



**Village of Richfield
Planning and Zoning**

4128 Hubertus Road
Hubertus, WI 53033
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VARIANCE APPLICATION CHECKLIST

- Pre-application meeting with Village Staff**
 - Date of meeting: _____
- Application Received**
 - Date received: _____
- Determination of completeness**
 - Date reviewed for completeness: _____
- Processing of application fee into BDS**
- Public Hearing notice sent to West Bend Daily News**
 - Confirmation of publication e-mail received on: _____
- Public Hearing notice published in newspaper, first insertion**
 - Date of first insertion: _____
 - Confirmed by Deputy Clerk: _____
- Public Hearing notice published in newspaper, second insertion**
 - Date of second insertion (7 days b/w last publication and public hearing): _____
 - Confirmed by Deputy Clerk _____
- Notice sent to property owners within 300' of property**
 - Date sent to property owners: _____
- Site visit and meeting agenda prepared**
- Site visit and meeting agenda posted at designated locations**
 - Hubertus Post Office _____
 - Colgate Post Office _____
 - Richfield Post Office _____
- Agenda sent to applicant(s)**
 - Via e-mail _____
 - Via regular mail _____
- Staff report sent to Board of Zoning Appeals members**
 - Date is Friday before Board of Zoning Appeals meeting: _____
- Staff report sent to applicant**
 - Date is Friday before Board of Zoning Appeals meeting: _____
- Meeting agenda posted online: _____**
- Board of Zoning Appeals meeting/public hearing**
- Written decision sent to applicant and/or minutes of meeting**
 - Date of decision letter being sent: _____
- Application information stored in Lazerfish: _____**

Variance
\$455.00

VARIANCE APPLICATION

Complete this application and submit nine (9) copies to the Village Planning and Zoning Administrator along with the application fee. Before you formally submit your application, you may submit one copy to the Planning and Zoning Administrator who will ensure it is complete and provides enough information to describe the circumstances related to this application.

Overview

The most common appeals heard by the Board of Appeals are from property owners seeking a “variance” from one or more of the dimensional requirements established in the Zoning Ordinance, e.g. building setbacks. A “variance” is permission granted by the Board of Appeals to build or develop in a way that is different than required or allowed under the Ordinance.

It is important to understand that in accordance with Wisconsin Statutes the Village’s appeal procedures are enforced so that variances are granted only in response to unique limitations that affect and/or prohibit the use and development of a given property that are deemed by the Board of appeals to constitute an unusual or unnecessary, but not self-imposed “hardship” or circumstance, provided however that the requirements being varied to not result in harm to adjoining property, the neighborhood, and the general public interest.

Variances will not be granted for reasons that are common to other properties or for such simple reasons as the desires of the property owner. Variances are not granted routinely. Furthermore the existence of non-conforming buildings and properties or the granting of variances to other properties does not justify nor guarantee that the Board of Appeals will approve the variance. The decision is based on the evidence and testimony received as part of the application, during their site review of the property and through the public hearing process.

Additional Requirements

In addition to the criteria listed on this application, to qualify for a variance under FEMA regulations for property under the regulations of the Floodplain development standards contained in Sec. 70.213, the following criteria must be met:

- The variance may not cause any increase in the regional flood elevation
- Variance can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE (Regional Flood Elevation)
- Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risk to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of Village Code Sec. 70.213

Use Variance

No variance(s) that would allow the use of a property and/or structure in any zoning district that is not a stated principal use or accessory use in that particular district, or, that would result in the intensification or increase in density of building area or lots of such principal or accessory uses shall be granted by the Board unless it finds based on the evidence and testimony submitted as part of the public records that all the following facts and conditions exist:

- Unnecessary Hardship
- Unique Property Limitations
- Public Interest

Area Variance

No variance(s) that would remove or make less strict or severe any setback, frontage, height, building or yard location, or other area restrictions and/or requirements that apply to a property and/or structure in any zoning district shall be granted by the Board unless it finds based on the evidence and testimony submitted as part of the public record that all of the following facts and conditions exist:

- Unnecessary Hardship
- Unique Property Limitations
- Public Interest

The Board of Appeals may impose special conditions on any use or development being proposed in order to ensure that these criteria can and will continue to be met. Only the minimal amount of relief necessary to allow reasonable use or development of the property will be granted. Unless otherwise stipulated by a condition of approval, variances that permit some type of building or development will expire after twelve (12) months unless the building or development commences within 12 months and continues in reasonable manner toward completion.

