

**Village of Waterford
123 N River St
Waterford WI 53185
262-534-3980**

**PETITION FOR REZONING
Waterford Code: Chapter 245-55**

Filing fee: \$150 non-refundable fee – paid with application.

AN INCOMPLETE APPLICATION WILL DELAY REVIEW

This petition for rezoning property in the Village is to be submitted to the clerk's office for consideration. The petition will be reviewed by Plan Commission for recommendation to Village Board for approval. A public hearing is held by the Village Board and may not be heard less than 7 days after a Class 2 publication. The Village Board reviews the recommendation and makes a determination.

*Owner or Agent:	Contractor:
Company Name: _____	Company Name: _____
Address: _____	Address: _____
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____
Phone: _____	Phone: _____
Email: _____	Email: _____

***If being signed by Agent, Owner must submit a letter to the Village designating the agent for Petition to Rezone (sample attached).**

PROPERTY INFORMATION

Address: _____ Tax parcel number _____

Complete legal description _____

Lot area & dimensions: _____ sq. ft., _____ x _____ ft.

Current Zoning District _____ Proposed Zoning District _____

Specify Reason for Rezoning _____

I certify that the information I have provided in this application is true and accurate and I have submitted a **\$150 fee** payable to Village of Waterford.

____ Owner _____ Agent signature: _____ Date: _____
(Required)

Contractor signature: _____ Date: _____
(Optional)

OFFICE USE ONLY:

Received in Clerks Office: _____	Date: _____	Public Hearing Date: _____
Fee Received (\$150) _____	Date: _____	Notices Sent for publication _____
Map/Plats/Plans Received _____	Date: _____	Dates Notices Published _____
Waiver for Special Contract Fees Date: _____		

The Petitioner must meet with the Village Administrator to determine which of the following documentation is required to support the petition and may waive the submission of this documentation if more detailed information is required by another section of the Municipal Code. The Village Administrator may require submission of all or some of the following documentation prior to submission of the petition to the Village Board.

___ (1) An accurate map of the area covered by the plan, at a scale of one inch equals 100 feet, with contour lines at two-foot intervals.

___ (2) The pattern of public and private roads, driveways, walkways and parking facilities and proposed design and construction standards.

___ (3) A detailed lot layout and subdivision plat, where required.

___ (4) The arrangement of building groups, other than single-family detached residences.

___ (5) Floor plans and elevations or perspectives showing the architectural treatment of all buildings other than single-family detached residences.

___ (6) Statistical tabulations showing the apportionment of land uses, the density of residential use, the ratio of apartments by bedroom count, the percentage of ground cover by buildings, the floor area ratio, and the parking ratio.

___ (7) A grading plan and storm drainage system.

___ (8) Plans for sanitary sewer and water systems.

___ (9) The location, type and design detail of all recreational or other special amenities.

___ (10) The location and a description of any areas to be dedicated to the public.

___ (11) Landscape plans, including a plant materials list.

___ (12) A proposed development schedule showing the overall phasing anticipated, the starting and anticipated completion time for the project, and the area of open space to be provided with each phase.

___ (13) If the plan contemplates any portion of the project to be implemented or subsequently owned by other than the petitioner, sufficient information concerning such arrangements shall be submitted to enable the Village to be assured that the development will be carried out in complete compliance with the spirit and intent of the approval granted.

___ (14) Agreements, bylaws, provisions or covenants which govern the organizational structure, use, maintenance and continued protection of the development and any of its common services, common open areas or other facilities.

___ (15) Floodplain information necessary to determine compliance with Chapter **256** of this Municipal Code.

___ (16) Any other plans, documents or schedules deemed necessary by the Village for proper evaluation of the proposal.

VILLAGE OF WATERFORD
WAIVER FOR SPECIAL CONTRACT FEES

Waiver for Special Contract Fees (must be completed by the PROPERTY OWNER)

In accordance with the Village of Waterford Code of Ordinance §23-12, any special professional services required to process your application or finalize your project will be billed to you in accordance with all applicable provisions of §23-12 and will be subject to all appeal rights as stated in §23-12. These services include, but are not limited, work of the Village Attorney and Village Engineer.

I have read, understand, and do hereby acknowledge the provisions of the Village of Waterford Code of Ordinance §23-12.

Signature _____

Print Name _____

Date _____

Property Address _____

VILLAGE OF WATERFORD §23-12 Special charge for Village professionals contract fees.

§23-12 Fees and Costs.

