



Columbia County

Conditional Use Application

Planning & Zoning Department

Pursuant to Columbia County Ordinance 12.150.07(3)(a)

Phone: (608) 742-9660
www.co.columbia.wi.us

112 E. Edgewater St.
Portage, WI 53901

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

Parcel #: _____ File ID #: _____

Applicable Ordinance Section: _____

☐ \$50.00
Preapplication

☐ \$500.00
Conditional Use- Paid upon receipt of Town
Documents. Date Received: ____/____/____
P&Z Staff Initials: _____

Make checks payable to "Columbia County Treasurer". Credit Cards accepted. We do not issue refunds.

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: _____



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A permit issued by the Planning and Zoning Department may not encompass all matters necessary to be permitted in regards to the project. It is the applicant's sole responsibility to comply with applicable law and to review whether a permit(s) from any other Federal, State, County, Town (or other Municipality), or other applicable regulatory agency may be required. In addition, all applicants should contact their Town governments to review whether any additional building or UDC permits are required.

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.

Applicant agrees to and assumes all responsibility for the matter contemplated by the Application. Such includes, but is not limited to, those factual, alleged or otherwise asserted by any party, legal, monetary, or other considerations applicable to the performance, quality, sustainability or permanence, liability, timeliness, and/or legal compliance of the matter describe within the Application.

Pursuant to §59.691(3) Stats, the applicant must sign this application 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.

Zoning Permits issued by the Planning & Zoning Department must be posted in a prominent place on the premises prior to, and during the period of construction, alteration or movement.

A permit issued by the Planning & Zoning Department is issued reflective of the information and statements provided by the applicant. The provision of false, misleading, or fraudulent statements may cause a permit to be later revoked. With this understanding, I certify that all information provided in support of my application is true, accurate, and complete to the best of my knowledge.



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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)

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

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Property Owner Signature _____ **Date** _____

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Existing Zoning: _____

Permit # (s): _____

STAMP

Wetland Status: _____

Flood Plain Status: _____

Septic Permit #: _____ Evaluation? Yes No

Driveway Permit #: _____ Town Permit: _____

Amount Paid: \$ _____

NOTES:

Department Signature _____ Date: _____

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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REQUIREMENTS FOR PERMIT SUBMITTAL			
Owner's Check List	ITEMS NEEDED	Staff Check List	Info Needed
	Completed General Information Application Cover Sheet		
	Completed Conditional Use Application		
	Review Fee (Subsection 7.13)		
	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		
	REQUIREMENTS FOR OVERHEAD SITE PLAN		
	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 Chapter 12 Subchapter 100
12.150.07 Conditional Use Permits – Review Procedure and Standards

- (1) **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.
- (2) **Authority.** Subject to Subsection (3) 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 shall make findings of fact based on the evidence presented and issue a determination whether the criteria prescribed in the ordinance are met.
- (3) **Planning and Zoning Committee Review and Approval.** The following procedures shall apply to conditional use permits.
- (a) **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:
1. Names and addresses of the applicant, owner(s) of the property, architect, professional engineer if applicable.
 2. 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 proposed use(s).
 3. 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 or 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 written recommendations are 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.

- (b) The town board of the town where a conditional use is proposed shall be given notice and the opportunity to review 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. A 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 provide any recommended conditions for a conditional use in writing on a form provided by the Department. The recommendations 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 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 recommendations are made in writing must be submitted to the Department within 15 days of the date of the town meeting.

- (c) The Planning and Zoning Department shall fix a reasonable time and place for the public hearing on the conditional use permit following publication in the County of a class 2 notice under Ch. 985 of the Wisconsin Statutes. At the time of the first publication under this section, a copy of the notice of public hearing for conditional use permits shall also be mailed, by certified mail, to the applicable town clerk(s). A copy shall also be mailed by regular mail to the applicable town chair(s) and, where appropriate, to the District Regional Office of the Department of Natural Resources.
 - (d) The applicant must demonstrate that the application and conditions established by the County relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The County's decision to approve or deny the permit must be supported by substantial evidence.
 - (e) 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.
 - (f) Approval of a conditional use permit does not eliminate the requirement to obtain the appropriate building and zoning permits. If a zoning permit is required and the conditional use permit is not initiated by securing a zoning permit within one (1) year of the date of the public hearing, or 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 must reapply.
 - (g) A copy of the Planning and Zoning Committee's decision on any conditional use permit within a Shoreland District area, as defined in Section 12.505.01, shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
 - (h) 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 Subsection.
- (4) 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.
- (a) 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.
 - (b) 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.
 - (c) The erosion, potential of site based on topography, drainage, slope, soil type, and vegetative cover.
 - (d) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands.
 - (e) The site has adequate utilities including, if necessary, acceptable disposal systems.
 - (f) Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - (g) 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 [Section 12.125](#).
- (5) Appeals of Committee decision on conditional use permits.** Proceedings for an appeal of the Planning and Zoning Committee's decision may be initiated by any person aggrieved, or by any 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 filing 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 12.150.04\(3\)](#). A decision of the

Planning and Zoning Committee may only be reversed by the affirmative vote of four (4) members of the full Board.

- (6) Application, recording, and adherence to conditions.** The Planning and Zoning Committee 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 Subsection 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 notice against the property of the approved use, applicable plans, and conditions of approval with the County Register of Deeds.
- (7) 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.
- (8) Effect of denial.** No application which has not been enacted under this Subsection shall be resubmitted for a period of twelve months from the date of final Planning and Zoning Committee action, except on grounds of new evidence or proof of change of factors found valid by the Planning and Zoning Committee.
- (9) Monitoring and termination of a conditional use permit.**

 - (a) 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 Subsection, may terminate or alter the conditional use permit.
 - (b) The Conditional Use Permit may be terminated on request when the applicant or holder of the Conditional Use Permit and the property owner make a request in writing to the Planning and Zoning Committee that the Conditional Use be terminated and the Planning and Zoning Committee agrees to terminate said Conditional Use Permit. Notice of said termination is recorded in the Columbia County Register of Deeds Office if the decision for the Conditional Use Permit was recorded. The Planning and Zoning Department shall inform the applicable town of the termination no later than 15 days after the date of the Planning and Zoning Committee's decision to terminate the Conditional Use Permit.