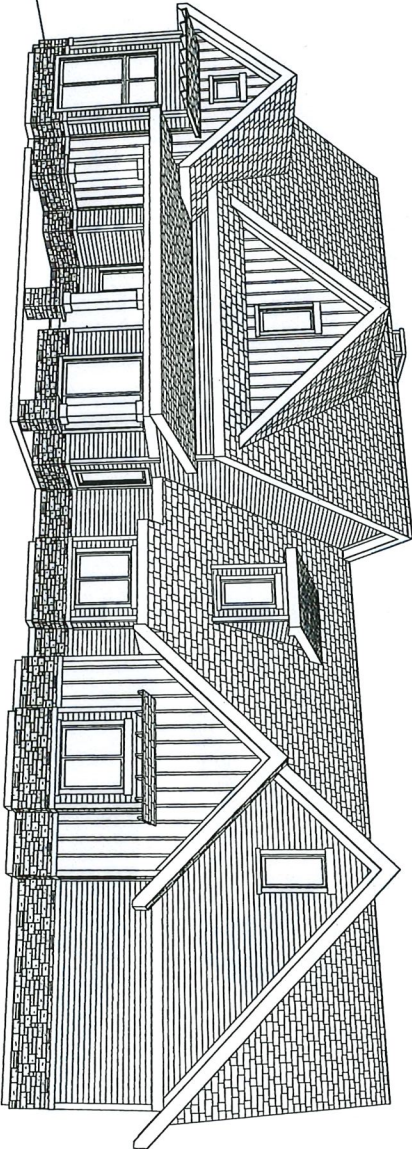
- 1) ALL WORK SHALL BE PERFORMED WITH ALL APPLICABLE LOCAL, STATE, AND NATIONAL CODES AND STANDARDS AND ALL APPLICABLE HAVING JURISDICTION.
- 2) DISCREPANCIES FOUND BEFORE PROCEEDING WITH THE WORK.
- 3) THE CONTRACTOR SHALL VERIFY CONDITIONS AT THE SITE AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
- 4) EACH CONTRACTOR SHALL INCLUDE LABOR, MATERIALS, TOOLS, EQUIPMENT, ETC. FOR THE COMPLETE CONSTRUCTION OF THE WORK INDICATED AS SPECIFIED BY THE DRAWINGS AND SPECIFICATIONS, UNLESS OTHERWISE NOTED.
- 5) MATERIALS AS SPECIFIED ON DRAWINGS AND CONTRACT DOCUMENTS SHALL BE USED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DETAILING AND COORDINATION IN CONJUNCTION WITH SUBSTITUTIONS MADE TO SPECIFIED MATERIALS.
- 6) VISION DESIGN GROUP SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK OR FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR, SUB-CONTRACTORS, OR ANY OTHER PERSONS PERFORMING THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE INTENT OF THE CONTRACT DOCUMENTS. ALL PLUMBING, MECHANICAL, AND ELECTRICAL WORK IS TO BE INSTALLED BETWEEN THE TRADES AS PART OF THEIR INSTALLATION LAYOUT.
- 7) CONTRACTOR SHALL PROVIDE ADEQUATE BRACING AND/OR SHORING TO ENSURE:
- 8) STRUCTURAL STABILITY OF BUILDING DURING CONSTRUCTION.
- 9) ALL MATERIAL, FINISHES AND STYLES INCLUDING BUT NOT LIMITED TO EXTERIOR SIDINGS, WINDOWS, EXTERIOR TRIM, AND INTERIOR AND EXTERIOR MILLWORK, ETC. SHALL BE APPROVED BY CUSTOMER. SCALED DIMENSIONS SHALL BE USED.
- 10) DO NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS ALWAYS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- 11) THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND/OR DISCREPANCIES IN PLAN AND REPORT ERRORS TO VISION DESIGN GROUP PRIOR TO COMMENCEMENT OF THE WORK, AND TO BE RESPONSIBLE FOR SAME.
- 12) PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN THE REQUIRED DESIGN LOADS WITH GOVERNING CODES AND SITE CONDITIONS. VERIFY WITH THE LOCAL BUILDING AGENCIES THE WIND, SEISMIC, SNOW, AND OTHER SPECIAL LOADING CONDITIONS. VISION DESIGN GROUP SHALL BE NOTIFIED OF ALL DISCREPANCIES.
- 13) IN NO CASE SHALL WORKING DIMENSIONS BE SCALED FROM PLANS, SECTIONS, OR DETAILS ON DRAWINGS.
- 14) ALL DIMENSIONS TO FINISHES ARE ROUGH FRAMING UNLESS NOTED OTHERWISE.
- 15) ALL DIMENSIONS TO STUD PARTITIONS ARE TO THE FACE OF STUD UNLESS NOTED OTHERWISE.
- 16) CEILING MARKED "TYPICAL" SHALL APPLY IN ALL CASES UNLESS NOTED OTHERWISE.
- 17) WHERE NO SPECIFIC DETAIL IS SHOWN, THE FRAMING OR CONSTRUCTION SHALL BE IDENTICAL OR SIMILAR TO THAT INDICATED FOR LIKE CASES OF CONSTRUCTION ON THE PROJECT.
- 18) FOLLOW ALL MANUFACTURER'S RECOMMENDED SPECIFICATIONS AND INSTALLATION PROCEDURES UNLESS OTHERWISE DIRECTED.
- 19) PROVIDE ADEQUATE ANCHORAGE, BLOCKING, BRACING, AND FRAMING FOR LIGHT FIXTURES, ELECTRICAL UNITS, HVAC EQUIPMENT, ETC.
- 20) SLOPE ALL CONCRETE WALLS AWAY FROM EXTERIOR DOORS A MAXIMUM OF 2% TO PREVENT WATER FROM RUNNING OR BEING BLOWN UNDER DOORWAYS AND TO PREVENT STANDING WATER FROM ACCUMULATING IN FRONT OF DOORS.
- 21) PROVIDE FINE-BLOCKING AND DRAFT-STOPPING IN SPACES CREATED BY CHASES, PLUMBING, ETC. IN ACCORDANCE WITH THE APPLICABLE CODES.
- 22) SHIMMING SHALL BE USED IN ACCORDANCE WITH THE APPLICABLE CODES.
- 23) WINDOW DESIGN ALL WINDOW SIZES AND REQUIREMENTS TO BE VERIFIED BY CONTRACTOR WITH MANUFACTURER TO ENSURE COMPLIANCE WITH APPLICABLE CODES.

