

Conditional Use/Special Exception Information

This application must be completed in its entirety. The application must accompany all information required for the public hearing notice and planning commission meeting requirements.

**Process**

At the time of application, you will be asked to:

1.  **Complete an application** form, completed checklist and submit a \$250 fee.
2.  **Provide detailed plans** and all information required for public hearing notice and commission meeting requirements.
3.  **Provide a written statement** of verifiable facts and information requested.
4.  **Publication Fees** shall be paid by the applicant and/or owner once submission to the official newspaper has been made and billed to you; and
5.  **Proof of publication** must be presented to the Inspection Department **BEFORE** the public hearing can be heard.

Following these steps, the Inspection Department will prepare and submit the required public hearing notice for your conditional use request in the City's official newspaper noting the location and time of the required public hearing before the Plan Commission. Your neighbors (within 100' of the property) will also be notified. The burden will be on you as property owner and/or agent to provide information upon which the commission may base its decision. At the public hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must present all information needed to the Plan Commission to decide in your favor. Unless you or your agent is present, the commission may not have sufficient information to vote and must then deny or table your application.

***Review Criteria for Conditional Uses Per 5.07.12.07 (7):***

(a) If the applicant meets, or agrees to meet, all of the applicable requirements specified in this Chapter and conditions imposed by the Plan Commission, or the City Council upon appeal, the Commission or Board shall under Section 62.23(7)(de)2.a. of Wisconsin Statutes grant the conditional use permit. The City may require written agreement from the applicant in a form prescribed by the City Attorney.

(b) Any decision to grant or deny the permit must be supported by substantial evidence, as that term is defined in Section 62.23(7)(de)1.b. of Wisconsin Statutes. Any condition or modification must be related to the purpose of this Chapter, reasonable, measurable to the extent practicable, and based on substantial evidence.

(c) To the extent consisted with subsections (a) and (b), no conditional use permit shall be granted unless the Plan Commission, or the City Council upon appeal, finds that the use authorized thereby meets the following standards:

1. Proposed use is consistent with the Comprehensive Plan and this Chapter.
2. Proposed use, in its proposed location and as depicted on the required site plan, will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare.
3. Proposed use maintains compatibility among land uses, land use intensities, and land use impacts as related to the environs of the subject property.
4. Proposed use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property.
5. The potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

***Review Criteria for Special Exceptions Per 5.07.12.08 (3):***

No special exception shall be granted unless the Plan Commission (or City Council on appeal) finds that the exception(s) authorized thereby, as limited by any enforceable conditions, will meet all of the following criteria:

- (a) Will be consistent with the purpose and intent of this Chapter and this Section.
- (b) Will be consistent with the Comprehensive Plan including any applicable guidelines therein.

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- (c) Will not negatively affect the reasonable use and development of nearby properties or the community.
- (d) Will be compatible with existing uses, structures, and other improvements visible from the subject site.
- (e) Will not be hazardous, harmful, or otherwise adverse to the natural environment and aesthetic value of the site, nearby properties, and the community.
- (f) Will not negatively affect the safe and efficient installation, use, and maintenance of public facilities serving the area, including but not limited to roadways, sidewalks and paths, and utilities.

In any case where a conditional use has not been established **within one year** after the date of granting thereof, then, without further action by the Plan Commission or the Common Council, the conditional use or authorization shall be null and void.

- (g) Is supported by evidence that normally applicable requirements do not sufficiently provide for the function of the proposed improvements, such as a highway visibility study for freestanding signage that exceeds normally applicable height or area requirements.

Planning Commission Date: \_\_\_\_\_

**Meeting location:** Rhinelanders City Hall, 135 S. Stevens Street, Rhinelanders, WI. 54501



## Conditional Use/Special Exception Application

**General information**

To be completed in its entirety by the applicant. Please provide all information requested; including a site plan and information about existing and proposed buildings; including adjacent properties and building locations.

**Pre-application meeting with staff:** Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with the Inspection Department staff (715-365-8600).

**Incomplete applications could result in delay or denial by the Planning Commission.**

Date of pre-application meeting: \_\_\_\_\_  Building Inspector/Zoning Administrator  
 City Administrator  Mayor  Inspection Department Staff

Date filed \_\_\_\_\_  \$300 fee paid (payable to *City of Rhinelanders*)

Form of Payment:  Check # \_\_\_\_\_  Cash

	Owner	Applicant/Agent
Name		
Address		
Phone		
Email		

Address Location of the request: \_\_\_\_\_

Current Property Zoned: \_\_\_\_\_ Tax parcel number: RH \_\_\_\_\_

Zoning Code of proposed Conditional Use/Special Exception: \_\_\_\_\_

**What is your interest** in the subject property:

Owner  Prospective Owner  Renter  Representative  Other: \_\_\_\_\_

**What is the current use** of the property:  Vacant  Residence (# of units: \_\_\_\_\_)  Business ( Comm/ Indust)

**What is the reason** or proposed use for the Conditional Use or Special Exception request: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Describe in detail** the nature of the proposed conditional use/ special exception request (use separate paper with details).

### 15 Copies of all submitted items must accompany application

Please do **NOT** include copies of the application or deed– only 1 (one) ORIGINAL application is required.

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## APPLICATION CHECKLIST

Address of subject location \_\_\_\_\_ RH# \_\_\_\_\_ Zoned: \_\_\_\_\_

**Prior to Application submittal:** Minimum of *30 days* prior to meeting date:

- Pre-Application meeting with staff

**Application submittal:** Minimum *20 days* prior to meeting date \_\_\_\_\_

**Will need the following:**

- Verification of performance standards listed in Zoning Code per the requested use/special exception (varies, ask Inspection Department for list)
- Site Plan with any alterations as may be proposed to accommodate the conditional use/special exception.
- Completed application
- Meeting fee \$250
- All information from Initial meeting

**Copy of one of the following:**

- Deed       Title Policy       Certified Survey Map with complete legal description.
- Fifteen (15)** copies of completed site plan, narrative with details of Conditional Use request and all information pertaining to requested CU to be distributed to the appropriate Committee members.

All public hearing notices and notification of the abutting property owners will be completed by the Inspection Department. ***Incomplete applications and information could result in delay or denial by the Planning Commission!***

- It is understood that the applicant or representative is required to be present at the scheduled meeting.
- It is understood that a Public Hearing will be held before a request for the above Conditional Use is, or is not approved.
- I certify that the information I have provided in this application is true and accurate; I acknowledge any statements implied and drawings submitted as fact require supporting evidence.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

- Owner       Agent       Applicant

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

### DECISION

The Plan Commission:       Approved       Denied

The Commission, in accordance with the findings of fact, hereby determines that the requested CU for: \_\_\_\_\_ (is) (is not) in compliance with all the standards for a Conditional Use or Special Exception.

Further finding of fact is stated on minutes of this public hearing.

Hearing Date: \_\_\_\_\_ Published Dates: \_\_\_\_\_