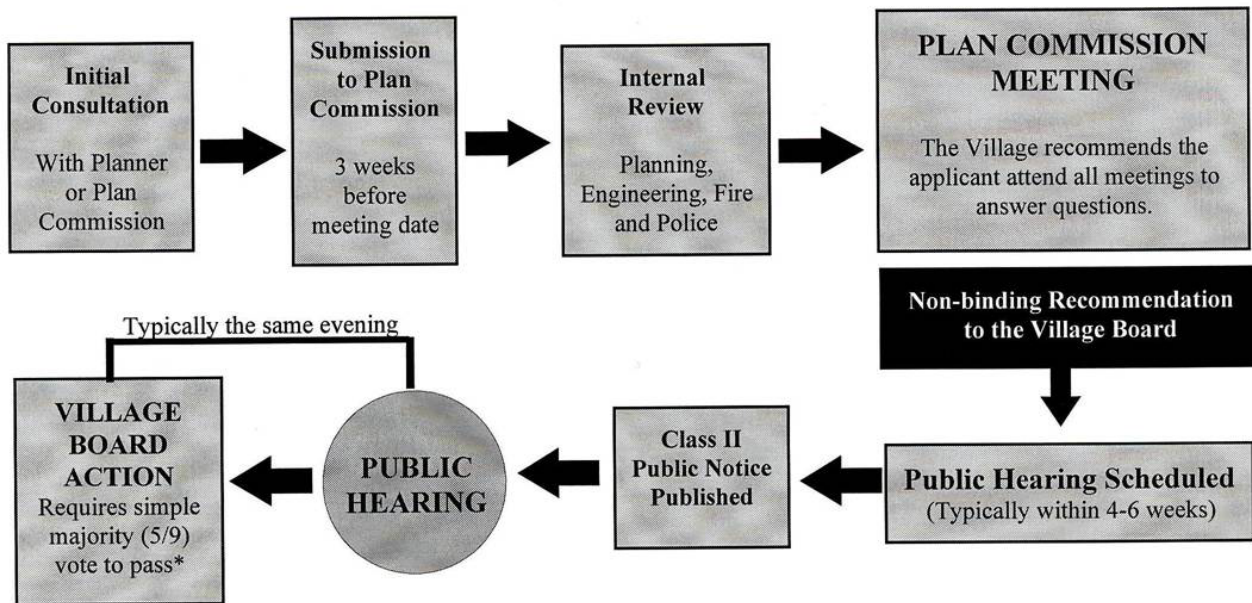




REZONING PROPERTY

Pursuant to Section 17.51 of the Municipal Code

All property within the Village of Germantown is divided into zoning districts. Each district has unique characteristics, including permitted uses, densities, lot coverage, building size, setbacks and other restrictions that ensure compatibility within each district and between zoning districts. The Zoning Code is adopted by the Village Board and is periodically updated. An owner of property may petition the Board to change a property's zoning to facilitate development or otherwise modify what is permitted on the property. The diagram below summarizes the rezoning process:



*In the event a valid protest petition is filed, a super-majority (7/9) vote is required to validate a rezoning petition [17.51(7)]

THE REZONING PROCESS

Three parties may legally rezone property in the Village: the owner may petition the Board, the Plan Commission may initiate the process and finally, the Board itself may rezone property as deemed appropriate. All amendments to the official Zoning Map require a public hearing at which neighbors and concerned citizens may voice their opinion and have it documented in the permanent Village record. The public hearing notice is published in local papers and is posted in Village Hall. On the night of the public hearing, the petitioner may address the Board and present any supporting documentation. Typically, the Board will vote on the rezoning on the same evening as the public hearing.

GETTING ON THE SCHEDULE

To initiate the rezoning process, the applicant must submit the following:

- APPLICATION FEE (\$1,085)
- SIGNED AND DATED APPLICATION
- METES AND BOUNDS LEGAL DESCRIPTION
- PLAT OF SURVEY (1:100)
- SUPPORTING DOCUMENTATION

All submissions must be complete and received in the Planning Department by 4:00 PM on the deadline date.

