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APPENDIX B

Town of _____
_____ County, Wisconsin

APPLICATIONS GUIDE

for

Land Divisions

Building Permits

Driveway Construction Permits

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Introduction

Purpose

After the adoption of the Town of _____ Comprehensive Plan in _____, the Town of _____ and _____ County have adopted ordinances and other land use policies. To facilitate understanding of these requirements and procedures, this Guide was developed. It replaces all other instructions for submitting the applications that it covers. This Guide will help you through various steps related to the different land use changes described. These steps will ensure careful consideration of your request. They will also ensure its compliance with the Town of _____ Comprehensive Plan, the goals of which are to maintain the Town's agricultural land and rural character and to preserve and protect the natural environment.

Comprehensive Plan

The first thing you should do if you are contemplating any new land use activity is to read and become familiar with the Town of _____ Comprehensive Plan. This plan was written to describe the Town's guidelines for future development. These guidelines were not designed to prevent development but to guide it, so that as development occurs, it does so in such a way that it meets the Town's long-term goals for expansion.

Ordinances

The second thing you should do is read and become familiar with the Town's ordinances that apply to the land use activity you are considering. These ordinances describe specific Town policies and requirements. **Full compliance with them is required.**

The Applications Guide

Once you have read the above documents, you are ready to look at this Guide. Because some of you are considering just one activity (for example, constructing a driveway), and because some activities will be staggered over time (for example, making land divisions and zoning changes in one year and filing necessary requests to build a new home in another), each type of land use change is described separately. While this involves some repetition of information when explaining the different land use activities, it makes each description for individual requests within the Guide complete. You can thus read just the sections you need without having to wade through rules that don't apply to your activity.

Multiple Requests

If your goal involves multiple activities such as dividing land, having it rezoned, and building a house, you will need to get several permits and approvals. Because you will need to follow a similar process for each type of request, you may save time,

frustration, and money if you combine your requests into one lump process rather than submitting multiple individual requests. Another benefit to combining requests is that you avoid the risk of applying for land use changes that are incompatible with each other. For example, if submitted individually, it might be possible to get approval for a land division and a driveway to a location that may not be suitable for building a house.

If you combine your requests, the "whole package" can be viewed at the same time, and many potential problems can be avoided. You will still need to follow all of the individual requirements, but you will only need to submit one set of exhibits that are common to multiple requests. Likewise, all site visits and public hearings that are required can also be combined. If you are not sure what the "whole package" may entail for your particular project, you can proceed with individual requests for the specific changes that you are certain about. In those cases, follow the instructions for the specific request that you are making.

Type of Land Use Changes

Land Divisions

Who Needs Them

All land divisions, except the ones exempted in the Land Division Ordinance, require approval by the Town Board. The Town makes all decisions on requests for land division in the Town of _____. The Town's policies and requirements regarding divisions of land can be found in the Town's Comprehensive Plan and the Town's Land Division Ordinance. (Available from the Town Clerk.) The County's policies can be found in the _____ County Land Division Regulations.

Before Applying

Before applying for a land division with the Town, you may wish to appear informally before the Town of _____ Plan Commission to explain your intent and be advised as to problems or concerns that will need to be addressed before you submit your request. Please note that this informal appearance is for informational purposes only and is not an official request to the Town and that the Town will not act without an application being filed and the proper fee paid.

Be aware that it is possible to create a parcel of land that will not meet the requirements for a building or driveway permit. The Comprehensive Plan and the Land Division Ordinance requires that a proposed land division not interfere with productive farmland, pose no threat to Town groundwater, and be suitable for reasons of flooding, sewage, erosion and the health, safety and welfare of the residents of the Town of _____. Any request that conflicts with these requirements or with other policies described in the Town Comprehensive Plan may be denied.

To Apply

Submit a Land Division Application and its appropriate fee to the Town of _____ Clerk. (Application packages are available from the Town Clerk **and at the _____ County Office of Planning and Zoning**.) With the application for the Town of _____, you should include the following exhibits:

- a. *Plat Map*
- b. *Aerial Photo/Site Analysis*
- c. *Soil/Slope Analysis*
- d. *Site Plan*
- e. *Environmental Assessment Checklist*
- f. *Statement of Intended Use*

See the Glossary for an explanation of these exhibits.

