



**Dunn County**  
**Planning & Zoning Division**

3001 US Highway 12 East, Suite 240 (715) 231-6521  
 Menomonie, WI 54751 www.co.dunn.wi.us

FEE: \_\_\_\_\_ Receipt # \_\_\_\_\_  
 Variance (\$650)  
 **After the Fact** (2X Fee)  
 Cash **or**  Check# \_\_\_\_\_  
 \*Checks Payable to Dunn County Zoning

**Variance Application**

Instructions: Please fill out all sections of the application. Attach site plan, a written brief, and any supporting material for the hearing.

**FOR OFFICE USE ONLY**  
 PERMIT #: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Township: \_\_\_\_\_ Zoning Staff Present: \_\_\_\_\_  
 App # \_\_\_\_\_ Complete Application Date: \_\_\_\_\_ Date Public Hearing: \_\_\_\_\_ Approved? \_\_\_\_\_

Property Owner	Agent/Contractor <input type="checkbox"/> Same as owner
Name	Name/Business
Mailing Address	Mailing Address
City/State/Zip	City/State/Zip
Phone	Phone
Email	Email

**Property Information**

Parcel ID # \_\_\_\_\_ Site Address \_\_\_\_\_  Same as owner  
 S \_\_\_\_\_ T \_\_\_\_\_ N R \_\_\_\_\_ W CSM/Subdivision \_\_\_\_\_ Lot# \_\_\_\_\_ Blk# \_\_\_\_\_  
 Lot Size (Acres) \_\_\_\_\_ Present Use \_\_\_\_\_

**Project**

Terms of Zoning Ordinance preventing your requested use: \_\_\_\_\_

Variance requested and reasons why this variance is needed:  
 \_\_\_\_\_

Attach a Written Brief fully answering the following:  
 -Enforcement of the Dunn County Zoning Ordinance would result in an unnecessary Hardship because:  
 -The unique characteristics of the property prevent compliance with the ordinance because:  
 -Granting of this Variance would not harm the public interest because:

**General Requirements**

Site Plan Completed       Written Brief Attached       Project Staked Out

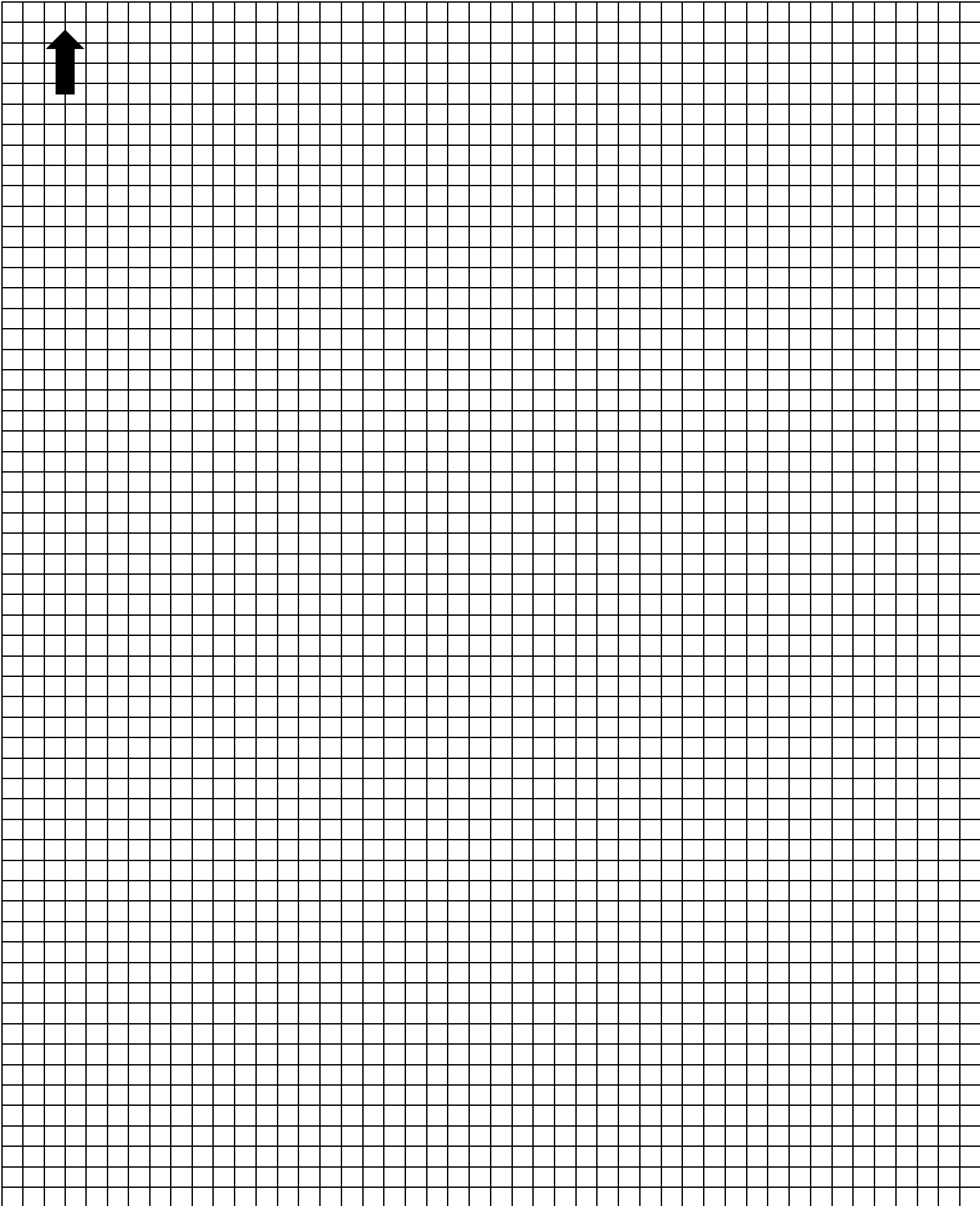
By signing below, I certify that all information contained in or attached to this application is true and correct to the best of my knowledge. I authorize Dunn County Zoning Staff to access my property if necessary to verify that the Dunn County Zoning Ordinance standards and any conditions of the public hearing are met. I understand that I am responsible for checking with the applicable township, building inspector, DNR, and any other entities that may have jurisdiction over my project. I understand that this application does not guarantee that a variance will be granted. I acknowledge either the owner or agent on this application must attend the Public Hearing.

