



# CONDITIONAL USE PERMIT

Village Hall, 89 Main Street West, PO Box 485

Milltown WI 54858

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## APPLICATION

Instructions: The Village has prepared instructions on what materials may be required along with a submitted application. Please review the instructions prior to filling out and submitting the application.

Submission of Materials: All application materials must be submitted to the Village Clerk at least 45 days prior to each meeting in order for the application to be placed on the agenda for review by the Plan Commission. Plan Commission meetings are typically the second Monday of each month at 6:00 pm at the Milltown Public Library.

Attendance: Attendance at Plan Commission and Village Board meetings is not required, but it is strongly advised that applicants or their representatives attend. Failure to attend can result in the denial or delay of review due to lack of information.

APPLICANT INFORMATION			
Name:		Phone:	Email:
Mailing Address, City, State, Zip:			
Applicant is (check one):	Owner <input type="checkbox"/>	Authorized Representative <input type="checkbox"/>	Other (describe): <input type="checkbox"/>
Owner Information (if different from Applicant)			
Name:		Phone:	Email:
Mailing Address, City, State, Zip:			

SITE INFORMATION	
Address, City, State, Zip (if no address, describe location):	
Tax Key:	151-
Current Use:	
Proposed Use:	
Current Zoning:	
Legal Description:	

ADDITIONAL MATERIALS REQUIRED WITH APPLICATION* (see Section 13-1-63 of the Zoning Code for more details)	
<input type="checkbox"/>	Site Plan*
<input type="checkbox"/>	Statement that the Conditional Use conforms to standards*
<input type="checkbox"/>	Plans showing the following: contours & soil types, high water mark and groundwater conditions; bedrock, vegetative cover, specifications for areas of proposed filling, grading, and lagooning; location of buildings, parking areas, traffic access, driveways, walkways, open spaces, and landscaping; plans of buildings, sewage disposal facilities, water supply systems and arrangements of operations.
<input type="checkbox"/>	Highway agency review
<input type="checkbox"/>	Additional information required by the Plan Commission or its designee or Village Staff.

\*Required





## INSTRUCTIONS

To protect and promote the public health, safety, and general welfare of the Village of Milltown and to implement the Village of Milltown's Comprehensive Plan, the Milltown Village Board adopted the Zoning Chapter of the Village Code.

A Conditional Use Permit application for a new conditional use, or for the alteration of an existing conditional use, shall be filed with the Village Clerk. Any person, firm, corporation or organization having a freehold interest or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest, and which is specifically enforceable in the land for which a conditional use is sought may file an application to use such land for one (1) or more of the conditional uses provided for in the zoning district in which such land is located. Applications and the Zoning Chapter can be found on the Village's website: <https://milltownvillage.com/>. Per the Zoning Chapter, applications shall include the following information/materials:

### Application Requirements (per Section 13-1-63 of the Zoning Chapter)

1. **Application on Form Provided by Village, Required.** The application consists of lines for owner / applicant information, as well as site specific information including address, tax key, current / proposed uses, current zoning, and property legal description. It also requires applicants to describe the reason for their request and provide sufficient justification for approval.
2. **Site Plan, Required.** A Site Plan showing the location, size and shape of the lot(s) involved, any proposed structures, and the existing and proposed use of each structure and lot. If a separate site plan review is required, an application and fee must be filed with the Village Clerk and reviewed by the Plan Commission.
3. **Statement that the Conditional Use Conforms to Standards, Required.** A statement in writing by the applicant and adequate evidence showing that the proposed conditional use shall conform to the standards set forth in Section 13-1-66.
4. **Additional Plans** may be required which show one or more of the following: contours & soil types, high water mark and groundwater conditions; bedrock, vegetative cover, specifications for areas of proposed filling, grading, and lagooning; location of buildings, parking areas, traffic access, driveways, walkways, open spaces, and landscaping; plans of buildings, sewage disposal facilities, water supply systems and arrangements of operations.
5. **Highway Agency Review** is required for any development within five hundred (500) feet of the existing or proposed rights-of-way of freeways, expressways and within one-half (1/2) mile of their existing or proposed interchange or turning lane rights-of-way.
6. **Additional Information** may be required. Plans, data, or other information as noted on the application form or application checklist, or as required by the Plan Commission, its designee, or Village Staff.

