

**ADAMS COUNTY
PLANNING AND ZONING DEPARTMENT**

P. O. Box 187
Friendship, WI 53934

www.co.adams.wi.gov

Phone: (608) 339 - 4222

Fax: (608) 339 - 4504

APPLICATION FOR VARIANCE

FEE: \$300.00⁽¹⁾

The following is a review of the overall procedure involved in applying for a Variance. This review is not meant to be all-inclusive for all cases, but will provide an idea of what processes and materials are needed to successfully complete your variance request. If you have questions involving your individual request, please contact the Planning & Zoning Department Office between 8:00 a.m. and 4:30 p.m.

Contained in this packet should be the following items:

- A Variance Application form
- A Variance Application Data form
- A Request for Town Participation form

The Variance application must be completed and submitted to the Planning & Zoning Office before a public hearing date can be scheduled. To expediting the process, the Planning & Zoning Department will allow applicants to be placed on the County Planning & Development Committee hearing agenda before they meet with the Town. However, the Department must have the completed Town Participation Form prior to the hearing at the County. ⁽¹⁾If the Town Participation Form is not provided for the hearing and the request is tabled as a result, the applicant shall pay another application fee. Public hearings are scheduled on a first come, first served basis and are held at the Adams County Courthouse as the Planning & Development Committee may determine. The Planning & Zoning Department staff will answer questions about the application, but the staff cannot be responsible for any defects that may arise in your application nor provide you with legal advice.

APPLICANT REQUIREMENTS & PUBLIC HEARING INFORMATION

On the VARIANCE APPLICATION form under **Property Location**, the complete legal description of the property must be listed. This legal description can be obtained from the following: (1) Property tax bill (2) Plat of Survey (3) Title policy.

The application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a Trust, the Trustee must sign the application, provide proof of authority and the names and addresses of all those with a beneficial interest in the Trust. If needed, obtain a **TRUST INFORMATION form** the Planning & Zoning Department. The application must be complete including an address and phone number where someone can be reached for questions or information.

Public hearing before the Board of Adjustment:

At the public hearing, the petitioner will be required to make a presentation pursuant to the items listed below. The Board of Adjustment does not require that the petitioner have an attorney; however, they may be represented by one if they wish. This presentation can be of any length and can involve any additional materials that are relevant to the petition. The Board of Adjustment does request that all presentations be kept as short as possible and also wishes to inform the petitioner that any materials presented as evidence to the Board of Adjustment will be kept permanently with the petition.

Public Hearing Presentation: Items to be addressed at the public hearing are listed below:

- Petitioner, person’s attorney or agent must attend the public hearing and present testimony.
- All petitioner’s exhibits will be marked and retained by the Board of Adjustment.
- The order of presentation will be:
 - (1) - Planning & Zoning staff findings
 - (2) - Petitioner
 - (3) - Persons appearing in support
 - (4) - Persons appearing in opposition

- Rationale for zoning relief must be given in narrative form by the petitioner. Provide information that the proposed variance and associated structures will not be hazardous, harmful, offensive, or otherwise adverse to the general welfare of the community.

All questions arising from the public shall be directed to the Board of Adjustment Chairperson.

Decisions: Assuming no problems, after the Public Hearing the Board of Adjustment will announce their decision. The Board of Adjustment may recess to closed session and reconvene in open session to announce the decision.



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VARIANCE APPLICATION

FEE: \$300.00⁽¹⁾

Office use:
 File # _____ Date received _____
 Fee \$ _____ Total acres _____
 Comp. # _____ Parcel # _____

Applicant:

Name of Owner _____
 Mailing Address _____
 Phone _____

Property Location:

_____ ¼ _____ ¼ Sec. _____ T _____ N R _____ E
 Lot _____ Block _____ Addition _____
 Subdivision or CSM _____
 Address _____
 Town of _____

Property information:

Total area of the property is: _____ acres _____ sq. ft.

Dimensions of the property: _____ feet x _____ feet

Current use is: _____ **Proposed use is:** _____

Hardship or reason for request:

Section _____ of the Adams County _____ Ordinance cannot entirely be satisfied because _____

Variance requested:

In lieu of complying exactly with the rule, the following alternative is proposed: _____

IMPORTANT: Attach plot plan or location sketch **{7 copies}** showing the location, boundaries, uses and sizes of the following applicable items: subject site, existing and proposed structures, all structure setbacks {current & proposed}, sanitary system, utilities, parking areas, property drainage, proposed excavation and / or filling, street rights-of-way, easements, driveways, trees 6 inches or greater in diameter at waist height, and all other pertinent features.

