

**Village of Fall Creek
ZONING CHANGE PETITION APPLICATION**

§ 268-97. ZONING AMENDMENTS. The purpose ... is to provide a procedure for changing district boundaries, district regulations and other textual and map provisions of this chapter. Amendments may be initiated by the Plan Commission, Village Board or by owners of property proposed to be changed. A petition for an amendment shall be **FILED WITH THE ZONING ADMINISTRATOR.**

Today's Date _____

Address, or description of property involved: _____

Property Tax ID Number: _____

Describe the petition you are requesting: _____

Name/Address/Phone Number of
Person or Corporation filing for petition:

Name/Address/Phone Number of Property Owner
(if different from petitioner):

Complete one:

As Owner, I do hereby certify that the above information is true and correct to the best of my knowledge.

Owner's Signature

As Authorized Agent, I do hereby certify that the above information is true and correct to the best of my knowledge.

Authorized Agent's Signature

ADDITIONAL INFORMATION REQUIRED:
(Clerk's office and/or Zoning Administrator can assist in obtaining)

- Legal description of property involved (attach map showing exact property included in the zoning request)
- Accurate drawing of site and surrounding area for a distance of at least 300 feet from each boundary.
- List of names and addresses of adjacent property owners.

FILING FEE: \$75.00

Date Paid _____

Payment Received By _____

§ 268-97.C. REFERRAL TO PLAN COMMISSION. The Zoning Administrator shall refer the application for amendment to the Plan Commission. The Plan Commission shall hold at least one **PUBLIC HEARING** on the proposed amendment. The public hearing shall be recorded and filed in the Zoning Office. **NOTICE OF THE HEARING SHALL BE PUBLISHED NOT MORE THAN 30 DAYS AND NOT LESS THAN 15 DAYS BEFORE THE PUBLIC HEARING** in a newspaper of general circulation in the village. Owners of adjacent properties shall also be notified, in writing. Their failure to get the notice or attend the public hearing shall not invalidate the proceedings.

- Dates of Public Notice published in newspaper (attachments): _____
- Date Adjacent Property Owner's were notified (attachments): _____
- Date of Public Hearing/Plan Commission meeting: _____
- [] Copies of Agenda/Map/List of Adjacent Property Owners sent to Plan Commission

§ 268-97.D. ACTION BY PLAN COMMISSION. Within 30 days of the public hearing, the Plan Commission shall act on the proposed amendment. The Plan Commission shall transmit, in writing, to the Village Board its recommendation for the disposition of the application. The Commission shall make one of the following recommendations:

- Approve amendment as presented by the applicant
- Approve amendment with modifications
- Deny amendment

§ 268-97.E. DISPOSITION BY THE VILLAGE BOARD. Within 30 days of the receipt of the Plan Commission recommendation, the Village Board shall place the petition for amendment on its agenda.

- Date of Village Board meeting: _____
- [] Copies of Agenda/Map/List of Adjacent Property Owners sent to Village Board

§ 268-97.E.(1) THE VILLAGE BOARD SHALL ACT ON THE AMENDMENT BY:

- Approving amendment, provided that the standards of Subsection F of this section are met;
- Approving amendment with modifications, provided the standards of Subsection F of this section are met;
- Denying amendment.

- Date State Dept of Ag, Trade & Consumer Protection notified (if required): _____
- Date Clerk of Adjacent Municipality notified (if required): _____

§ 268-97.E.(2) Any proposed amendment which fails to receive the approval of the Plan Commission or has received a filed objection duly signed and acknowledged by the owners of 20% or more of the area to be rezoned, by the owners of 20% or more of the land immediately adjacent to the property extending 100 feet therefrom or by the owners of 20% or more of the land directly across the street and extending 100 feet in either direction shall not be approved by the Village Board except by a three-fourths vote of the Board members voting.

See W.S.S. 62.23(7)(d)2m in case of protest.

§ 268-97.F. STANDARDS. Prior to the Plan Commission recommending approval or the Village Board approving an amendment, each body shall determine that the proposed amendment will meet the following standards:

- (1) It will in no way endanger public health, safety, morals, comfort and general welfare.
- (2) It will not be injurious to the enjoyment of other property in the immediate vicinity.
- (3) It will not impede the orderly development and improvement of property in the village.