



Application fee: \$150  
+ \$1,000 deposit for actual review costs  
Receipt No. \_\_\_\_\_  
Date \_\_\_\_\_  
Staff \_\_\_\_\_  
Updated 12/2018

## APPLICATION FOR ZONING BOARD OF APPEALS

Applicant:

Name: \_\_\_\_\_  
Name of the property owner (if you are not the owner): \_\_\_\_\_  
Signature of the property owner (if you are not the owner): \_\_\_\_\_  
Lot Size \_\_\_\_\_ acres                      Zoning: \_\_\_\_\_                      Location \_\_\_\_ 1/4 Sec. \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No. (\_\_\_\_) \_\_\_\_\_                      Fax No. (\_\_\_\_) \_\_\_\_\_

Brief description of the property and the variance you are requesting:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REQUIRED MATERIALS: these items MUST be submitted; Town staff will direct if the other items are necessary. (The Town may request other information as necessary (See §320-132).**

1. This completed application along with the \$150 application fee (non-refundable) and deposit to cover actual review costs with the balance being refunded to the applicant.
2. Completed Reimbursement Agreement
3. One hard copy and one electronic copy of a letter explaining the specific variance(s) that you are requesting.
4. One hard copy and one electronic copy of a site plan showing an accurate depiction of the property.
5. One hard copy and one electronic copy of a plat of survey showing all information required by the building permit.
6. A memorandum from the Building Inspector describing what part of your plans does not meet building code.

**The Zoning Board of Appeals process is as follows:**

Please note:

- ✓ Incomplete applications will not be accepted and/or processed.
- ✓ **The Zoning Board of Appeals process may take 1-2 months** because of the need to obtain a quorum of Zoning Board members before a meeting can be held.

**Step 1:** Submit the application, required materials, and fee and deposit.

**Step 2:** Staff will review the application, and once all necessary materials have been accepted, will call a meeting of the Zoning Board of Appeals. Once a date has been set, staff will publish a notice in the News Graphic 10 days prior to the meeting, and send out postcards to all property owners within 1,000 feet of your lot notifying them of the application.

**Step 3:** The Zoning Board of Appeals will meet and discuss the application; a public hearing will be held at the meeting offering opportunity for public comment. The Board may act upon your request immediately or may take up to thirty (30) days to notify you of their decision. You will receive a written copy of the Board's decision. The Board may place conditions upon any zoning permit issued. Variances or other use permits shall expire within six months unless substantial work has commenced pursuant to such grant.

This application is based upon the Town of Cedarburg Zoning Code, Sections 320-132 through 320-136.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

**According to Wisconsin State Statutes and Town Code section 320-135, for the Board to grant a variance, the Zoning Board must find:**

- 1) Denial of the variation may result in hardship to the property owner due to physiographical consideration. 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 of so general or recurrent nature as to suggest that the Zoning Code should be changed.
- (2) The conditions upon which a petition for a variation is based are unique to the property for which variation is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
- (3) The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property.
- (4) The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
- (5) The proposed variation will not undermine the spirit and general and specific purposes of the Zoning Code.

