

GRANT COUNTY

CONSERVATION, SANITATION AND ZONING DEPT

**150 West Alona Lane,
Suite #1, Lancaster, WI 53813**

**sanitation@co.grant.wi.gov
608/723-6080**

VARIANCE APPLICATION PROCEDURES

FEE: \$800.00

The following is a review of the overall procedure involved in applying for a Variance. This review is not meant to be all-inclusive for all cases, but will provide an idea of what processes and materials are needed to complete your variance request application. The Conservation, Sanitation and Zoning Dept. (CSZD) staff will answer questions about the application, but the staff cannot be responsible for any defects that may arise in your application nor provide you with legal advice.

This packet contains: 1- A Variance Application, 2- A Request for Town Participation form.

Steps:

- 1) Complete the variance application and submit the fee to the CSZD. All property owner(s) of record must sign the application.
- 2) Contact the Town the property is located in and request to be put on their agenda.
- 3) Present the Township participation form & your request at the Town Board meeting.
- 4) Return the completed Township participation form to the CSZD prior to the Board of Adjustment (BOA) public hearing. **If not received and accepted by the CSZD in time for the BOA public hearing and the request is postponed as a result, the applicant shall be required to pay another application fee.**
- 5) The BOA public hearing is scheduled on an as needed basis, is held at either the Grant County administrative building or the CSZD building, and is the hearing where the final decision is made.

Application:

- Only the original documents are accepted, no copies or faxes.
- If an agent is to sign the application, written proof of agent authority is required to accompany the application.
- If the property is in a Trust, the Trustee must sign the application and provide proof of signing authority with the names and address of all those with a beneficial interest in the Trust.
- The legal description can be obtained from the following: (1) Property tax bill, (2) Plat of Survey, (3) Title policy.
- If the legal description is too large for the space provided it may be attached as a second page to the application.

BOA Hearing:

- The petitioner, petitioner's attorney or agent must attend the public hearing and present testimony. The BOA does not require that the petitioner have an attorney; however, they may be represented by one if they wish.
- The BOA would prefer that all presentations be kept as short as possible.
- The order of presentation will be:
(1) – CSZ staff findings, (2) – Petitioners presentation, (3) – Persons in support, (4) – Persons in opposition
- The rationale for zoning relief must be given in narrative form by the petitioner with information provided that the proposed variance and associated structures will not be hazardous, harmful, offensive, or otherwise adverse to the environment, community, or the purpose of the Ordinance.
- Supporting documents may include a detailed plot plan, operational plans, engineering plans, topographical maps, floodplain hydraulic analyses, flood-proofing and other specifications.
- All materials presented as evidence and exhibits by the petitioner will be marked and retained by the BOA.
- All questions arising from the public shall be directed to the Board of Adjustments Chairperson.
- Public comments must be submitted 5 business days prior to the public hearing.

BOA Decision:

- Following each BOA hearing and assuming no extenuating circumstances accrue, the BOA will announce their decision.

GRANT COUNTY VARIANCE APPLICATION

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Phone: 608-723-6080

Office use:		
Tax Parcel # _____	Fee Paid \$ _____	Date Received: _____
County Zoning District: _____	SPO Zoning District: _____	FIRM/Flood Study: _____

Applicant:

Property Location:

Owner(s) Name _____

_____ 1/4 _____ 1/4 Sec. _____ T _____ N R _____ W

Mailing Address _____

Lot _____ Block _____ Addition _____

Phone# (Day Time) _____

Subdivision/CSM# _____
Town of _____

Variance request for the following Ordinance(s):

Tax Parcel # _____

Section # _____ of the Grant County _____ Ordinance

Section # _____ of the Grant County _____ Ordinance

Section # _____ of the Grant County _____ Ordinance

1. Explain how you wish to deviate from dimensional standards of the Ordinance {Variance requested should be the minimum needed to allow reasonable use}:

2. Explain the hardship imposed by the Ordinance

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. Financial gains or losses can't be self-imposed hardship.

3. Explain unique site conditions that restrict the use of the property.

Unnecessary hardship must be due to unique physical limitations of the property, such as steep slopes or wetlands that prevent compliance with the ordinance. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances.

4. Explain why the proposed variance(s) will not harm the general public interest

In applying this test, the purpose and intent statement of the ordinance should be reviewed to identify public interests:

Section 3.01(2): The purpose of this ordinance is to protect and to promote the public health, safety, morals, prosperity and general welfare, to preserve aesthetic values, to guide development throughout the county....

Section 3.01(3): It is the intent of this ordinance to promote the public health, safety and general welfare by determining, establishing, regulating and restricting:

- where business and recreation may be conducted
- where residences may be located
- where structures and business can be located in relation to bodies of water

Plot Plan: An attached plot plan or location sketch drawn to scale or with dimensions is required showing the location, boundaries, uses and sizes of all existing and proposed structures, property lines, roads, and road right-of-way lines, easements, driveways, sanitary system, utilities, and all other pertinent features. **If additional space is needed to answer questions 1 through 3 use the back of this form or attach additional pages.**

Notices: Depending on the request, in addition to the Town and property owners within 300 ft., notice of this request may be forwarded to the following entities: {1} WDNR {2} WDOT {3} DATCP {4} Property owner associations.

I/We the undersigned are applying for a variance requested for the above described property and I/We hereby state that the information on this application, the attached plot plan and materials presented as evidence or exhibits pursuant to this variance request are accurate. As part of this variance request, I/We the undersigned property owner(s) hereby grant permission for the Board of Adjustments hearing to be held on the above described property at the discretion of the Board of Adjustments Chairperson.

Property Owner(s) Signature _____

Date _____

GRANT COUNTY CONSERVATION, SANITATION AND ZONING DEPARTMENT

REQUEST FOR TOWNSHIP PARTICIPATION

LAWS REGARDING COMPREHENSIVE PLANS:

Wisconsin Statute 66.1001(3) ACTIONS, Procedures that must be consistent with comprehensive plans. Beginning on January 1, 2010, land-use decisions made by local governmental units shall be consistent with that local governmental unit's Comprehensive Plan.

Section - 1

APPLICANT COMPLETES SECTION - 1

To the request for (Owner(s) Name) _____

Property Address _____ Tax Parcel# _____ Acres: _____

Description of Request: Variance

Narrative of Request: _____

Section - 2

TOWN BOARD: PLEASE COMPLETE SECTION - 2

----- **Questions 1 through 2.b. must be answered to validate this document** -----

CIRCLE ONE

1 - Does the town, have any regulations in addition to Grant County Zoning ordinance (ie: town ordinance) that would apply to the request? ----- Yes No

If yes – please explain: _____

2 - Does the Town feel the request is consistent with their Comprehensive Plan objectives and policies?----- Yes No N/A

2.a. If yes, is the Town in favor of the variance request?----- Yes No N/A

2.b. If no, does the Town wish to amend the Comprehensive Plan to allow the variance request? - - - Yes No N/A

THE TOWN OF _____ TOWN BOARD ON THIS DATE _____

DOES NOT OBJECT TO THE REQUEST

OBJECTS TO THE REQUEST

Board Vote: Number In-Favor _____ Number Opposed _____ Number Abstained _____

Reason(s) for the town board decision: _____

CHAIRMAN

CLERK

SUPERVISOR

SUPERVISOR

UPON COMPLETION RETURN TO APPLICANT