

Zoning Interpretations Information Sheet



When does this process apply?

Interpreting the zoning ordinance can range from a reasonable person using normal senses and no mechanical equipment to requiring great technical competence and complex equipment for precise measurement. This application process ensures interpretations are handled consistently and responsibility is assigned appropriately.

Review Process

Applicants are required to submit all materials outlined in the attached checklist before it is considered complete.

Administrative Review

The Zoning Administrator will certify a completed application has been submitted. Within 30 days of the completed application being filed the Zoning Administrator will issue an evaluation and comment on the proposed interpretation requested.

Appealing Interpretations to Board of Zoning Appeals

Within 30 days of a decision by the Zoning Administrator any individual aggrieved by the interpretation may file a written appeal to the Zoning Administrator, who will transmit the letter and all related materials regarding the matter to the Board of Zoning Appeals. The Board of Zoning Appeals will review the information and take action on it. A 4/5 concurring vote is required by the Board to override the Zoning Administrator's decision.

Public Hearing

A public hearing shall be noticed in the newspaper and the hearing will be held prior to the Board of Appeals decision.

Effect of a Favorable Land Use Interpretation.

No interpretation finding a particular land use to be allowed or conditionally allowed in a specific zoning district shall authorize either the establishment of such use or the development, construction, reconstruction, alteration, or moving of any building or structure. A favorable interpretation merely authorizes the preparation, filing, and processing of applications for any permits and approvals that may be required. These permits and approvals include, but are not limited to, required site plans, conditional use permits, and certificates of occupancy.

Limitations on Favorable Land Use Interpretation.

No interpretation finding a particular land use to be permitted or conditionally permitted in a specified zoning district shall be valid for a period of more than 365 days from the date of issuance of the interpretation, unless a building permit is issued and development is actually begun within that period, and is thereafter diligently pursued to completion, or a certificate of occupancy is obtained and a use commenced within that period. An interpretation finding a particular land use to be allowed or conditionally allowed in a specified zoning district shall be deemed to authorize only that particular use at that particular location for which the interpretation was issued. The interpretation shall not be deemed to authorize any allegedly similar use for which a separate interpretation has not been issued. A favorable interpretation shall automatically expire and cease to be of any force or effect if the particular use for which it was issued shall, for any reason, be discontinued for a period of 365 consecutive days or more.

Zoning Interpretations Checklist



This document is published to provide supplemental information to applicants. Applicants should reference Title III Chapter 2 Section 13.12 and Section 13.13 of the Poynette Village Code for further information.

MATERIALS REQUIRED PRIOR TO ADMINISTRATIVE REVIEW PROCESS

<u>Document</u>	<u>Received</u>
Application Form	
Does the interpretation relate to a specific property? If yes, include the following information:	
A map of the subject property showing all lands for which the interpretation is requested, and all other lands within 200 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds as provided by the Village. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) that maintains that control. Said map and all its parts and attachments shall be submitted in a form that is clearly reproducible with a photocopier, and shall be at a scale that is not less than one-inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.	
A map, such as the Planned Land Use Map from the Comprehensive Plan, of the generalized location of the subject property in relation to the Village as a whole.	
An existing site plan that accurately reflects the current conditions of the property, along with any proposed changes, with sufficient details relevant to the inquiry.	
Digital Versions (PDFs) of all materials.	

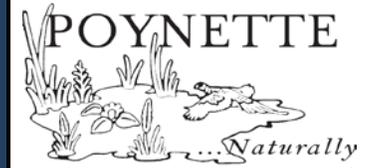
ADMINISTRATIVE REVIEW PROCESS

<u>Review</u>	<u>Completed</u>
Zoning Administrator Evaluates Proposed Interpretations and Issues Comment	

APPEAL TO BOARD OF ZONING APPEALS – any person aggrieved by the decision of the Zoning Administrator may file a written appeal to the Board of Zoning Appeals.

