



# Columbia County Conditional Use Application

Phone: (608) 742-9660  
Fax: (608) 742-9817  
[www.co.columbia.wi.us](http://www.co.columbia.wi.us)

**Planning & Zoning Department**  
Pursuant to Columbia County Ordinance 16-150-070(C)(1)

112 E. Edgewater St.  
Portage, WI 53901

-----Shaded Area For County Use Only -----	
Parcel #: _____	File ID #: _____
Applicable Ordinance Section: _____	
<input type="checkbox"/> \$50.00 Preapplication	<input type="checkbox"/> \$500.00 Conditional Use- Paid upon receipt of Town Documents. Date Received: ____/____/____ P&Z Staff Initials: _____
<small>Make checks payable to "Columbia County Treasurer". Credit Cards accepted. We do not issue refunds.</small>	

## 1. Current use of the Property:

What is the land currently being used for?

- Vacant   
  Single Family Residence   
  Active Farm   
  Business/Industrial/Commercial

Please describe:

## 2. Proposal Information:

Explain your proposed plans and why you are requesting a CUP: *(Submit attachments where necessary)*

Describe how the Conditional Use would not have adverse effects on the surrounding properties:

**Please note: Along with this application, a site plan must be submitted. All applications must be filed by the established deadline. An application will not be considered filed if it is incomplete, illegible or the fee is not paid.**

*I certify that the above information is true, accurate and complete.*

**Property Owner Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Print Name:** \_\_\_\_\_



# Columbia County General Information

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## Planning & Zoning Department

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Portage, WI 53901

The owner hereby authorizes access to the property described herein, by authorized representatives of the Planning & Zoning Department, for the purpose of gathering or verifying information relating to the application, and for verifying compliance with any approval or permit that may be granted. The applicant further agrees that the site is staked and an inspection of such proposed structure may be made by the Columbia County Planning & Zoning Department between the hours of 8:00 am and 4:30 pm, Monday through Friday.

Pursuant to §59.691(3) Stats, the applicant must sign below to indicate acknowledgement of the following, "You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes and streams". Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Dept. of Natural Resources web page at: <http://dnr.wi.gov/wetlands/programs.html> or contact a Dept. of Natural Resources service center.

The undersigned hereby applies for a permit to do work herein described. The undersigned agrees that all work will be done in accordance with the Columbia County Zoning, Floodplain and Shoreland-Wetland Protection Ordinances, and with all laws of the State of Wisconsin, applicable to said premises.

### 1. Contact Information

#### Property Owner Information

Property Owner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

#### Applicant/Contractor Information (if different than Property Owner)

Applicant Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

### 2. Property Description (parcel information can be obtained at [www.co.columbia.wi.us](http://www.co.columbia.wi.us))

Site Address: \_\_\_\_\_

Town of \_\_\_\_\_

Section \_\_\_\_\_ Town \_\_\_\_\_ N Range \_\_\_\_\_ E

Subdivision \_\_\_\_\_ CSM \_\_\_\_\_ Lot \_\_\_\_\_

Parcel # \_\_\_\_\_ Acreage \_\_\_\_\_

**Mail Permit(s) to:**  Owner  Applicant/Contractor or **Pick Up Permit(s):**  Owner  Applicant/Contractor

**Property Owner Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

----- Shaded Area For County Use Only -----

Existing Zoning: \_\_\_\_\_ Permit(s): \_\_\_\_\_ STAMP

Wetland Status: \_\_\_\_\_

Flood Plain Status: \_\_\_\_\_ Permit #(s): \_\_\_\_\_

Septic Permit #: \_\_\_\_\_ Evaluation? Yes No \_\_\_\_\_

Driveway Permit #: \_\_\_\_\_ Town Permit: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

NOTES:

Department Signature \_\_\_\_\_ Date: \_\_\_\_\_

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 Please note that in order for the Planning & Zoning Committee to make the proper determination, it is critical that the information you submit be complete, accurate and easily understood. Please keep in mind the following:

1. Your site and building plans are the most important documents in your file. Follow the directions provided to make them as accurate and complete as possible.
  2. Building locations and lot lines, if applicable, must be staked or otherwise clearly marked at the site for the committee's inspection of the property.
  3. **You must be present at the public hearing or be represented by someone** capable of responding to questions from the Committee about site conditions or construction plans.
  4. Your failure to appear at the public hearing or to provide adequate information may result in the application being tabled.
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<b>REQUIREMENTS FOR PERMIT SUBMITTAL</b>			
Owner's Check List	<b>ITEMS NEEDED</b>	Staff Check List	Info Needed
	Completed General Information Application Cover Sheet		
	Completed Conditional Use Application		
	Review Fee (Section 9-1-12)		
	Other Approvals and Permits <i>(if applicable)</i> :		
	A Detailed Proposal (if required) Including Covenants, Agreements or other Documents Showing the Ownership and Method of Assuring Perpetual Maintenance of Land to be Owned or Used for Common Purposes		
	<b>REQUIREMENTS FOR OVERHEAD SITE PLAN</b>		
	Drawn to Scale		
	Date of Preparation		
	Land Owner's Name		
	North Arrow		
	Lot Dimensions		
	Adjacent Public Roads and Rights-of-Way		
	Existing and Proposed Structures and their Dimensions		
	Location of All Drives and Entrances		
	Location of All Sidewalks and Trails		
	Location of All Signs		
	Location, Size, Number and Screening of All Parking Spaces		
	Landscaping Plan (if required)		
	Grading and Drainage Plan (if required)		

\*Refer to Zoning Matrix for setback requirements.