Owner/Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Zoning Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

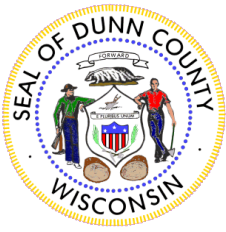
**Please note: This is an application and does not guarantee a variance will be granted.**

# Site Plan

Use the grid below to draw and label all existing and proposed structures, lot lines, well, lakes, rivers, septic tank, and drainfield. Please include dimensions and/or setback distances.



# COUNTY OF DUNN



**Environmental Services Department**  
Planning & Land Use Control Division  
3001 US Hwy 12 East  
Suite 240  
Menomonie, Wisconsin 54751  
Telephone 715-231-6521  
Fax 715-232-1324

TO: Applicant or Agent  
FOR: Variance Request  
FROM: Anne Wodarczyk – Dunn County Planning & Zoning Administrator  
WHAT: Variance Procedure

A variance is a relaxation of a dimensional standard in the zoning ordinance (e.g., setbacks, lot area, height, etc.). Variances are decided by the Board of Adjustment (BOA) which must follow rules of due process and functions almost like a court. The BOA's duty is not to compromise ordinance requirements for a property owner's convenience but to apply legal standards for granting of a variance to a fact situation. Variances are meant to be an infrequent remedy where the ordinance imposes a unique and substantial burden on use of property. It is not appropriate to contact individual BOA members regarding a pending decision. You will be asked to provide written materials at the time of application, and provide testimony at the public hearing in support of your petition for a variance.

## PROCESS

At the time of application, you will be asked to:

1. **Complete an application** form and submit a fee;
2. **Provide detailed Plot Plans** describing your lot and project (location, dimensions, materials, limiting site conditions, setbacks, etc.) and location of adjacent structures within 300 feet of the request.
3. **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance, (also known as a brief);
4. **Stake lot lines**, the proposed building footprint and other features of your property related to your request so that BOA or zoning staff may inspect the site.

Following these steps, the zoning office will publish notice of your request for a variance in the *Dunn County News* describing your project and noting the location and time of the required public hearing before the BOA. Your neighbors and any affected local, county and state agency will also be notified. You must provide information to show that you qualify for a variance. At the hearing, you and other interested parties may appear in person or may be represented by an agent or attorney. If you or your agent do not appear at the public hearing, the BOA will deny your request for a variance and your fee will be forfeited.

