

**SECTION 12**  
**ZONING ORDINANCE TEXT & MAP AMENDMENTS**

**12.1 AUTHORITY.**

Whenever the public necessity, convenience, or general welfare or good zoning practice require, the Town Board may, by ordinance, consider a change to the district boundaries or amend the regulations established by this Chapter or amendments thereto provided such change and/or amendment is consistent with the purpose and intent of this Ordinance as set forth in Section 1.3. Proposed changes and amendments shall be subject to the review and recommendation of the Plan Commission.

**12.2 INITIATION.**

- (1) A change or amendment may be initiated by the Town Board, Plan Commission or by a petition of one (1) or more of the owners of property within the area proposed to be changed.
- (2) If a petition is filed by the owner(s) of property subject to a rezoning petition, the property owner(s) shall set up a pre-application meeting with the Zoning Administrator to discuss the petition and the provisions, regulations and requirements of this Ordinance, procedures for processing and reviewing the petition, fees, and other pertinent matters.

**12.3 PETITIONS.**

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Town Clerk. Petitions shall be prepared on forms available from the Town Clerk and shall be submitted along with the following supporting information:

- (1) Complete legal description (or survey as required by the Zoning Administrator) of the property proposed to be rezoned (if applicable);
- (2) Copy of the text proposed to be changed or amended as well as the new text being proposed (if applicable);
- (3) List of the reasons justifying why the petition has been submitted and why it should be granted;
- (4) General description of the proposed use and/or development of the property subject of the proposed;
- (5) Pot plan drawn to a scale of one (1) inch equals one-hundred (100) feet (or as approved by the Zoning Administrator) showing:
  - (a) the location, boundaries, and dimensions of the area proposed to be rezoned;
  - (b) the location, zoning district classification, and tax key number(s) of all properties within three-hundred (300) feet of the area proposed to be rezoned.
- (6) Names, mailing addresses of all owners of property lying within five-hundred (500) feet of the area proposed to be rezoned and tax parcel identification numbers for each property owned;
- (7) Additional information required by the Zoning Administrator, Plan Commission or Town Board. Petitions for such change or amendment shall be submitted to the Plan Commission for review, public hearing, and recommendation prior to action by the Town Board.

**12.4 PUBLIC HEARING.**

The Plan Commission and Town Board shall hold a separate or joint public hearing for each proposed change or amendment giving notice as specified in Section 13.2 of this Ordinance. Notice of any public hearing which the Town Board, Plan Commission, or Board Of Zoning Appeals is required to hold under the terms of this Chapter shall specify the date, time, and place of said hearing and shall state the matter to be considered at said hearing. Notice shall be published in a newspaper of general circulation at least once each week for two (2) consecutive weeks and the hearing shall not be held until at least seven (7) days following the last publication. The Town Clerk shall also give a least 10 day's prior written notice of such hearing to the Clerk of any municipality within 1,000 feet of any land to be affected by the proposed action. *{amended July, 2008}*

**12.5 PLAN COMMISSION RECOMMENDATION.**

After holding a public hearing, the Plan Commission shall review all proposed changes and amendments within the corporate limits and shall recommend that the petition be granted as requested, modified, or denied. The recommendation shall be made at a meeting subsequent to the meeting at which the petition is first submitted and shall be presented in writing to the Town Board.

**12.6 TOWN BOARD ACTION.**

Following such hearing and after careful consideration of the Town Plan Commission's recommendations, the Town Board shall vote on the passage of the proposed change or amendment.

**12.7 DODGE COUNTY BOARD APPROVAL REQUIRED.**

Pursuant to Section 60.62(3), Wisconsin Statutes, all zoning ordinance amendments shall be approved by the County Board prior to said amendments becoming effective. Appropriate documentation concerning rezoning petitions, Plan Commission recommendations, and Town Board action on said petitions shall be provided to the County Board by the Town Clerk within ten (10) days after receipt of such petitions or preparation of Plan Commission and Town Board action.

**12.8 RESUBMITTAL.**

In the event a property owner desires to resubmit a petition in an attempt to rezone all or part of a property subject to a previous petition that was acted upon by the Town Board, a minimum twelve (12) month time period shall have elapsed from the date of the final decision for the previous petition to the filing date of the subsequent petition.