Chapter 14, Article II, Division 2, Subdivision I

- **Sec. 14-74. - Zoning permit.**

(a)

Required. ~~No building shall be erected, moved or structurally altered until a zoning permit therefor shall have been applied for and issued~~. No new structure, new use of land, water or air or change in the use of land, water or air shall hereafter be permitted and no structure or part thereof shall hereafter be located, erected, moved, recon-structed, extended, enlarged, converted or structurally altered without a zoning permit.

(b)

Application. ~~Every application for a zoning permit shall be accompanied by a location sketch in duplicate, drawn to scale, showing the following:~~ Applications for a zoning permit shall be made to the Zoning Administrator and shall include the following where pertinent and necessary for proper review:

(1)

~~The location, actual shape and dimensions of the lot to be built upon;~~ Names and addresses of the applicant, owner of the site, architect, professional engineer and contractor.

(2)

~~The exact size and location on the lot of the proposed or existing building and accessory building;~~ Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

(3)

~~The lines within which the building shall be erected, altered or moved;~~ Plat of survey prepared by a land surveyor registered in the State of Wisconsin or other map drawn to scale and showing such of the following as may be required by the Zoning Administrator: the location, boundaries, dimensions, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; public utilities; off-street parking, loading areas and driveways; existing highway access restrictions; high water; channel, floodway and floodplain boundaries; and existing and proposed street, side and rear yards.

(4)

~~The existing or intended use of each building or part of a building;~~ Additional information as may be required by the Zoning Administrator or City Council.

~~(5)~~

~~The number of families the building is intended to accommodate; and~~

~~(6)~~

~~Such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for the enforcement of this article.~~

(c)

~~*Dimensions*. All dimensions shown relating to the location and size of the lot shall be based on an actual survey. The lot and the location of the building thereon shall be staked out on the ground before construction is started.~~ *Action*.

(1)

A zoning permit shall be granted or denied in writing by the Zoning Administrator within thirty (30) days of application and the applicant shall post such permit in a conspicuous place at the site.

(2)

The permit shall expire within six (6) months unless substantial work has commenced or within twelve (12) months after the issuance of the permit if the structure for which a permit is issued is not substantially completed, in which case of expiration, the application shall reapply for a zoning permit before commencing work on the structure.

(3)

Any permit issued in conflict with the provisions of this Chapter shall be null and void.

(d)

~~*Issuance or denial*. Except as otherwise provided in this article, the zoning administrator shall issue or refuse to issue a zoning permit within ten days after receipt of an application therefor. Refusal to issue a zoning permit shall be given in writing, with the reasons for such refusal.~~

~~(e)~~

Proper applicants generally. The following shall be considered proper applicants for a zoning permit or certificate of compliance under the terms of this article:

(1)

The record title owner under a properly recorded instrument of conveyance.

(2)

The vendee under a properly recorded land contract.

(3)

The vendee under a written contract of sale, agreement to sell, earnest money agreement or similar real estate agreement.

(4)

The duly authorized agent for any of the persons listed in this subsection.

~~(f)~~ (e)

Identification of proper applicants. The zoning administrator may request proper proof of the applicant showing that he/she is a proper applicant, under the terms of this article. His/her application for a zoning permit or certificate of compliance shall not be considered filed until such time as the requested proof is filed with the zoning administrator's office. The zoning administrator may revise the form of the application for a zoning permit and certificate of compliance to conform with the terms of this article. If the applicant is not the fee simple owner of the property involved, the name of any lienholder shall be included in the application.

~~(g)~~

~~*Time limitations.* Any zoning permit granted under this article shall become null and void within six months after it is issued if construction on the property for which the permit is granted has not been commenced within the six-month period. In all such cases where a permit has become null and void, a new application must be filed for a new zoning permit before any construction can commence at such location. All zoning permits granted under the terms of this article shall be valid for only 12 months. Zoning permits shall expire on the first anniversary date from their issuance. If a certificate of compliance has not been issued for the property by the expiration date of the zoning permit, application for a new zoning permit must be made in order to continue work on the premises involved.~~

~~(h)~~ (f)

Conditions for refusal; appeal procedure. The zoning administrator shall not issue a zoning permit for any property, the improvement of which might tend to interfere with the exterior lines of planned new streets, highways, parkways, parks or playgrounds or the exterior lines of planned widening or extending of existing streets, highways, parkways, parks or playgrounds. Any person who feels aggrieved by the decision of the zoning administrator may appeal to the zoning board of appeals, which has power in a specific case, by the vote of a majority of its members, to grant a permit for a building or such street, highway, parkway, park or playground, which will as little as practicable increase the cost of opening such street, highway, parkway, park or playground. Such board may impose reasonable requirements as a condition of granting such permit, which requirements shall be designed to promote the health, convenience, safety or general welfare of the city. Such board shall refuse a permit where the applicant will not be substantially damaged by placing his/her building outside the planned street, highway, parkway, park or playground.

~~(i)~~ (g)

Fees. Prior to issuing a zoning permit, the zoning administrator shall collect from the applicant, to defray the costs to the city of processing the application, a permit fee as provided in section 1-22.

~~(j)~~ (h)

Additional requirements. In addition to other requirements of this article, no building, land use or moving permit shall be issued unless:

(1)

Sanitary sewer and water is available or installation thereof has been approved by the council; or

(2)

Alternatively, a sanitary sewer system in accordance with Wis. Admin. Code § Comm 82.30 and related sections thereof has been approved for the premises and the premises is in compliance with Wis. Admin. Code §§ NR 112.01—112.25.

(Code 1999, § 13-1-223)