<u>Action</u>	<u>Completed</u>
Board of Appeals holds Public Hearing	
Board of Appeals Action (4/5 to override Zoning Administrator Required)	

Site Plan Checklist



A well drafted site plan includes ALL of the following information. However, many situations will not require certain components as determined by the Zoning Administrator. Applicants who require a site plan for an approval process should consider a pre-application meeting with the Zoning Administrator to determine an acceptable site plan.

<u>Information</u>	<u>Complies</u>
A title block that indicates the name, address, and phone/fax number(s) of the current property owner and/or agent(s) (developer, architect, engineer, planner) for project.	
The date of the original plan and the latest date of revision to the plan.	
A north arrow and a graphic scale. Said scale shall not be smaller than one-inch equals 50 feet; except where the Zoning Administrator allows reduced scales.	
A legal description of the subject property.	
All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled.	
Delineation of floodplains, shoreland-wetlands, steep slopes, mature trees, and woodlands, with labels and descriptions.	
All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose.	
All required building setback lines/minimum yards applicable to the zoning district(s), including setbacks from natural resources.	
A grading and erosion control plan at the same scale as the main plan showing existing and proposed grades, including retention walls and related devices, and erosion control measures.	
The location of existing and proposed stormwater management facilities and structures, along with any technical data required by the Village Engineer to determine the adequacy of the proposed facilities.	
Proposed land use or uses, with projected number of employees, residents, and maximum customer capacity.	
All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls.	
The location and dimension of all access points onto public streets.	
The location and dimension of all on-site parking (and, if applicable, off-site parking), including a summary of the number of parking stalls provided versus required by this Chapter.	
The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas.	
The location of all outdoor storage areas including dumpsters and the design of all screening fences.	
The location, type, height, fixture design, and cut-off angle of all exterior lighting, including a detailed photometric plan showing the distribution of light output across the property to the property lines. Depiction of illumination on the photometric plan shall be shown rounded to the nearest 0.10-foot candles. Exterior lighting shall comply with the requirements of Section 2.9.11.	
A landscape plan for the subject property complying with the requirements of Article 8.	
Elevation drawings, drawn to a recognized architectural scale, of proposed buildings or proposed remodeling of existing buildings to include exterior or roof mechanical equipment and showing finished exterior treatment, with adequate labels provided to clearly depict exterior materials, texture, color, and overall appearance.	
The location, type, height, size and lighting of all existing signage on the subject property, and for proposed signage to the extent practical at the time.	
In the site plan map legend, the following additional data for the subject property: <ol style="list-style-type: none"> 1. Proposed zoning (or existing zoning if no change) 2. Lot area 3. Total number and type of residential dwelling units (if applicable) 4. Total Gross Floor Area (GFA) 5. Landscape Surface Area 6. Landscape Surface Ratio 7. Building Height 	

Zoning Interpretations Application



Does the interpretation relate to a specific property? If yes, answer the following questions:

1. Please describe the reasons for the requested interpretation and how the interpretation relates to the type of activities, buildings, and structures currently located on, and proposed for, the subject property?

Does the interpretation relate to a particular land use? If yes, answer the following questions:

1. How is the subject land use (in general) in harmony with the Comprehensive Plan and Zoning Ordinance?

2. How is the subject land use in harmony with the purposes, goals, objectives, policies and standards of the pertinent zoning district for which the interpretation is being sought?

3. Do the potential public benefits of the proposed interpretation outweigh any and all potential adverse impacts of the proposed interpretation?

