Village of Sister Bay
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Sister Bay, WI 54234
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Appeals and Variances Form

Appeals may be made from a decision of the Zoning Administrator or the Plan Commission concerning the literal enforcement of the Village Zoning Code. Appeals shall be filed within thirty days of the date of written notice of the decision or order of the Zoning Administrator or Plan Commission.

Variances may be granted if there are unusual circumstances that apply to a lot, structure or use that don't apply to other properties or uses in the district; granting a variance would not adversely impact the purposes of the ordinance; strict application of the ordinance provisions would result in exceptional difficulties or hardship; and literal interpretation of the ordinance would leave the owner with no practical use of his land or buildings.

A variance may not be granted to increase the profitability of the property, because of personal inconvenience, because of construction errors, for personal economic gain, because of self-created hardships, or if the present use of the property is nonconforming.

NAME AND ADDRESS	PROPERTY DESCRIPTION
Appellant/Petitioner	Parcel Identification Number (PIN) **181-**
Street Address	Address of Property (Do not include City, State, Zip)
City, State, Zip Code	**CONTACT PERSON**
Property Owner (if different from Appellant/Petitioner)	Name
Street Address	Phone (_____) _____ - _____
City, State, Zip Code	Email

CERTIFICATION

I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Sister Bay Zoning Board of Appeals and the Zoning Administrator to enter the above described property for purposes of obtaining information pertinent to my application/appeal/variance request.

Appellant/Petitioner_____ Phone (_____) _____-_____

Email _____ Date _____

For Office Use:
Date Received_____ Fee Amount _____ Receipt Number: _____

Check the type of application being made: _____ APPEAL _____ VARIANCE

I hereby appeal the following decision made by _____ on _____ *(insert date)*

OR I hereby petition for the following variance *(insert Code section(s))* _____

_____

Reasons for the appeal or petition *(attach extra pages or plans as necessary)*: _____

_____

_____

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No area variance shall be granted by the Board unless it finds the request meets the requirements of Wis. Stats. §62.23(7)(e) and finds, by a preponderance of the evidence, that all the following facts and conditions exist.

1. **Preservation of intent**

   No area 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.

2. **Exceptional circumstances**

   There must be unique circumstances or conditions applying to the lot or parcel or structure that do not apply generally to other properties of uses in the same zoning classification within 1,000 feet of the subject property and the granting of the area variance should not be of so general or recurrent nature as to suggest that the zoning chapter should be changed.

3. **Hardship**

   Economic hardship and self-imposed hardship are not grounds for an area variance: ***No area variance shall be granted solely based on economic gain or loss.*** The hardship must be based upon conditions unique to the property rather than considerations personal to the owner.

4. **Preservation of property rights**

   The area variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and same vicinity.

5. **Absence of detriment**

   No area variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this chapter or the public interest.