

# Town Of Rice Lake

*Barron County, Wisconsin*

## APPLICATION FOR LAND USE REQUEST

### ALL APPLICANTS/OWNERS COMPLETE THIS PAGE

Name of Applicant or Agent: \_\_\_\_\_ Phone #: \_\_\_\_\_

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

Property Owner's Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

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

**PROPERTY INFORMATION:**

Tax Parcel # \_\_\_\_\_ Property is presently zoned: \_\_\_\_\_

Street Address (if applicable): \_\_\_\_\_

Complete Legal Description: \_\_\_\_\_ 1/4 - \_\_\_\_\_ 1/4 , Section \_\_\_\_\_, T35N, R11W

Plat # \_\_\_\_\_, Lot(s) # \_\_\_\_\_, CSM Pg. \_\_\_\_\_ Vol. \_\_\_\_\_, Subdivision \_\_\_\_\_

Acreage \_\_\_\_\_ OR Lot Size \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ sq. ft.

Additional description: \_\_\_\_\_

\_\_\_\_\_

Our request is to: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List on the following chart what the adjoining properties are zoned and what they are presently used for:

Adjoining Property	Zoned	Use
North		
South		
East		
West		

### **APPROVAL PROCESS FOR LAND USE ISSUES IN THE TOWN OF RICE LAKE INCLUDING:**

REZONING, SUBDIVISIONS (CSM's or Plats), SPECIAL EXCEPTIONS, and VARIANCES

1. **Town of Rice Lake Planning Commission** – Meetings are held on the first Tuesday of each month at the Town of Rice Lake Municipal Building, 1830 Macauley Ave., Rice Lake. Contact Bob Slagstad, Chairman at 715-790-4888 or Janet Tomesh, Town Clerk/Treasurer at 715-234-8087.
2. **Rice Lake Town Board** – Meetings are held on the second Monday of each month at the Town of Rice Lake Municipal Building, 1830 Macauley Ave., Rice Lake. Contact Tom Fankhauser, Chairman at 715-296-6258 or the Clerk/Treasurer's office at 715-234-8087.
  - 2(a). **If in extraterritorial zoning or platting jurisdiction – City of Rice Lake Plan Commission.**  
Contact Harry Skulan, City of Rice Lake Planner at 715-234-2025.
3. **Barron County Zoning** – Contact David Gifford, Land Services Director at 715-537-6375.

**Application is being made for consideration of the following type of land use: (Check all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> Variance (Complete Section A) | <input type="checkbox"/> Special Exception (Complete Section C) |
| <input type="checkbox"/> Rezoning (Complete Section B) | <input type="checkbox"/> Subdivision (Complete Section D)       |

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**A. VARIANCES**

Per Barron County requirements, the following three criteria must be met to qualify for a variance.

1. Unnecessary hardship
  - In the absence of a variance, no reasonable use can be made of the property.
  - Reasonable use relates to the whole property.
  - Owner has a duty to investigate options for use of the property.
  - No self-imposed hardship.
  - Personal preference/convenience or financial hardship is NOT a hardship that justifies the granting of a variance. A VARIANCE GOES WITH THE PROPERTY, NOT THE OWNER.
2. Physical Property Limitations
  - The hardship is due to physical limitations of the property, not circumstances of the applicant.
  - Violations and nearby variances **do not** justify a variance.
  - Physical limitations of the property itself refer to dimensions and topographic features, such as slope, wetland, etc. Location of existing structures on the property is not a physical limitation of the property.
3. Not Contrary to Public Interest
  - The effect of a variance on the general public must be determined.
  - Conditions to preserve the ordinance or Smart Growth Plan objectives may be imposed.

If you qualify for a variance, the Town of Rice Lake Planning Commission and Town Board may:

- recommend that the County grant only the minimum variance which preserves a reasonable use of parcel for its owner.
- impose conditions on project design, construction activities, etc. to assure that public interests are protected.

A variance decision may be appealed to circuit court by an aggrieved party within 30 days of filing the decision. For this reason, you may choose to delay construction of your project until after the appeal period has expired in order to minimize the risk that the court may overturn the County Board of Adjustment's decision and void the variance.