## Ordinance Provisions Applicable to Conditional Use Permits

Columbia County Zoning Ordinance Title 16 Chapter 100  
16-150-070 Conditional Use Permits – Review Procedure and Standards

- A. Purpose:** The purpose of this subsection is to provide the procedure and standards for the review of conditional use permit requests, and amendments to conditional use permits previously granted. All legal uses existing at the time of adoption of this chapter that now require a conditional use permit may continue. Any enlargement, structural alteration, modification or addition or intensification of the use shall require a conditional use permit under this chapter.
- B. Authority:** Subject to subsection C below the Planning and Zoning Committee, after a public hearing, shall within 60 days, grant or deny any application for a conditional use permit. Prior to granting or denying a conditional use permit, the Committee or applicable town board shall make findings of fact based on the evidence presented and issue a determination whether the criteria prescribed in the ordinance are met.
- C. Planning and Zoning Committee and Town Review and Approval.** The following procedures shall apply to conditional use permits.
1. Application: Make an appointment for an application meeting with staff from County Planning and Zoning Department to discuss the proposed conditional use and submit the application. The application for approval of a conditional use permit shall be made to the Planning and Zoning Department on forms furnished by the Department and shall include the following:
    - a. Names and addresses of the applicant, owner(s) of the property, architect and professional engineer (if applicable)
    - b. A narrative of the proposed conditional use which includes a description of the subject property by lot, block and recorded subdivision or metes and bounds; address of the site, types of structures and the proposed use(s).
    - c. A site plan which shall include a scalable drawing showing the location of all drives, entrances, sidewalks, trails and signs; the location, size, number and screening of all parking spaces. If required by this Chapter or the Department a landscaping plan; a grading and drainage plan; and a detailed proposal including covenants, agreements or other documents showing the ownership and method of assuring perpetual maintenance of land to be owned for used for common purposes.

This application will be accompanied by a fee which will be used by the County to process the application and provide notice to towns in accordance with subsection 2 below. The application will not be used to schedule a public hearing for the Planning and Zoning Committee until a public hearing fee is paid and either a written decision is provided by the town within the time period established in subsection 2 below or the time period has expired. An application for a Conditional Use Permit may only be withdrawn if there is a written mutual agreement between the applicant and the Planning and Zoning Department. The Planning and Zoning Committee may approve or deny a conditional use permit without the town action if the town board fails to act within the time period set forth in subsection 2 below.

2. The town board of the town where a conditional use is proposed shall be given notice and the opportunity to approve or disapprove a conditional use. After receipt of complete application the Planning and Zoning Department shall mail to the chair, clerk and plan commission chair of the town within which the conditional use is proposed, a copy of the application, all maps, plans and other documents submitted by the applicant. At the same time the Department shall provide an application summary which besides the application will include a site analysis, air photo and comments relative to the application/site. The town shall use the application sent by the County as the application, however, the town may charge application fees as they see appropriate to process the application. TA town may request supplemental information as part of their review process, but any change by the town to the information and plan submitted by the applicant and accepted as the County application may require the applicant to reapply under subsection 1 above. The town board shall indicate its approval or denial of the application for a condition use in wiring on a form provided by the Department. The decision must be made by the town within 60 days of the date of the preapplication report which the department mails to the town clerk, unless an extension is mutually agreeable between the town and the County. The request for an extension must be made by a letter from the Town Board or Town Chair and the Department response must also be by letter. The form

on which the town approval or denial is made in writing must be submitted to the Department within 15 days of the date of the town decision.