A Variance granted by the Board of Adjustment shall expire within two (2) years unless substantial work has commenced.

The undersigned hereby applies for the ordinance change requested above and states that the information on this application and the attached plot plan are accurate.

⁽¹⁾If the Town Participation Form is not provided for the hearing and the request is tabled as a result, the applicant shall pay another application fee.

 Signature of landowner

Date _____

Office notes: _____

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Applicant Name: _____

Parcel No. _____

NOTES: When requesting a Variance, proof of hardship, practical difficulties, why compliance with the rule is unnecessarily burdensome and / or other need for seeking relief from the provisions of the Ordinance(s) must be shown.

Depending on the request, in addition to the Town and property owners within 300 ft., this application may be forwarded to the following entities: {1} WDNR {2} WDOT {3} DATCP {4} Property owner associations.

VARIANCE APPLICATION DATA

Variance request for the following Ordinance(s):

- Adams County Comprehensive Zoning: Section: _____
- Adams County Shoreland Protection: Section: _____
- Adams County Floodplain Zoning: Section: _____
- Adams County Sanitary: Section: _____

1. Explain how the proposed development varies from dimensional standards of the Ordinance {Variance requested should be the minimum needed to allow reasonable use}: _____

2. Explain the hardship imposed by the Ordinance {To qualify, the applicant must demonstrate that the Ordinance regulation is unnecessarily burdensome}: _____

3. Describe unique property features that cause hardship: _____

4. Explain why the proposed variance will not harm the general public interest: _____

5. Check all additional supporting documents and data, which are being submitted to help explain this project proposal:

- | | | |
|---|------------------------------|-------------------------------------|
| _____ Sketch plan | _____ Topographic map | _____ Detailed narrative |
| _____ Operations plans | _____ Engineering plans | _____ Floodplain hydraulic analysis |
| _____ Flood-proofing plans / specifications | _____ Other {specify}: _____ | |

I certify that all data on my application forms, plans and specifications are true and correct to the best of my knowledge.

Applicant signature

Date

ADAMS COUNTY PLANNING & ZONING DEPARTMENT
REQUEST FOR
TOWNSHIP PARTICIPATION

LAWS REGARDING COMPREHENSIVE PLANS:

Wisconsin Statute 66.1001(3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS. Beginning on January 1, 2010, land-use decisions made by local governmental units shall be consistent with that local governmental unit's Comprehensive Plan.

TOWN BOARD: PLEASE FILL OUT INFORMATION BELOW COMPLETELY.

TO THE REQUEST FOR _____ TO BE GRANTED A:
(NAME)

REQUEST TYPE:	BRIEF DESCRIPTION OF REQUEST:
_____ REZONE.....	_____
_____ CONDITIONAL USE.....	_____
_____ VARIANCE.....	_____
_____ SPECIAL EXCEPTION.....	_____
_____ MODIFICATION.....	_____

FOR THE PROPERTY DESCRIBED AS FOLLOWS: _____

DOES THE TOWN HAVE ANY REGULATIONS THAT APPLY TO THE REQUEST {circle one}? Y N
IF YES – PLEASE EXPLAIN: _____

THE REQUEST IS CONSISTENT WITH THE TOWN COMPREHENSIVE PLAN {circle one}: Y N
{THIS IS OF PARTICULAR IMPORTANCE FOR REZONE REQUESTS}

IF NOT CONSISTENT WITH THE TOWN COMPREHENSIVE PLAN, DOES THE TOWN WISH TO AMEND THE COMPREHENSIVE PLAN TO ALLOW THE REQUEST? {circle one} Y N

THE TOWN BOARD OF THE TOWN OF _____

_____ **DOES NOT OBJECT** to the request _____ **OBJECTS** to the request

REASON(S) FOR THE TOWN BOARD DECISION: _____

TOWN CLERK

SUPERVISOR

CHAIRPERSON

SUPERVISOR

DATE: _____

APPLICANT: To get this form completed, request from the Town to be placed on their Board Meeting Agenda. To ensure that the Planning & Zoning Committee or the Board of Adjustment makes a prompt decision on your request, be sure to return this completed form with your application.