

Burnett County, WI

**LAND USE/ZONING ADMINISTRATIVE APPEAL APPLICATION, & REQUIREMENTS**

Administrative appeals are decided by the Board of Adjustment (BOA). The BOA is a quasi-judicial body which functions like a court. The BOA's duty is not to compromise ordinance provisions for a parcel owner's convenience, but to apply established legal criteria based on state laws, court decisions, and the Burnett County Code of Ordinances to a specific-fact situation.

**APPLICATION PROCESS (NOTE: PLEASE READ ENTIRE APPLICATION BEFORE PROCEEDING)**

At the time of application you will be asked to:

1. **Complete and return pages 2-7 of the application form and pay the required \$500.00 fee to the Land Services Department. The fee is non-refundable regardless of approval or denial; and**
2. **Provide detailed plans describing/demonstrating your proposed project AND a current survey (by a Wisconsin Professional Land Surveyor) showing the existing and proposed structures, improvements or site modifications. Preliminary surveys will not be accepted; the survey must meet all statutory requirements and be filed with the County Surveyor. Required items are to be shown by the surveyor on their map, not sketched on a map by applicant; and**
3. **Stake boundary corners and boundary lines, the footprint of all proposed improvements, and all other features pertaining to your project, so the BOA may inspect the site. This shall be done by your surveyor.**

When all three above items are complete, the Land Services Department will publish notice of your request for an administrative appeal in the County's official newspaper noting the location and time of the required public hearing before the BOA. Adjoining parcel owners and any affected state agencies will also be notified. The burden will be on you, as parcel owner, to provide information upon which the BOA may base its decision. At the hearing, any party may appear in-person, or may be represented by an agent or attorney. You or your agent must convince the BOA to make a ruling in your favor. The BOA must make its decision based solely on the evidence submitted at the time of hearing. Unless you or your agent is present, the BOA may not have sufficient evidence to rule in your favor which may result in the denial of your administrative appeal.

In order to appear on the BOA hearing agenda, the complete application and required fee (including all three above items) is due by the first Friday of the preceding month. *Example: an application submitted Friday May 5<sup>th</sup> would be heard by the BOA on the first Monday in June being June 5<sup>th</sup>.* If the BOA meeting falls on a federal holiday, it will be held on the following Monday. BOA hearings are held during the months of April – December on the first Monday of the month at 7:00 pm at the Burnett County Government Center in Siren, WI. This allows adequate site conditions for the BOA to review the site in person.







**Alternatives: (To be completed by the applicant):**

Describe alternatives to your proposal such as alternative locations, designs, and construction techniques. Attach a site map showing alternatives you have considered. If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

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**Part B: Construction Plans/Survey Map (To be completed and submitted by the applicant)**

**A plot plan drawing is required to be submitted along with this application. The plot plan drawing shall either be drawn to scale in feet or FULLY dimensioned in feet. Please note the scale used on the drawing. The plot plan drawing shall be on letter or legal size paper with North being at the top of the page. (Make sure all relevant items below are shown – check each relevant box):**

- Boundary lines, road right-of-ways, and road centerlines including distances to boundary lines, road right-of-ways and road centerlines for all existing and proposed structures/improvements on the parcel
- Ordinary High Water Mark (OHWM) and distances to it from all existing and proposed structures/improvements
- Provide Total Impervious Surface (IS) Percentages including new existing and proposed development. **This standard is only applicable if the proposed project is within 300' of the OHWM of any body of water.** You only need to count the impervious surfaces that are partially or entirely within 300' of the OHWM of a body of water. To calculate, divide the total existing and proposed impervious surfaces in square feet by the total square footage of the parcel above the OHWM. Then multiply that number by 100 to get a percentage. Example: **2,500** square feet of IS within 300' of OHWM ÷ **43,560** square foot parcel × **100** = **5.74%** impervious surfaces (1 acre = 43,560 square feet). Impervious surfaces include but are not limited to: building roofs, sidewalks, decks, patios, cement/asphalt/gravel driveways, etc. If the proposed project exceeds 15% impervious surface, mitigation is required. If the impervious surface exceeds 30%, you will need to apply for a variance. NOTE: If you are only **replacing existing** legally built structures **within the same footprint**, no impervious surface calculations are needed. Zoning reserves the right to require a survey when there are disputes over this calculation.
- Floodplain and wetland areas/boundaries and distances to them from all existing and proposed structures/improvements
- Existing and proposed structures/improvements on the parcel including all decks/porches/walkways/etc; must show dimensions for ALL items
- Existing and proposed sanitary system/well locations including distances to existing and proposed structures/improvements
- Heights for all existing and proposed structures/improvements NOTE: Height is measured from lowest adjacent grade to the highest roof peak
- (Commercial/Industrial Only)** Existing and proposed parking; must show dimensions and proposed number of stalls
- Existing and proposed driveways; must show dimensions and width NOTE: Driveways must have a cleared width of 20 ft and a cleared height of 13 ft, and sufficient turn-around space for rescue services to utilize

**\*List continues on next page\***



**Part D: Signature and date**

*(To be completed by the applicant and owner. If applicant and owner are different, then both need to sign the application.)*

**THIS APPLICATION CONSTITUTES NOTICE THAT ALL IMPROVEMENTS ARE SUBJECT TO ACCESS AND/OR REVIEW BY THE LOCAL MUNICIPALITY’S TAX ASSESSOR FOR THE PURPOSE OF TAX ASSESSMENT.**

I certify that the information I have provided in this application is true and accurate. I agree to allow County officials charged with administering county ordinances or other authorized persons to have access to the above-described parcel(s) at any reasonable time for the purpose of inspection. I understand that the appeal fee is non-refundable, regardless if the appeal is approved or denied. I understand that the fee for this application is only for the appeal request and if permits are required for the project that those will require separate fees. I understand that partial or incomplete applications will be returned to the applicant resulting in the application being removed from the hearing agenda, and the submittal deadlines will restart.

Signed \_\_\_\_\_ (Applicant) \_\_\_\_\_ (Date)

Signed \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

SUBMIT COMPLETED APPLICATION, MAPS, PLANS, AND FEE TO:

BURNETT COUNTY LAND SERVICES  
7410 COUNTY ROAD K, #120  
SIREN, WI 54872

APPLICATIONS WILL BE ACCEPTED VIA USPS, ANY STANDARD COURIER, OR IN PERSON. COMPLETE APPLICATIONS WITH ALL REQUIRED SUBMITALS MUST BE RECEIVED BY THE LAND USE/ZONING DEPARTMENT BY THE DEADLINE. PARTIAL OR INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT. ONLY COMPLETE APPLICATIONS WITH ALL REQUIRED SUBMITALS AND REQUIRED FEE WILL BE INCLUDED ON THE HEARING AGENDA. NO EMAIL OR FAX APPLICATIONS WILL BE ACCEPTED.

ONLY CHECK, MONEY ORDER, OR CASH PAYMENT WILL BE ACCPETED. CREDIT OR DEBIT CARDS ARE NOT ACCEPTED AT THIS TIME. MAKE CHECK PAYABLE TO: BURNETT COUNTY LAND SERVICES

Please call the Land Services Department if you have questions. 715-349-2109

Burnett County, WI ordinances can be found at: <http://www.burnettcounty.com/index.aspx?NID=1043>

**AREA BELOW THIS LINE RESERVED FOR LAND SERVICES STAFF COMMENTS ONLY**

**Date of staff site visit:** \_\_\_\_\_ **Initials of site visit staff:** \_\_\_\_\_

**Staff comments:**

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