



**TWO
RIVERS**
WISCONSIN

POLICE DEPARTMENT

1717 E. Park Street
P.O. BOX 87
Two Rivers, WI 54241-0087



April 15, 2022

To: Gregory E. Buckley, City Manager
From: Brian W. Kohlmeier, Chief of Police
Ref: Beer Garden – Submariner's Pub (Formerly: Sandpiper Bar & Grill)

Two Rivers Municipal Ordinance 6-1-19(C.): **Fermented Malt Beverages and Intoxicating liquors; Beer Gardens** regulates among other things, the distance to which any beer garden may be located in relation to any structure used for residential purposes and is located on a residentially zoned parcel. The new owners of Submariners Pub (formerly; Sandpiper Bar & Grill) have requested to maintain the beer garden as it existed when the establishment operated as the Sandpiper Bar & Grill.

The ordinance states: "No permit shall be issued for a beer garden located in a nonresidential district if any part of the beer garden is within fifty (50) feet of a structure used for residential purposes and located on a residentially zoned parcel except residential uses located in the same structure as the licensed premises or a residence which is owned by the same person who owns the licensed premises. Upon appeal to the City Council, a full or partial waiver of the distance requirements in this provision may be granted."

The former owners of the establishment, Francis and Susan Kornely, also own the adjacent residential structure at 117 Jessie Street thereby meeting an exception to the 50-foot distance requirement at that time. Based on the sale of the property and thus new ownership, the beer garden would no longer be in conformity with ordinance as it relates to its proximity to the residential structure at 117 Jessie Street as it is approximately 4 feet from said structure.

As previous owners of the establishment and current residents of 117 Jessie Street, Francis and Susan Kornely have acknowledged the presence of the garden being less than 50 feet from their home and expressed the desire to have the size and location of the beer garden remain as is. See attached letter and diagram depicting the beer garden location.

Under these circumstances, I recommend that the City Council waive the distance requirement and affirm the approval of this permit.



www.two-rivers.org



920.793.1191



920.793.5500



22-01144



TWO RIVERS
WISCONSIN

Application for Beer Garden Permit

Municipal Code 6-1-19

Fee: \$50.00

Receipt #: _____

Date: _____

To the governing body of the City of Two Rivers, County of Manitowoc.

Under the provisions of City ordinance 6-1-19, BEER GARDENS REGULATED, the named organization applies for a BEER GARDEN permit, and agrees to comply with all ordinances affecting beer gardens and the consumption of alcoholic beverages therein, for the period July 1, 2022 to June 30, 2022.

BUSINESS NAME: Submariners Pub

BUSINESS ADDRESS: 4220 Memorial Drive Two Rivers - 54241

OWNER/AGENT NAME: Jeffrey Tess

OWNER/AGENT PHONE: 262-923-6379

OWNER/AGENT ADDRESS: 1128 N 11th St Manitowoc WI 54220

- Does the applicant hold a Class "B" Beer and "Class B" Liquor license? Yes No
- Have there been any structural changes made to the "licensed premises" since your last application for beer garden permit? Yes No
- If your answer to question 2 is yes, how did this change affect the area of the "licensed premise"? Increased Decreased
- Present square footage of "licensed premises" (gross floor area): 1,000 SQ. FT. 310
- Square footage of the proposed beer garden area: 973
- Is the proposed beer garden located at least 50 feet from the nearest residence? Yes No
- Is the proposed beer garden enclosed by a fence at least 4 feet in height? Yes No
- Is there at least one designated opening of sufficient width to accommodate ease of ingress or egress, other than through the licensed establishment, for emergency purposes? Yes No

I hereby swear on oath that I am the person who made the foregoing application for a Beer Garden Permit; and that all statements made by me are true and correct.

[Signature]
Applicant

Date

(FOR OFFICE USE ONLY)

I have examined the premises described in this application and find that they conform to the standards required by Municipal Code 6-1-19.

