



Community & Economic Development

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APPLICATION for APPEAL or VARIANCE

Notice: Please complete the Application in full. The City of Waupaca cannot accept an incomplete Application Form or Application Packet lacking all required information.

An Application for Appeal or Variance shall be filed with the Board of Appeals within 30 days of the decision notification.

Contact Information:

Property Owner: _____

Address: _____

Phone: _____ Email: _____

Applicant (if different from Property Owner): _____

Address: _____

Phone: _____ Email: _____

Property Description (complete for all applicable parcels):

Address: _____

Tax Key No.: _____ Lot Area: _____ Lot Width: _____

(If additional parcels, please attach as separate sheet)

Current Use of Property: _____

Appeal / Variance Requested:

The Owner, being aggrieved by the decision of the Common Council, Plan Commission, Zoning Administrator, Building Inspector, or Other Officer of the City was (check one):

- ___ Denied approval of a zoning change on: _____ (date)
- ___ Denied approval of a site plan permit on: _____ (date)
- ___ Denied approval of a sign permit on: _____ (date)
- ___ Issued a notice of violation or compliance order on: _____ (date)

Makes this appeal for the following purpose (check one):

- ___ To seek a variance from the requirements of Section(s) _____ of Chapter 17: Zoning Regulations of the City of Waupaca Code of Ordinances.
- ___ To determine whether the order, requirements, decision, or determination of the Common Council, Plan Commission, Zoning Administrator, Building Inspector, or Other Officer of the City is in error.
- ___ To obtain an interpretation of Section(s) of Chapter 17: Zoning Regulations of the City of Waupaca Code of Ordinances.
- ___ To obtain an interpretation of the location of the boundaries of the _____ zoning district on Tax Key No. _____ of the City of Waupaca.

Variance:

Granting of Variance:

As per Chapter 17.806(7) of Chapter 17: Zoning Regulations, the Board of Appeals shall grant no variance unless it finds that all the following facts and conditions exist:

- (a) *Preservation of Intent. No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.*
- (b) *Special or Unique Condition. There shall be a special or unique condition applying to the lot or parcel that does not apply generally to other properties in the same district, and the granting of the variance shall not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.*
- (c) *Economic Hardship and Self-Imposed Hardship Not Grounds for Variance. The special or unique condition on the lot or parcel must cause an unnecessary hardship. However, no variance shall be granted solely on the basis of economic gain or loss and self-imposed hardships shall not be considered as grounds for the granting of a variance.*
- (d) *Public Interest: No variance shall be granted that will materially impair or be contrary to the purpose and spirit of this Chapter or the public interest.*

Please provide on a separate sheet of paper, in sufficient detail, a response to the below questions. The answers to these questions will be provided as your argument for approval. Please ensure responses are adequate.

Preservation of Intent:

- 1) The Applicant / Agent shall explain how the proposed use or structure is consistent with the purpose and intent of the zoning district in which the proposed development is located.

Special or Unique Condition:

- 2) The Applicant / Agent shall describe the special or unique condition applying to the lot or parcel that does not apply generally to other properties in the same district.

Hardship:

- 3) The Applicant / Agent shall describe the hardship resulting from the decision to deny the proposed use or structure.

Public Interest:

- 4) The Applicant / Agent shall explain how the proposed use or structure is consistent with the purpose and spirit of the zoning ordinance and the public interest.

Signature and Certification:

I certify the information presented on this Application and the drawings, plans, and other materials included therein are, to the best of my knowledge, complete and in accordance with the Zoning Ordinance.

Owner Signature: _____ Date: _____

Application Fee:

The Application Fee for an Appeal or Variance is \$300.00. The Application shall not be accepted until the Application Fee has been paid.

* Meeting attend is required.

OFFICE USE ONLY		
Fee: _____ \$300.00	Receipt Number: _____	Date Paid: ____ / ____ / ____
Ruling: Approved: _____	Denied: _____	
Staff report in review of proposed zoning change is attached. Reason for Denial shall be presented in attached staff report.		
Comments: _____		