

This chart and corresponding information has been created to help applicants better understand the Conditional Use Permit Application process and give an approximate timeline for approval. While this chart can't possibly cover all situations, this is a good starting-off point to help applicants understand what to expect.



Step 1

Call the Town at 608.364.2980 for information on zoning and ordinance regarding your proposed business.

Complete this step **BEFORE** signing a lease or purchase agreement to ensure that your business has a suitable home within the Town



Step 2

Fill out the Conditional Use Permit Application for your business and gather all necessary supporting documents and information

You may need to fill out additional permit forms for building renovations or construction, signage, etc. Town Staff can help you identify these as needed



Step 3

Town Staff will review your application and materials and perform a site inspection.

Staff will present any issues or conditions to be considered to the Plan Commission at the soonest possible meeting if the application submission is timely



Step 4

The Plan Commission must recommend approval to the Town Board

The Town Board must then approve the Plan Commission Recommendation

File document with the Rock County Register of Deeds

Step 1- It is very important to us that all businesses in the Town are successful. To that end, we would warn against any business buying or renting land or facilities before making sure that your intended business or use is in keeping with the Town's Zoning Code. Please contact Town Staff with questions or, at the very least refer to the Town Zoning Code on the Town's Website at www.townofbeloit.org.

Step 2- Work with Town Staff to ensure that you have covered all your bases, completed all necessary applications and/or permit forms and paid any necessary fees. Having all forms fully completed prior to going before the Plan Commission can make a huge difference in the amount of time it may take to get through the approval process and will show the Commission and Town Board that you mean business.

Step 3- The Plan Commission meets on the second (2nd) Wednesday of each month at 4:15 p.m. Applications and supporting materials for all permits must be received no later than the close of business two (2) weeks prior to this meeting date to allow for review by Town Staff. With larger projects, review time may be longer. If recommended for approval by the Plan Commission, the permit will be forwarded to the Town Board the following Monday for final approval.

Step 4- If approval is granted, conditions may be attached to the approval and must be completed PRIOR to the open of business or within a specific timeframe outlined by the Plan Commission. Some conditions may be ongoing. Prior to the start of operations for which the permit was granted, it must be recorded with the Rock County Register of Deeds.

We want you to succeed, part of that is making sure everyone is informed and on the same page. Starting on the correct footing is important.

New Conditional Uses. No person shall operate a conditional use or construct facilities that are intended for a conditional use, as listed in the zoning districts, without first obtaining a conditional use permit approval from the Town Board.

Amended Conditional Uses. If any holder of a Conditional Use Permit wishes to extend or alter the terms of this permit, he/she must apply for such extension or alteration through the procedure of application for Conditional Use Permits detailed herein.

Existing Conditional Uses. All uses existing at the effective date of this ordinance, which would be classified as conditional uses in the particular zoning district concerned if they were to be established after the effective date of this ordinance, are hereby declare to be conforming conditional uses to the extent of the existing operation only. Any addition, alteration, extension, or other proposed change in the existing operation shall be subject to the conditional use procedures as if such use were being established anew.

Required Information. The items required to be submitted for Conditional Use Permit approval shall be those items listed in Section 10.11 that are required for Site Plan/Plan of Operation approval, unless otherwise required by this Code. However, if a successor takes over a conditional use permit previously granted where the items listed in Section 10.11 were considered, the successor must only address items listed in Section 10.11 where a change will occur from the terms of the approved conditional use.

Review Procedure.

