



Registration of a Nonconforming Use Town of Mukwonago

Version: December 24, 2020

Town of Mukwonago
W320 S8315 Beulah Road
Mukwonago, WI 53149

Overview: There may be now or in the future certain uses of land that are not in compliance with the Town's zoning regulations, but which were legally established. These uses are referred to as "legal nonconforming uses," and are allowed to continue to operate as set forth in Article 11 of the Town's zoning code (Chapter 36). For this reason, it is necessary to document those uses that are considered legal nonconforming. Registration of a use as a nonconforming use provides documentary evidence establishing (1) when the use was first established; (2) that the use at the time of establishment was done consistent with the rules and regulations in effect at the time, if any; (3) that it has continued continuously, without cessation of more than 12 continuous months; and (4) the nature of the use.

As part of its review, the Plan Commission may determine that the use was not legally established, was illegally expanded, or was legally established but has ceased to operate continuously.

Governing regulations: The procedures and standards governing the review of this application are found in Article 5 of the Town's zoning code (Chapter 36).

General instructions: Application materials should be submitted to the Town Clerk at the mailing address shown above or online at <https://townofmukwonago.zoninghub.com/tools/OnlineApplication.aspx>. If you have any questions, do not hesitate to contact the Town Planner at (262) 204-2350 or via email at ben.greenberg@cedarcorp.com.

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) MUKT-_____ MUKT-_____ MUKT-_____ MUKT-_____

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

- | | | | | | | |
|---|------------------------------|------------------|------------------------------|----------------|-----------------------------|----------------------------------|
| Current zoning classification (check all that apply) | <input type="checkbox"/> C-1 | Conservancy | <input type="checkbox"/> R-1 | Residential | <input type="checkbox"/> EC | Environmental corridor (overlay) |
| | <input type="checkbox"/> A-1 | Agricultural | <input type="checkbox"/> R-2 | Residential | <input type="checkbox"/> HS | Hydric soils (overlay) |
| | <input type="checkbox"/> RH | Rural home | <input type="checkbox"/> B-2 | Local business | | |
| | <input type="checkbox"/> SE | Suburban estates | <input type="checkbox"/> P-1 | Public | | |

3. **Nonconforming use description.** Provide the following information for the nonconforming use:

- (1) the date, or approximate date, the use was first established or believed to be first established;
- (2) evidence showing that the use at the time of establishment was legally established;
- (3) the date, or approximate date, when the use became nonconforming;
- (4) the section of the zoning regulation causing the use to be nonconforming;
- (5) evidence showing that the use has continued from the date, or approximate date, of establishment to the current date without an interruption of more than 12 continuous months; and
- (6) the nature of the use and location on the property.

Sources of such information may be derived from any of the following:

- (1) written document (e.g., business license, meeting minutes, reports, planning documents, or a permit or other authorization) maintained by a local, state, or federal governmental body;
- (2) a newspaper article;
- (3) a dated photograph;
- (4) an aerial photograph;
- (5) a sworn affidavit supplied by the applicant or any other person; and
- (6) any other authoritative source as approved by the zoning administrator.

Attach a map to this application to clearly show where all of the existing land uses are located, including those that are conforming.

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4. Attachments. List any attachments included with your application.

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

6. 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 sections 2-2 and 2-3 of the Town of Mukwonago municipal code.
- 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.
- 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.

Applicant name:

Date:
