

Village of Mukwonago
440 River Crest Ct
Mukwonago, WI 53149
Phone: (262) 363-6420
Fax: (262) 363-6425
www.villageofmukwonago.com

VILLAGE OF MUKWONAGO

REQUEST FOR VARIANCE APPLICATION

Application Fee: \$450

Date Submitted: _____

CONTACTS

Zoning and Planning Department

Contact:
Phone: (262) 363-6420 ex 2111
Fax: (262) 363-6425
Email: planner@villageofmukwonago.com

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for the specified parcel(s) of land and will be reviewed by the Board of Zoning and Building Appeals of the Village of Mukwonago.

Requests for a variance require a public hearing. To ensure the public hearing will be properly advertised, the application must be submitted **at least 30 days prior to the meeting** in which the Board of Zoning and Building Appeals will hold the public hearing. The Board of Zoning and Building Appeals meets on the Thursday after the fourth Tuesday of each month at 6:30 p.m.

Materials listed on page 4 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 100, Article XII and other pertinent sections of Village ordinances, WI Stats. 62.23, and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Board of Zoning and Building Appeals consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Zoning Administrator
ATTN: Request for Variance
440 River Crest Ct
Mukwonago, WI 53149

Deliver to: Village Clerk's Office
440 River Crest Ct

Email to: planner@villageofmukwonago.com

Complete, accurate and specific information must be entered. Please Print.

APPLICANT INFORMATION *(Full Legal Name)*

Name: _____

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: _____

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

ARCHITECT

Name: _____

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

PROFESSIONAL ENGINEER

Name: _____

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

REGISTERED SURVEYOR

Name: _____

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

CONTRACTOR

Name: _____

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

PROPERTY AND PROJECT INFORMATION

Present Zoning: _____ Tax Key No(s): _____

Address/Location: _____

A. I/We request a variance for:

B. The property is presently used as:

C. Name of Architect, Professional Engineer, or Contractor: _____

D. Project Timetable: Start Date: _____ Completion Date: _____

E. All of the Proposed Use(s) of the property will be:

Principal Use _____

Secondary Use _____

Accessory Use _____

F. I/We represent that I/we have a vested interest in this property in the following manner:

Owner

Leasehold. Length of Lease: _____

Contractual. Nature of contract: _____

Other. Please explain

PROCEDURAL CHECKLIST FOR VARIANCE REVIEW

This form is designed to be a guide for submitting a complete application for a conditional use.

If your application for a building permit is denied by the Inspection Department, you have the option to apply for a variance. Requesting a variance requires appearing before the Board of Zoning and Building Appeals and explaining why you should not be expected to comply with Village zoning regulations. You will be required to prove practical difficulty or unnecessary hardship. The fee to appear before the board is nonrefundable.

The Board of Zoning and Building Appeals (Board) is a group of five citizens appointed to listen to members of the public who want to appeal the rules of the Municipal Zoning Code (Chapter 100). The Board will receive a packet of information about your appeal in addition to listening to you and your neighbors' comments at a public meeting. Also, the Board may request assistance from other Village officers, departments, commissions, and boards in making its decision.

Application Submittal Packet Requirements for Village and Applicant Use (Check off List)

- Completed application for building permit (separate application)
- Completed application form including the procedural checklist and justification of requested variance.
- Application fee: \$450
- Agreement for Reimbursable Services (separate application)

Required site drawings and other information:

- Survey of the property
- Map/picture of the property
- Plan of operation/proposal
- Overview of the adjoining lots (including list of parcel identification numbers for all properties within 300 feet of the subject property)
- Drainage plan
- Floor plan (¼" Scale)
- Elevations (front and sides)
- Electronic Submittals are required.** Email (or CD ROM) with all plans and submittal materials in Adobe PDF to planner@villageofmukwonago.com.
- Any additional information as determined by Village staff.

DO NOT MAIL ANY ADDITIONAL MATERIAL OR INFORMATION DIRECTLY TO OR CALL MEMBERS OF THE BOARD.

Save the additional material and information you have for the Board until the meeting, or you may mail it to staff prior to the meeting. Staff will enter your additional information and material into the public record and forward it to the Board.

