



# ZONING BOARD OF APPEALS APPLICATION

Application is due before 10 a.m. 23 days prior  
to the meeting date

**Fee: \$190**

235 Hickory St - Pewaukee WI 53072—villagehall@villageofpewaukeewi.gov—262-691-5660

**PROPERTY / PROPERTY OWNER INFORMATION**

Property Address: \_\_\_\_\_ Tax Key: PWV \_\_\_\_\_

Zoning of Property: \_\_\_\_\_ Property Owner Name: \_\_\_\_\_

Property Owner Email: \_\_\_\_\_ Property Owner Phone #: \_\_\_\_\_

**APPLICANT INFORMATION (IF DIFFERENT THAN OWNER)**

Applicant Name: \_\_\_\_\_ Applicant Phone #: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

**WHAT IS THE SPECIFIC SECTION OF THE VILLAGE CODE THAT YOU ARE REQUESTING A VARIANCE?**

Empty box for providing the specific section of the village code.

**SIGNATURES**

**Application will not be processed without the signature of the current property owner.**

This signature authorizes the Village of Pewaukee to process the application proposed for my property and further authorizes the Village or its representatives to conduct reasonable and routine inspections of my property for the purposes of evaluating this application.

Signature of Current Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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

**DIRECTIONS**

**Please include the following required items with this application:**

- 1. One paper copy of the submittal, including plans/drawings/applicable attachments. **11 paper copies are only required for documents larger than ledger size (11" X 17").**
- 2. One digital copy of the submittal, including plans/drawings/applicable attachments. (Jump drive)
- 3. Paid fee of \$190.

**For Office Use Only** Staff Initials: \_\_\_\_\_ Date/Time Received: \_\_\_\_\_



# ZONING BOARD OF APPEALS INFORMATION

If you wish to apply for a variance, you must appear before the Zoning Board of Appeals. The Zoning Board of Appeals meets tentatively on the third (3<sup>rd</sup>) Thursday of the month at 6:00 p.m. (depending on the boards availability)

Along with a completed application, the following must be submitted to the Village Clerk's Office at the Village Hall three (3) weeks and two (2) days preceding the meeting date:

1. One (1) copy of a letter explaining the specific variance(s) that you are requesting. The letter must explain: the variance requested, what special conditions exist which will cause practical difficulty or unnecessary hardship if the variance requested is not granted, why the variance being requested is not contradictory to the public interest and will not endanger public safety and welfare, and why the variance requested will be in accord with the spirit of the zoning ordinance.
2. One (1) copy of a site plan (survey) showing the location and size of the property, existing improvements, abutting properties and improvements and the requested change or addition. Photos are highly recommended.
3. A memorandum from the building inspector describing what part of your plans does not meet the Building Code.
4. One electronic copy of the complete Zoning Board submittal, email or a USB drive is required.
5. The fee of \$190.00. This fee is non-refundable and is necessary for the processing of your application and the public hearing regardless of the outcome.

Please see page 2 for details regarding submittal requirements and the process.

## PROCESS

Note: Full information on this process is published in the ordinances of the Village of Pewaukee, Section [40.131](#) (available at Village Hall) and further information is found in Wisconsin Statute Section [62.23\(7\)\(e\)](#). It is your responsibility to be aware of all requirements stated therein.

After submission of a complete application as noted above, the Village will call a meeting of the Zoning Board of Appeals. You will be notified of the date and time of the meeting as soon as it has been scheduled.

The Waukesha Freeman, at the Village's request, will publish notice of the public hearing to be held before the Zoning Board of Appeals and notice of that hearing will also be sent to all property owners within 300 feet of the property for which the variance is requested.

***Variations are not granted routinely. The application for a variance must clearly show the Zoning Board of Appeals that the three Wisconsin State Statutory Standards that govern granting a variance will be met.***

1. **Unnecessary Hardship:** A situation where, in the absence of a variance, an owner can make no feasible use of the property. A variance is not warranted if the physical character of the property allows a landowner to build or develop in compliance with the zoning ordinance.  
**The hardship or difficulty must be peculiar to the zoning parcel in question.**  
This is **different from that of other parcels, not which affects all parcels similarly.** Generally, hardships arise because of some unique property limitation of a parcel or because the property was created before the passage of the zoning ordinance and is not economically suitable for a permitted use, or will not accommodate a structure of reasonable design for a permitted use, if all area, yard and setback requirements are observed.  
**Loss of profit or pecuniary hardship is not in and of itself grounds for a variance.**  
**Self-imposed hardship is not grounds for a variance.** Reductions resulting from the sale of portions of a property that reduce the remainder below buildable size or cut off existing access to a public right-of-way, or deed restriction imposed by the owner's predecessor in title are generally considered to be self-imposed hardships.  
**The hardship cannot be one that would have existed in the absence of a Zoning Ordinance.** Some times, a legitimate hardship results from the interaction of the provisions of the zoning ordinance with other actions or regulations adopted by public authorities.
2. **Unique Property Limitations:** Unique physical characteristics of the property, not the desires of or conditions personal to the applicant must prevent the applicant from developing in compliance with the zoning ordinance. These features may be a wetland, soil type, parcel shape, or steep slope that limits the reasonable use of the property.
3. **Protection of the Public Interest:** Granting of a variance must not harm the public interest. The public interest includes the interests of the public at large, not just that of nearby property owners. Lack of local opposition does not in itself mean that a variance will not harm the public interest.

The Board may act upon your request immediately or may take up to thirty (30) days to notify you of their action. You will receive a written notice of the Board's decision.