## SHEET INDEX

- A1 - COVER SHEET
- A2 - ELEVATIONS
- A3 - ELEVATIONS
- A4 - FOUNDATION PLAN
- A5 - FIRST FLOOR PLAN
- A6 - ROOF LAYOUT
- A7 - DETAILS
- A8 - CABINET LAYOUTS / ELEVATIONS
- A9 -
- A10 -
- A11 -
- A12 -
- A13 -
- A14 -

# RICH & BERNADETTE BARTIG RESIDENCE

LOT 47 PURVES KAGOON - STURGEON BAY, WI 54235



**BARTIG**

LOT 47 PURVES KAGOON  
STURGEON BAY, WI 54235

CUSTOM

FINAL SET



Wausau Homes Appleton  
1880 North Casaloma Dr  
Appleton, WI 54913  
920.720.0808

[gibbonsm@mausauhomes.com](mailto:gibbonsm@mausauhomes.com)

DATE:

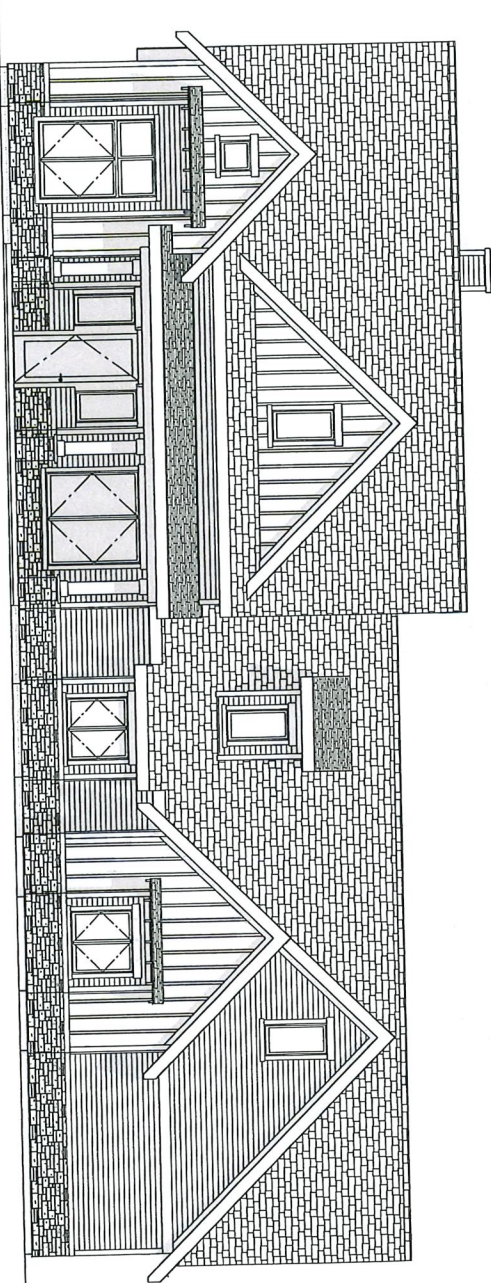
4/9/2021

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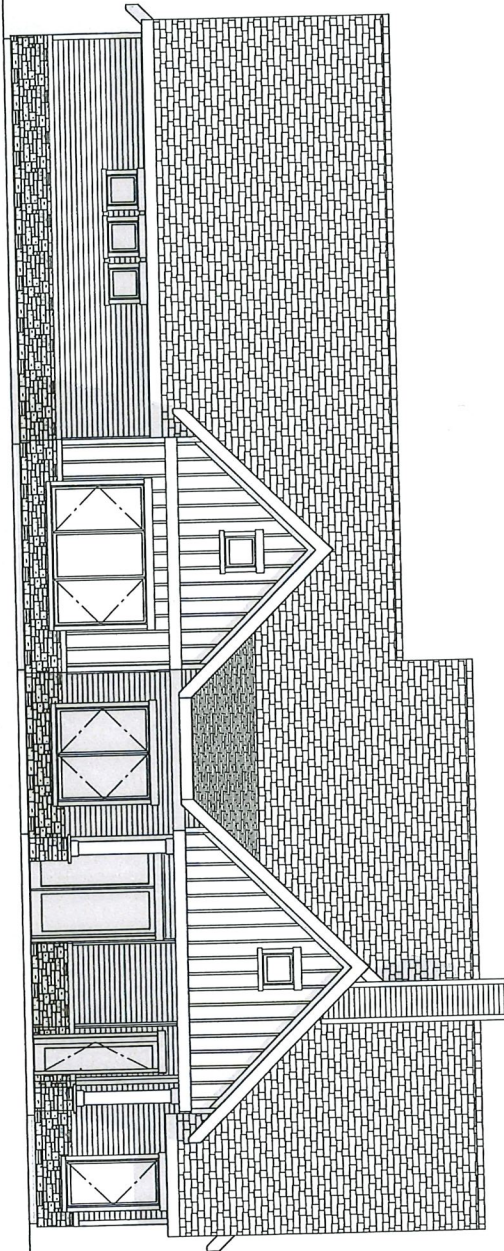
VDG : HMD

SHEET:

A-1



FRONT ELEVATION  
1/4" = 1'-0" (22x34)  
1/8" = 1'-0" (11x17)



REAR ELEVATION  
1/4" = 1'-0" (22x34)  
1/8" = 1'-0" (11x17)