After you apply for the variance and before the meeting occurs, notice of your request will be published in two editions of the Mukwonago Chief, and neighboring property owners within 300 feet of your property will receive notice of your appeal.

Also during this time, board members may choose to drive by or visit your property to gather information that may influence their decision regarding your requested variance.

VARIANCE STANDARDS

Variations are not granted routinely. The application for a variance must clearly show the Board of Building and Zoning Appeals that the three Wisconsin State Statutory Standards that govern granting a variance will be met.

Unnecessary Hardship: A situation where, in the absence of a variance, an owner can make no feasible use of the property. A variance is not warranted if the physical character of the property allows a landowner to build or develop in compliance with the zoning ordinance.

The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not which affects all parcel similarly. Generally, hardships arise because of some unique property limitation of a parcel or because the property was created before the passage of the zoning ordinance and is not economically suitable for a permitted use, or will not accommodate a structure of reasonable design for a permitted use, if all area, yard and setback requirements are observed.

Loss of profit or pecuniary hardship is not in and of itself grounds for a variance.

PETITION FOR VARIANCE

TO THE ZONING BOARD OF APPEALS

The petition of _____ respectfully shows:

1. This petition is made pursuant to the ordinance of the Village of Mukwonago and pertaining to the functions, duties, and powers of the Board of Building and Zoning Appeals.

2. The petitioner is appealing for:

3. Petitioner requests a variation as follows:

4. Petitioner has attached hereto a survey of the premises. Yes No

5. The present zoning classification of the described real estate is _____

6. The names of the owners of said property are as follows:

7. Petitioner further respectfully represents that to permit the variance aforesaid would not be contrary to the public interest, or in any way be detrimental to the neighborhood or the neighbors; that to refuse to permit such a variance would cause to the petitioner practical difficulty or unnecessary hardship; and that the use of the premises for the purposes herein prayed would do substantial justice, would be in keeping with the spirit of the Village of Mukwonago and the immediate neighborhood.

ITEMS REQUIRED TO BE SUBMITTED *(If not applicable, mark N/A)*

- Survey of the property
- Map/picture of the property
- Plan of operation/proposal
- Overview of the adjoining lots (including list of parcel identification numbers for all properties within 300 feet of the subject property)
- Drainage plan
- Floor plan (1/4" Scale)
- Elevations (front and sides)

APPLICATION FOR VARIANCE (Please fill out ALL of the questions.)

A. Describe what you are building, the proposed dimensions, and what are the proposed setbacks:

B. Describe the exceptional or extraordinary circumstances or conditions that apply to your property that do not apply to surrounding properties:

C. Describe the hardship (s) that would result if the Variance is not granted:

D. Describe how the variance would not have adverse affects on surrounding lands:

CERTIFICATION

Applicant hereby certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this applications being filed (except as stated below under "Exceptions").
3. None of the above referenced individuals has been promised or given any contract for consultation, planning or construction in relation to this project (except as stated below under "Exceptions").
4. Applicant has read and understands all information in this packet.

Applicant further understands the policies of the Village regarding change of zonings and property development. Conditions of the resolution regarding all approvals are strictly followed. Certificates of Occupancy are not given until all conditions of approval have been met

By the execution of this application, applicant hereby authorizes the Village of Mukwonago or its agents to enter upon the property during the hours of 7:00 am to 7:00 pm daily for the purpose of inspection. Applicant grants this authorization to enter even if this land has been posted against trespassing pursuant to Section 943.13 WI Stats.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

Signature - Property Owner

Signature - Applicant

Name & Title (PRINT)

Name & Title (PRINT)

Date

Date

Signature - Property Owner

Signature – Applicant's Representative

Name & Title (PRINT)

Name & Title (PRINT)

Date

Date

FOR OFFICE USE ONLY	
Date Paid	Receipt #
Date(s) Notice Published	Date Notices Mailed
Public Hearing Date	Plan Commission Date(s)
Escrow Required? <input type="checkbox"/> Yes <input type="checkbox"/> No	Escrow Amount
Board of Zoning and Building Appeals Disposition	