

**VILLAGE OF HIGHLAND
APPLICATION FOR VARIANCE**

VARIANCE NUMBER _____ **FEE: \$175.00** _____ date paid

To the Zoning Administrator and Zoning Board of Appeals:

We the undersigned hereby make application for a variance for the work described and location as shown herein. We agree that all work shall be done in accordance with the requirements of the Highland Zoning Ordinance and with all other applicable Village Ordinances and the laws and regulations of the State of Wisconsin. We understand that all work shall be substantially complete within six months or the permit will expire.

Parcel Number _____ Phone Number _____
Owner _____
Physical Address _____
Mailing Address _____
Builder _____
Address _____

Variance relating to: (check all that apply)

_____ lot area _____ setback _____ lot width _____ other

Describe your project, (new house, remodeling, addition, demolition etc.) Attach a copy of the building site plan on a separate sheet of paper (showing streets; lot size; size and location of existing and proposed buildings; front yard, rear yard and side yard setbacks.) Explain why a variance is needed listing the unnecessary hardship, the unique property limitation and the protection of public interest (see attached sheet.)

Lot size _____ (width) _____ (length) _____ (total square feet)
Zone _____ Use _____ No. of apts. _____
No. of employees _____ No. parking spaces _____ Estimated cost _____

(Signed)

(Signed)

(Date)

ACTION (to be completed by the Village Clerk)

Date petition received _____ Notice published _____ & _____
Public hearing date _____ Notice posted _____
Zoning Board of Appeals Action: _____ Approved _____ Denied _____ Modified _____
Signed _____ Date _____

Return form to Village of Highland, 530 Main St., PO Box 284, Highland, WI 53543
Phone 608.929.7781, Fax 608.929.7007, Email bfredericks@villageofhighland.net

VARIANCES

A *variance* is **permission granted by the Board of Zoning Appeals to build or develop in a way which is inconsistent with the dimensional standards contained in the ordinance.** This is a checklist for the applicant to file and the Board of Zoning Appeals to consider before granting a variance. Variances are not to be granted routinely. The applicant for a variance must clearly show the Board that three statutory standards and additional court-established principals that govern granting a variance will be met.

1. ***What is the Unnecessary Hardship?***

1. Unnecessary hardship is a situation where, in the absence of a variance, an owner can make no feasible use of the property, or strict conformity is unnecessarily burdensome.
2. The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not one which affects all parcels similarly.
3. Loss of profit or financial hardship is not in and of itself grounds for a variance.
4. Self-imposed hardship is not grounds for a variance. (Splitting a lot to create 2 substandard lots & then claiming hardship.)
5. The hardship cannot be one that would have existed in the absence of a zoning ordinance.

2. ***Is There a Unique Property Limitation?*** Unique physical characteristics of the property, not the desires of or conditions personal to the applicant must prevent the applicant from developing in compliance with the zoning ordinance. (Steep slope, wetlands etc.; not growing family, desire for more living/storage space.)

3. ***Is This in the Protection of Public Interest?*** Granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The public interest includes the interests of the public at large, not just the nearby property owners.

1. In granting variances, the Board may impose special conditions to ensure that the public welfare will not be damaged. The conditions must relate reasonably to the purpose and intent established in the zoning ordinance.
2. A variance should only include the minimum relief necessary to allow reasonable use of the property.

Additional Court-Established Principles.

3. Violations by or variances granted to neighboring owners do not justify a variance.
4. Variances attach to the property as a permanent right.