[Signature] 04-15-22
Chief of Police

Council Approval Date: _____

Permit Number: _____



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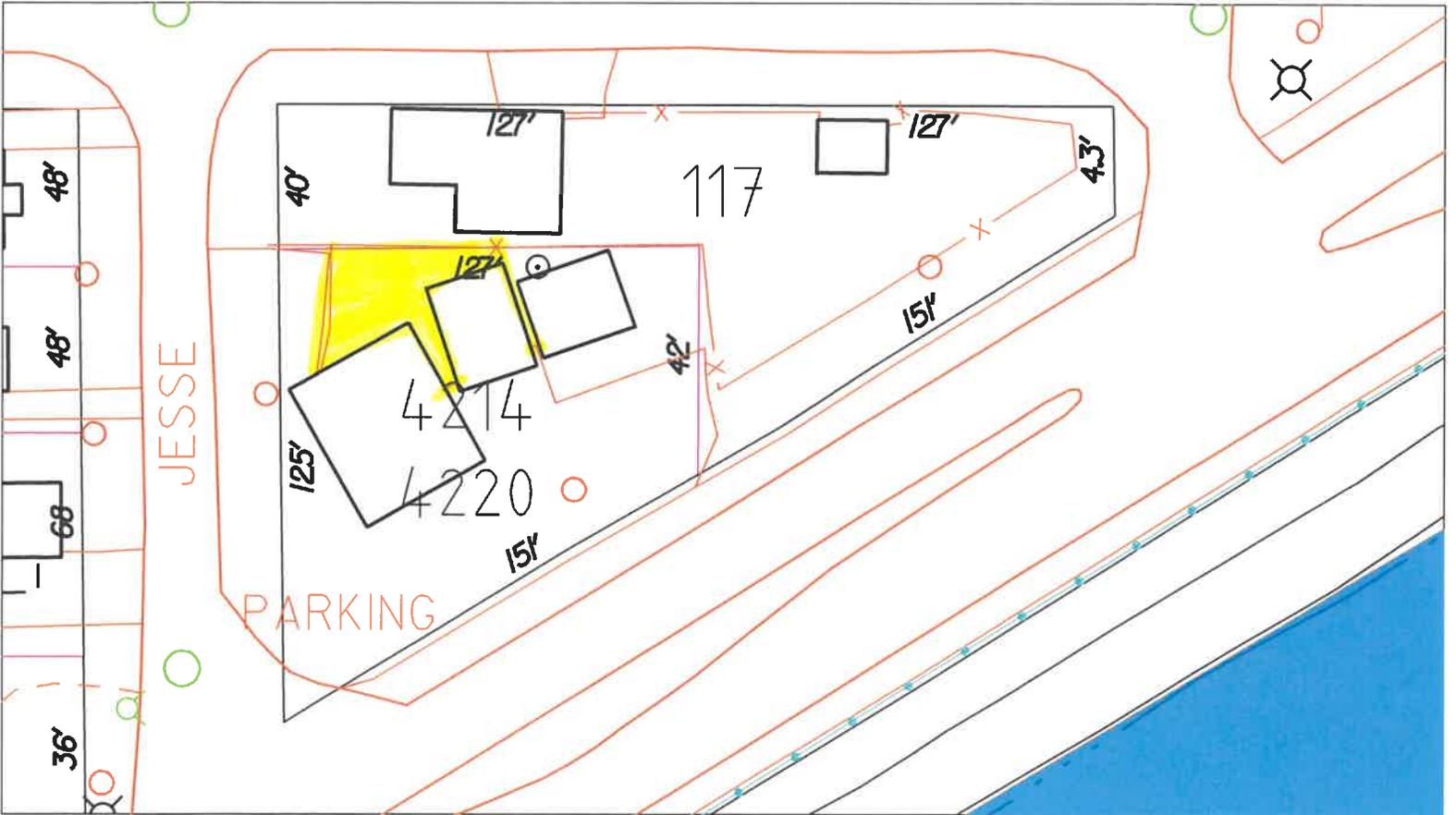


920.793.5526



920.793.5512





To whom it my concern,

Jeff Tess has our permission to have a beer garden at 4220 Memorial Dr. We are the property owners of 117 Jessie St.

Francis J Kornely 4/2/22

Francis J Kornely

Susan K Kornely 4/2/22

Susan K Kornely