Because a property rather than its owner may qualify for variance, a variance transfers to subsequent property owners.

Type of Variance Requested: (Check all that apply)

- Setback     Height     Separation     Other

Variance to: (Check all that apply)

- Side property line     Ordinary high-water mark     Rear property line     Other \_\_\_\_\_
- Road (Circle one:    town road    county highway    state highway    federal highway)

Variance for: (Check all that apply)

- New dwelling     Addition     Accessory Structure     Fence     Sign     Other

Need for Variance: \_\_\_\_\_

Physical Limitations of Property: \_\_\_\_\_

Property is used for: \_\_\_\_\_

And has been used as such since: \_\_\_\_\_

Type of wastewater system: \_\_\_\_\_

Attached sketch must show location of well and wastewater system and provide distances from all present and proposed structures.

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**B. REZONING:**

Present Zoning \_\_\_\_\_ Requested Zoning \_\_\_\_\_

Detailed Legal Description of PROPERTY TO BE REZONED ONLY: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**C. SPECIAL EXCEPTIONS**

A Special exception is made for land uses that are **NOT** listed as a permitted use in a zoning district and are only permitted with the approval of the Barron County Board of Adjustment.

Please check all that apply:     Dwelling     Business     Mineral Extraction  
    Livestock Enlargement     Other \_\_\_\_\_

**Present Use of Property:** \_\_\_\_\_

**Proposed Use of Property:** \_\_\_\_\_

**Present Improvements:** \_\_\_\_\_

Indicate Request (For business – indicate traffic flow, parking, noise, hazardous materials, type of equipment used, etc. Use additional paper if necessary. NOTE: If request is for mineral extraction or livestock enlargement, attach additional information as required by Barron County.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**D. SUBDIVISIONS**

**Minor Subdivision** – Division of land creating one (1) to four (4) parcels, any one of which is ten (10) acres in size or less, or the division of block, lot or outlot within a recorded subdivision plat into not more than four (4) parcels without changing the exterior boundaries of said block, lot or outlot, or where a road is created. A Certified Survey Map (CSM) shall be required for all parcels of land so created.

**Major Subdivision** – Division of a lot, parcel or tract of land creating five (5) or more parcels of ten (10) acres each or less; or where the act of division creates five (5) or more parcels of ten (10) acres each or less by successive division within a period of five (5) years. A plat of the subdivision shall be required for all major subdivisions.

**SEWER FACILITIES:** Sewer facilities may be PUBLIC or PRIVATE for either a major or minor subdivision with the following requirements being met:

**PRIVATE SEWER REQUIREMENTS:**

- Minimum Lot Size of 1.5 acres
- Certified Soil Test Report.

**PUBLIC SEWER REQUIREMENTS:**

- Minimum Lot Size of 15,000 square feet.
- Approval of public sewer by Town Board.

Criteria taken into account by the Planning Commission and Town Board when reviewing an application for subdivision include:

1. Suitability Issues:

- Flooding
- Inadequate drainage
- Adverse soils or rock
- Inadequate water supply
- Inadequate sewerage disposal capability
- Features harmful to health, safety or welfare of future user.

2. Consideration of Design Standards:

- General Plan – conform to comprehensive plan
- Preservation of Natural Features
- Open Space
- Road/Street Arrangements
- Surface Water Drainage/Storm Water Management
- Potential for Future Public Sewer/Water
- Service by Other Utilities

3. Consideration of Developer’s Agreement

4. Determination of Subdivision Performance Guarantee

**Number of lots to be created:** \_\_\_\_\_ [Smallest size \_\_\_\_\_ acres or \_\_\_\_\_ x \_\_\_\_\_ sq. ft.] [Largest size \_\_\_\_\_ acres or \_\_\_\_\_ x \_\_\_\_\_ sq. ft.]