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**BARTIG**

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STURGEON BAY, WI 54235

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A-2

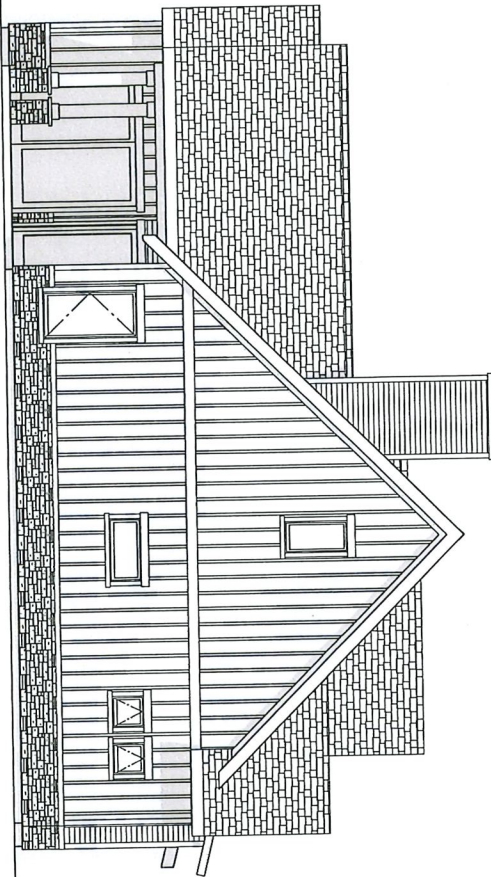
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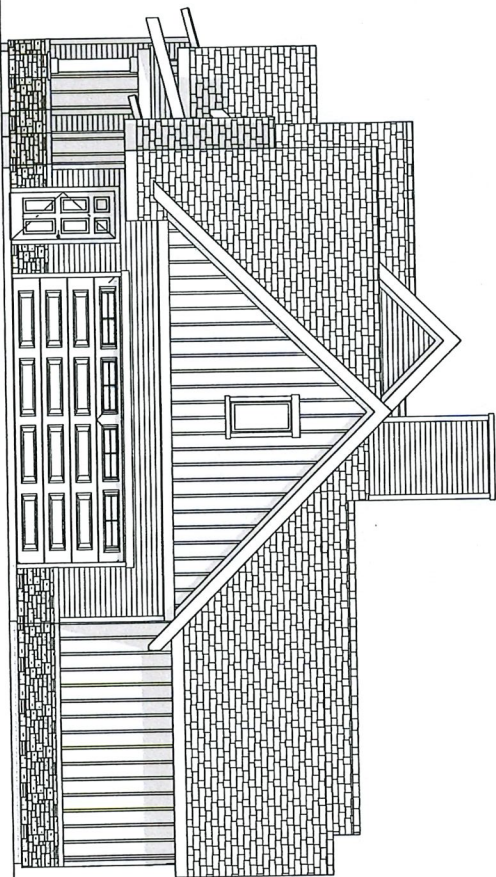
