



Variance

Village of East Troy, Wisconsin

Village of East Troy
2015 Energy Drive
East Troy, WI 53120

Version: April 4, 2018

Overview: Recognizing that there may be situations where a zoning regulation that if enforced would cause unnecessary hardship to individual landowners, the state legislature established a mechanism to allow a municipality to issue a variance in those instances where a minor deviation would be appropriate to alleviate such hardship without circumventing or undermining the intent of the zoning regulations. Variances are considered on a case-by-case basis and decisions of the Board are based on the evidence and testimony received as part of the application, during a site visit, and through the public hearing process. The Board can only issue a variance if the evidence demonstrates that the requested variance meets all of the decision criteria specified in the Village's zoning code and pertinent state legislation and case law.

Governing regulations: The procedures and standards governing the review of this application are found in § 510-151 of the Village's zoning code.

General instructions: Complete this application and submit one copy to the Village Clerk at the mailing address shown above. Before you formally submit your application, you are encouraged to meet with the zoning administrator who can answer any questions you may have. If you have any questions, do not hesitate to contact the zoning administrator at (920) 728-2814 or via email at tim.schwecke@civitekconsulting.com. You may download this form at <http://villageofeastroy.zoninghub.com/highlights/procedures/Procedure.aspx>.

Application fee: \$200.00, plus charges for professional services

Application submittal deadline: Applications must be submitted by the second Monday of the month by 12:00 pm at the Village Hall.

1. Applicant information

Applicant name _____
Street address _____
City, state, zip code _____
Daytime telephone number _____
Email _____

2. **Agent contact information.** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Agent 1</u>	<u>Agent 2</u>
Name	_____	_____
Company	_____	_____
Street address	_____	_____
City, state, zip code	_____	_____
Daytime telephone number	_____	_____
Email	_____	_____

3. Subject property information

Physical address _____
Tax key number(s) _____

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Village Clerk.

4. Zoning information (refer to the Village's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- | | | |
|-------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> RH-35 Rural Holding | <input type="checkbox"/> TR-8 Two-Family Residential | <input type="checkbox"/> NB Neighborhood Business |
| <input type="checkbox"/> SR-3 Estate Residential | <input type="checkbox"/> AR-9 Attached Residential | <input type="checkbox"/> HB Highway Business |
| <input type="checkbox"/> SR-4 Suburban Residential | <input type="checkbox"/> MR-10 Multi-Family Residential | <input type="checkbox"/> CB Central Business |
| <input type="checkbox"/> SR-5 Neighborhood Residential | <input type="checkbox"/> MHR-6 Mobile Home Residential | <input type="checkbox"/> BP Business Park |
| <input type="checkbox"/> SR-6 Traditional-Front Residential | | <input type="checkbox"/> LI Light Industrial |
| <input type="checkbox"/> SR-7 Traditional-Rear Residential | | <input type="checkbox"/> GI General Industrial |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- | | | | | | |
|-----------------------------|---------------------|------------------------------|------------------------------|-----------------------------|---------------------|
| <input type="checkbox"/> PD | Planned Development | <input type="checkbox"/> GP | Groundwater Protection | <input type="checkbox"/> FP | 100-Year Floodplain |
| <input type="checkbox"/> DD | Downtown Design | <input type="checkbox"/> NFC | Natural Features Conservancy | <input type="checkbox"/> FP | 500-Year Floodplain |
| | | | | <input type="checkbox"/> SW | Shoreland-Wetland |

5. **Current use.** Describe the current use of the subject property.

6. **Previous variance applications for the subject property.** Describe any variances applications that have been submitted for the property; include the year, a general description, and whether the application was approved or not.

Note: If a variance application has been denied, an application for the same variance may not be submitted for a period of 12 months following the date of decision, except if the zoning administrator determines that factors have changed or there is new evidence in support of the variance request. (See § 510-161(i) of the zoning code.)

7. **Variance request.** Provide the requested information for each variance that may be required. If you need any assistance determining what variances may be required you should seek counsel from an attorney, surveyor, consultant, or other professional who is familiar with the Village's zoning code.

	Section Number of Zoning Code	Describe the requirement from that Section	Proposal
1.			
2.			
3.			
4.			

8. **Proposed project.** Describe what you would like to do (e.g., build a house, garage, fence) that cannot be done because of the section of the zoning code listed above.

9. Unnecessary hardship. Describe how the section(s) of the zoning code listed above creates a practical difficulty or is unreasonably burdensome in terms of severely limiting or prohibiting the reasonable use of the subject property as generally allowed under the Village's zoning code. Attach additional pages as necessary and see § 510-161(g) for more details.

10. Unique property limitations. Describe how the hardship is due to unique or special conditions or limitations affecting the subject property and/or structure that are not typical or generally shared by other surrounding properties. Attach additional pages as necessary and see § 510-161 (g) for more details.

11. Public interest. Describe why the variance, if granted, would not be contrary to the public interest by creating or having the potential for creating an adverse impact on the public, health, safety, or welfare of adjoining and surrounding residents, properties or the community. Attach additional pages as necessary and see § 510-161(g) for more details.

12. Supplemental materials. Attach the following to this application form.

1. A map of the generalized location of the subject property in relation to the Village as a whole.
2. A map of the subject property (at a minimum scale of 1" = 800') showing all lands for which the variance is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands as they appear on the current records of the Walworth County Register of Deeds. The map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
3. A site plan of the subject property as proposed for the development. The site plan shall conform the requirements in § 510-160 of the zoning code.
4. Proposed construction plans (if applicable)

13. Attachments. List any attachments included with your application.

14. Other information. You may provide any other information you feel is relevant to the review of your application.

15. Applicant certification

- ◆ I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with § 510-149 (D) of the Village's municipal code to pay for the services of independent consultants the Village elects to retain to help review this application. Depending on the nature of the proposed project, such independent consultants may include planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts. I further understand, the Village may delay acceptance of the application as complete, or may delay final approval of the proposal, until all outstanding fees have been paid. I further understand that such fees must be paid even if this application is withdrawn or denied. If the applicant or the property owner does not pay such fees upon request, such fees may be assigned to the property owner as a special assessment to the subject property.
- ◆ I understand that submission of this application authorizes Village officials and employees, Plan Commission members, Village Board members, and other designated agents, including those retained by the Village, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- ◆ I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- ◆ I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

Name – print

Name – Signature

Date

Name – print

Name – Signature

Date