

VARIANCE INFORMATION
(City & 3-mile non-ag areas)
Planning & Inspections Office

353-8513

239 Wisconsin SW

Your attendance at the following meetings is requested: _____, 12:00 noon and _____, 5:30 p.m.

Applying for a Variance? This information will assist you through the application process.

Visit

Please visit with the Planning & Inspections Office before proceeding to complete the application. This Office will review the appropriate zoning ordinances and application process. The Office will provide the appropriate application for you to complete and return.

The Application

The Neighborhood: It is highly recommended that you visit with and inform your neighborhood about your plans. It is recommended that you address their concerns in your application.

The Form: After visiting with your neighbors please complete the application and return it to the Planning Office by the last Monday of the month. An incomplete form will not be accepted. Additional information (plot plan, pictures, etc.) may be requested by the Planner.

Three-Mile Area: If your property is located within a three-mile non-ag zone, you are required to apply to the City of Huron for a variance. A joint city/county planning commission meeting will be scheduled to hear your request.

Fee: There is a \$100.00 filing fee. This fee covers the cost of processing your request. If at any time prior to the Board of Adjustment hearing you withdraw your request, you will be refunded \$50.00.

The Process

Review: The Planning and Inspection Offices will review your request and any property in question. Written remarks and recommendations will be forwarded to the Hearing Examiner. Such remarks and recommendations are available to the applicant upon request. It may suggest that the applicant be required to abide by certain conditions as part of the approval of their request.

Notice: Approximately 10 days before the hearing by the Hearing Examiner the Planning Office will post a sign on the applicant's property. The Planning Office will mail a public notice to all property owners and/or residents within 150 feet of your property (excluding public right-of-way). The Planning Office can provide you with a list of addresses who could potentially be notified.

Hearings

Hearing Examiner: Generally on the third Wednesday of the month the Hearing Examiner will hold their public hearing. You or a representative is expected to be present. The Hearing Examiner will take testimony for and against your request. Following the discussion of your request, the Examiner may vote in favor or against your request. The Examiner recommendation will be forwarded to the Board of Adjustment.

Board of Adjustment: Generally on the following Monday of the month at 5:30 p.m., the City Commission, will consider your request. Following the discussion of your request, they may vote in favor or against your request.

Criteria for Review of Variance

1. The plight of the applicant is due to unique circumstances of applicant's property.
2. The plight of the applicant is not due to the circumstances or conditions of the neighborhood or zone.
3. The unique circumstances which rendered the property incapable of being used in compliance with this ordinance have not been caused or created by actions of the applicant.
4. The variance in question is the minimum variance which is necessary for the reasonable use of the property.
5. The variance requested can be granted with substantial justice to the applicant as well as other property owners in the area.
6. The granting of this variance will be in harmony with the general purpose and intent of this ordinance while maintaining the integrity of the comprehensive plan.
7. The granting of this variance will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare.
8. That for an area variance, compliance with the strict application of this ordinance governing area, setbacks, frontage, side yards, height, bulk or density will unreasonably prevent the owner from using the property for a permitted purpose.
9. That for a use variance, the land in question cannot yield a reasonable return if only used for a purpose allowed in the zone.

If you cannot comply with one or more of these requirements, attach a sheet explaining the situation and why you cannot meet the requirement(s).

If you have questions, please call 353-8513.

City of Huron
VARIANCE APPLICATION
(filing fee: \$100.00)

[please print]

Applicant: _____

Address: _____

Phone: _____

Project Address: _____

Legal Des: _____

Zone: _____ Zoning Code Effected: 23.____.____ & 23.____.____

REQUEST PERMISSION TO:

Based on the municipal zoning codes of Huron, title 23, "the applicant for a zoning variance carries the burden of persuading the commission that in granting a variance it will be in keeping with the spirit and intent of this title within the zoning district in which such variance is applied for". With this legal guideline in mind, please fill in the following blanks to demonstrate how your request meets the guidelines.

1. Describe your variance request and how it differs from the strict written codes. (i.e. the garage will be only 4' from the side property line where the code requires 7'.) _____

2. Describe the exact purpose of the proposed construction or use. _____

3. Why are other alternatives (location/uses) not possible? _____

4. In comparison to your neighborhood, what is unique about your property that you should be given special consideration? _____

5. Describe how your variance will not have a negative effect on any neighbor's property.

Signature of Applicant: _____ Date: _____

CITY AND/OR PLANNING COMMISSION ACTION

Hearing Examiner Comments: _____

Approved: _____ Denied: _____ Withdrawn: _____

Hearing Examiner's Signature: _____

Planning Commission Comments: _____

Approved: _____ Denied: _____ Withdrawn: _____

Planning Commission Chair's Signature: _____

Board of Adjustment Comments: _____

Approved: _____ Denied: _____ Withdrawn: _____

Finance Officer's Signature: _____