DRAWN BY:

4/9/2021

DATE:



LEFT ELEVATION  
1/4" = 1'-0" (22x34)  
1/8" = 1'-0" (11x17)



RIGHT ELEVATION  
1/4" = 1'-0" (22x34)  
1/8" = 1'-0" (11x17)

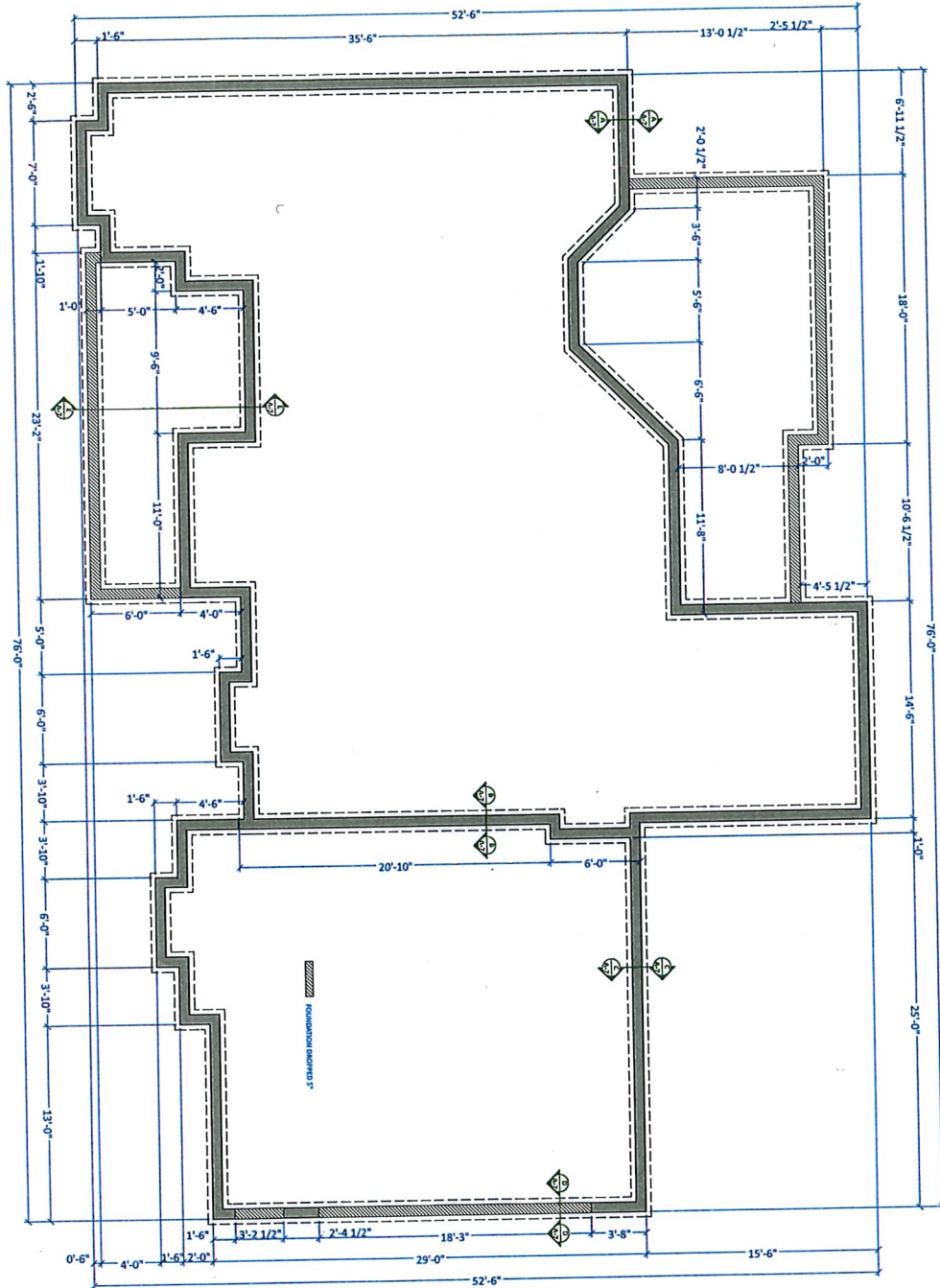
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DRAWN BY:	VDG : HMD
SHEET:	A-3