HOW LONG WILL IT TAKE?

Because the Rezoning process requires a public hearing, a Class II Legal Notice is required. Typically, after the Plan Commission considers the merits of a rezoning, a public hearing can be scheduled within one month, although it may take longer depending on the number of requests pending. While every attempt is made to place a complete application on the next agenda, it may not always be possible because of technical concerns with the application. The applicant should allow ample time for the approval process, in case resubmissions are necessary. Applicants should expect a three to six month timeframe to complete the entire Rezoning process.

HOW MUCH WILL IT COST?

Rezoning cost \$1085 per application. This application fee helps defray the cost of staff review and publishing legal notices. An applicant may request a partial refund if the application is withdrawn before a public hearing notice is published, although the applicant's intention to withdraw must be made in writing within one week of the initial Plan Commission meeting.

PRELIMINARY CONSULTATION?

The Village encourages applicants to schedule a brief meeting with Village staff to go over their applications and get feedback, especially if the applicant is new to the Germantown development process. This meeting is not mandatory, however, staff can help save time and frustration by guiding the applicant through the necessary approvals a project will require. An appointment should be scheduled before coming in.

CAN I REAPPLY?

An applicant may reapply for a Rezoning as often as possible. However, after the Village Board denies an application, the applicant must wait 90 days (Section 2.06 of the Municipal Code) before submitting a new application. Additionally, each "attempt" requires a new application fee.

HOW MANY COPIES?

The Village Plan Commission requires thirteen full size copies of any supporting documentation and thirteen reduced copies for the Village Board members.

CAN I APPEAL A DECISION?

The vote of the Village Board is final and binding. While an applicant may reapply for rezoning and supplement an application with additional information, a decision of the Board must be appealed through the circuit courts.

SUPPORTING DOCUMENTATION?

The applicant is responsible for building a case for the rezoning. While the Village may not require support documentation, an applicant may wish to the Board how a property will operate or be divided if a rezoning is issued, i.e. site plan, survey, architectural renderings, photos of similar projects, etc. All documentation is public information and is made available for review at the Planning Department.

METES & BOUNDS DESCRIPTION?

A correct metes and bounds description for the entire area being rezoned is required with each application. The metes and bounds description can be created by a surveyor or it may sometimes be found on a previous survey drawn. If the metes and bounds description has errors, the application will be removed from the next Plan Commission meeting until the description has been corrected.

CAN THE APPROVAL EXPIRE?

After the Village Board approves a conventional zoning amendment, the new zoning runs with the land and will not revert back unless changed again by the Village Board or Court Order. The only zoning classifications that may expire include Planned Development Districts. It is typical that a Planned Development District contains an expiration condition attached to the zoning approval. If the project is not under construction within the timeframe designated, the zoning reverts back to the original zoning classification.

WHERE DO I APPLY?

All applications to the Plan Commission are submitted to the Planning Department at the Germantown Village Hall. Submissions may be made in person or by mail.

QUESTIONS? Contact the Village Planner at:

Village of Germantown
N112 W17001 Mequon Road
P.O. Box 337
Germantown, WI 53022-0337

Phone: (262) 250-4735



Village of



Germantown

Willkommen

Fee must accompany application

\$1085 Paid _____ Date _____

\$200 Plan Commission Consultation

APPLICATION TO REZONE PROPERTY

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1

APPLICANT OR AGENT

PROPERTY OWNER

Phone () _____

Phone () _____

Fax () _____

E-Mail _____

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

--	--

3

REZONING REQUEST

FROM

TO

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

4

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

5

SUPPORTING DOCUMENTATION:

- Plat of Survey (1:100)
- Site Plan and elevations for new construction (can be conceptual)
- _____
- _____

6

READ AND INITIAL THE FOLLOWING:

_____ I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.

_____ I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.

_____ I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

7

SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Applicant Date

Owner Date