The brief should consist of a letter of which you prepare, explaining why the request is being made and provide an answer to the following questions.

1. **Enforcement of the Dunn County Zoning Ordinance would result in unnecessary hardship because:**

*Application of the zoning ordinance to the site must cause unnecessary hardship. When does unnecessary hardship occur?*

- *Denied All Reasonable Use of Property*  
BOA members will judge what a reasonable use for a particular parcel is. Board members will consider whether the parcel as a whole provides reasonable use to the owner, not just whether a portion of the property can be used as the applicant wants. Generally, a variance is not warranted if the physical character of the property would allow the landowner to develop or build in compliance with a zoning ordinance.
- *No Self-Imposed Hardships*  
An example of a self-imposed hardship would be someone who builds at a setback and later requests a variance addition within the setback area. Such a variance should be denied because the applicant created the hardship by building at the setback and restricting future building or expansion options.
- *Loss of Profit Not Hardship*  
Loss of profit is not in itself an unnecessary hardship, nor is additional expense incurred to comply with zoning ordinances.
- *Due to Regulations*  
The hardship cannot be one that would have existed in the absence of the zoning ordinance. Some properties may not be buildable because of the physical nature of the property.

**2. The unique physical characteristics of the property prevent compliance with the ordinance because:**

*Unique physical characteristics of the property must prevent the applicant from developing in comply with the zoning ordinance.*

- *Physical Features Wetlands, soil type, bedrock and steep slopes are some characteristics which limit use of a property.*
- *Property Limitations – Not Applicant’s Circumstances: the property must qualify for the variance, not the situation of the applicant.*
- *Violations/Previous Variances not Grounds for Variance: existing violations on other properties, improper variances previously granted, are not grounds for a variance. Applications will be evaluated individually based on the variance standards.*

**3. Granting of this variance would not harm the public interest because:**

*A Variance may not be granted which results in harm to public interests. The BOA will consider the impacts of the variance request and the cumulative impacts of similar requests on the interests of the neighbors, the entire community, and the general public.*

- *BOA members will look to the objective statements in the zoning ordinance to determine what constitutes public interest. These objectives generally mirror objectives set forth in state statutes, and include:*
  1. *Public health, safety, comfort, convenience, and welfare of the citizens*
  2. *Conservation of natural resources*
  3. *Protect social character and property values*
  4. *Prevent harm to persons and property by flood, fire, explosion, toxic fumes and other hazards*
- *Not Just Lack of Opposition*  
The fact that there is no objection to a variance from neighbors or area residents does not necessary mean a variance would not harm the public interest. The BOA must consider the public at large and not just nearby property owners.

- *Minimum Relief*  
Landowners who do qualify for a variance are to be granted only the minimum relief necessary to them to have reasonable use of their property. BOAs also have the authority to impose conditions on a variance to protect the public interest.

**If You Qualify for a Variance**

- *The BOA may grant only the minimum variance which preserves a reasonable use of a parcel for its owner.*
- *It may impose conditions on project design, construction activities or operation of a facility to assure that public interests are protected.*
- *Because a property rather than its owner may qualify for a variance (unique property limitations test), a variance transfers to subsequent property owners*
- *A variance decision may be appealed to circuit court by an aggrieved party within 30 days of filing of the decision in the zoning office. For this reason you may choose to delay construction on your project until after the appeal period has expired in order to minimize the risk that the court may overturn the BOA decision and void your variance.*

**Board of Adjustment Schedule**

<b>2022</b>			
<b>Public Hearing Date</b>	<b>Complete Application Deadline</b>	<b>Notice to Paper Deadline</b>	<b>Publication Dates</b>
January 17	December 16, 2021	December 23, 2021	December 29, 2021 & January 5, 2022
February 21	January 20	January 27	February 2 & February 9
March 21	February 17	February 24	March 2 & March 9
April 18	March 17	March 24	March 30 & April 6
May 16	April 14	April 21	April 27 & May 4
June 20	May 19	May 26	June 1 & June 8
July 18	June 16	June 23	June 29 & July 6
August 15	July 14	July 21	July 27 & August 3
September 19	August 18	August 25	August 31 & September 7
October 17	September 15	September 22	September 28 & October 5
November 21	October 20	October 27	November 2 & November 9
December 19	November 11	November 18	November 30 & December 7

- Complete application date is approx. one week prior to Notice to Paper Deadline