

Appeal of the Zoning Administrator

What is an appeal of the Zoning Administrator?

An appeal of the Zoning Administrator is a legal process provided to resolve a grievance by any person or by an officer, department, or board or bureau of Sauk County affected by the decision of the Zoning Administrator. Appeals of the Zoning Administrator are made to the Sauk County Board of Adjustment.

Filing an appeal must occur not more than 30 days after receiving notice of the decision by the Zoning Administrator. The Sauk County Board of Adjustment will consider the appeal. The Board will review the appeal and determine if the ordinance language is ambiguous and if so will determine the ordinance's intent. An appeal shall stay all proceedings in furtherance of the action appealed, unless the Zoning Administrator can certify to the Board of Adjustment after the notice of appeal that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property.

Board of Adjustment decisions may within 30-days after the filing of the decision in the LRE Department be appealed to circuit court.

Process

1. Contact the LRE Department to schedule a meeting to review your potential request.
2. Complete the Appeal of the Zoning Administrator application and provide all the supplemental items to the LRE Department by the filing deadline.
3. Review such application with the appropriate staff member to determine completeness.
4. If the application is complete, LRE staff will publish notice of your request for an appeal in the County's official newspaper noting the location and time of the required public hearing before the Board of Adjustment. Neighbors, town officials, and affected state agencies will be notified as well, where applicable.
5. A public hearing will be held before the Board of Adjustment. Either the property owner or designated agent will need to be present at the hearing to provide testimony regarding the request. The Board of Adjustment must make a decision based only on the evidence that is submitted to it at the time of the hearing.
6. If the aggrieved party believes substantial justice is not done, the party may appeal the decision to circuit court.