

CONDITIONAL USE/SPECIAL EXCEPTION APPLICATION

Application to (circle one) governing body / committee / commission / zoning board

Date filed _____ \$400 fee paid (payable to Village of Arena)

	Owner/Agent	Contractor
Name		
Address		
Phone		

Address of Property _____

Tax Parcel number _____

Legal description ____ 1/4, ____ 1/4, S _____, T ____ N, R ____ E, Village of Arena

Lot Area and dimensions: _____ sq. feet Zoning District _____

Current use and improvements _____

Nature and disposition of any prior petition for appeal, variance or conditional use _____

Description of all nonconforming structures & uses on the property _____

Conditional use requested (ordinance section # & specific use): _____

General standards for approval:

Design/practices proposed to achieve standards:

Specific (design) standards for approval:

Design/practices proposed to achieve standards:

Attach a plat or other map of your site and detailed construction plans.

I certify that the information I have provided in the application is true and accurate.

Signed: _____ Date: _____

Remit to: Village of Arena, 345 West St. Arena, WI 53503

Village of Arena Code of Ordinances 18.125 Conditional Uses

- (1) **Permit.** The Village Board may authorize the Building Inspector to issue a conditional use permit for conditional uses after review and a public hearing, provided that such additional uses or structures are in accordance with the purpose and intent of this ordinance. The conditional use permits provided for in this paragraph are applicable to conditional uses and structures set forth in section 19.06 and its subsections as well as the conditional uses set forth in the section 18.125 and its subsections.
- (2) **Application.** Applications for conditional use permits shall be made in duplicate to the Building Inspector on forms provided by the Inspector. Such applications shall be forwarded to the Village Board on receipt by the Building Inspector. Such applications shall include where applicable:
 - (a) Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor and all opposite and abutting property owners of record.
 - (b) Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure, proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.
 - (c) Plat of survey prepared by a registered land surveyor showing all of the information required for a Permit under subsection 18.125.020(C), existing and proposed landscaping, and utility services information as required.
 - (d) Additional information as may be required by the Village Board, Consulting Engineer, Building or Health Officer.
 - (e) Fee receipt from the Village Clerk/Treasurer in the amount of \$400.00.
- (3) **Review and Approval.** The Village Board shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, drive-way locations, highway access, traffic generation and circulation, drainage, sewerage and water service information as required by this ordinance and the proposed operation. The Village Board shall hold a public hearing on the proposed

conditional use. Notice of time and place of such hearing shall be published not less than fifteen (15) nor more than thirty (30) days preceding said hearing and at least once in one or more newspapers of general circulation in the Village. The Village Clerk shall notify all abutting or opposite property owners, as listed by the applicant in the original application of the time, date and subject matter of the hearing. Failure to comply with this provision shall not however invalidate any previous or subsequent action on the application.

- (4) **Standards.** No conditional use shall be granted by the Village Board unless the Village board shall find:
- (a) That the establishment, maintenance or operation of the conditional use will be in strict conformance with the requirements of this ordinance.
 - (b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
 - (c) That adequate utilities, access road, drainage and/or necessary facilities have been or are being provided.
 - (d) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - (e) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
 - (f) **Added Conditions:** Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restriction, increased yards or parking requirements, may be required by the Village board upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.
- (5) **Denial-Re-submittal.** No application for a conditional use that has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of said order of denial except on the grounds of new evidence or proof of change of conditions found to be valid by the Building Inspector.

Expiration After One Year.18.125.090 Validity of conditional use permit.

Where the village board has approved or conditionally approved an application for a conditional use, such approval shall become null and void within 12 months of the date of the board's action unless the use is commenced, construction is underway or the current owner possesses a valid building permit under which construction is commenced within six months of the date of issuance and which shall not be renewed unless construction has commenced and is being diligently prosecuted. Approximately 45 days prior to the automatic revocation of such permit, the zoning administrator shall notify the holder by certified mail of such revocation. The board

may extend such permit for a period of 90 days for justifiable cause, if application is made to the village board at least 30 days before the expiration of said permit.