After Applying

Upon the receipt of the Land Division Application with exhibits and the application fee, the Town Clerk will develop a neighbor notification form, at the discretion of the

Town Board, which will be copied and sent to all adjoining landowners. (See *Neighbor Notifications* in the Glossary.) After completing this requirement, the Clerk will then schedule a site viewing by the Town of _____ Plan Commission and a put the application on the agenda for the next regularly scheduled meeting of that commission that falls after the 10-day notification period called for by the neighbor notification requirement. The applicant will be notified of the site viewing and meeting dates. It is necessary that you or your agent attend both the site viewing and the meeting at which the application will be reviewed. Failure to do so could result in a recommendation for denial of your application if questions arise that cannot be answered. If an agent is to present the application, it is recommended that the owner/applicant also be present. It is also possible that it might take more than one site viewing and/or Plan Commission meeting to resolve all of the necessary concerns.

The Public Hearing

The Town Board will consider the application for land division once a recommendation to approve, conditionally approve, or deny has been made by the Plan Commission. After consideration, the Board will approve, conditionally approve, or deny your application request.

A Public Hearing before the Town Board will be held, if requested, to allow the applicant to formally present his/her intentions for the land division. It is also the opportunity for neighbors and other residents of the community to express their concerns and to present other pertinent information to the Town Board. Questions from the Board as well as other residents may be posed to the applicant at this time. The Public Hearing is usually held after the Town Board has made its determination, but may be held concurrently to the decision-making process if the Board so wishes. The Public Hearing is also an opportunity for the Board to explain why the application failed or succeeded, and how changes to future applications may help to gain more favorable review.

Other Requirements

If the application is approved, you are required to submit to the Town Clerk a Certified Survey Map prepared by a registered land surveyor. The Town's final approval will be contingent on compliance with the instructions in the Land Division Ordinance regarding "Submission of a Certified Survey Map".

BUILDING PERMITS

Who Needs Them

All construction of new buildings, except those exempted in the Building Permit Ordinance, requires approval. Both the Town and the County require building permits. The Town policies on buildings and their location can be found in the Town Comprehensive Plan and the Town Building Ordinance. (Available from the Town Clerk.) The County policies can be found in the County's Building/Zoning Ordinances. (Available from the _____ County Planning and Zoning office.) No Building Permit will be issued until the driveway (if needed) is properly permitted according to the specifications of the Driveway Ordinance, and the Town has issued the driveway construction permit. Additionally, the Town must issue a Site Plan Approval. Before making a request to the Town, you should confirm with _____ County Planning and Zoning that the size and proposed location of the building conforms to the County zoning requirements.

To Apply

Submit a Town of _____ Building Permit Application and its appropriate fee and a Wisconsin Administrative Building Permit Application to the Town of _____ Clerk. (Application packages are available from the Town Clerk **and at the _____ County Planning and Zoning office.**)

After Applying

Upon the receipt of the Building Permit Application and the application fee, the Clerk will submit the application to the Town Board and the Plan Commission. The Clerk will then schedule a site viewing by the Town of _____ Plan Commission and a put the application on the agenda for the next regularly scheduled meeting of the Commission. The applicant will be notified of the site viewing and meeting dates. It is necessary that you or your agent attend both the site viewing and the Plan Commission meeting at which the application will be reviewed. Failure to do so could result in a recommendation for denial of your application if questions arise that cannot be answered. If an agent is to present the application, it is recommended that the owner/applicant also be present. After consideration, the Plan Commission will recommend that the Board approve, conditionally approve, or deny your request. If the Board approves the request, the following documents must be submitted to the Clerk before a Building Permit will be issued:

- a. *Land Division Approval* (if this property was divided from a larger one)
- b. *Site Plan Approval*
- c. *Town of _____ Driveway Construction Permit* (if driveway needed).
- d. _____ *County Zoning Permit*
- e. _____ *County Sanitary Permit* (for dwellings only)
- f. Completed *Wisconsin Administrative Building Permit Application*

See the Glossary for an explanation of those exhibits typed in italics.

The Public Hearing

A Public Hearing before the Town Board will be held, if requested, to allow the applicant to formally present his/her intentions for the building site. A Public Hearing is also an opportunity for the Board to explain why the Building Permit application failed or succeeded, and how changes to future applications may help to gain more favorable review.

Driveway Construction Permits

Who Needs Them

All new construction of, as well as and material changes to, private driveways in the Town of _____ require approval by the Town Board. Driveway Construction Permits are only required by the Town. However, _____ County and the State of Wisconsin regulate county and state highways in the Town, and approval from the appropriate government agency may be necessary from those levels of government as well. The Town's policies and requirements regarding the construction and modification of driveways can be found in the Town's Comprehensive Plan and the Town's Driveway Ordinance. (Available from the Town Clerk.)

Before Applying

Before applying for a Driveway Construction Permit with the Town, you may wish to appear informally before the Town of _____ Plan Commission to explain your intent, show the Commission a sketch map of the proposed, and listen to problems or concerns raised by the Commission that will need to be addressed before you submit your formal request. Please note that this informal appearance is for informational purposes only and is not an official request to the Town, and that the Town will not act without an application being filed and the proper fee paid. You may also wish to review the *Driveway Permit Objectives Checklist* in order to determine how your proposed driveway meets the Land Use policies and goals of the Town of _____ (see glossary for an explanation of *Driveway Permit Objectives Checklist*).

To Apply

Submit a Driveway Construction Permit Application and its appropriate fee to the Town of _____ Clerk. (Application packages are available from the Town **Clerk and at the _____ County Planning and Zoning office.**) With the application, you should include the following exhibits, as required:

- a. *Sketch Map*
- b. *Plat Map*
- c. *Aerial Photo/Site Analysis*
- d. *Soil/Slope Analysis*
- e. *Driveway Location Plan*
- f. *Driveway Construction Plan*
- g. *Other Necessary Documents*

See the Glossary for an explanation of these exhibits.

After Applying

Upon receipt of the Driveway Construction Permit Application with proper exhibits and the application fee, the Town Clerk will schedule a site viewing by the Town of _____ Plan Commission and/or Town Board, and will put the application on the agenda of the next regularly scheduled Plan Commission meeting. The applicant will be notified of the site viewing and the date of the meeting. It is necessary that you or your

agent attend both the site viewing and the meeting. Failure to do so could result in a recommendation for denial of your application if questions arise that cannot be answered. If an agent is to present the application, it is recommended that the owner/applicant also be present. It is also possible that it might take more than one site viewing and/or meeting to resolve all of the necessary concerns.

The Public Hearing

The Town Board will consider the application for the driveway once a recommendation to approve, conditionally approve, or deny has been made by the Plan Commission. After consideration, the Board will approve, conditionally approve, or deny your application request.

A Public Hearing before the Town Board will be held, if requested, to allow the applicant to formally present his/her intentions for the driveway project. It is also the opportunity for neighbors and other residents of the community to express their concerns and to present other pertinent information to the Town Board. Questions from the Board as well as other residents may be posed to the applicant at this time. The Public Hearing is usually held after the Town Board has made its determination, but may be held concurrently to the decision-making process if the Board so wishes. The Public Hearing is also an opportunity for the Board to explain why the application failed or succeeded, and how changes to future applications may help to gain more favorable review.

County Requirements

Some driveway construction projects may require a County Construction Permit. Check with _____ County Planning and Zoning to see if one is required for your project. If the proposed driveway enters onto a County highway, a County Access Permit will be required. Check with the _____ County Highway Department.

Other Requirements

A driveway inspection by the Town is required after the new construction or material change is completed to assure that this construction meets Town driveway specifications. When the construction or modification is completed, notify the Clerk who will make arrangements for this inspection. There is no additional cost for this inspection.

If the proposed driveway enters onto a State highway, a State permit will be required. Check with the Wisconsin Department of Transportation.

