

# Change in Topography Application Town of Eagle (Waukesha County), Wisconsin

Town of Eagle  
820 E. Main Street  
Eagle, WI 53119

Version: January 17, 2020

**Overview:** Upon written petition, the Plan Commission may, on a case-by-case basis, grant a special exception for those development standards specifically noted as special exceptions in the zoning code. (See section 3 of this application for a listing). In making its decision, the Plan Commission must consider a variety of factors. General evaluation criteria apply to all special exceptions and special evaluation criteria may also apply.

**Governing regulations.** The procedures and standards governing the review of this application are found in Article 6 of the Town's zoning code.

**General instructions:** Complete this application and submit one copy to the Town Clerk along with the application fee noted below. Alternatively, you can submit your application online at <https://townofeagle.zoninghub.com>.

Before you formally submit your application, you may meet with the Town Planner who can answer any questions you may have. The Town Planner can also review your application before it is formally submitted to determine if it is complete and provides enough information to describe the circumstances related to this application. If you have any questions, do not hesitate to contact the Town Planner at (920) 728-2814 or via email at [tim.schwecke@civitekconsulting.com](mailto:tim.schwecke@civitekconsulting.com).

**Application fee:** \$50, plus charges for professional services consistent with the Town's chargeback policy; \$350 escrow deposit

**Application submittal deadline:** The Plan Commission and Town Board meet jointly, generally the first Monday of the month, to review certain types of development applications. This application must be submitted and determined to be complete by the Town Planner, no later than 30 days prior to the date established for the Plan Commission-Town Board meeting. Please contact the Town Planner to verify the deadline for a specific month.

1. **Applicant and agent information** Include the names of the agent, if any, that helped prepare this application including the supplemental information. Examples include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Applicant</u>	<u>Agent</u>
Name	_____	_____
Street address	_____	_____
City, state, zip code	_____	_____
Daytime telephone	_____	_____
Email address	_____	_____

2. **Subject property information**

Physical address \_\_\_\_\_

Tax key number(s) EGLT- \_\_\_\_\_ EGLT - \_\_\_\_\_ EGLT - \_\_\_\_\_ EGLT - \_\_\_\_\_

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Town Clerk.

Is the subject property currently in violation of the Town's zoning code as determined by the Zoning Administrator?

- No  
 Yes

If yes, please explain.

Comment: Pursuant to Section 500.106 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- No  
 Yes

If yes, please explain.

Comment: Pursuant to Section 500.107 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

**3. Zoning information.** The subject property is located in the following zoning district(s). (check all that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> P-1 Public            | <input type="checkbox"/> AP Agricultural land preservation | <input type="checkbox"/> B-2 Local business     |
| <input type="checkbox"/> Q-1 Quarry            | <input type="checkbox"/> RR Rural residential              | <input type="checkbox"/> B-4 Mixed business     |
| <input type="checkbox"/> C-1 Conservancy       | <input type="checkbox"/> R-1 Residential                   | <input type="checkbox"/> M-1 Limited industrial |
| <input type="checkbox"/> UC Upland conservancy | <input type="checkbox"/> B-1 Neighborhood business         | <input type="checkbox"/> M-2 General industrial |

**4. Description of proposed work.** Describe the nature of the proposed work, including materials to be used, construction specifications, and quantity of fill materials added, removed, or relocated.

**5. Evaluation criteria.** The factors listed below will be used in evaluating this application. You may respond to the extent you deem appropriate.

1. The stability of the proposed slope.
2. The aesthetic impact.
3. The potential for adverse drainage.
4. The potential impact upon neighboring properties.
5. The potential impact upon environmentally sensitive areas.
6. The potential impact upon existing lakes and streams.
7. The potential impact on roadways and other infrastructure.
8. Public safety.
9. The length, height, design, and location of any retaining walls or berms.
10. Whether a retaining wall is needed to stabilize the grade or control soil erosion based on existing topography.
11. How the proposed activity fits with the master grading plan, if applicable.
12. Proposed landscaping and screening.
13. The materials used and source for fill, landscaping, and retaining walls.
14. The amount of land disturbance in relation to the size of the subject property.
15. Proposed pond size, use, location, design, landscaping, and water source.
16. Any other factor that relates to the purposes of the zoning code as set forth in s. 500.05 or as allowed by state law.

**6. Supplemental materials.** Attach the following to this application form.

1. A project map with the information listed in Appendix A of the zoning code.
2. Proposed construction plans (if applicable)
3. Cross-sections as may be needed to describe the extent in the topography

**7. Attachments.** List any attachments included with your application.

**8. Other information.** You may provide any other information you feel is relevant to the review of your application.

**9. Applicant certification**

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the Town's chargeback policy. The signed chargeback form is attached.
- I understand that submission of this application authorizes town officials, Plan Commission members, Town Board members, employees, and other designated agents to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.

- I understand that the Town Planner will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Applicant Signature(s):

Date:

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**TOWN OF EAGLE PROFESSIONAL SERVICES REIMBURSEMENT NOTICE**

**PLEASE READ AND SIGN THE FOLLOWING NOTICE:**

As set forth in Ordinance 07-04, as amended, the Town of Eagle has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, Town Building Inspector or any other of the Town’s professional staff results in a charge to the Town for that professional’s time and services, and such services is not a service supplied to the Town as a whole, the Town Clerk shall charge that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. Also, pursuant to the Town of Eagle Ordinance, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved, and that any unpaid charges may be assigned by the Town as a special assessment or special charge to the subject property as allowed by state law.

I/we, the undersigned, have been advised that, pursuant to the Town of Eagle, if the Town Planner, Town Engineer, Town Attorney, Town Building Inspector or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town even if my/our request is not approved. In addition, I/we have been advised that pursuant to the Town of Eagle, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved.

You will receive your first bill once charges are incurred or your issue is closed. Bills will be sent as charges become available so you are kept up to date regarding your current charges.

**PLEASE PRINT LEGIBLY**

Name & Mailing Address of the Property Owner:

\_\_\_\_\_  
Phone \_\_\_\_\_

Name & Address of Petitioner/Responsible Party for Billing (if different from above):

\_\_\_\_\_  
Phone \_\_\_\_\_

Tax Key No. of the Property Involved in the Request: EGLT \_\_\_\_\_

Request for: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Signature of Property Owner and/or Responsible Party:

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Petitioner

Phone \_\_\_\_\_ Date \_\_\_\_\_

Phone \_\_\_\_\_ Date \_\_\_\_\_

E-Mail Address \_\_\_\_\_

E-Mail Address \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness and Date

\_\_\_\_\_  
Signature of Town Official and Date

**A copy of this completed form shall be provided to the Town Clerk for billing purposes.**