- A. Permit Fees. All persons, firms or corporations performing work which by this Code requires the issuance of a permit shall pay a permit application fee for such permit to the Village Clerk to defray the cost of administration, investigation, advertising and processing of permits. The fee for permit applications shall be nonrefundable, unless specifically set forth in the appropriate section of the Code, and shall be set by the Village Board from time to time. No permit shall be issued if the applicant is in arrears for any amount due and owing to the Village.
- B. License Fees. All persons, firms or corporations performing work for which this Code requires the issuance of a license shall pay a license application fee for such license to the Village Clerk to defray the cost of administration, investigation, advertising and processing of licenses. The fee for license applications shall be nonrefundable, unless specifically set forth in the appropriate section of the Code, and shall be set by the Village Board from time to time. No license shall be issued if the applicant is in arrears for any amount due and owing to the Village.
- C. Review/Other Costs and Fees.
- (1) Any person or applicant presenting a proposal, petition or project, whether or not a permit or license is required, will be charged costs and fees equivalent to the cost to the Village for reviews and/or other work performed by the consulting Village Engineer, Village Attorney, Village Planner or any other consultants engaged by the Village.
 - (2) Such persons or applicants shall be required to pay fees equivalent to the cost to the Village for any work associated with the drafting of agreements or other documents associated with any project, proposal, petition, permit, license, review or approval required, including but not limited to engineering, design and/or inspection fees for public improvements that are associated with the review.
 - (3) The Village may require a person or applicant to sign an agreement for payment, and to make a deposit toward such costs and fees. The deposit shall be in an amount reasonably estimated by the Village Administrator to cover the anticipated costs and fees, however, the person or applicant shall be liable for the full amount of the Village's costs and fees regardless of the amount of the deposit. If the deposited amount falls below the amount reasonably estimated to complete the work, the Administrator may require an additional deposit. If the payments made hereunder are insufficient the Village may proceed under subsection D. Any portion of the deposit that is not used by the Village for costs and fees shall be returned to the applicant.
 - (4) No approvals shall be granted if the applicant is in arrears for any amount due and owing to the Village.
- D. Special Charge for Village Professionals Contract Fees
- (1) Whenever the offices of the Village Attorney, Village Engineer or any other of the Village's contract professional staff are contacted for current services regarding a specific person's property, development or other special matter concerning the Village of Waterford by:
 - (a) The Village President, Village Administrator or the agent of either; or
 - (b) A property owner or any person or entity or a respective representative, if said contact results in a charge to the Village of Waterford for that professional's time and services and said service is not a service provided to the Village of Waterford as a whole, then the Village Treasurer shall be authorized to charge said person or entity for the current service provided and/or pursuant to the provision of Section 66.0627, Wis. Stats., to impose a special charge for that current service to the benefited property owner for the fees incurred by the Village.
 - (2) This section shall be enforced on the basis of the policy as established by the Village upon a recommendation of the Village Board Finance and Taxes Committee, by resolution enacted by the Village Board and revised from time to time.
 - (3) The Village Treasurer is authorized to invoice each person or entity for special charges, allowing a period of time not more than thirty (30) days to pay for provided current services. The invoice shall include an itemized statement of the professional service fees provided. If unpaid, ongoing reviews may be halted until payment is made.
 - (4) The Village Treasurer shall give each property owner, invoiced for current services, notice that a hearing may be requested before the Village Board Finance and Taxes Committee

regarding the charges against the property. If a hearing is timely requested in writing within twenty (20) calendar days of the mailing of the invoice for current services, the matter shall be heard in accordance with this section 23-12 on the issue of the cost of professional fees incurred to benefit a specific land owner.

- (5) If any amount remains unpaid after the thirty (30) days allowed for payment where no hearing has been timely requested, the Village Treasurer shall automatically charge that delinquent amount, plus any applicable penalty and/or interest against the current or next tax roll as a delinquent tax against the property pursuant to Wis. Stat. s. 66.0627. In the event the invoice rendered to a property owner or the time allowing for payment precludes placement on the current year's tax roll, any such delinquent charge shall be extended to the following year's tax roll.
- (6) Upon receipt of a timely request for a hearing on the invoice for special charges, the Village Finance and Taxes Committee shall hold a hearing regarding same at its next regular meeting or, at its discretion, at a special meeting. Such hearing shall be preceded by posted public notice and written notice to the property owner.
- (7) When a timely hearing has been requested, no current charges for special services shall be placed on the tax roll until a hearing has been held and a decision has been rendered and reduced to writing. A copy shall be sent via first class mail, postage prepaid, to the property owner. Only that part of the charges for special services approved by the Village Finance and Taxes Committee may be placed on the tax roll after the property owner has been given thirty (30) days to pay from the date of the Village Finance and Taxes Committee decision.
- (8) The Village, in addition to or instead of the above, may follow any other legal means to collect the amounts due. No approvals may be granted if the applicant is in arrears in any amount owed to the Village.

E. Fee schedules shall be approved and periodically updated by the Village Board.

F. The Village may, in its discretion, proceed under any or all of the provisions of this Section. The Village may waive any of the provisions of this Section for good cause shown.

February 2007

SAMPLE LETTER OF DECLARATION OF AGENT

(Date)

Zeke Jackson
Village Administrator
Village of Waterford
123 N River St.
Waterford WI 53185

RE: Declaration of Agent for Petition for Rezone at [Property Location]

Dear Mr. Jackson:

[Name of Property Owner], the owner of the Property located at [Property Location], hereby appoints (Agent Appointed) as it's designated agent regarding the potential development/rezone of the above mentioned property. The designation of [Agent Appointed] shall expire [Expiration Date] and may not be extended without express written confirmation signed by [Property Owner].

Sincerely.

[Property Owner]