

## **Conditional Use Permit Approval Process:**



Although not required, it is recommended that the applicant meet with the Building/Zoning Inspector to discuss the proposed request. This step is intended to explain to the applicant the purpose and objectives of the regulations and the comprehensive plan, and to informally reach mutual conclusions regarding the general program and objectives of the proposed development.

### **Step 2: File Application Materials**

The applicant submits a completed application form, other necessary materials, and a \$300 application fee. The application materials shall include the following items:

- a) A description of the type of structure(s) on the site, proposed operation or use, the number of employees.
- b) A Site Plan that shows the dimensions of the property, location, dimensions and setbacks of any existing or proposed buildings, parking areas, landscaping, exterior lighting, and signage.
- c) Additional information as required by the Building/Zoning Inspector.

Upon receipt of the necessary materials, a meeting of the Plan Commission will be scheduled and the item will be placed on the agenda.

### **Step 3: Staff Review**

Village staff will provide a technical review of the request and the submitted information to identify relevant issues. If extensive changes are required or more information is needed to adequately review the application (e.g., additional plans or engineering studies), the Planning Commission meeting date will be schedule to allow time for the necessary work to be completed. If deficiencies are minor, the item will be scheduled for a Planning Commission meeting, subject to revised plans being submitted at a later date.

### **Step 4: Public Notice**

Village Staff shall give written notice to owners of land within one-hundred (100) feet of the subject property at least ten (10) days prior to the Plan Commission meeting.

### **Step 5: Plan Commission Review/ Recommendation**

The Plan Commission shall review the proposed request and shall recommend that the conditional use permit be granted as requested, modified, or denied. The applicant should attend this meeting and be prepared to present the request and answer questions from the Plan Commission. Public statements will be allowed at this meeting.

### **Step 6: Village Board Public Hearing**

The request will be placed on the Village Board agenda for information and discussion. The applicant is not required to attend this meeting, but it is an opportunity for the Board to ask questions and request additional information. The Village Board meets the third Wednesday of the month, at 6:00 p.m. in the Community Room.

### **Step 6: Village Board Review and Action**

The Village Board shall review the proposed request and shall recommend that the conditional use permit be granted as requested, modified, or denied. The applicant and members of the public will be allowed to make statements regarding the request. Following such hearing and after careful consideration of the Plan Commission's recommendations and public comments, the Village Board shall vote on the application. The approval may include conditions placed on the operation of the use such as hours of operation, parking, screening, etc. The Village Board meets the third Wednesday of the month, at 6:00 p.m. in the Community Room.

In the case of a denial, no application requesting the same or similar action may be resubmitted by the original applicant or his/her agent for the same property before the passage of six (6) months following Village Board action.

APPLICATION FOR  
**CONDITIONAL USE PERMIT**  
 CITY OF PLATTEVILLE, WISCONSIN



|                | Applicant/Agent | Owner |
|----------------|-----------------|-------|
| <b>Name</b>    |                 |       |
| <b>Address</b> |                 |       |
| <b>Phone</b>   |                 |       |
| <b>Fax</b>     |                 |       |

**Property Information**

Address of Proposed Use: \_\_\_\_\_ Montfort, WI

Legal Description: \_\_\_\_\_

Zoning of Property: \_\_\_\_\_ Number of Employees, if any: \_\_\_\_\_

Comprehensive Plan Designation: \_\_\_\_\_

Current Use of Property: \_\_\_\_\_

Proposed Use of Property: \_\_\_\_\_

**Attach a plot plan showing the location of the proposed building with respect to adjoining streets, alleys, lot line and other buildings, if any, building size and height, lot size and proposed provisions for off street parking.**

**Signatures** The undersigned person(s) hereby petitions the Village Board of the Village of Montfort, Wisconsin, to issue a Conditional Use Permit as described above.

APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

**OFFICE USE ONLY** File Number: \_\_\_\_\_

Date Application Filed: \_\_\_\_\_ Fee Paid/Receipt #: \_\_\_\_\_

Plan Commission Action & Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

Council Action & Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

Permit Issued On (date/by whom): \_\_\_\_\_

Permit Expires On: \_\_\_\_\_

## CONDITIONAL USES

A *conditional use* is **a use allowed by a zoning ordinance provided certain conditions are met and a permit is granted.** This list is to aid members of the Planning Commission when considering an application for *conditional use*.

**STANDARDS** No application for a conditional use shall be granted by the Plan Commission unless the Commission shall find all of the following conditions are present:

1) Except as provided under s. (2), no conditional use shall be granted by the Village Board unless the Village Board shall find that the applicant has provided substantial evidence that all the conditions specified in s. (a) through (e) are met. The Village Board may also impose conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate using substantial evidence that all requirements and conditions established by the Village Board related to the conditional use are or shall be satisfied. If the applicant meets or agrees to meet all of the requirements or conditions, then the Village Board must grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence. Any condition imposed must be reasonable and, to the extent practicable, measurable. Conditions that must be met are:

(a) That the conditional use will not be detrimental or endanger the public health, safety, comfort or general welfare or the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood.

(b) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use;

(c) That adequate utilities, access road, drainage and/or necessary facilities or site improvements have been or are being provided.

(d) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

(e) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

(2) In appropriate circumstances, the Village Board may determine that a conditional use is reasonable in order to accommodate disabled persons. In such a case, the Village Board may grant a conditional use permit based on a finding that the grant of the conditional use permit provides a reasonable accommodation to disabled persons irrespective of whether all of the conditions specified in s. (1) are met.

**ADDITIONAL CONSIDERATIONS** The Plan Commission shall also evaluate the effect of the proposed use upon:

1. The maintenance of safe and healthful conditions.
2. The prevention and control of water pollution including sedimentation.
3. Existing topographic and drainage features and vegetative cover on the site.
4. The location of the site with respect to flood plains and flood ways of rivers and streams.
5. The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
6. The location of the site with respect to existing or future access roads.
7. The need of the proposed use for a shore land location.
8. Its compatibility with uses on adjacent land.
9. The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.

**CONDITIONS** -- The Planning Commission may stipulate conditions relating to:

1. Landscaping
2. Type of construction
3. Construction commencement and completion dates.
4. Sureties
5. Lighting
6. Fencing
7. Operational control
8. Hours of operation
9. Traffic circulation
10. Deed restrictions
11. Access restrictions
12. Setbacks and yards
13. Type of shore cover
14. Specified sewage disposal and water supply systems
15. Planting screens
16. Piers and docks
17. Increased parking
18. Any other requirements necessary to fulfill the purpose and intent of the Zoning Ordinance.