



## Land Conservation, Planning & Zoning Department

700 Main Street  
Darlington, WI 53530  
Phone: (608) 776-3836

### ADMINISTRATIVE APPEAL PROCEDURES

The following is a review of the overall procedure involved in filing an appeal. This review is not meant to be all-inclusive for all cases, but will provide an idea of what processes and materials are needed to complete your Administrative Appeal Application. The Lafayette County Land Conservation and Planning & Zoning Dept. staff will answer questions about the application, but the staff cannot be responsible for any defects that may arise in your application nor provide you with legal advice.

**Public Hearing:** A request for an Administrative Appeal requires a public hearing with notice given to parties of interest. Such hearing is held before the Lafayette County Board of Adjustment. Appeals to the Board of Adjustment may be taken by a person aggrieved, or by an officer, department, board or bureau of the municipality affected by any decision of the Department Manager, Land Conservation Committee and/or Planning & Zoning Committee. For the Board of Adjustments to hear an appeal the appellant must complete an Administrative Appeal Application that must be submitted to the Land Conservation and Planning & Zoning Department within 30 days after issuance of the decision, which is being appealed. Board of Adjustment hearings are scheduled on a first come, first served basis.

**This packet contains:** An Administrative Appeal Application.

#### Application:

- A completed Administrative Appeal Request Application must be submitted (with fee) to and accepted by the Lafayette County Land Conservation and Planning & Zoning Dept. before a public hearing date can be scheduled.
- The appellant must submit the application within 30 days of the decision which is being appealed for the appeal to be heard.
- The application must be signed by all appellants of record and must include their address and day time phone number(s) so they can be reached for questions or additional information.
- If an agent is to sign the application, written proof of authority is required to accompany the application.
- On the Administrative Appeal Application form under **Property Location**, the complete legal description for the property on which a decision was made and that is being appealed must be listed including the tax parcel ID number.
- This legal description can be obtained from the following: (1) Property tax bill, (2) Plat of Survey, (3) Title policy.
- If the legal description is too large for the space provided it may be attached to the application on a second page.

#### At the Board of Adjustments Hearing:

- At the Board of Adjustments hearing, the appellant, appellant's attorney or agent must attend the hearing and present testimony.
- The Board of Adjustment does not require that the appellant have an attorney; however, they may be represented by one if they wish.
- The rationale for an appeal must be given in narrative form by the appellant with information provided pursuant to the administrative decision being appealed including the governing ordinance(s) and how they related to the particular circumstances of the request.
- This presentation can be of any length and can involve any additional materials that are relevant to the appeal.
- The Board of Adjustment does request that all presentations be kept as short as possible.
- The order of presentation will be:
  - (1) – Land Conservation and Planning & Zoning staff findings,
  - (2) – Appellant presentation
  - (3) – Persons in support
  - (4) – Persons in opposition
- All materials presented as evidence and exhibits by the appellant will be marked and retained by the Land Conservation and Planning & Zoning Dept.
- All questions arising from the public shall be directed to the Board of Adjustments Chairperson.

**Board Decision:** Assuming no extenuating circumstances accrue, after the Public Hearing the Board of Adjustment will announce their decision.



**Land Conservation, Planning & Zoning Department**

700 Main Street  
Darlington, WI 53530  
Phone: (608) 776-3836

**ADMINISTRATIVE APPEAL APPLICATION**

**Fee: \$500**

**APPLICANT INFORMATION**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

**PROPERTY LOCATION**

PLSS Information: 1/4                      1/4                      SEC                      T                      N R                      E  
Tax Parcel Number(s): \_\_\_\_\_  
Township: \_\_\_\_\_

**Appeal of the administrative decision based on the following Lafayette County Ordinance(s):**

Section # \_\_\_\_\_ of the Lafayette County \_\_\_\_\_ Ordinance  
Section # \_\_\_\_\_ of the Lafayette County \_\_\_\_\_ Ordinance  
Section # \_\_\_\_\_ of the Lafayette County \_\_\_\_\_ Ordinance

**Administrative action appealed:**

I hereby appeal the following administrative action:

**Relief request:**

In contrast to the administrative decision, the following alternative is proposed:

**Justification for relief request:**

I believe that I am entitled to be granted my request because:

**IMPORTANT:** *This application must be submitted and accepted by the Lafayette County Land Conservation and Planning & Zoning Dept. within 30 days of the decision being appealed for the appeal to be heard.*

I/We the undersigned are applying for an Administrative Appeal pursuant to the above described property and I/We hereby state that the information on this application, the attached plot plan, and materials presented as evidence or exhibits used for this appeal are accurate to the best of our knowledge. I/We the undersigned property owner(s) hereby grant permission for the Board of Adjustments hearing to be held on the above described property at the discretion of the Board of Adjustments Chairperson.

\_\_\_\_\_  
Property Owner(s) Signature:

\_\_\_\_\_  
Date: