

Appeal of the Conservation, Planning, and Zoning Committee Decision

What is an appeal of the Conservation, Planning, and Zoning Committee Decision?

An appeal of the Conservation, Planning, and Zoning Committee decision is a legal process provided to resolve disputes regarding subject matter jurisdiction, proper procedure, proper standards, and de novo review regarding decisions made on conditional use permit requests by the Committee. Appeals of the Conservation, Planning, and Zoning Committee are made to the Sauk County Board of Adjustment.

Filing an appeal of the Committee's decision with the Sauk County Conservation, Planning, and Zoning Department must occur not more than 30 days from the date of the decision. The Sauk County Board of Adjustment will consider the appeal. The Board will decide whether to reverse the decision, affirm, or modify the decision. An appeal shall stay all proceedings in furtherance of the action appealed, unless the zoning administrator can certify to the Board of Adjustment after the notice of appeal that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property.

Board of Adjustment decisions may, within 30 days after the filing of the decision in the CPZ Department, be appealed to circuit court.

Process

1. Contact the CPZ Department to schedule a meeting to review your potential request.
2. Complete the Appeal of the Conservation, Planning, and Zoning Committee Application and provide all the supplemental items to the CPZ Department by the filing deadline.
3. Review such application with the appropriate staff member to determine completeness.
4. If the application is complete, CPZ staff will publish notice of your request for an appeal in the County's official newspaper noting the location and time of the required public hearing before the Board of Adjustment. Neighbors, town officials, and affected state agencies will be notified as well.
5. A public hearing will be held before the Board of Adjustment. Either the property owner or designated agent will need to be present at the hearing to provide testimony regarding the request. The Board of Adjustment must make a decision based only on the evidence that is submitted to it at the time of the hearing.
6. If the aggrieved party believes substantial justice is not done, the party may appeal the decision to circuit court.