Glossary

Aerial Photo/Site Analysis. This is an 8½- by 11-inch copy taken from an aerial photograph of the section in the Town of _____ in which the property lies. If the property lies in 2 sections, you will need 2 aerial photos. On the photo(s), you should outline in black the boundary of the entire property. Outline in red the boundaries of any proposed land divisions or any parcel proposed for a zoning change. Then use colored highlighters to color in some of the natural features to help make them more visible. These features include agricultural land, woodlands, permanent streams and wetlands, and intermittent streams. Consider any land that is presently tilled or has been tilled (for example, land that is in CRP) as agricultural land. (The aerial photo is available from the _____ County Land Information office at 608-742-9616.)

Certified Survey Map. This map is prepared by a land surveyor registered in Wisconsin, and is required for all land divisions that create lots greater than 35 acres but less than 100 acres. The Certified Survey Map must comply with the requirements listed in sec. 236.34 of the Wisconsin Statutes and state survey standards.

County Sanitary Permit. This permit is required for all dwellings and mobile homes. (These permits are issued by the _____ County Planning and Zoning office at the _____ County Administration Building, 400 DeWitt Street, Portage, Wisconsin, 608-742-9660.)

County Zoning Permit. This permit is required to assure that all dwellings, mobile homes, and most outbuildings meet County zoning requirements. (These permits are issued by the Planning and Zoning office at the _____ County Administration Building, 400 DeWitt Street, Portage, Wisconsin, 608-742-9660.)

Driveway Construction Plan. This is an 8½ by 11-inch drawing of the proposed driveway showing the length, width, radius of all bends, and relationship to property lines, buildings, and existing roads. Also shown will be the location and size of all culverts, retaining walls, erosion controls, a material cross-section, and any areas that will require fill and/or cuts. Note: you may wish to make your initial drawing larger, and then just make a reduced copy for attachment to your Driveway Construction Permit Application.

Driveway Location Plan. Like the *Driveway Construction Plan*, this requires an 8½ by 11 – inch drawing of the proposed driveway. However, it is less detailed and is required for driveways that do not disturb land with more than a 12% slope, require no special erosion or drainage controls, and when the Town Board is able to make a decision based on the simpler drawing. The location plan drawing of the driveway shows the length, width, and radius of all bends, the driveway cross-section, and the relationship to property lines, buildings, and existing roads.

Driveway Permit Objectives Checklist. The Town Plan Commission and the Town Board may use this checklist in order to provide a consistent and fair review of driveway applications. The checklist lays out important land use policies and goals of the Town, and allows the Town to evaluate the effect of a proposed driveway. Copies of this checklist are included in the application packet from the Town. If not, it is available from the Town Clerk. You do not need to answer the questions in the checklist, but reviewing it may give you an idea of how successful your driveway application will be.

Environmental Assessment Checklist. This checklist is part of the Land Division Application packet, and must be submitted with the final materials. The assessment requires the owner to answer “yes” or “no” to a number of questions regarding the specific nature of the parcel to be divided. Questions in the checklist inquire about natural landforms, environmental resources, land history, traffic issues, and social concerns, among others. The checklist helps the owner/applicant review their proposed project and consider issues related to their land. It also obtains critical information regarding land resources in the Town of _____, and assists the Town in determining the suitability of the proposed land division.

Land Division Approval. The Town Board prepares a Land Division Approval once an applicant has met the requirements listed in the Town of _____ Land Division Ordinance and in the Town Comprehensive Plan. A signed Certified Survey Map may also be issued with the Approval. The Approval document should be attached to the Building Permit Application, along with the Certified Survey Map (if applicable), if the building site was divided from a larger parcel. A Building Permit cannot be issued if the Town has not issued a Land Division Approval when one is required.

Material Modifications. Material Modifications to an existing driveway require the owner to initiate the driveway construction permit application process if the current driveway does not meet construction specifications listed in the Town of _____ Driveway Ordinance. This is to make sure that reworked and repaired driveways in the Town are brought up to appropriate safety and construction standards. Normally, a driveway that currently meets the specifications is exempt from this process as long as the owner does not modify the driveway in a way that would require excavation, contouring, ditching, new culverts, or erosion controls. Work such as resurfacing, smoothing, or widening of an “up-to-spec” driveway usually will not require a permit. However, if the project seems to be a close call regarding the permit process, it is best for the owner to contact the Board informally to determine whether the application process is necessary. If a driveway is modified improperly, sanctions found in the Driveway Ordinance may apply.

