



**Office of the Town Clerk**  
PO Box 301 • W9702 Givens Rd.  
Hortonville, WI 54944-0301  
clerk@townofhortonia.org  
www.townofhortonia.org  
920.216.0932

## APPLICATION for APPEAL or VARIANCE

*An Application for Appeal or Variance shall be filed with the Board of Appeals within 30 days of the decision notification.*

### Contact Information:

Property Owner: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant (if different from Property Owner): \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Description (complete for all applicable parcels):

Address: \_\_\_\_\_ Tax Parcel No.: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Lot Area: \_\_\_\_\_ Lot Width: \_\_\_\_\_

(If additional parcels, please attach as separate sheet)

Current Use of Property: \_\_\_\_\_

### Appeal / Variance Requested:

The Owner, being aggrieved by the decision of the Town Board, Plan Commission, Zoning Administrator, Building Inspector, or other Officer of the Town of Hortonia was (check one):

\_\_\_ Denied approval of a zoning change on: \_\_\_\_\_ (date)

\_\_\_ Denied approval of a site plan permit on: \_\_\_\_\_ (date)

\_\_\_ Denied approval of a sign permit on: \_\_\_\_\_ (date)

\_\_\_ Issued a notice of violation or compliance order on: \_\_\_\_\_ (date)

Makes this appeal for the following purpose (check one):

\_\_\_ To seek a variance from the requirements of Section(s) \_\_\_\_\_ of Chapter 17: Zoning Regulations of the Town of Hortonia Code of Ordinances.

\_\_\_ To determine whether the order, requirements, decision, or determination of the Town Board, Plan Commission, Zoning Administrator, Building Inspector, or other Officer of the Town of Hortonia is in error.

\_\_\_ To obtain an interpretation of Section(s) \_\_\_\_\_ of the Town of Hortonia Zoning Ordinance (hereafter, zoning ordinance).

\_\_\_ To obtain an interpretation of the location of the boundaries of the \_\_\_\_\_ zoning district on Tax Parcel No. \_\_\_\_\_ of the Town of Hortonia.

**Variance:**

Granting of Variance:

As per Chapter 17.13.04(E)(2) of the zoning ordinance, 'Variances shall only be granted when the Board of Appeals finds that all of the following apply':

- (a) The variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this ordinance.
- (b) The variance will not permit the establishment of a use which is not permitted or permissible in the district.
- (c) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- (d) The literal interpretation of the provision of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district.
- (e) The hardship is not shared generally shared by other land or buildings in the area.
- (f) The hardship results from the strict application of this ordinance and is not the result of self-created or self-imposed circumstances.

Public Interest / Purpose and Intent:

The Applicant shall explain how the proposed use or structure is not contrary to the public interest and is in general harmony with the purposes and intent of this ordinance:

---



---



---

Permissible Use:

The Applicant shall describe how the proposed use is permitted or permissible in the district:

---

---

---

Special Conditions:

The Applicant shall describe the special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district:

---

---

---

Preservation of Rights:

The Applicant shall explain how the literal interpretation of the provision of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district:

---

---

---

Hardship Not Shared:

The Applicant shall explain how the hardship is not shared generally shared by other land or buildings in the area:

---

---

---

Hardship Not Self-Imposed:

The Applicant shall explain how the hardship results from the strict application of this ordinance and is not the result of self-created or self-imposed circumstances:

---

---

---

**Additional Information:**

Additional plans and data may be required when determined by the Board of Appeals to be necessary in order to complete a thorough and efficient review. Additional information, if applicable, shall be included as an attachment to the Application.

**Completeness of Application:**

An incomplete Application or Application Packet lacking all required information will not be accepted.

**Signature and Certification:**

*I certify the information presented on this Application and the drawings, plans, and other materials included therein are, to the best of my knowledge, complete and in accordance with the Zoning Ordinance.*

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Application Fee:**

The Application Fee for an Appeal or Variance is \$300.00. The Application shall not be accepted until the Application Fee has been paid.

**Review and Administration Fee:**

The Applicant shall pay a fee equal to the actual cost to the Town for all legal, engineering and planning work incurred by the Town in connection with proposed developments, permits and other matters pertaining to zoning review. Engineering work shall include the preparation of construction plans and standard specification. The Town Engineer may permit the Applicant to furnish all, some or part of the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specification. Planning work may include concept plan and review, conditional use review, and other work as directed by the Plan Commission.