Expectations and Tips: Reimbursement for Village Development Review



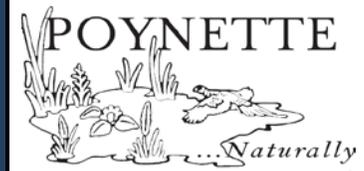
ATTENTION READ CAREFULLY

Development review processes often require the use of Village consultants, such as planning, engineering and legal consultants. Because it is the applicant who is generating the need for the service, the Village’s policy is to assign consultant costs to the applicant, as opposed to asking general taxpayers to cover these costs. This policy also helps maintain a relatively small permanent Village staff. Applicants are asked on the “Signature of Understanding” page to acknowledge that costs for development review services will be billed back to them for reimbursement. Unpaid costs by the applicant will be applied to the property tax bill or intercepted through the State’s income tax process.

The development review costs provided below represent the *estimated* range of costs associated with each particular type of development review. This usually involves analysis and preparation of a written recommendation to a Village committee, Board, or staff. Costs vary depending on a range of factors, including the type of application, completeness and clarity of the development application, complexity of the proposed development, degree of cooperation from the applicant, and level of community interest.

Type of Development Review Being Requested	Typical Consultant Review Costs
Land Division	
Certified Survey Map	\$100-400
Preliminary Subdivision Plat	\$1,500 to \$2,500
Final Plat (does not include any development agreement time)	\$500 to \$1,200
Condominium Plat	\$1,500 to \$2,500
Rezoning	
To a standard (not Planned Neighborhood) zoning district	\$400 to \$2,000
To PN zoning district, including General Development Plan	\$2,000 to \$5,000
Text Amendment	\$100-\$500
Conditional Use	\$100 to \$500
Sign Permit	\$0 - \$50
Site Plan	\$100 to \$500
Variance	\$100 - \$1,000
Zoning Interpretations	\$100 - \$500
Annexation	\$500 - \$1,000
Vacate Village Land/Right of Way	\$300 - \$1,000

Expectations and Tips: Reimbursement for Village Development Review



Applicants for Village development approvals can help manage and minimize their development review costs and often speed up development review by following these tips:

- 1. Talk or meet with Village Zoning Administrator before submitting an application.** Before you make significant investments in your project, the Administrator can help you understand the feasibility of your proposal, what Village plans and ordinances will apply, the type of review process there will be, and how to prepare a complete application.
- 2. Submit a complete and thorough application.** One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with Village ordinance requirements. There are checklists built into development approval applications to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.
- 3. Consider working with an experienced professional to help prepare your plans.** Professional engineers, land planners, architects, surveyors and landscape architects should be familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the Village's consultants to review, saving you money in the long run. Any project that includes site grading, stormwater management, or utility work; significant landscaping; or building remodeling or expansion generally requires professionals. For less complicated proposals, it is acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the Village's staff and planning consultant still need to ensure that your proposal meets all requirements. All plans must be prepared with attention to detail.
- 4. For more complex projects, submit your project for conceptual review.** Conceptual review of preliminary plans almost always saves time, money, stress, and frustration in the long run for everyone involved. Conceptual plans may be submitted to the Zoning Administrator, who may share with the planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help identify key issues.
- 5. Hold a neighborhood meeting for larger and potentially more controversial projects.** For these types of projects, one way to help the formal development review process go more smoothly is to host a meeting for the neighbors. This usually should happen before you even submit a formal development review application. A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions, and address issues in an environment that is less formal and potentially less emotional than a Plan Commission or Village Board meeting. Please notify Zoning Administrator of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware; and document the outcomes of the meeting to include with your application.

Signature of Understanding



APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL THIS PAGE IS SIGNED.

By signing and dating below, I/We:

1. Reviewed and understand the applicable Village of Poynette ordinances and its standards of approval related to this application;
2. Read, understand, and accept my/our responsibilities under the reimbursement section above;
3. Submitted an application that is true, correct, and complete to the best of my/our knowledge;
4. Acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application;
5. Understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons;
6. If this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and
7. Understand that the Village's ordinances and/or the conditions of development approval may specify timeframes within which I/we must take certain actions related to the development of the subject property, or risk having the approval being nullified.

Signature of Applicant

Date

Signature of Property Owner (if different)

Date