

Village of Sister Bay

2383 Maple Dr., PO BOX 769
Sister Bay, WI 54234

Phone: (920) 854-4118 Fax: (920) 854-9637

E-MAIL: <u>info@sisterbaywi.gov</u>
Web Site: sisterbaywi.gov

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.

Area variances may be granted if there are unusual circumstances that apply to a lot or structure that don't apply to other properties 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, or because of self-created hardships.

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	
	CERTIFIC	CATION	
are true and correct to the best of m	ny knowledge and belief and I hereby auth	wner and that all the above statements and attachments submitted heretorize members of the Sister Bay Zoning Board of Appeals and the Zoning information pertinent to my application/appeal/variance request.	
Appellant/Petitioner		Phone ()	
Email		Date	
Office Use:			
e keceived	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)	:	

No area variance shall be granted by the Board unless it finds the request meets the requirements of Wis. Stats. $\S62.23(7)(e)$ 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.