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LOT 47 PURVES KAGOON  
STURGEON BAY, WI 54235

CUSTOM  
FINAL SET



**FOUNDATION / LOWER LEVEL PLAN**  
 1/4" = 1'-0" (22x34)  
 1/8" = 1'-0" (11x17)  
 4'-0" FIRST WALL HEIGHT  
 Dimensions are framing to framing  
 Headers or Beams sized by supplier

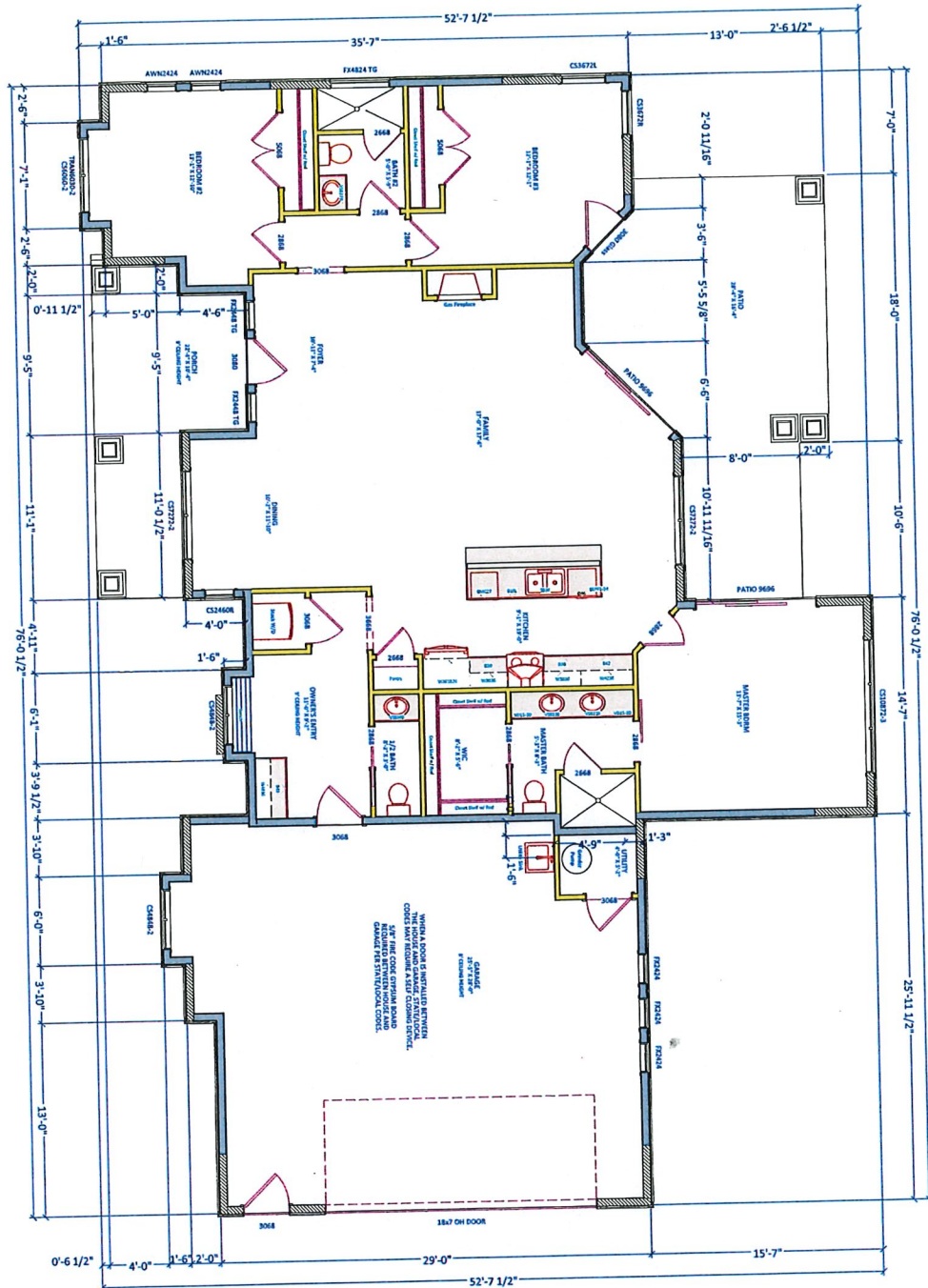
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 4/9/2021  
 DRAWN BY:  
 VDG : HMD  
 SHEET:  
 A-4



