

Zoning Appeal - Information

(the following information was taken from Article XXXVII Admin. Subsection J. of the Bellevue Zoning Ordinance)

Scope of Appeals.

- a. Appeals to the Zoning Board of Appeals may be taken by any person alleging there is an error in any order, requirement, decision or determination made by the Zoning Administrator or any administrative official acting on behalf of the Zoning Administrator in the enforcement of this section or of any other ordinance adopted pursuant to this ordinance.
- b. Such an appeal shall be made within thirty (30) days after the decision or the action complained of, by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof.
- c. The Zoning Administrator or his/her designated representative shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

Process.

At the time of application, you will be asked to:

1. **Complete an application form** and submit a fee (\$100 for residential applications; \$200.00 for commercial applications. Note: Fees are non refundable after publication.
2. **Provide any information** (drawings, etc.) necessary to substantiate your appeal.

Following these steps, the zoning agency will publish notice of your appeal in the official newspaper noting the location, time and purpose of the public hearing before the zoning board. Your neighbors and any affected state agency will also be notified. At the hearing you and other interested parties may appear in person or may be represented by an agent or attorney. If you or your agent do not appear at the public hearing, the board must deny your appeal and your fee will be forfeited.

If you or anyone is aggrieved by a decision of the Board of Appeals, you may appeal to Brown County Circuit Court by filing an Action of Certiorari. Filing must be made within 30 days after the decision of which you are aggrieved.

If you have additional questions or comments, do not hesitate to contact:

Village of Bellevue – Zoning Administrator
2828 Allouez Ave.
Green Bay, WI 54311
(920) 468-5225

Zoning Board of Appeals Meetings Rules of Conduct

These are simple rules and guidelines that will make you feel more comfortable as you present your petition for variance or appeal.

When the hearing starts please step forward to the table and give your name and address for the records. Each member has a copy of your petition. Please address the Chair if you have any questions to ask of Board members or anyone else. You have the right to be represented by an attorney.

Members of this Board are citizens who contribute their time and efforts to hear your request. We will not tolerate loud and abusive language. This meeting will be run in an orderly manner. The Chairperson asks that you be courteous and tolerant when you are questioned by Board members

For variances, bear in mind that if the literal enforcement of the ordinance does not result in a practical difficulty or an unnecessary hardship, your request for a variance may be denied. Self imposed hardships, loss of profit, or monetary hardships, and violations by neighboring owners do not justify granting a variance. A variance will be denied if the proposed variation will be detrimental to public welfare, injurious to other properties in the neighborhood, or substantially increase the congestion of public streets.

In the case of an appeal, the Board is empowered only to decide whether the Zoning Administrator's interpretation of the Zoning Ordinance is correct. It is the Board of Appeal's duty to uphold the Village's Ordinances, not to create new rules to accommodate your request.

The Board of Appeals consists of five (5) members plus two (2) alternates. They are governed by the Village of Bellevue Zoning Ordinance and the Wisconsin State Statutes. A concurring vote of four members is required to grant a variance or appeal.