**FEES DUE:** The following fees must be submitted with all plats or CSM’s to be reviewed by the Town of Rice Lake:

**Major Subdivision (Plat required)**

Preliminary Plat - **\$100.00** filing fee plus **\$10.00/parcel**  
Final Plat - **\$100.00** filing fee plus **\$25.00/parcel**

**Minor Subdivision (CSM required.)**

Certified Survey Map - **\$50.00** filing fee plus **\$25.00/parcel**

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**ATTENTION ALL APPLICANTS**

**No applications will be accepted or reviewed on which there are current or past unresolved violations or delinquent property taxes on the property.**

**NOTE: FIVE COPIES OF THE REQUIRED INFORMATION MUST BE SUBMITTED TO THE TOWN CLERK AT LEAST 15 DAYS PRIOR TO THE REGULARLY SCHEDULED PLANNING COMMISSION MEETING AT WHICH THE LAND USE REQUEST IS TO BE CONSIDERED.**

Please attach a copy of the following documents:

- **List of, and notification to**, adjoining property owners within 300 ft. of the subject property (**both names and addresses**).
- Plot Plan showing the area involved, its location, dimensions, and location of adjacent structures within 300 feet of the area. Must show location of well and wastewater system and give distances from existing and proposed structures.
- Copy of CSM or Plat Map.
- Filing and parcel fees for all subdivisions as noted on page 3.
- Application fee of \$50 for all rezoning, special exception and variance requests.

**Meeting Dates and Times:**

The Town Planning Commission meet at 7:00 p.m. on the 1<sup>st</sup> Tuesday of each month, unless rescheduled at prior meeting. The Town Board meet at 7:00 p.m. on the 2<sup>nd</sup> Monday of each month.

I HAVE READ AND UNDERSTAND THE PROCEDURES AND REQUIREMENTS FOR APPLYING FOR A LAND USE REQUEST. I UNDERSTAND THAT MY APPLICATION MAY BE RETURNED IF INFORMATION IS INCOMPLETE OR ILLEGIBLE. I HEREBY GIVE CONSENT FOR BOARD MEMBERS, COMMISSIONERS AND INSPECTORS TO VIEW AND INSPECT THE SUBJECT PROPERTY, WITHOUT ENTERING ANY STRUCTURES, AND SHALL NOT PROSECUTE FOR TRESPASSING.

Owner's Signature	Date	Co-Owner's Signature	Date
Applicant/Agent Signature	Date		

**PLANNING COMMISSION USE ONLY**

Date application received: \_\_\_\_\_ Received by: \_\_\_\_\_

Application complete: yes \_\_\_\_\_ Request to be placed on agenda for PC Meeting to be held: \_\_\_\_\_  
no \_\_\_\_\_ Returned to applicant on: \_\_\_\_\_

Application needs the following items: \_\_\_\_\_

**PLANNING COMMISSION REVIEW & RECOMMENDATION TO TOWN BOARD**

**SUITABILITY:**

Area Soils: \_\_\_\_\_ Drainage Concerns: \_\_\_Yes \_\_\_No Flood Plain Area: \_\_\_Yes \_\_\_No  
Variance requirements are met: \_\_\_Yes \_\_\_No If Yes, describe Hardship: \_\_\_\_\_

General Plans conform to Town's Comprehensive Plan: \_\_\_Yes \_\_\_No \_\_\_N/A  
Motion by Commissioner \_\_\_\_\_, Second by Commissioner \_\_\_\_\_ to  
recommend \_\_\_Approval \_\_\_Denial for the following reason: \_\_\_\_\_

AYES: \_\_\_ NAYS: \_\_\_ ABSENT: \_\_\_ ABSTAIN: \_\_\_

**TOWN BOARD RECOMMENDATION TO BARRON COUNTY**

Motion by Supervisor \_\_\_\_\_, Second by Supervisor \_\_\_\_\_ to  
recommend \_\_\_Approval \_\_\_Denial for the following reason: \_\_\_\_\_

AYES: \_\_\_ NAYS: \_\_\_ ABSENT: \_\_\_ ABSTAIN: \_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_ Attest: \_\_\_\_\_  
Chairperson, Town of Rice Lake Clerk/Treasurer, Town of Rice Lake  
Date faxed to Barron County: \_\_\_\_\_ Time: \_\_\_\_\_ a.m./p.m. Date mailed to Barron County: \_\_\_\_\_