

**CITY OF EAU CLAIRE, WISCONSIN
BOARD OF ZONING APPEALS**

VARIANCE OR APPEAL

Appeal No. _____
Date Filed _____
Date of Notice _____

TO BE COMPLETED BY THE APPELLANT

Appellant _____ Address _____

Email address _____ Phone _____

Owner _____ Address _____ Phone _____

Location of Property _____

Address; Lot #, Block #, & Subdivision; Parcel #

This variance or appeal is to allow _____

It is your responsibility to prove to the Board of Zoning Appeals that your variance or appeal should be granted on the basis of how it applies to the requirements given below. Please be specific. If you need additional space, you may use another sheet of paper.

APPLICABLE TO A VARIANCE REQUEST ONLY

1) **Are there unique circumstances (such as topographical problems) about the land itself or special conditions applicable to your property or to the intended use that do not apply generally to the other property in the same vicinity and zoning district?** _____

2) **Strict application of the Zoning Ordinance would constitute unnecessary hardship or practical difficulty to you because:** _____

3) **The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity, but which is denied to your property because:**

4) The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity or zone in which your property is located because:

5) Other reasons that you may have which are similar to those above: _____

APPLICABLE TO AN APPEAL REQUEST ONLY

State the alleged error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement or administration of Wisconsin Statutes S.62.23 or the Zoning Code.

"I hereby certify that the above statements and plans submitted herewith are true to the best of my knowledge. A \$500 fee has been deposited with the City Treasurer. I also hereby permit the City to enter upon the property for the placement and removal of a Hearing Notice sign on the property and shall maintain the sign where posted on the property during the pendency of this application."

Date

Signature of Appellant

TO BE COMPLETED BY THE ZONING ADMINISTRATOR

This request for variance or appeal is in conflict with the following provision(s) of the Zoning Ordinance:

Date

Zoning Administrator

**CITY OF EAU CLAIRE
VARIANCE/APPEAL PROCEDURE**

Application

<http://www.eauclairewi.gov/government/on-line-forms-brochures>

- 1) It is advisable to discuss your variance or appeal with the Zoning Administrator, prior to making formal application. He may be reached at (715) 839-4914 or by visiting his office on the ground floor, south wing of City Hall (appointments recommended). Office hours: 8-12 a.m. and 1-5 p.m.
- 2) Applications can be found online at <http://www.eauclairewi.gov/government/on-line-forms-brochures> or picked up from the main desk of the Department of Community Development, ground floor, south wing of City Hall.
- 3) Return the completed application form along with a check for \$500.00 payable to the City Treasurer. In most cases, a site plan will also be necessary which is drawn to scale and accurately dimensioned. Floor plans and building elevations may also be required. It is advisable to have the application and plans reviewed by the Zoning Administrator prior to making payment to the City Treasurer.
- 4) You will receive a mailed notice from the Department of Community Development giving the time and place of the public hearing at which your variance or appeal will be considered by the Board of Zoning Appeals. **(You must be present at such hearing – see #5 below)**.

Variance or Appeal

- 1) Upon filing a completed application with the Department of Community Development, arrangements will be made for the required public notice and date for a public hearing. The public hearing will be scheduled as soon as possible, but filing deadlines have been set in order to give city staff sufficient time to meet the legal requirements for issuing the public notice.
- 2) The application is reviewed and analyzed by various members of city staff. Any comments by staff will be read at the hearing. A Hearing Notice sign is also posted on the property.
- 3) The City mails notices of the upcoming public hearing on the application to all owners and residents of properties within 300 feet of the subject property (in the case of a heavy industrial use, 500' of the subject property). Such notice indicates the time, place and character of the proposed hearing. Notices are also sent to the local newspaper as well as other public broadcasting facilities who generally announce the items on the upcoming hearing's agenda.
- 4) The Board of Zoning Appeals holds a public hearing and makes the final decision concerning the variance or appeal. These meetings are held on the first Tuesday of each month at 7:00 p.m. in the City Council Chambers, City Hall, unless a special meeting is scheduled.
- 5) **THE APPELLANT SHALL BE PRESENT AT THE PUBLIC HEARING EITHER IN PERSON OR BY COUNSEL OR AGENT AND PRESENT HIS/HER CASE TO THE BOARD OF ZONING APPEALS.**
- 6) A copy of the resolution of the final action of the Board will be transmitted to the appellant within 10 days after a decision has been reached by the Board.