



*"In the Spirit of Town Government"*

**TOWN OF BUCHANAN**  
**N178 COUNTY RD N, APPLETON, WI 54915**  
**Phone: (920) 734-8599 Fax: (920) 734-9733**

**APPLICATION FOR: APPEAL OF ZONING DECISION**

Application Date: \_\_\_\_\_

Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board or the Building Inspector or other administrative officer. Such appeal shall be taken within 60 days of the order, requirement, decision or determination appealed from by filing with the Zoning Administrator and with the Board a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. The Board may request the applicant to provide additional information as may be needed to determine the case.

A public hearing shall be scheduled by the Town Administrator with the Town Board of Appeals within 60 days of filing. A Class 2 Public Notice shall be completed by the Town.

**Applicant**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

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

**Owner**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**Engineer/Surveyor** (if applicable)

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**Legal Description of Property:** \_\_\_\_\_

(Parcel No. or platted Subdivision Name with Lot No.)

**Current Zoning District:** \_\_\_\_\_

**Current Use of Property:** \_\_\_\_\_

This request is for an Appeal under the terms of Section § \_\_\_\_\_ of the Town of Buchanan Zoning Code.

**Submittal Requirements:**

- A plot plan, drawn to scale, showing the area involved, its location, dimensions and the location of any structures on the property and the location, if appropriate, of any structures within 300 feet of the property in question.
- A statement addressing the alleged error in an order, decision or determination made by a Town administrative official (Reason for appeal)
- A statement addressing why the administrative decision should be reversed or modified (Reference Zoning Code).
- Non-refundable fee paid per Buchanan Fees & Licenses Schedule.
- Completed application form.
- Total of four (4) copies of application and attachments.

**Process for an Appeal:**

- A. The Board of Appeals shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter. The Board may reverse or, affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.
- B. Procedures. Appeals to the Board may be taken by any person aggrieved or by any officer, department, board or the Building Inspector or other administrative officer. Such appeal shall be taken within 60 days of the order, requirement, decision or determination appealed from by filing with the Zoning Administrator and with the Board a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. The Board may request the applicant to provide additional information as may be needed to determine the case.
- C. Stays. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify to the Board after the notice of appeal shall have been filed with him/her that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.
- D. Withdrawal or amendment.
  - (1) If the applicant elects to withdraw the appeal any time before final determination is made by the Board, this fact shall be noted on the application, with the signature of the applicant attesting withdrawal. Copies of the withdrawn application shall be returned to the files of the Board, to the Building Inspector or officer and to the applicant.
  - (2) Amendment of an appeal by the applicant may be permitted at any time prior to or during the public hearing, provided that no such amendment shall be such as to make the case different from its description in the notice of public hearing. If the amendment is requested by the applicant after public notice of the hearing has been given, and such amendment is at variance with the information set forth in the public notice, the applicant shall pay an additional fee to cover the cost of amending the public notice. If the amended notice can be published within the time frame specified for the public hearing, the hearing on the amended appeal may be held on that date, otherwise the Chairperson shall announce that the hearing originally scheduled on the case will be deferred to a future meeting, before which appropriate public notice will be given, and will state the reasons for deferral.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

**OFFICE USE ONLY**

File No.: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Board of Appeals: \_\_\_\_\_

Fee Paid: \_\_\_\_\_