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**BARTIG**  
 LOT 47 PURVES KAGOON  
 STURGEON BAY, WI 54235

CUSTOM  
 FINAL SET



### Wall Bracing

- ① 2x4 Studs @ 16" O.C. (2x4 Studs @ 16" O.C.)
- ② 2x6 Studs @ 16" O.C. (2x6 Studs @ 16" O.C.)
- ③ 2x8 Studs @ 16" O.C. (2x8 Studs @ 16" O.C.)
- ④ 2x10 Studs @ 16" O.C. (2x10 Studs @ 16" O.C.)
- ⑤ 2x12 Studs @ 16" O.C. (2x12 Studs @ 16" O.C.)
- ⑥ 2x14 Studs @ 16" O.C. (2x14 Studs @ 16" O.C.)
- ⑦ 2x16 Studs @ 16" O.C. (2x16 Studs @ 16" O.C.)
- ⑧ 2x18 Studs @ 16" O.C. (2x18 Studs @ 16" O.C.)
- ⑨ 2x20 Studs @ 16" O.C. (2x20 Studs @ 16" O.C.)
- ⑩ 2x22 Studs @ 16" O.C. (2x22 Studs @ 16" O.C.)
- ⑪ 2x24 Studs @ 16" O.C. (2x24 Studs @ 16" O.C.)
- ⑫ 2x26 Studs @ 16" O.C. (2x26 Studs @ 16" O.C.)
- ⑬ 2x28 Studs @ 16" O.C. (2x28 Studs @ 16" O.C.)
- ⑭ 2x30 Studs @ 16" O.C. (2x30 Studs @ 16" O.C.)
- ⑮ 2x32 Studs @ 16" O.C. (2x32 Studs @ 16" O.C.)
- ⑯ 2x34 Studs @ 16" O.C. (2x34 Studs @ 16" O.C.)
- ⑰ 2x36 Studs @ 16" O.C. (2x36 Studs @ 16" O.C.)
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- ㉒ 2x46 Studs @ 16" O.C. (2x46 Studs @ 16" O.C.)
- ㉓ 2x48 Studs @ 16" O.C. (2x48 Studs @ 16" O.C.)
- ㉔ 2x50 Studs @ 16" O.C. (2x50 Studs @ 16" O.C.)
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- ㉛ 2x64 Studs @ 16" O.C. (2x64 Studs @ 16" O.C.)
- ㉜ 2x66 Studs @ 16" O.C. (2x66 Studs @ 16" O.C.)
- ㉝ 2x68 Studs @ 16" O.C. (2x68 Studs @ 16" O.C.)
- ㉞ 2x70 Studs @ 16" O.C. (2x70 Studs @ 16" O.C.)
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- ㊵ 2x82 Studs @ 16" O.C. (2x82 Studs @ 16" O.C.)
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- ㊷ 2x86 Studs @ 16" O.C. (2x86 Studs @ 16" O.C.)
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- ㊼ 2x96 Studs @ 16" O.C. (2x96 Studs @ 16" O.C.)
- ㊽ 2x98 Studs @ 16" O.C. (2x98 Studs @ 16" O.C.)
- ㊾ 2x100 Studs @ 16" O.C. (2x100 Studs @ 16" O.C.)



