



BOARD OF APPEALS VARIANCE APPLICATION

APPLICANT

Name: _____

Business Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

PROPERTY OWNER (If different than above)

Name: _____

Business Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

NAMES AND ADDRESSES OF ALL ABUTTING AND OPPOSITE PROPERTY OWNERS:

Request for Variance

Describe the Variance Request Here:

Location/Address: _____ Tax Parcel ID(s): _____

I certify that I have included all applicable submittal data and the \$300 Filing Fee as outlined in the Board of Appeals Procedures sheet along with three (3) scaled hard copies and a full PDF digital file. YES

I hereby certify that I have read and fully understand the variance and developer's deposit procedures and failure to comply with the Village requirements will result in this application being withheld from consideration by the Village.

Signature of Property Owner

Signature of Applicant (if different than property owner)

Print Name

Print Name

Date

Date



BOARD OF APPEALS PROCEDURES

A property owner may file for a variance when special conditions, unique to the property, will not allow the property owner to meet the dimensional standards of the Zoning Code. The property owner must demonstrate that “unnecessary hardship” is caused by the terms of the Ordinance. In formulating its decision for variance requests, it is the duty of the Board to preserve the Zoning Code without modification as much as possible, while assuring substantial justice to the Appellant. When a variance is granted, it should be for an alternative with the least impact or least possible modification to the Zoning Ordinance. By law, the Board is not permitted to represent the property owner.

As an Appellant for a variance, you are responsible for presenting your own case to the Zoning Board of Appeals. The Village’s staff and the Board may not legally represent you. You may, however, have legal counsel represent you during your hearing.

By law, variances to the provisions of the Zoning Code may be granted by the Board after a public hearing is held on the matter and finds that all of the following facts and conditions exist, and so indicates in the minutes of its proceedings:

Step 1: Submit for the Variance

By law, variances to the provisions of the Zoning Code may be granted by the Board after a public hearing is held on the matter and finds that all of the facts and conditions exist discussed below. A petitioner’s submittal package should consist of the application along with any of the below information that is pertinent to the variance being requested. A series of questions that may be answered to meet the intent of the law are provided to aid a petitioner meet the intent of variance laws.

Submittal Needs:

- The attached application and the required submission fees.
- Current Plat of Survey showing all of the information required under Sec. 118-136 for a zoning permit.
- Any additional information required by the plan commission, public works director, board of appeals, or zoning administrator.

Optional Documents:

- A narrative and/or supporting photos, documents, paperwork, etc. that may have a bearing on the variance request and that support the requirements of WI variance laws, as stated below.

Wisconsin Variance law requires the following:

Conditions Unique to the Property – There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be so general or recurrent in nature as to suggest that the zoning ordinance should be changed.

Unnecessary Hardship – Unnecessary hardship is present when compliance with the ordinance would do one of two things: (1) unreasonably prevent the owner from using the property for a permitted purpose; or (2) be unnecessarily burdensome in view of ordinance purposes. No variance shall be granted solely based on economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

No Harm to Public Interests – No variance shall be granted that will create substantial detriment to adjacent property and will materially impair or be contrary to the purpose and spirit of the zoning ordinance and public interest.

**Additional requirements apply when considering variance requests in floodplain districts*

Step 3: Public Hearing and Approval Process

A submittal must be published in the newspaper at least once and the meeting notice will be mailed to all owners of property that abuts the subject property and all owners of property that is across the street from the subject property.

Step 4: Zoning Permits & Other Approvals

After a variance is granted by the Board of Appeals a petitioner may then file for any required permit to complete their desired project. Certain approvals may require conditional use permits and/or building, site, and operation plan approvals in front of another Village Committee's as well.

Village of Union Grove
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