

FINDINGS

No variance to the provisions of the City Zoning Code Chapter 17 shall be granted by the Board unless it finds beyond a reasonable doubt that the following facts and conditions exist and so indicates in the minutes of its proceedings

Burden of Proof. The burden is upon the applicant to prove the need for a variance.

Exceptional Physical Conditions. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, such as a shallow or steep parcel of land, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Unique Circumstances. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the zoning classification.

Economic Hardship and Self-Imposed Hardship Not Grounds for Variance. No variance shall be granted solely on the basis of economic gain or loss. Pecuniary hardship, loss of profit, self-imposed hardships, such as that caused by ignorance, deed restrictions, proceeding without a permit, or illegal sales, are not sufficient reasons for receiving a variance.

Preservation of Property Rights. 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.

Absence of Detriment. The proposed variance shall not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of physical, social or economic effect.

Neighboring Violations. Violations by neighboring owners do not justify granting a variance.

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 uses or conditional use in that particular district.

REQUIRED INFORMATION

All Required information listed below must be returned to the City of Chippewa Falls Inspection/Zoning Department, 30 West Central Street, Chippewa Falls WI 54729.

- A completed application. Applications must be typed or clearly printed. Incomplete applications will **NOT** be accepted.
- A scaled site plan which must include the following information:
 1. The actual shape, location and dimensions of the lot with property boundaries clearly indicated.
 2. North arrow.
 3. The shape, size and location of all buildings and structures existing on the property and the proposed building or structure. Include distances to all property lines.
 4. The location of driveways, easements, abutting streets or alleys.
- Elevation views that accurately depict the proposed building or structure and height.
- **Incomplete plans could delay the process or cause a variance to be denied.**
- \$225.00 Fee Payable to the City of Chippewa Falls.

See back Page on Meetings

MEETINGS

- Meeting are held on the second Tuesday of each month at 5:00 p.m. in the City Hall Council Chambers and are a Public Hearing. The application, required materials and fee must be submitted by 5:00 p.m. on the Thursday that is 26 days before the meeting date. You or your authorized agent must be present for the Board to take action on your request.
- The appeal is published two times in the local newspaper approximately 10 and 17 days before the scheduled meeting.
- Approximately 10 days before the meeting, notices of the hearing will be mailed to every property owner within 150 feet of the subject property including the applicant, of the date, time and location of the meeting and the applicants request.
- A concurring vote of 4 members is necessary to grant a variance.

PERMITS

- Building permits or other required permits are not automatically issued. If a variance is granted, you must apply for and obtain the proper permits before any construction begins.

CITY OF CHIPPEWA FALLS

ZONING BOARD OF APPEALS

INSTRUCTION AND INFORMATION SHEET

This instruction and information sheet is designed to help you understand the appeal process and to help you submit a complete application for review by the Zoning Board of Appeals. If you have any questions after reading these instructions you may contact the Inspection/Zoning Department for assistance.

POWERS OF THE ZONING BOARD OF APPEALS

Errors. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of the City Zoning Code.

Variations. To hear and authorize appeals for variances where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship. Such variance shall not be contrary to the public interest and shall be so conditioned that the spirit and purposes of this chapter shall be observed and the public safety, welfare, and justice secured.