- a. **Procedure.** Applications for a Conditional Use Permit shall be filed with the Zoning Administrator/Planner on an official application form and shall be accompanied by the required fee and detailed written and graphic materials fully explaining the proposed development. A public hearing shall be conducted by the Planning Commission. After receiving public testimony, input from the applicant and Town Staff, the Planning Commission shall close the public hearing. The Planning Commission shall review the proposal as it relates to the decision criteria in Section 10.12 and other applicable requirements in the Zoning Code. The Planning Commission shall then forward a recommendation to the Town Board on the proposed conditional use. The Town Board shall review the request, the Planning Commission's recommendation, and the decision criteria. The Town Board shall then decide on the matter before it. Conditional Use Permits may be approved by an affirmative vote of a simple majority of the Town Board.
- b. **Public Hearing Notice.** The Planning Commission shall fix a reasonable time for a public hearing by publication in the official newspaper as a Class II Notice under [Chapter 985](#) Wis. Stats. In addition to the Class II Notice, all conditional use applications shall be noticed to all property owners within 300' of the property line via regular mail.
- c. **Conditions.** The Plan Commission and the Town Board shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. In permitting a new or amended conditional use, the Town Board may impose additional conditions that it considers necessary to protect the best interests of the surrounding area and the Town as a whole. Conditions imposed may include, but are not limited to, time limitations within which to act, landscaping, architectural design, type of construction, construction commencement and completion dates, lighting, fencing, location, size and number of signs, water supply and waste disposal systems, higher performance standards, street improvements, certified survey maps, flood proofing, ground cover, diversions, silting basins, terraces, stream bank protection, planting screens, operational control, hours of operation, improve traffic circulation, highway access restrictions, increased setbacks, or additional parking. Any conditions approved by the Town Board shall be made an integral part of the permit. Such conditions shall be set forth in detail in writing by the Town Clerk and a copy of such conditions shall be sent, certified mail, return receipt requested, to the applicant.
- d. **Issuance and Safeguards.** The permit for a conditional use shall amend the Zoning Permit and shall be attached thereto. In recommending any conditional use, the Town Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. The Board may require that the Town be provided with either a surety bond, cash escrow, certificate of deposit, securities, irreversible letter of credit, or cash deposit prior to issuance of the conditional use

permit. The security shall be used to guarantee compliance with the conditions of the permit and shall be returned to the developer when an occupancy permit is issued.

Decision Criteria. In making a determination on an application for a conditional use, the Plan Commission and the Town Board shall consider all relevant factors specified in other sections of this ordinance including standards for specific requirements for certain land uses and activities. The following are the criteria to be used in the review of conditional uses:

- a. Consistency with Comprehensive Plan. The relationship of the proposed use to the goals, policies, and objectives in the Town of Beloit Comprehensive Plan.
- b. Compatibility. The compatibility of the proposed use with existing development within the surrounding area and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible.
- c. Importance of Services to the Town. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable.
- d. Neighborhood Protections. The sufficiency of the terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood.
- e. Conformance with Other Requirements of the Zoning Code. The conformance of the proposed development with all provisions of the Zoning Code.
- f. Other Factors. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Board feels are necessary for review in order to make an informed decision.

Compliance.

- a. Compliance Required. The conditions set forth in an approved Conditional Use Permit shall be complied with by the applicant and property owners and future tenants or users of the property. Any deviation or alteration of use from those conditions shall constitute a violation of the terms of the Conditional Use Permit. Such violation shall constitute a violation of this Code and will be subject to prosecution and penalties under the terms of this Zoning Code.
- b. Revocation of a Conditional Use Permit. If a conditional use has not operated in conformity with the conditions of the permit or other requirements in the Zoning Code, the Town Board may, after due notice and public hearing, revoke the conditional use permit by a majority vote.
- c. Discontinued Conditional Use Permit. If a conditional use has been discontinued for a period of twelve (12) consecutive months, the conditional use permit will automatically expire without notice or public hearing. A business of a seasonal nature shall not be deemed discontinued during periods in which it is normally inactive (i.e., summer camps, snowmobile course, ski areas, marinas, quarries, etc.)
- d. Unused Conditional Use Permit. A conditional use permit shall automatically expire, without notice or hearing, if actual construction of the approved use for which a permit was issued has not been substantially commenced within one year or the time limitations, if any, set forth in the Conditional Use Permit.
- e. Reverted Use. Upon expiration of a conditional use status, the owner of the premises shall be required to bring all such land and buildings into conformity with the district regulations of the district in which such former conditional use is located, and all other provisions of this Code, within ninety (90) days from such determination.

