

Return original and 4 copies, and required fee to:

Zoning Administrator, John Sundelius
zoningholland@gmail.com
1293 Holland Road, Greenleaf, WI 54126
920-716-4175

Office Use: Initials _____
Date Filed _____
\$500 Fee Paid _____

**TOWN OF HOLLAND, BROWN COUNTY
VARIANCE APPLICATION**

Items required to submit with Application:

Form Revised May 20, 2025

- Written description of the proposed variance
- Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway parking area, outside storage areas, location/type of exterior lighting, and natural features and proposed signs.
- Scaled map showing neighboring area and uses, and zoning districts. (Brown Dog) browncounty.maps.arcgis.com
- Written statement on how the proposal meets the five (5) requirements for a Variance – see page 2

Applicant / Agent Information

Name: _____ Phone: _____
First / Last

Address: _____
Street / City / Zip

Email Address: _____

Property Owner Information

Name: _____ Phone: _____
First / Last

Address: _____
Street / City / Zip

Email Address: _____

Parcel Information

Parcel Address: _____

Parcel Numbers Affected: _____

Existing and Proposed Zoning Designation: _____

Additional Information may be requested by the Town.

The Statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted by: _____ Date _____

Printed Name: _____

Five Requirements for a Variance Issuance

Pursuant to Article XVIII, Subsection H.2. variances may only be granted when the following five requirements are met. Please provide explanation on how the proposed variance meets the requirements.

1. What particular physical surrounds shape, or topographical conditions exist on the subject property that would result in a hardship to you, as opposed to mere inconvenience, if the strict letter of the zoning regulations would be followed?
2. What conditions are unique to the subject property which are not applicable to other properties within the same zoning district?
3. How has the hardship which the relief is sought for caused by the zoning ordinance as opposed to created by the present owner(s)?
4. Why would granting the requested variance not be detrimental to the public welfare or to other property and improvements in the area the subject property is located?
5. How will the requested variance not: impair the natural conditions of the adjacent properties; create a substantial increase in fire danger; endanger public health and safety; or substantially diminish property values in the area of the subject property?

Variance Application Checklist

This checklist is intended to be a guide. All other requirements shall also be met. The Town of Holland Zoning Ordinance can be found on the website, <https://hollandbrowncountywi.gov> under Ordinances/Resolutions.

- _____ Review the Town of Holland Zoning Ordinance to determine if your plan meets the requirements.
- _____ Obtain a Variance Application for the town website or from the Zoning Administrator
- _____ Fill out the application completely and forward with fees and supporting documentation to the town's Zoning Administrator, John Sundelius, 1293 Holland Road, Greenleaf, WI 54126.
- _____ The Clerk will present your Application to the Town Board at the next monthly meeting (first Wednesday of each month). At that time, they will set the date/time to meet with the Planning Committee, if necessary. From there, it will get sent back to the following monthly Town Board meeting for approval. Plan to attend the Town Board meetings, and also the Planning Committee Meeting. Be prepared to answer any questions they may have.
- _____ After final approval by the Town Board, you will need to fill out a Building Permit Application, found on the Town Website. You will need both a permit and inspection for the following: a) to build a new dwelling or building, or b) to make any additions or structural changes to a dwelling or building.

Legal Standards for Variance

As a potential applicant for a Variance, you need to be aware of the legal standards under which Variance Applications are to be evaluated by the Town Planning Commission. State law advises municipalities that Variances are not to be granted routinely. To do so would defeat the purpose of having a Zoning Ordinance. It is the burden of the applicant to show that their application meets the required standards.

In order to justify the granting of a Variance, the applicant must show that an unnecessary hardship exists, that there is a unique property limitation, and that the Variance would not be contrary to public interest.

The following are the standards under which a Variance action would be reviewed by the courts:

1. **Unnecessary Hardship:** What constitutes a hardship is to be determined from the facts and circumstances of each individual case. The Board must consider the following court-established principles:
 - a. Unnecessary hardship is a situation where, in the absence of a Variance, an owner can make no feasible use of a property or strict conformity is unnecessarily burdensome. In most cases, if a property is already developed and has an established use, a hardship will not exist.
 - b. The hardship must be peculiar to the zoned parcel in question, and different from other parcels, not on which affect all parcels similarly.
 - c. Loss of profit or financial hardship is not in and of itself grounds for a Variance. The fact that developing in compliance with ordinance requirements may cost considerably more, does not constitute a hardship.
 - d. Self-imposed hardship is not grounds for a Variance. When conditions giving rise to the need for a Variance were created by the property owner or a former owner, the hardship is self-imposed.
2. **Unique Property Limitation:** Unique physical characteristics of the property, not the desire of, or condition personal to the applicant, must prevent the applicant from developing in compliance with the zoning ordinance. Such limitation may arise due to steep slopes, wetlands, or parcel shape that limits the reasonable use of the property.
3. **Protection of the Public Interest:** Granting of a Variance must neither harm the public interest, nor undermine the purposes of the ordinance. In granting a Variance, the Board may attach special conditions to ensure that the public welfare will not be damaged. Such conditions must relate reasonable to the purpose and intent of the ordinance. Also, any Variance granted should include only the minimum relief necessary to allow reasonable use of the property.

Acknowledgement

I have read and understand the above information relating to the legal standards applicable to my Variance Application.

Applicant: _____ Date: _____

Printed Name: _____