



# 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.

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### 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.

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# 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:**

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**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:**

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**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:**

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## 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](http://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):** \$100 – Single Family (Dwelling/lot used for single family residential purposes)  
\$300 – 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, ground), 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, along with the site plan, site photos, other information and filing fee, may be submitted in person at the Community Development office located on the 4<sup>th</sup> floor of the City-County Government Center or submitted via email with payment delivered to the Community Development office prior to the application filing deadline.

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

**Please contact the Community Development office at (920) 322-3440 prior to the electronic submittal of a variance application. Electronic submittals should be directed to: [jdahlin@fdl.wi.gov](mailto:jdahlin@fdl.wi.gov)**

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 2019

(1<sup>st</sup> Monday of the Month)

<b>Application Filing Deadline</b> 12:00 pm (Tuesday)	<b>BOA Meeting</b> 3:00 pm - Monday Meeting Room A
Dec 18, 2018	<b>Jan 7, 2019</b>
Jan 22, 2019	<b>Feb 4, 2019</b>
Feb 19, 2019	<b>March 4, 2019</b>
March 19, 2019	<b>April 1, 2019</b>
April 23, 2019	<b>May 6, 2019</b>
May 21, 2019	<b>June 3, 2019</b>
June 18, 2019	<b>July 1, 2019</b>
July 23, 2019	<b>Aug 5, 2019</b>
Aug 27, 2019	<b>Sept 9, 2019</b>
Sept 24, 2019	<b>Oct 7, 2019</b>
Oct 22, 2019	<b>Nov 4, 2019</b>
Nov 19, 2019	<b>Dec 2, 2019</b>
Dec 17, 2019	<b>Jan 6, 2020</b>

Meeting agendas and meeting minutes for the Board of Appeals may be viewed on the City's website. Click on the "Calendar" tab on the Home page. Agendas and minutes are attached to the date of the meeting.  
[www.fdl.wi.gov](http://www.fdl.wi.gov)

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