Property Owner Information

Name: _____

Company Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax: _____ Email: _____

Property Information

Tax Parcel Number: _____ Size of Parcel (acres): _____ Zoning: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

Request

What is the nature of your request for this variance? Example: to reduce the side yard setback from the required 30 feet to 25 feet in order to build an addition. _____

Section or Sections of Code

List the section or sections of the code that are related to your variance request. _____

Supplemental Information

As a part of this application, include a plat of survey as prepared by a registered land surveyor, which depicts the following information as it applies to the variance being requested:

- Engineering scale and north arrow
- Name of project and location/vicinity map
- Owner's and/or developer's name and mailing address
- Architect and/or engineer's name and mailing address
- Date of plan submittal
- Location of all property lines, existing and proposed buildings and structures including fences, berms and walls, setback lines and yard requirements, easements, access restrictions, designated and mapped wetlands and 100-year floodplains, signs, exterior lights
- Location and number of access driveways and intersections to public roads, paved areas, parking, loading and storage areas
- Locations and size of existing and proposed septic tanks and disposal fields, holding tanks, storm water facilities, erosion control features, and landscaping areas
- Location of proposed solid waste (refuse) storage area
- Location of pedestrian sidewalks and walkways
- Existing and proposed public right-of-way widths
- Existing and proposed street names
- Any other site or use information which will assist the Planning and Zoning Administrator in reviewing the application and making a determination of zoning compliance
- A table, chart or schedule of building floor area and total impervious surface coverage in acres, square feet, and ratio, landscaped surface/open space coverage in acres, square feet and ratio, land area in areas and square feet, minimum parking space requirements and spaces provided
- Color rendering or model (optional) of property to be developed, including all buildings, parking areas, drainage basins and facilities, landscaping, and exterior lighting (See Planning and Zoning Administrator for examples)
- Existing zoning and land uses on adjoining property
- Any other site or use information which will assist the Planning and Zoning Administrator in reviewing the application and making a determination of zoning compliance

Unnecessary Hardship

Describe why you believe strict compliance with the zoning regulation(s) from which the variance(s) is/are being sought would create a subject practical difficulty or be unreasonably burdensome to the property owner in terms of severely limiting or prohibiting the reasonable use of the property as intended under the zoning ordinance and when compared to surrounding properties. _____

Unique Property Limitations

Describe why you believe the unnecessary 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. _____

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. _____

Property Owner Affidavit

I certify that I am the Owner(s) of the property which is the subject of this application in the Village of Richfield, Washington County, Wisconsin, and that all the information attached to or provided in support of said application, including sketches, data, and any other documents and material, are honest and true to the best of my (our) knowledge.

I understand and acknowledge the responsibility for any and all fees charged or costs incurred by the Village of Richfield to carry out the processing and review of this application; I (we) further acknowledge and understand that I (we) will be required to start an escrow account to which all processing and review cost will be charged; I (we) further acknowledge that in the event that the initial fee is not sufficient to cover all the costs associated with processing and reviewing the application I (we) will be required to provide the Village of Richfield an additional deposit; I (we) further acknowledge that the balance of any remaining fees shall be refunded within a reasonable amount of time after this application has been processed or withdrawn.

I understand that a change to one of the future land use maps does not change the zoning designation of the property. However, a rezoning of the property must be consistent with the 10-year future land use map.

I certify that the members of the Board of Appeals, along with Village Staff and other officials, and members of the public may enter my property to view the same.

I understand that if the Board of Appeals grants the variance I must obtain all other approvals required under Chapter 70 of the Village Code.

I understand that I should not contact any members of the Board of Appeals regarding this matter and that doing so may require that member to abstain from voting on this matter.

I understand as Owner(s) of the property subject of this application understand that this application and all required forms and information must be completed and accurate, as determined by the Planning and Zoning Administrator for the Village of Richfield, before a meeting and/or public hearing (if required) can be scheduled.

Property Owner Signature

Date