Payment of Fees. The applicant shall pay all professional fees incurred by the Town for review of the request by the Zoning Administrator/Planner, Town Administrator, Town Clerk, Building Inspector, Town Attorney, or consultants serving the Town in accordance with the Town's Fee Schedule. The Town Board may require cash escrow, an irrevocable letter of credit, or other form of surety to ensure payment of fees. In situations where the grant of a conditional use permit may require prolonged administrative costs incurred by the Town, an annual payment to the Town from the permit holder may be set as a condition of approval by the Town Board.



Return To: 2445 Afton Rd.
Beloit, WI 53511
kdevault@townofbeloitwi.gov

Application Number CU _____

CONDITIONAL USE APPLICATION

Application Date: _____

Agenda Date Requested: _____

Property Owner:

Owner's Agent:

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____

Phone Number: _____

Email: _____

Email: _____

Subject Property Address: _____

Parcel Number: _____

Property is Zoned: _____

Property's Current Use: _____

Detailed description of the proposed use of the property and/or buildings: _____

How would this Conditional Use Benefit the Town: _____

List all chemicals stored in all buildings:

Building A: _____

Building B: _____

Building C: _____

Contact person for Fire Department purposes: _____

Day Telephone No.: _____

Night Telephone No. _____

Specific Use of Property and Buildings:

Building A: _____

Building B: _____

Building C: _____

Outdoor Uses: _____

Maximum Number of Employees: _____ Days of Operation: _____

Hours of Operation: _____

Parking:

Total # of Spaces Available: _____ Dimension of Parking Lot: _____

Parking Lot Construction (Type of Material): _____

Number of Handicapped Parking Spaces: _____

Is Employee Parking Included in "Number of Spaces Available"? Yes ___ No ___

Type of screening: Fencing _____ Plantings _____ Berm: _____

Outdoor Lighting:

Type: _____

Location: _____

Signs: (including street name signs and required road signs)

Type: Free Standing: _____ Attached to Building: _____

Lighted: _____ Mobile: _____

Single or Double-faced: _____

Size: _____ Location: _____

Is there any food service or vending machines incorporated in this proposal? Yes ___ No ___

If yes, How Many? _____ What type? _____

Type of Refuse Disposal: _____ Name of Provider: _____

Is a highway access permit needed from the State, County, or local Municipality? Yes ___ No ___

If yes, have you secured a permit? Yes ___ No ___

Is there a need for any special type of Security Fencing? Yes ___ No ___

If yes, what type? _____

Date of approval by Department of Natural Resources for the well (if applicable): _____

Date of approval by Rock County Health Department for the septic system (if applicable): _____

What type of sanitary facilities are to be installed for the proposed operation? _____

Do you feel there will be any problems such as odor, smoke, noise, light or vibration resulting from this operation? Yes _____ No _____ If yes, explain: _____

Surface water drainage facilities (describe and/or include on site plan): _____

Is a liquor license or any other special license to be obtained from the local Municipality or State Licensing agencies? Yes _____ No _____ If yes, explain: _____

Did State of Wisconsin approve the building plans (if Applicable)? Yes _____ No _____

Have truss specifications been registered with the State of Wisconsin by truss manufacturer (if Applicable)? Yes _____ No _____

Is this an expansion of an existing operation? Yes _____ No _____ If yes, are there currently any permits under other names, other than what are indicated on this application?

Names: _____

Any other information/ details: _____

THE FOLLOWING MUST BE SUBMITTED WITH THE CONDITIONAL USE APPLICATION

- Site Plan (drawn to scale 1" = 100') showing the following:
 - Boundaries and dimensions of the property
 - Location and dimensions of all existing and proposed buildings
 - Use of all existing and proposed buildings
- Information as Requested by Town Staff per the Town Zoning Code
- Applicable Fees

Owner:

Signature

Owner's Agent:

Signature

Date

Date

The Applicant, by signing and submitting this application, acknowledges that there may be fees incurred for reviews and/or work performed by the Town Engineer, Town Attorney, or other necessary contracted professional. These fees, if incurred, are the responsibility of the applicant. When possible, estimates will be provided to the applicant prior to these fees being incurred.

Fees:

| | | |
|------------------------------------|---------------|-----------------|
| Conditional Use Permit Application | \$400.00 | |
| Amendment to Permit | \$200.00 | |
| Recording Fee | \$Rock County | Total: \$ _____ |