Neighbor Notifications. This is a required notification of all landowners whose property adjoins the edges of your entire property to be developed by the Town Clerk at the discretion of the Town Board.

Other Driveway Documents. Other documents may be required in unique or unusual building locations to supplement the materials described in the Driveway Ordinance in order for the Plan Commission and Town Board to make a final decision on the driveway permit application. Such materials may include photographs, maps, deeds, correspondence, engineering plans, construction specs, technical product/material descriptions, and other items requested by the Plan Commission and/or Town Board.

Plat Map. This is a copy of the Town of _____ page from the _____ County plat book on which you should outline the entire property. (This is available from the Town Clerk.)

Sewage System Site Suitability. This is a letter from a certified soil tester confirming the site suitability of the proposed sewage system. Attached to this letter should be a copy of the site plan (described below) on which the acceptable sewage system locations are marked by the soil tester.

Site Plan. This is an 8½- by 11-inch close-up drawing or survey map drawn to scale showing the locations of all existing and proposed man-made features of the property. These include any dwellings, driveway, wells, and sewage system. In addition, the distances of any proposed dwelling unit and sewage system to the boundaries of the entire property and any parcel to be rezoned should be noted. Note: you may wish to make your initial drawing larger, and then just make a reduced copy for attachment to your application.

Site Plan Approval. The Town Board may issue this approval upon review of the site plan submitted with the Land Division Application or Building Permit Application. No Building Permit will be granted until the Town issues the Site Plan Approval.

Sketch Map. This is a rough sketch of a proposed driveway site that can be introduced during the initial, informal meeting with the Town Board to show the basic aspects of the proposed project. The sketch should show general location and measurements of the driveway relative to the road, the property boundaries, neighboring land uses, any relevant building sites, and/or any other information that will be helpful in describing the proposed project. The *sketch map* will be used by the Town Board to advise the applicant regarding the formal application process, which may help avoid potential problems before the applicant puts substantial effort toward the formal application.

Soil/Slope Analysis. This is a map identifying the types of soils and slopes on the property, generally available from _____ County Land Conservation (608-742-9670). It will show the soils on which no disturbance is allowed and the soils on which non-farm residential development should be avoided. On this map, outline in black the boundaries of your entire property. In addition, mark in red the boundaries of any proposed land divisions, any parcel proposed for a zoning change, any proposed dwelling site, or any proposed driveway. Color any soils on which development should be avoided in orange.

Statement of Intended Use. The applicant must describe the intended use (such as residential / recreation / agriculture / etc.) for a parcel to be divided from a larger parcel. This is to verify that the use is proper in consideration of county zoning requirements, Comprehensive Plan policies, and Town land use objectives. This description is intended as a safeguard for applicants to be sure that their project is viable, and that the eventual use of the divided parcel is legal.

Wisconsin Administrative Building Permit Application. This is a state form issued by the Wisconsin Department of Industry, Labor and Human Relations to cover 1- and 2-family dwellings. (Copies are available from the Clerk or Building Inspector.)

Application Fee Schedule

The following fees for all applications are as follows:

[The Town will need to determine its fees and insert here]

Applications requiring site views **[The Town can change the following numbers as it sees fit]**

For applications requiring site views, the Town of _____ charges the following costs/fees to cover the Town's costs/fees in reviewing your applications:

- (1) a nonrefundable fee of \$100.00 for the first time your applications and your site are reviewed by the Plan Commission and Town Board,
- (2) a nonrefundable fee of \$100.00 for each subsequent site view by the Plan Commission and Town Board, and
- (3) a refundable fee of \$500.00 for a Driveway Construction Permit for private driveways. This fee is collected before the initial construction of the first driveway grade and returned when the building is completed and the driveway has received its finish coat, and
- (4) any other costs incurred specifically because of your application(s). Examples of such costs are attorney fees related to deed restrictions required, other legal review, costs for the advice of consultants, costs of repairing damage to Town roads caused during driveway construction, etc. None of these costs are refundable.