### Procedure (per Section 13-1-65 of the Zoning Chapter)

1. All applications are due with fee and required materials at least 45 days prior to each meeting. The Village of Milltown Plan Commission generally meets on the second Monday of the month at 6:00 pm in the Milltown Public Library.
2. Upon receipt of a complete application and all required materials, the Village Clerk will forward the request along to the Plan Commission for placement on an upcoming agenda.
3. The Plan Commission shall then hold a public hearing on each application for a conditional use at such time and place as shall be established by such Commission.

4. Notice of the time, place and purpose of such hearing shall be given by publication of a Class 2 Notice under the Wisconsin Statutes in the official Village newspaper. Notice of the time, place and purpose of such public hearing shall also be sent to the applicant, the Zoning Administrator, members of the Village Board and Plan Commission, and the owners of record as listed in the office of the Village Assessor who are owners of property in whole or in part situated within one hundred (100) feet of the boundaries of the properties affected, said notice to be sent at least ten (10) days prior to the date of such public hearing.
5. The Plan Commission shall report its advisory recommendations to the Village Board within thirty (30) days after a matter has been referred to the Commission. If such action has not been reported by the Plan Commission within thirty (30) days, the Village Board can act without such recommendation.
6. The Village Board may, by resolution, authorize the Zoning Administrator to issue a conditional use permit for either regular or limited conditional use after review, public hearing and advisory recommendation from the plan Commission, provided that such conditional use and involved structure(s) are found to be in accordance with the purpose and intent of this Zoning Code and are further found to be not hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community.

### **Conditions (per Section 13-1-68 of the Zoning Chapter)**

Prior to the granting of any conditional use, the Village Board may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified in Section 13-1-66 of the Zoning Chapter. In all cases in which conditional uses are granted, the Board shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. Such conditions may include specifications for, without limitation because of specific enumeration:

1. Landscaping
2. Type of construction
3. Construction commencement and completion dates
4. Sureties
5. Lighting
6. Fencing
7. Operational control
8. Hours of operation
9. Traffic circulation
10. Deed restrictions
11. Access restrictions
12. Setbacks and yards
13. Type of shore cover
14. Specified sewage disposal and water supply systems
15. Planting screens
16. Piers and docks
17. Increased parking
18. Duration of conditional use
19. Any other requirements necessary to fulfill the purpose and intent of the Zoning Chapter

## **Standards for Approval of a Conditional Use Permit (per Section 13-1-66 of the Zoning Chapter)**

No application for a conditional use shall be recommended for approval by the Plan Commission or granted by the Village Board unless such Commission and Board shall find all of the following conditions are present:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with the use of adjacent land.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
5. 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.
6. That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located.
7. That the proposed use does not violate flood plain regulations governing the site.
8. That, when applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission and Board shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objective of the zoning district.
9. That, in addition to passing upon a Conditional Use Permit, the Plan Commission and Board shall also evaluate the effect of the proposed use upon:
  - a. The maintenance of safe and healthful conditions.
  - b. The prevention and control of water pollution including sedimentation.
  - c. Existing topographic and drainage features and vegetative cover on the site.
  - d. The location of the site with respect to floodplains and floodways of rivers and streams.
  - e. The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
  - f. The location of the site with respect to existing or future access roads.
  - g. The need of the proposed use for a shore land location.
  - h. Its compatibility with uses on adjacent land.
  - i. The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.

Village Hall Office Hours: Monday – Friday, 8:00 am through 4:30 pm. Call us at (715) 825-3258 or email us at [milltownvillage@lakeland.ws](mailto:milltownvillage@lakeland.ws) to speak with our Clerk / Treasurer for assistance.