

CITY OF BERLIN, WISCONSIN
VARIANCE APPLICATION

CITY OF BERLIN

Or

EXTRATERRITORIAL ZONING AREA

(I)/(WE) _____ of _____
(name) (mailing address)

hereby petition the Board of Appeals for the review and approval of a variance to the Zoning Code of the City of Berlin.

SUBJECT PARCEL

Address: _____

Parcel: _____ Zoning: _____

The undersigned, does hereby respectfully petition the City of Berlin Zoning Board of Appeals to appeal the following zoning regulation as it applies to the above subject property:

The Petitioner is requesting

Variance Requested from Chapter

Type of Variance Requested:

- Use Variance - Permits a landowner to put a property to an otherwise permitted use.
 - Area Variance - Provides an increment of relief from a physical dimensional restriction such as a building height or setback.
- _____

The Board of Appeals shall have the power to authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to public interest where, owing to special conditions peculiar to a specific lot or tract of land, a literal enforcement will result in practical difficulty or unnecessary hardship so that the spirit of the chapter shall be observed, public safety and welfare secured, and substantial justice done. In every case where a variance from these regulations has been granted by the Board, the minutes of the Board shall affirmatively show that an "unnecessary hardship" or "practical difficulty" would be created.

I understand that the Zoning Ordinance does not permit the above improvement on this property and that in order for this Variance to be granted, the request must satisfy all of the criteria stated below.

I submit the following grounds for a Variance in this case.

1. Unnecessary Hardship

The applicant shall explain how the regulation (e.g. setbacks, height, bulk or density restrictions) unreasonably prevents or unnecessarily burdens the activity. Stating that a zoning regulation prevents or burdens the planned activity is not enough of a hardship for variance approval. The current or prospective property owner shall not create a need for this Variance.

2. A Unique Property Condition

There is something unusual or exceptional about the lot or the use of the lot (which does not apply to similar lots or uses) which causes the applicant to request this Variance. This may be defined as a special physical feature of the property i.e. soil conditions, steep slope, wetlands, etc. that is not shared by nearby land.

3. No Harm to the Public Interest

The Variance requested shall not have any negative effects on the neighboring properties. The request shall be able to demonstrate how the public health, safety, and welfare will not be compromised in granting such variance.

Alternatives

Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you consider in each category below.

- a. Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you reject them.
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- b. Alternatives you considered that require a lesser variance and reasons you rejected them. If you reject such alternatives, provide the reasons you rejected them.

Discuss impacts that would result if the variance was granted. For each impact, describe potential mitigation measures and the extent to which they reduce project impact.

- a. Short Term Impacts:

- b. Long Term Impacts:

- c. Cumulative Impacts: (What would happen if a similar variance requested was granted for many properties?)

I further understand that it is my responsibility to provide the following information as well as any additional information, if necessary, to show that these criteria have been met.

PETITIONER: The following are to be provided at the time of submission:

- 2 Copies of the current survey or dimensioned sketch (drawn to scale) showing all existing and proposed improvements.
- Additional information – a typed narrative describing use of proposed structure.
- Color photos illustrating existing condition of property.
- Stake out lot corners or lines- the proposed building footprint and all other features of your property to your request so that the zoning board may inspect the site.
- \$200.00 Variance application fee payable to the City of Berlin.

Property Owner

Owner's Agent

Name _____

Name _____

Signature _____

Signature _____

Address _____

Address _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Phone _____

Phone _____

Fax _____

Fax _____

*The current property owner shall acknowledge a Variance Petition on behalf of an agent (i.e., prospective buyer) prior to submission of the petition.

(For Office Use Only)

Date Filed: _____

Fee: _____ \$200.00 _____

Receipt No: _____