

Fee \$175
Receipt No _____



VILLAGE OF LITTLE CHUTE

APPLICATION FOR APPEAL TO THE ZONING BOARD OF APPEALS

PROPERTY APPEAL SITE ADDRESS _____

NAMED APPELLANT(S) _____

ADDRESS/ZIP _____ TELEPHONE _____

CITY/ZIP _____ FAX _____

Appellant(s) named above, file herewith this application of appeal of the granting/denial of permit by the Zoning Administrator or the granting/denial of variance or conditional use by the Plan Commission of the Village of Little Chute on _____ (date)

Description of action taken and reasons for appeal:

Attach any and all documentation to this application which appellant wishes the Board of Appeals to review.

Appellant herewith requests the Board of Appeals to fix a time for public hearing within as short a reasonable time as possible to give proper notice of such hearing as well as due notice to parties of interest.

I CERTIFY THAT THIS APPLICATION AND ANY ATTACHMENTS ARE, TO THE BEST OF MY KNOWLEDGE, COMPLETE IN ACCORDANCE WITH ALL APPLICABLE CODES.

APPLICANT SIGNATURE _____ DATE ___/___/___

APPLICANT SIGNATURE _____ DATE ___/___/___

APPLICANT SIGNATURE _____ DATE ___/___/___

APPLICATION FEE of \$175.00 must accompany application at time of submittal.

Village person receiving application _____ Date received _____

Sec. 44-518. - Applications for hearings.

- (a) *Time of appeal.* Appeals shall be filed within 30 days after the date of receipt of the written decision or order from which the appeal is taken by filing in duplicate a notice of appeal with the village clerk. The date of receipt of the decision shall not be counted in determining the time for filing of the appeal. Sundays and holidays shall be counted, except if the last day falls on a Saturday, Sunday or legal holiday, the time for filing shall be extended to the next secular day.
- (b) *Who may appeal.* Appeals or applications to the board may be made by:
 - (1) The owner, mortgagee, purchaser under a land contract, optionee or occupant under a written lease for one year or more of the property for which relief is sought.
 - (2) Any officer (other than the zoning administrator), department, board or bureau affected by a decision or order of the zoning administrator.
 - (3) Any person aggrieved and whose use and enjoyment of property within the village is directly and adversely affected by a decision or order of the building inspector, zoning administrator or the requested board action.
- (c) *Appeal and application forms.* Every appeal or application shall be made upon forms furnished by the village clerk which have been approved by the board of appeals. A scale drawing shall accompany each form showing the location and size of the property, existing improvements, all abutting properties and improvements thereon and change or addition requested. The applicant or appellant shall provide all information requested on the form and any additional information requested, in writing, by the chairperson or secretary of the board of appeals which is necessary to inform the board of the facts of the appeal. Failure to supply such information shall be grounds for dismissal of the appeal or application.
- (d) *Filing appeal or application.* The appellant or applicant shall file the required appeal form in duplicate with the village clerk. The village clerk shall deliver one copy to the zoning administrator or other officer or body from whose decision an appeal is taken. Upon receipt of an appeal, the zoning administrator or other officer or body responsible for the original determination shall transmit to the secretary of the board of appeals all notes or papers relating to the order or decision from which the appeal is being taken.
- (e) *Election to have appeal or application handled as a contested case.* The applicant or appellant may elect to have the appeal or application handled as a contested case. The appeal or application form shall explain that a contested case includes the right of all parties to cross examine witnesses, to object to improper evidence and to have a record of the proceedings made by a court reporter or qualified stenographer or by tape recording. Election to have the matter treated as a contested case must be made in writing at the time of filing of the appeal or application.
- (f) *Fee.* All appeals and applications filed with the village clerk shall be accompanied by payment of a required fee of \$175.00. If the appellant or an applicant elects the contested-case method, he shall also pay the amount determined by the board of appeals to cover the additional administrative costs involved.
- (g) *Insufficient notice.* No appeal or application shall be considered by the board of appeals unless it is made on the required form. Upon receipt of any communication purporting to be an appeal or application, the village clerk shall supply the applicant with the proper forms which must be filed within ten days, in addition to the 30 days specified in subsection (a) of this section, in order to be considered by the board of appeals.

Sec. 44-522. - Review by court of record.

Any person aggrieved by any decision of the board of appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the offices of the board of appeals.