

BOARD OF APPEALS APPLICATION
Village of Raymond, WI

Date

Case #
(For Zoning
Administrator)

Applicant Name

Owner Name

Applicant Address

Owner Address

Applicant Phone

Owner Phone

Applicant Email

Owner Email

Site Address

Site Tax Key Number

Type of Proposal (check all that apply): ☐ Variance ☐ Appeal(s)

Indication of the code section(s) of the Ordinance being appealed or from which a variance is requested:

Statement describing the variance/appeal(s) being requested, giving distances and dimensions where appropriate:

The applicant and owner acknowledges that by signing this permit that they will be responsible for paying to the Village all reasonable costs for engineering, planning, legal, and administrative expenses incurred by the Village. Such costs shall include the costs of its own engineers, attorneys, inspectors, agents, sub-contractors and employees. The cost for Village employees' time shall be based upon the classification of the employee and the rates established by the Village Board, from time to time, for each such classification. The applicant understands that the legal and/or engineering consultants retained by the Village are acting exclusively on the behalf of the Village and not the applicant.

Applicant Signature

Property Owner Signature (Required)

Total Fee Submitted:
(Fee Required = \$360)

Fee Paid: Yes or No
(For Zoning Administrator)

Describe the effects on the property if the variance is not granted:

Hardship

List the specific hardship(s) relating to your variance request:

Alternatives

Describe alternatives to your proposal, such as other locations, designs and construction techniques, etc.

Alternatives that you considered that comply with existing regulations:

Reasons for not pursuing the alternative(s) listed above:

Alternatives that you considered that require a lesser variance:
(if applicable)

Reasons for not pursuing the request for a lesser variance:
(if applicable)

Three-Step Test

To qualify for a variance, the applicant must demonstrate that their property meets the following three requirements.

Do unique physical characteristics of your property prevent compliance with the ordinance? Explain?

Would granting of the variance be contrary to the public interest? Explain?

Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome?

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Submittal Requirements For Dimensional Variance Request

You have requested to be heard by the Raymond Village Board of Appeals. Although this is a local body, it is one required by law. Every community that enacts a Zoning Ordinance must have a Zoning Board of Appeals. The Board has the power to grant variances, or exceptions, from the terms of the Zoning Code.

A property owner may file for a variance when special conditions, unique to the property, will not allow the property owner to meet the dimensional standards of the Zoning Code. Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to the very unusual qualities or circumstances relating to the parcel in question. The property owner must demonstrate that "unnecessary hardship" is caused by the terms of the Ordinance.

In formulating its decision for variance requests, the Zoning Board of Appeal acts as an agent of the Raymond Village. By law, the Board is not permitted to represent the property owner. It is the duty of the Board to preserve the Zoning Code without modification as much as possible, while assuring substantial justice to the Appellant. When a variance is granted, it should be for an alternative with the least impact or least possible modification to the Zoning Ordinance.

You are responsible for presenting your own case to the Zoning Board of Appeals. The Village's staff and the Board may not legally represent you. You may, however, have legal counsel represent you during your hearing.

By law, variances to the provisions of the Zoning Code may be granted by the Board after a public hearing is held on the matter and finds that all of the following facts and conditions exist, and so indicates in the minutes of its proceedings:

1. Preservation of Intent. No 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. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.
2. Exceptional Circumstance. There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be so general or recurrent in nature as to suggest that the zoning ordinance should be changed.
3. Economic Hardship and Self-imposed Hardship Not Grounds for Variance. No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.
4. Preservation of Property Rights. The variance shall be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
5. Absence of Detriment. No variance shall be granted that will create substantial detriment to adjacent property and will materially impair or be contrary to the purpose and spirit of the zoning ordinance and public interest.

Additional requirements apply when considering variance requests in floodplain districts.