

Big Flats Plan Commission Rezone Procedure

1104 County Rd C, Arkdale, WI 54613

APPLICATION FEE FOR REZONE: \$350

The following is a review of the overall procedure involved in applying for a Rezone of property.

- 1. Verification:** Applicant verifies current zoning with the Zoning Administrator.
- 2. Forms:** If a zoning change is desired, applicant obtains a Land Use Application and Rezone Procedure from the Zoning Administrator.
- 3. Application Submission:** The applicant is responsible to see that the Plan Commission receives all required paperwork for the request including, but not necessarily limited to: A Land Use Application form, completed and submitted to the town clerk before a public hearing date can be scheduled, presentation materials and plan maps. The complete legal description of the property must be listed on the application. This legal description can be obtained from the following: (1) Property tax bill (2) Plat of Survey (3) Title policy. The Land Use Application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a Trust, the Trustee must sign the application, provide proof of authority and the names and addresses of all those with a beneficial interest in the Trust. The application must be complete including an address and phone number where someone can be reached for questions or information.
- 4. Publishing and Notification:** Once all required paperwork is submitted to the Town Clerk, the applicants' petition will be placed on the Plan Commission public hearing agenda. Public hearings are scheduled on a first come, first served basis and are held at the Big Flats town hall. The Town Clerk, on behalf of the Plan Commission shall publish a Class 2 notice as specified in Ch. 985, Wis. Stats for a public hearing on the application to be held within 30 days after the date of publication.
- 5. Public Hearing:** The Plan Commission will hear the request, and refer to the Big Flats Comprehensive Plan and relevant ordinances etc. to determine if the request is appropriate and/or reasonable with regard to the overall plan, Future Land Use Plan Map and general welfare of the town, vote and forward recommendation of either approval or denial to the full Town Board. The Plan Commission does not require that the petitioner have an attorney; however, they may be represented by one if they wish. Petitioner, person's attorney or agent must attend the public hearing and present testimony. This presentation can be of any length and can involve any materials that are relevant to the petition. The Plan Commission does request that all presentations be kept as short as possible and also wishes to inform the petitioner that any materials presented as evidence may be kept permanently with the petition. Rationale for rezone must be given in narrative form by the petitioner. Provide information that the proposed rezone and associated structures will not be hazardous, harmful, offensive, or otherwise adverse to the general welfare of the community. The Commission may table a request if further information is required.

Items to be addressed at the public hearing are listed below:

- (1) Plan Commission findings
- (2) Petitioner
- (3) Persons appearing in support
- (4) Persons appearing in opposition

All questions arising from the public shall be directed to the Plan Commission Chairperson.

- 6. Recommendation and Decision:** After the Public Hearing, the Plan Commission will make a recommendation to the Town Board, the final decision will be made by the Town Board.⁽¹⁾ The petitioner may attend the Town Board meeting at which the decision will be made, however, it is not mandatory to be there. The Town Board will take action at the next Town Board meeting by one of the following:
 - Vote yes to the Plan Commission recommendation.
 - Vote no to the Plan Commission recommendation.
 - Table the request if more information is required.
 - Refer the matter back to the Plan Commission.

⁽¹⁾ If a rezone request is approved that is not consistent with the Big Flats Comprehensive Plan, the Plan must first be amended before rezone can take place.