Dodge County
Land Resources and Parks Department

127 East Oak Street · Juneau, WI 53039-1329
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Administrative Appeals - Notice and Application

An administrative appeal is a legal process provided to resolve disputes regarding Land Use Code interpretation, including decisions regarding jurisdiction, district boundary locations, development standards and related measurements and procedures, and where the reasonableness of a zoning department order is challenged. Appeals from the decision of any review and decision-making body may be made by any person aggrieved or their agent, or by an officer, department, board, or bureau of the County, or by any affected town board. Such appeals shall be filed with the Land Resources and Parks Department or the review and decision-making body from whom the appeal is taken within 30 days after the date of written notice of the decision or order of the review and decision-making body. All appeals shall be in writing and on such forms as provided by the Land Resources and Parks Department and accompanied by the appropriate filing fee.

Every appeal shall state, at a minimum, what provision(s) of the Code is/are involved, what relief from the provision(s) is being sought, and the grounds on which the relief should be granted to the appellant. Appeals of decisions of the Land Use Administrator or the Planning, Development and Parks Committee shall be made to the Board of Adjustment, unless otherwise provided for in the Land Use Code. The Board of Adjustment will hold a public hearing on each appeal and, following the public hearing, act to approve or deny the appeal. Upon reaching a decision in an appeal, the Board of Adjustment will notify the appellant(s) after taking final action on an appeal. You will be asked to provide written materials and testimony at the public hearing in support of your appeal. Section 2.3.13 of the Dodge County Land Use Code contains the specific code provisions and details for the appeal process.

Process

At the time of application you will be asked to:

1. Complete an appeal application form and submit the application fee noted on the application;
2. Provide detailed plans describing your lot and project (location, dimensions, materials, limiting site conditions, etc);
3. Provide a written statement of verifiable facts describing the type of administrative decision being appealed; and
4. Provide a written statement describing what relief from the provision(s) is being sought and the grounds on which the relief should be granted to the appellant;

After a complete application is received by the Land Resources and Parks Department, the department will publish a notice of your request of the appeal in the county's official newspaper describing your appeal and noting the location and time of the required public hearing before the Board of Adjustment. All neighbors located within 300 feet of your property boundaries and any affected state or federal agency will also be notified of your request.

The board may conduct an onsite inspection of the site prior to the public hearing therefore it is important to have your lot lines, the proposed building footprint and any other features of your property related to your appeal clearly marked.

You will be required to provide information at the public hearing to the Board regarding your appeal. At the public hearing, you and other interested parties may appear in person or may be represented by an agent or attorney. If you or your agent do not appear at the public hearing, the board must deny your appeal and your application fee will be forfeited.

At the beginning of the public hearing, the chairman will read the public hearing notice and a staff report prepared by the Land Resources and Parks Department will be presented to the board. The appellant then will be asked to come forward and to provide information to the board regarding the appeal. After the board completes its questioning, the floor will be open to anyone in the audience wishing to speak or ask questions on the appeal. Following the public input, the applicant will have a final opportunity to address the board regarding the appeal. After all testimony is given, the public hearing will then be closed by the chairman and the next scheduled public hearing will be held.

If sufficient time remains after the public hearings are held, the board will meet to review the facts presented at the public hearing and will make a decision on the appeal. If sufficient time does not allow the board to make their decisions, the public hearing will be adjourned and the decisions will be made at a separate meeting, usually scheduled for the following morning. The applicant may be present during the review and decision making process, however, no additional testimony will be allowed regarding the appeal. A written decision will be filed in the office of the board and will be sent to the applicant and any other party requesting a copy of the decision. If you have any questions regarding the decision you are directed to contact the Dodge County Land Resources and Parks Department for assistance. **PLEASE NOTE**: An appeal decision may be appealed to circuit court by certiorari by any aggrieved party within 30 days of the filing of the written decision in the office of the board.

If you wish to file an appeal, please complete the attached application form and return it to the Dodge County Land Resources and Parks Department along with the application fee and the information requested in the application form.