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**BARTIG**

LOT 47 PURVES KAGOON  
 STURGEON BAY, WI 54235

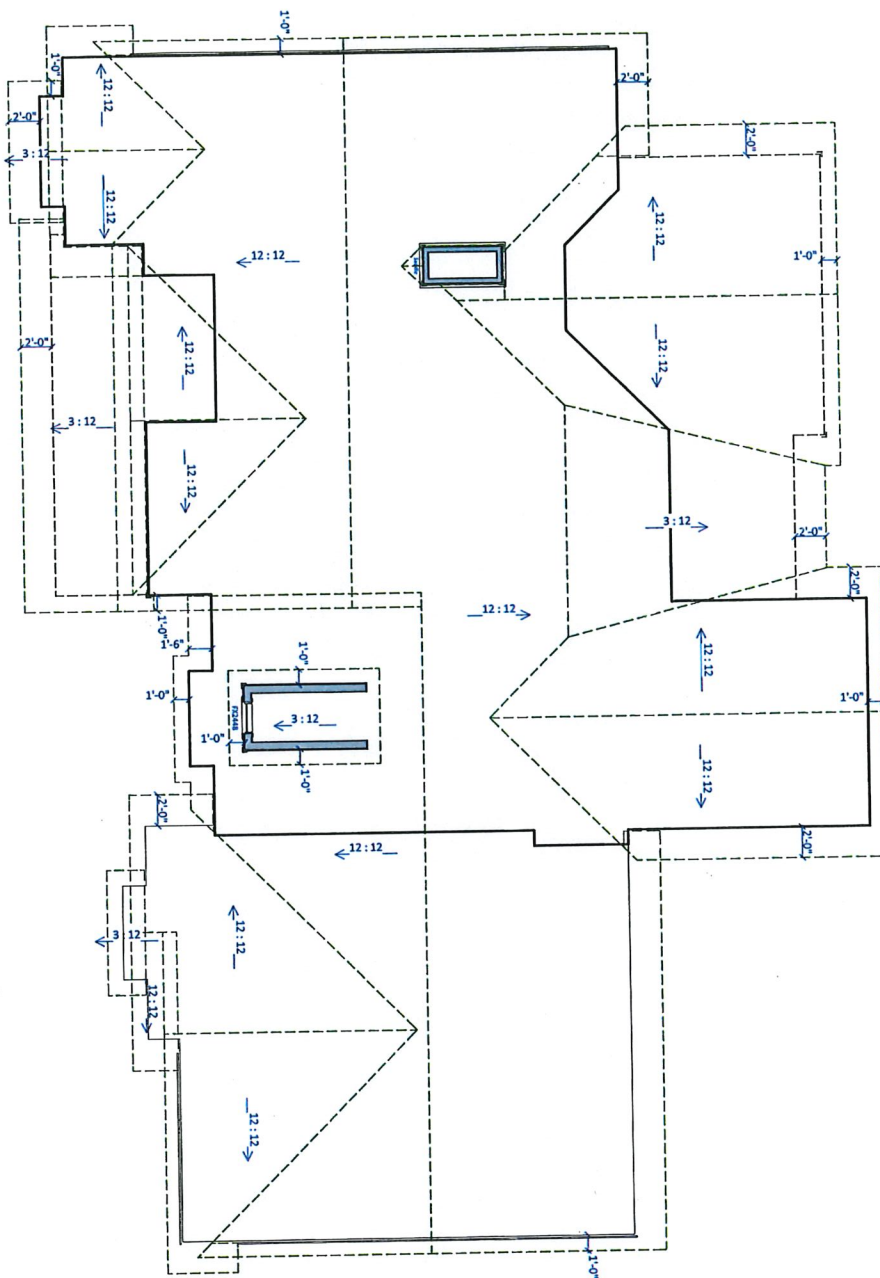
CUSTOM

FINAL SET

A-5

SHEET:

DATE: 4/9/2021  
 DRAWN BY: VDG : HMD



**ROOF LAYOUT**  
 1/4" = 1'-0" (PLAN)  
 1/8" = 1'-0" (ELEV)  
**NOTES**  
 24" EAVE OVERHANGS TYPICAL  
 12" GABLE OVERHANGS TYPICAL  
 (unless noted otherwise)  
 12" MIN. HEIGHT ON 3/12 PITCH  
 18" MIN. HEIGHT ON 12/12 PITCH  
 FLASH TO ALIGN AS SHOWN



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FINAL SET

A-6

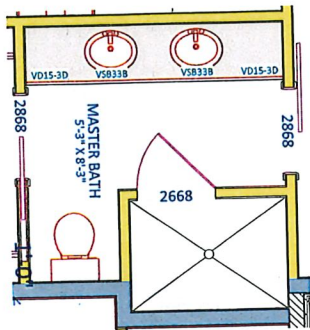
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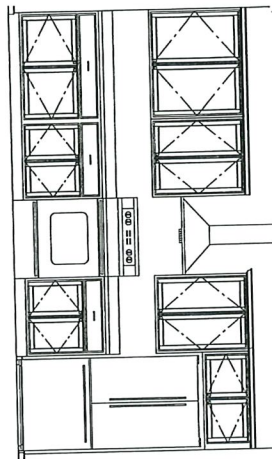
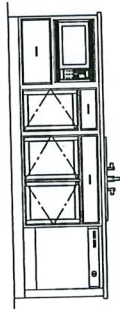
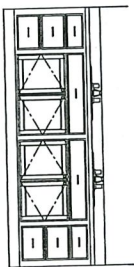
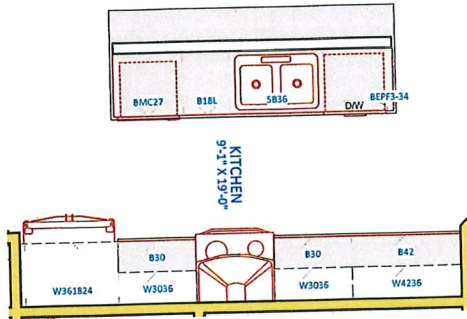
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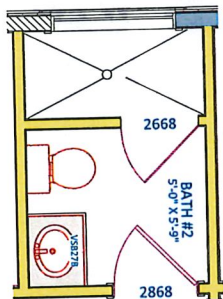
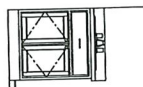
**MASTER BATH**  
1/2" = 1'-0" (22x34)  
1/4" = 1'-0" (11x17)



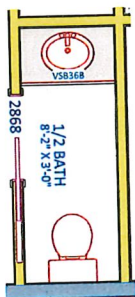
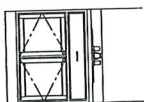
**KITCHEN**  
1/2" = 1'-0" (22x34)  
1/4" = 1'-0" (11x17)



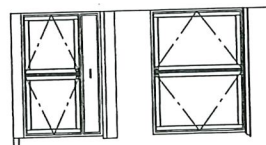
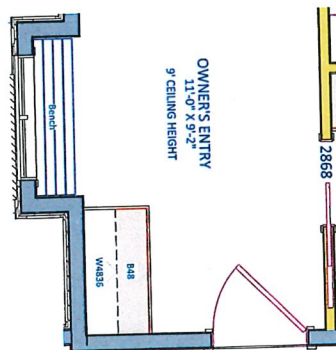
**BATH #2**  
1/2" = 1'-0" (22x34)  
1/4" = 1'-0" (11x17)



**1/2 BATH**  
1/2" = 1'-0" (22x34)  
1/4" = 1'-0" (11x17)



**OWNER'S ENTRY**  
1/2" = 1'-0" (22x34)  
1/4" = 1'-0" (11x17)



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Appleton, WI 54913  
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**BARTIG**

LOT 47 PURVES KAGOON  
STURGEON BAY, WI 54235

CUSTOM  
FINAL SET

A-8

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PED