

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

### Checklist #5: Modification and Waiver Application, Review and Approval Process

**Applicability:** Article VIII of Chapter 28 governs the granting, by the Town Board, of modifications of and/or waivers from the requirements of the provisions of the land division ordinance if an exceptional circumstance exists. Application for any such modification or waiver shall be made in writing by the Subdivider at the time when the Concept Plan or Preliminary Plat is filed for consideration, whichever occurs first, stating fully all facts relied upon by the Subdivider. This Checklist is a guide only and does not waive any requirements of the ordinance itself. A copy of the Town’s subdivision ordinance can be obtained from the Clerk in hard copy at the Town Hall or electronically at the following website at [www.municode.com](http://www.municode.com) The Town Clerk can be reached by phone at 262-878-2123. This Checklist shall be submitted and reviewed by the Town Engineer at the time of submittal. All information shall be submitted in hard copy and in an electronic format acceptable by the Town.

#### *Information Required from Subdivider*

Type of Proposed Land Division: \_\_\_\_\_

Property Location/Address: \_\_\_\_\_

Subdivider: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Property Owner (if different from Subdivider): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Surveyor: \_\_\_\_\_ Phone: \_\_\_\_\_

Subdivider’s Engineer: \_\_\_\_\_ Phone: \_\_\_\_\_

PROPERTY SPECIFICS: Current Zoning of Property: \_\_\_\_\_

Proposed Zoning Change: \_\_\_\_\_

Circle One:    Unsewered                      Reserved Sewer/Water Area

Town \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Parcel ID# \_\_\_\_\_

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*(The following to be completed by Town Engineer)*

**Initial Application:**      Yes      No

Has the Subdivider submitted a Concept Plan or Preliminary Plat and corresponding checklists? If no, then notify the Subdivider that this must occur before an Application for Modification and/or Waiver can be submitted.

*Date Concept Plan or Preliminary Plat and Checklist Submitted to Town Engineer for Review and Response:* \_\_\_\_\_

*Date Checklist #5 Submitted to Town Engineer for Review and Response:* \_\_\_\_\_

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

***The following information is to be completed by the Subdivider and verified by Town Engineer. Town Engineer will provide response to Subdivider.***

Instructions: Complete Checklist using the following code: Y – Yes; N – No; N/A – Not Applicable. Make notes for Town Engineer’s review where necessary. Attach any additional information/data that you would like the Town Engineer’s input.

**Application:** Has the Subdivider provided:

- Detailed facts relied upon for requesting modification and/or waiver.
- Maps
- Plans
- Other Data that will assist in the analysis (Describe): \_\_\_\_\_

**Analysis of Factors:**

- a. Why would the Modification or Waiver be consistent with the general intent of the Ordinance? \_\_\_\_\_
- b. Why will the Modification or Waiver not adversely affect property owners in the surrounding area? \_\_\_\_\_
- c. Would the Modification or Waiver benefit the Subdivider’s project in any way that is not consistent with the Town’s interests? \_\_\_\_\_
- d. Is the Subdivider in full compliance with applicable ordinances and agreements with the Town? Yes or No  
If the answer to this question is no, provide an explanation of and description of the non-compliance and how such non-compliance is intended to be corrected. \_\_\_\_\_
- e. Instead of granting your request for modification and/or waiver, should the Town’s ordinance be changed to accommodate the kind of situation you are presenting on this application? Yes or No.  
If the answer to this question is yes, please provide your explanation here: \_\_\_\_\_
- f. Are the conditions upon which the request for modification or waiver is based unique to the situation or property and not generally applicable to other situations or property? If so, state why. \_\_\_\_\_
- g. Why would the modification or waiver not be detrimental to the public safety, health and welfare or injurious to other property or improvements in the neighborhood in which the property is located? \_\_\_\_\_

**Engineer Notes:** \_\_\_\_\_

