

# VARIANCE APPLICATION

Chapter 170, Section Y 6, Town of Troy Zoning Ordinance

File #: \_\_\_\_\_

Office Use Only

## APPLICANT INFORMATION

Applicant Name: \_\_\_\_\_ Owner (if not applicant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

Daytime Phone: (\_\_\_\_) \_\_\_\_\_ Daytime Phone: (\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

## SITE INFORMATION

Site Address: \_\_\_\_\_


Property Location: \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, Sec. \_\_\_\_\_, T. \_\_\_\_\_ N., R. \_\_\_\_\_ W., Town of Troy (Complete legal description must be attached.)

Parcel Identification Number(s): \_\_\_\_\_

## LAND USE INFORMATION

Zoning Designation: \_\_\_\_\_

State the nature of your request: \_\_\_\_\_

 See attached application narrative and application procedure form.

## FEES

Application Fee:		\$ _____	(plus professional
Supplemental Application Fees:	\$ _____ x _____ (# of additional requests)	\$ _____	fees/expenses)
<b>Total Fees:</b>		<b>\$ _____</b>	

- All application fees must be submitted with application and are non-refundable.
- Additional fees paid as directed by the Town Clerk.
- Fees will be doubled for applications submitted after construction project initiated, and/or written enforcement action has commenced.

*I attest that the information contained in this application is true and correct to the best of my knowledge.*

Applicant Signature: \_\_\_\_\_ Date \_\_\_\_\_

Owner (if not applicant) Signature: \_\_\_\_\_ Date \_\_\_\_\_

## OFFICE USE ONLY

Pre-application Meeting: ____/____/____	With: _____
Complete Application Accepted: ____/____/____	By: _____
Fee Received: ____/____/____ \$ _____	Receipt #: _____ Scheduled Hearing Date: ____/____/____

Phone: (715) 425-2665

Town of Troy

FAX: (715) 425-2551

<http://townoftroy.org>

654 Glover Road, Hudson, WI 54016

Pursuant to Wisconsin statutes, the Town of Troy Board of Appeals has the authority to issue a variance only when the applicant can establish that the following criteria are met:

- An unnecessary hardship must be present; meaning that literal enforcement of the Ordinance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- The hardship must be due to unique physical limitations of the property rather than the circumstances of the property owner.
- The hardship cannot be self-created.
- The hardship cannot be based upon the financial gain or loss of the property owner.
- The variance will not be contrary to the public interest.
- The spirit of the ordinance shall be observed and substantial justice done.

Please answer the following questions and provide any additional information that supports your request (*attach additional pages if necessary*):

1) Describe the details of your request.

2) Explain how literal enforcement of the Ordinance would unreasonably prevent you from using your property for your proposed use and why the standards in the Ordinance should not apply to your property.



## APPLICATION:

The deadline for application submittals is the 1<sup>st</sup> Monday of the month. The Troy Board of Appeals meets on the 2<sup>nd</sup> Thursday of the month on an as needed basis. Applications will not be accepted until the applicant has:

- met with the Zoning Administrator or his/her designee to review the application;
- submitted ***original plus 10 copies*** of the completed application to the Town Clerk;
- resolved any land use violations and paid any outstanding fees owed to the Town of Troy;
- signed the application form (*signatures of property owners and agents acting on their behalf are required*); and
- submitted the application fee (*nonrefundable*) payable to: **Town of Troy**.

## REVIEW:

The Zoning Administrator or his/her designee will review the application for completeness and assign a file number to the application. The Zoning Administrator or his/her designee may require additional information and will notify the applicant as soon as possible. Upon receiving a completed application and supporting documents, the Zoning Administrator or his/her designee will:

- schedule a public hearing with the Town of Troy Board of Appeals and notify the applicant by mail of the date and time of the public hearing;
- notify adjoining property owners of the applicant's request;
- publish a public hearing notice in the local paper;
- send copies of the application to the appropriate reviewing agencies for comment.
- schedule a site visit to the applicant's property, at which time the applicant shall flag all applicable property/project corners and label the flags accordingly; and
- prepare a staff report on the application. The staff report will be available to the applicant and for public review.

## ACTION:

The Town of Troy Board of Appeals can grant a variance if it finds that there is a hardship and that other criteria are present. At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice, and may present testimony, evidence and arguments in support of his/her application. The fact that an application for a variance has been filed does not automatically mean that a variance is granted.

Upon the Board of Appeals making a decision on the variance request, the Zoning Administrator or his/her designee shall notify the applicant of the decision in writing. All site plans, pictures, and other supporting documents become the property of the Town of Troy and will remain in the file.

- Completed and signed application form with fee.
- Original plus 10 copies*** needed.
- Addendum for additional requests (*if required*).
- Recorded Warranty Deed (*may be obtained at the Register of Deed's office*) showing legal description and ownership.
- A complete site plan drawn to scale (*Riverway district requires a professional survey*):
  - project location in the town;
  - lot/parcel dimensions with property lines and all applicable setbacks;
  - pre- and post-contours with grading limits (*minimum 2-foot contours*);
  - location of all existing and proposed structures with their square footage and distance from setbacks;
  - location of existing and proposed POWTS, wells, driveways, parking areas, access, signs, and other features; and
  - location of navigable waterways with accurate OHWM, delineated wetlands, blufflines, slopes in excess of 12%, wooded areas, and any other unique limiting conditions of the property.
- Letters to adjacent landowners with stamped envelopes, includes properties across roadways. (please leave unsealed)
- Other submittals required by Town staff: \_\_\_\_\_

*This is a summary of the variance procedure and is subject to the specific requirements and procedures in Chapter 170, Section Y, Town of Troy Zoning Ordinance.*