

ARTICLE N

Changes and Amendments to the Zoning Code

(Revised Ord. 2010-04, May 11, 2010)

SEC 13-1-180 AUTHORITY.

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Village Board may, by ordinance, change the district boundaries established by this Chapter and the Zoning Map incorporated herein and/or the Supplementary Floodland Zoning Map incorporated herein, or amend, change or supplement the text of the regulations established by this Chapter or amendments thereto. Such change or amendment shall be subject to the review of the Village Board.

SEC. 13-1-181 INITIATION OF CHANGES OR AMENDMENTS.

- (a) **Who May Initiate Petitions.** Petitions to amend the Zoning Code may be initiated by the Village Board or Plan Commission. Petitions to amend zoning districts may, in addition, be initiated by any person owning real estate, provided that the proposed amendment affects real estate owned by such person or a larger parcel that includes real estate owned by such person.
- (b) **Form of Application.** The Plan Commission shall direct that application forms for Zoning Code amendment petitions be developed and approved by the Commission and that such, or close equivalents, shall be used to initiate amendment petitions.

SEC. 13-1-182 PROCEDURE FOR CHANGES OR AMENDMENTS.

- (a) **Application.** Petitions for any change to the district boundaries and map(s) or amendments to the text regulations shall be addressed to the Village Board and shall be filed with the Zoning Administrator, describe the premises to be rezoned or the portions of text of regulations to be amended, list the reasons justifying the petition, specify the proposed use, if applicable, and have attached the following, if petition be for change of district boundaries:
 - (1) Plot plan, drawn to a scale of one (1) inch equals one hundred (100) feet showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts and the location and existing use of all properties within three hundred (300) feet of the area proposed to be rezoned.
 - (2) Owners' names and addresses of all properties lying within two hundred (200) feet of the area proposed to be rezoned.
 - (3) The application shall contain a nonrefundable fee receipt in the amount as set by resolution. See Village Clerk for fee schedule. (Rev. 8/10 Ord. 2010-07)
- (b) **Hearings.**
 - (1) The Plan Commission shall establish a date for public hearing before the Plan Commission on all proposals for zoning amendments. Class 2 notice shall be given prior to such hearing in accordance with Wis. Stats. 985, which requires two (2) consecutive insertions, the last of which shall be at

least one (1) week before the hearing. At least ten (10) days' prior written notice shall be given to the Clerk of any municipality whose boundaries are within one thousand (1,000) feet of any lands affected by a proposed change in zoning district boundaries. Failure to give such notice to nearby municipalities shall not invalidate the hearing or the change, if adopted. The public hearing shall be conducted by the Plan Commission in accord with the notice, unless recessed and rescheduled in accord with state law.

- (2) At least ten (10) days' prior written notice shall be given by ordinary mail to owners of record of all lots or parcels within two hundred (200) feet of the area proposed to be rezoned.
- (c) **Village Board's Action.** Following such hearing, the Plan Commission shall make a recommendation on the proposed ordinance effecting the proposed change or amendment. The Village Board shall then review the recommendation and make its determination.

SEC. 13-1-183 PROTEST.

- (a) In the event of a protest against amendment to the zoning map, duly signed and acknowledged by the owners of twenty (20) percent or more, either of the areas of the land included in such proposed change, or by the owners of twenty (20) percent or more of the land immediately adjacent extending one hundred (100) feet there from, or by the owners of twenty (20) percent or more of the land directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of three-fourths (3/4) of the full Village Board membership.
- (b) In the event of protest against amendment to the text of the regulations of this Chapter, duly signed and acknowledged by twenty (20) percent of the number of persons casting ballots in the last general election, it shall cause a three-fourths (3/4) vote of the full Village Board membership to adopt such amendment.

SEC. 13-1-184 THROUGH SEC. 13-1-189 RESERVED FOR FUTURE USE.