3. Either the Planning and Zoning Committee or town board may deny an application for the conditional use permit. If the town board decision is "denial" no further action will be taken by the Planning and Zoning Committee or Department. However, if a town approves a Conditional Use Application, the Planning and Zoning Committee may either approve, approve with conditions, or deny it. Town board and Planning and Zoning Committee decisions shall be supported by writing findings of facts. Written findings of fact shall, at a minimum, address the standards enumerated in subsection D below. All findings shall be based solely upon the evidence within the public record. Failure of the town board to provide written findings of fact as part of their decision shall be deemed as approval of the town board of whatever action the Planning and Zoning Committee may take.
4. The planning and Zoning Department shall fix a reasonable time and place for the public hearing on the conditional use permit and give public notice thereof pursuant to the applicable requirements of the Wisconsin Statutes. A copy of the notice of public hearing for the conditional use permit shall be mailed to the applicable town clerk and chair at least ten (10) days prior to the public hearing. The notice to the clerk will be sent by certified mail and chair will be by regular mail. Any staff report prepared by the Department for the public hearing will be mailed to the clerk and chair as soon as practicable. A copy of an application for a conditional use permit within a Shoreland/Wetland district and notice of a public hearing for the conditional use permit shall be mailed to the District Regional Office of the Department of Natural Resources at least (10) days prior to the public hearing.
5. The Planning and Zoning Committee shall transmit a copy of its decision, signed by the Director of Planning and Zoning to the applicant and Town within fifteen (15) days of the public hearing at which the decision is made.
6. Approval of a conditional use permit does not eliminate the requirement to obtain the appropriate building and zoning permits. If the conditional permit is not initiated by:
  - a. Securing a zoning permit; or
  - b. If more than one permit is necessary, securing at least one (1) zoning permit within one (1) year of the date of the public hearing the approval of the conditional use permit shall be considered void, and the applicant will have to reapply.
7. A copy of the Planning and Zoning Committee's decision on any conditional use permit within a Shoreland District area, as defined in Section 16-5-10, shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
8. No substantial changes can be made to an approved conditional use permit unless an amendment to the development plan is approved by the Planning and Zoning Committee and applicable town board per this Subchapter.

**D. Review Criteria.** In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making finding of fact for a decision.

1. The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the occupants of surrounding lands.
2. The use will be designed, constructed, operated and maintained so as to be compatible and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value or enjoyment of existing or future permitted uses in the area.
3. The erosion, potential of site based on topography, drainage, slope, soil type and vegetative cover.
4. The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands.

5. The site has adequate utilities including, if necessary, acceptable disposal systems.
6. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
7. The conditional use shall conform with the standards of the applicable district(s) in which it is located, and associated with the particular conditional use if specified in Subchapter 16-125

**E. Appeals of Committee or Town decision on Conditional Use Permits:** Proceedings for an appeal of the Planning and Zoning Committee's or Town's decision may be initiated by any person aggrieved, or by an officer, department, board or bureau of the County affected by the Committee's decision. An appeal must be made not more than 30 days from the date of the decision. The appeal shall be initiated by an application to the Zoning Administrator and shall be heard by the Board of Adjustment following the same procedure as an appeal to a Zoning Administrator decision included in Section 16-150-040C. A decision of the Planning and Zoning Committee or applicable town may only be reversed by the affirmative vote of four (4) members of the full Board. The County will process an appeal of the town denial of a conditional use permit but it is the town's responsibility to defend its decision before the Board of Adjustment.

**F. Application, recording and adherence to conditions:** The Planning and Zoning Committee and applicable town board shall have the authority to attach such conditions and restrictions upon the establishment, location, maintenance and operation of the conditional use as it deems necessary to ensure the conditional use adheres to the purpose and review criteria of this Subchapter and to this Chapter as a whole. If applicable and prior to commencing the authorized activity on the site and/or obtaining a zoning permit, the Zoning Administrator may require the property owner to record a notice against the property of the approved use, applicable plans and conditions of approval with the County Register of Deeds. If the applicable town board and the Planning and Zoning Committee both approve an application subject to conditions and restrictions the document containing the town board's conditions will be referred to in the decision but the County is not responsible for enforcing any town restrictions or conditions unless the town restrictions or conditions are specifically included in the County signed decision. In the event that the applicable town submits a finding of noncompliance with any condition or restriction for which the County has not assumed direct enforcement authority, upon written request by the applicable town, the County shall review the Conditional Use Permit for revocation under subsection 1. If a condition proposed by the Committee and the applicable town board is essentially the same and the Committee wishes to include the condition in its decision the more restrictive shall be included in the decision.

**G. Time limits associated with conditional uses:** If the conditional use permit is not initiated by securing at least one zoning permit – within one year of the date of the approval, the conditional use permit approval shall be considered void. The applicant may without fee apply for, and the Planning and Zoning Committee may grant, a one-time, twelve month extension, provided that a written request for extension is submitted before the original expiration date. If a use or activity associated with a previously approved conditional use permit ceases for twelve months or more after first being established on the property, the use will be deemed to have been terminated and the property owner or authorized agent must reapply and obtain approval of another conditional use permit before recommencing the use or activity.

**H. Effect of denial:** No application which has not been enacted under this Subchapter shall be resubmitted for a period of twelve months from the date of final Planning and Zoning Committee action or town denial, except on grounds of new evidence or proof of change of factors found valid by the Planning and Zoning Committee.

**I. Monitoring and potential revocation of a conditional use permit:** The Planning and Zoning Committee or Zoning Administrator may require evidence and guarantees as either may deem necessary as proof that approved plans are being followed, required conditions are being met and review criteria are being satisfied for conditional uses at all times. If the Planning and Zoning Committee finds that the review criteria of this section or the conditions attached to the permit are not being complied with, or upon written request by a town, the Planning and Zoning Committee, after a public hearing as provided for in this Subchapter, may revoke or alter the conditional use permit.