



Variance Application

A variance is a relaxation of a standard in a land use ordinance. Variances are decided by the zoning board of appeals. This zoning board is a quasi-judicial body because it functions almost like a court. The board's job is not to compromise ordinance provisions for a property owner's convenience, but to apply legal criteria provided in state laws, court decisions and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

Process

At the time of application you will be asked to:

1. **Complete an application** form (see attached) with supporting documents and submit a non-refundable \$400 fee;
2. **Provide detailed plans** describing your lot and project (location, dimensions and materials);
3. **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance.

Following these steps and determination by the Planning Department that your application is complete, the City will publish notice of your request for a variance in the City's official newspaper noting the location and time of the required public hearing before the zoning board. The adjacent property owners within 300' of your property and any affected state agency will also be notified. The burden will be on you as property owner to provide information upon which the board will base its decision. At the hearing you or your agent must convince the zoning board to make a ruling in your favor. The hearing will be open to the public for comments for or against granting the variance. The board must make its decision based only on the evidence submitted to it at the time of hearing.

Variance Application

City of Oconomowoc Zoning Board of Adjustment/Appeals

Date filed: _____

\$400.00 fee

	Owner	Applicant
Name		
Address		
Phone		
E-mail		

Please provide fifteen (15) copies of the following information:

1. A scaled map of the existing subject property showing all lands for which the variance is proposed, and all other lands within 200 feet of the boundaries of the subject property. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
2. A map of the generalized location of the subject property in relation to the City as a whole;
3. A written description of the proposed variance; (e.g. encroachment of 3' into a side yard setback)
4. A site plan of the subject property as proposed for development;
5. Written justification for the requested variance consisting of the reasons why the applicant/property owner believes the proposed variance is appropriate;
6. Describe alternatives to your proposal such as other locations, designs, and construction techniques. If you find such alternatives, please explain why you have rejected them;

Please answer the following questions (Fifteen (15) copies on separate paper):

1. What exceptional/extraordinary circumstances, special factors or unique property limitations are present which apply only to the property? In what manner do the factors listed prohibit the development of the subject property?
2. Would granting the proposed variance be a substantial detriment to the public interest?
3. Would the granting of the proposed variance result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare?
4. Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent?
5. Would compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose or would conformity with the ordinance create an unnecessary burden on the property owner?
6. Has the requested variance or any other variances been granted or denied to the property in the past?

I certify that the information I have provided in this application and attached documents are true and accurate.

Property Owner Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

174 E. Wisconsin Avenue · P. O. Box 27 · Oconomowoc, Wisconsin 53066

262-569-2166 · www.oconomowocusa.com