



**Department of Development and Land Services
Planning & Zoning | GIS & Land Information**
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	
Request:	
Applicant or Petitioner Name:	
Applicant Contact Information (Preferred):	
Site Parcel Number(s):	
Site Address (if applicable):	
Pre-Application Meeting Number (if applicable):	
Description of the Request: <i>(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)</i>	

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of _____, at a legally convened meeting of the _____
Board held on _____, voted to _____ the _____ request:

Clerk Signature

Date

Motion Outcome by a Vote of:	For	Against
General Comments/Reasons for the Decision: <i>(See next page for instructions. If needed, you may include additional pages.)</i>		

INSTRUCTIONS REGARDING “COMMENTS/REASONS FOR THE DECISION”:

Rezone Request

- A decision to approve a rezone request shall be determined to be consistent with that local governmental unit's comprehensive plan (Sec. 66.1001(3)).
- A decision to deny a rezone request is discretionary. While not required, we recommend your board indicate a reason for denial, such as how it is inconsistent with the comprehensive plan.
- A rezoning out of exclusive agriculture must make the following findings:
 - a. The land is better suited for a use not allowed in the farmland preservation zoning district.
 - b. The rezoning is consistent with any applicable comprehensive plan.
 - c. The rezoning is substantially consistent with the county certified farmland preservation plan.
 - d. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

Special Exception Permit (SP) or Conditional Use Permit (CUP) Request

Note: The County maintains the same requirements for SPs as for CUPs.

- A local government's decision to approve or deny a SP or CUP must be supported by substantial evidence. Any condition imposed must be based on substantial evidence. The applicant for the SP or CUP must provide substantial evidence that the application and all requirements and conditions established by the local government relating to the conditional use are or shall be satisfied.
- Substantial evidence means “facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion” (Wisconsin Act 67). To learn more about the substantial evidence test: [CLICK HERE](#).

Variance Request

- The decision to approve or deny a variance is discretionary. However, per Section 54-887(b)(2), variances shall only be granted when the board of adjustment finds that:
 - a. The variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of Chapter 54.
 - b. The variance will not permit the establishment of a use which is not permitted or permissible in the district.
 - c. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - d. The literal interpretation of the provisions of Chapter 54 would deprive the applicant of rights commonly enjoyed by other properties in the same district.
 - e. The hardship is not shared generally by other land or buildings in the area.
 - f. The hardship results from the strict application of this chapter and is not the result of self-created or self-imposed circumstances.

Appeal Request

- The decision to approve or deny an appeal is discretionary.