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Administrative Appeal

τ THIS AREA FOR OFFICE USE ONLY τ	
Activity No.	**Issue Date:**
Application Date:	Receipt #:

Application Fee: $450 **(After the Fact Application Fee: $900)**

Names and Mailing Addresses	Property Description
Applicant (Agent)	Parcel Identification Number (PIN)
Street Address	Town
City • State • Zip Code	¼ ¼ Section T N R E
Property Owner (If different from applicant)	Subdivision or CSM #
Street Address	Site Address
City • State • Zip Code	Is this property connected to public sewer? ☐ Yes ☐ No

Address the following appeal criteria described in the Notice and Application. Attach additional sheets if necessary.

List the current use and improvements located on this site:

Provide a description of all nonconforming structures and uses on this site:

Reason for the appeal (Complete the section for the type of administrative decision being appealed)

ZONING DISTRICT BOUNDARY DISPUTE

List the location and zoning districts involved

Describe the petitioner's boundary location criteria:

Describe the petitioner's Boundary Determination and what relief the petitioner is seeking:

LAND USE CODE INTERPRETATION
List section and number of code
Describe petitioner's interpretation of the code and rationale for their interpretation and what relief the petitioner is seeking:
ADMINISTRATIVE DECISION / MEASUREMENT / ORDER IN DISPUTE
List the decision, measurement or order in dispute and what relief the petitioner is seeking:

CERTIFICATE

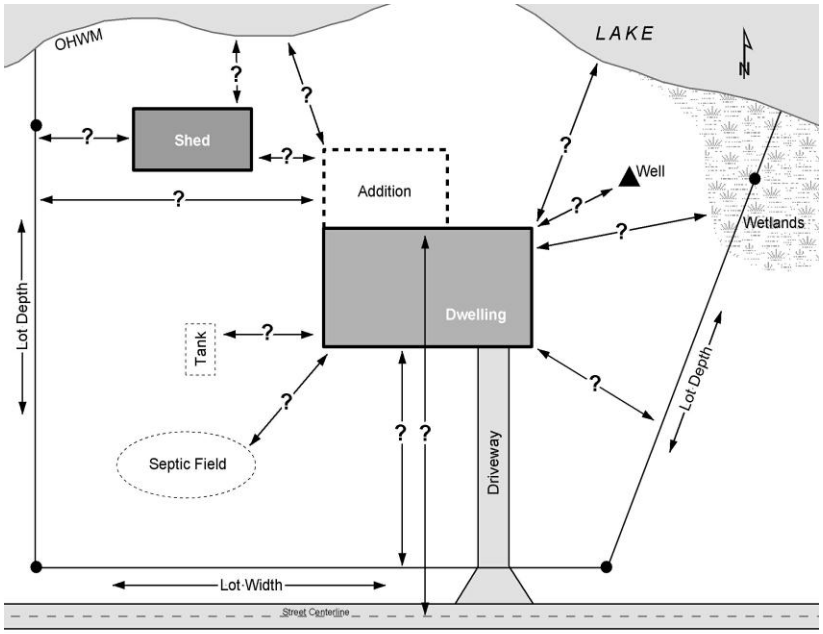
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and members of the Dodge County Board of Adjustment to enter the above described property for purposes of obtaining information pertinent to my application/appeal/variance request.

Signature of owner or authorized agent:_____ Date:_____

Daytime Contact Number (_____) _____-_____

SITE PLANS AND BUILDING PLANS

- All applications must be accompanied by a site plan. Figure 1 below is an example of an acceptable plan.



Site plans must be drawn to scale and/or all dimensions given, such as:
Location and dimensions of the project
Location and dimensions of existing structures
Dimensions of the property
Location and names of abutting roads, lakes & Streams
North arrow
Owner's name

Distances must be shown from the project to:

- Lot lines
- Road right-of-ways & centerline
- Water bodies Ordinary High Water Mark (O.H.W.M.)
- Septic & holding tanks
- Soil absorption systems
- Nearby structures (within 50 feet)