



KEY ZONING ASSESSMENTS, LLC

Common Questions: Municipal Zoning Documents

KZA - Corporate Office

P.O. Box 469

Necedah, WI 54646

P (608) 565 3164

F (866) 247 9165

Zoning Verification Letters

- ✓ What is a Zoning Verification Letter?
 - An official letter from the local municipality confirming the zone of the property
- ✓ What information does it provide?
 - Each municipality provides different information
 - Some letters are zoning only
 - Some letters include zoning/ building violation statements, Certificates of Occupancy, site approvals and/or site plans
 - Some letters include site conformance statements (*these are typically boilerplate, generic statements and should not be solely relied upon for site conformance*)
- ✓ Why do they sometimes take so long?
 - Zoning letters are written by planners, zoning officers, and other municipal officials who often perform many duties and have limited time for writing letters
 - Many municipalities are short staffed
 - Research of archived materials is time consuming
 - Strong, positive working relationships with municipal officials (a KZA specialty) can speed the process
- ✓ Why does KZA classify the site as legal nonconforming but the zoning verification letter states there are no legal nonconformities?
 - Conformance statements in the zoning letter are typically generic and are not based on thorough review of the existing site and code requirements
 - KZA analysis reviews the existing site, current use(s), and applicable code restrictions, then works with the municipality to confirm the accurate conformance; this is typically after the zoning letter has been written
 - Municipalities are often resistant to putting legal nonconforming statements in writing

Zoning and Building Code Violations

- ✓ What does violation research include?
 - KZA obtains a statement(s) from the municipality as to whether there are any known open/ outstanding zoning or building code violations on file
 - If an open violation exists, available details about the violation and how to resolve it are obtained
- ✓ What happens if the property has an open violation?
 - KZA provides details of any violations and how the owner can resolve them
 - KZA cannot resolve the violations or coordinate inspections; that is the responsibility of the owner or owner's representative
 - Once KZA provides open violation information it is up to the client and owner/ owner representative to determine what action should be taken (resolving the violation, payment imposed fines, or taking no action)
 - If the client pursues closure of the violation and updates KZA, the zoning assessment can be revised to include an updated violation statement
 - The information cannot be removed from the assessment without KZA independently confirming with the municipality that the violation has been resolved



KEY ZONING ASSESSMENTS, LLC

Common Questions: Municipal Zoning Documents

KZA - Corporate Office

P.O. Box 469
Necedah, WI 54646
P (608) 565 3164
F (866) 247 9165

Certificates of Occupancy

- ✓ How are Certificates of Occupancy (CO) issued?
 - Policies vary for each municipality
 - New construction
 - New owner
 - New tenant
 - Change in use or occupancy
 - Remodeling
- ✓ Is the absence of a CO a violation?
 - Policies vary for each municipality, factors include:
 - Record retention
 - Change in jurisdiction
 - Documents damaged, lost or misplaced
 - Failure of owner/ tenant to request or finalize a CO application
- ✓ What is the difference between CO and Certificates of Compliance or Certificates of Completion?
 - Policies vary for each municipality
 - Some municipalities do not issue CO's
 - CO may be issued for new construction, Certificates of Compliance or Completion for renovations or tenant changes
- ✓ How can a property be illegal Nonconforming, but the property was granted a CO?
 - Building Departments issue CO's, sometimes without consultation with the Planning/ Zoning Department
 - Planning/Zoning Departments sometimes only review site plans, not as built plans for conformance

Condemnation and Fire Code Violations

- ✓ Why does KZA charge extra for this information?
 - This information must be obtained from different municipal departments requiring additional staff research time (i.e.: Fire Department, Engineering Division, County and State Transportation Departments)
- ✓ What is condemnation?
 - Condemnation is the taking of property for right-of-way acquisition
 - Property condemnation for right-of-way acquisition or widening can significantly impact property by altering property lines, reducing building setbacks, reducing parking, altering density or lot area conformance
 - In rare instances, total condemnation can occur – the removal of the entire building or taking of entire lot
 - When condemnation research is requested, KZA also inquires about any right-of-way construction activity, including road widening, resurfacing, easement, or construction work that would affect the property or immediately surrounding roads
 - Non-condemnation road construction projects are disclosed for informational purposes as such activity can temporarily impact property access