



APPLICATION FOR ZONING VARIANCE

PROPERTY LOCATION: _____

Tax Key Number (Vacant Land): FDL-__-__-__-__-__-__

| Project Applicant | | | |
|--|------|--------------|----------|
| Name | | | |
| Mailing Address | City | State | ZIP Code |
| Email Address | | Phone Number | |
| Landowner (Complete this information if the project applicant is not the property owner.) | | | |
| Name | | | |
| Mailing Address | City | State | ZIP Code |
| Email Address | | Phone Number | |
| Landowner Certification | | | |
| If the person requesting a variance is not the owner of the property affected by the proposal, the consent of the landowner is necessary. Refer to the LANDOWNER AUTHORIZATION form included with the variance application packet. | | | |

VARIANCE PROPOSAL

A variance is an exception to a regulation of the zoning code. Describe the purpose of the variance request.

ALTERNATIVES

Describe alternatives to your proposal such as other locations, designs, and construction techniques. If the alternatives are not reasonable, provide the reason(s) for rejection.

CRITERIA FOR VARIANCE APPROVAL

To obtain a variance, the applicant must demonstrate that a unique condition of the property exists to prevent compliance with zoning code regulations. A variance is not intended as an accommodation for a property owner’s convenience. To qualify for a variance, an applicant must demonstrate that the property meets the following three requirements:

- 1. Unique Property Limitations**
- 2. No Harm to Public Interest**
- 3. Unnecessary Hardship**

1. UNIQUE PROPERTY LIMITATION(S)

Physical characteristics of the property that are not generally shared by other properties – such as a steep slope, wetland, unusual lot boundaries, unusual lot size – must be evident that affect compliance with ordinance requirements. The preference of an applicant (growing family, need for a larger garage, bigger sign, etc.) is not a factor for variance approval. The *property* must qualify for the variance, *not the particular situation of the property owner*.

Describe the unique property limitations that prevent compliance with code requirements:

2. NO HARM TO PUBLIC INTEREST

A variance may not be granted which results in harm to the interests of neighbors, the community, and the general public. Lack of opposition does not mean that the proposed construction would not harm the public interest.

Describe why approval of your proposal will not harm any adjacent or nearby property:

3. UNNECESSARY HARDSHIP

The unique property limitations must create the unnecessary hardship to justify an exception to zoning regulations. The hardship must not be self-imposed; loss of profit, construction without a permit, additional expense to comply with zoning ordinances, are not unnecessary hardships.

Describe why unique limitations of the *property* make compliance with zoning regulations difficult or impossible:

VARIANCE SUBMITTAL - REQUIREMENTS

The Board of Appeals meets on the first Monday of the month at 3:00 p.m. in Meeting Room A of the City-County Government Center, 160 S Macy Street. Meeting agendas and minutes may be viewed on the City's website: www.fdl.wi.gov

Checklist for submittal of a variance request

Refer to the *Board of Appeals Timetable* for application submittal deadlines and meeting dates.

- Project Application** (Complete Pages 1 and 2)
- Filing Fee (Non-refundable):** **\$150 – Single Family (Dwelling/lot used for single family residential purposes)**
 \$250 – Two-Family or Multifamily
 \$350 – All Other Uses
- Site Plan:** A site plan should show existing property conditions and any new building area or a new structure (fence, gazebo, storage shed, garage, ground sign, etc.). The plan should show lot lines, existing buildings, setback measurements, driveway(s), and parking areas. Some proposals may require building elevation drawings or other drawings (new fence, shed, gazebo, etc.).
- Site Photos:** Provide photos of the property to show existing site conditions. For sign proposals provide photos of all existing signage (wall, projecting, pole/monument), show sign dimensions, ground sign height, ground sign setbacks to front and side lot lines.

Where to submit a variance request?

The completed variance application, landowner consent, site plan, site photos, and the filing fee, may be submitted in person at the Community Development office located on the 4th floor of the City-County Government Center or electronically via email: CD@fdl.wi.gov. **For applications submitted via email, please call 920-322-3440 to confirm receipt of electronic submittal.**

Payment of the application fee must be received prior to the application submittal deadline. Payment may be submitted via USPS, in person, or deposited in one of the City payment boxes at the City-County Government Center.

Mailing address: City of Fond du Lac – Community Development Department
160 S Macy Street, PO Box 150
Fond du Lac, WI 54936-0150

Timeline

Public Notice: Notification of a variance request is mailed to neighbors by the City Clerk's office. The notice explains the variance proposal and provides information for the meeting date, time and location. The notice is also mailed to the applicant.

Project Review: A variance request is analyzed by Community Development staff for zoning regulations and to determine evidence of a hardship specific to the property. The project analysis and recommendation is provided to the applicant in advance of the public meeting.

Board of Appeals Meeting: The applicant or a representative of the applicant must attend the meeting to present the variance request and answer any questions the Board may have. If the applicant fails to appear, the Board will postpone action on the request. Based on the facts of the case and using statutory guidelines, the Board will make a decision on the request. If a variance is approved the applicant may then apply for a building permit. A decision of the Board of Appeals is final. There is no administrative appeal process.

Variance Approval: A variance is valid for a period of one year from the date of the meeting at which the approval occurred. If a building permit is not applied for within the one-year period, a new variance must be granted. A one-year extension may be administratively authorized by the Community Development Department with the submittal of a written request prior to expiration of the approved variance, setting forth the facts that require an extension.

FOR INFORMATION OR ASSISTANCE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT: (920) 322-3440

LANDOWNER AUTHORIZATION

TO: City of Fond du Lac
Community Development Department

Re: VARIANCE REQUEST

LOCATION OF VARIANCE REQUEST: _____

The undersigned _____ is the owner of property

NAME OF PROPERTY OWNER (PLEASE PRINT)

referenced above. The undersigned authorizes _____

to sign and file a variance application that affects the referenced property.

SIGNATURE OF LAND OWNER OR AUTHORIZED AGENT

DATE

BOARD OF APPEALS TIMETABLE 2024

(1st Monday of the Month)

| Application Filing Deadline 12:00 pm (Tuesday) | Agenda Distribution (Thursday) | BOA Meeting 3:00 pm - Monday Meeting Room A |
|---|--|--|
| Tuesday Dec 19, 2023 | Jan 4, 2024 | Jan 8, 2024 |
| Jan 23, 2024 | Feb 1, 2024 | Feb 5, 2024 |
| Feb 20, 2024 | Feb 29, 2024 | Mar 4, 2024 |
| Mar 19, 2024 | Mar 28, 2024 | April 1, 2024 |
| April 23, 2024 | May 2, 2024 | May 6, 2024 |
| Monday May 20, 2024 | May 30, 2024 | June 3, 2024 |
| June 18, 2024 | June 27, 2024 | July 8, 2024 |
| July 23, 2024 | Aug 1, 2024 | Aug 5, 2024 |
| Monday Aug 26, 2024 | Sep 5, 2023 | Sep 9, 2024 |
| Sep 24, 2024 | Oct 3, 2024 | Oct 7, 2024 |
| Oct 22, 2024 | Oct 31, 2024 | Nov 4, 2024 |
| Thursday Nov 14, 2024 | Tuesday Nov 26, 2024 | Dec 2, 2024 |
| Tuesday Dec 17, 2024 | Monday Dec 30, 2024 | Jan 6, 2025 |