

**NOTICE OF DECISION
ON
APPLICATION FOR VARIANCE**

On * an application for variance to the Waushara County Zoning Code was filed by * and was considered by the Waushara County Board of Adjustments at a regular meeting held on INSERT DATE.

Based on the facts and evidence presented, the Board's decision was to **deny** your application in accordance with Section 58-105 of the Waushara County Zoning Code.

The reasons for the Board's decision were:

Unnecessary **hardship is not present** and the code requirements are not unnecessarily burdensome and **will not prevent** the owner from using the property for a **permitted use** because:

1. The land owner has reasonable use already.
2. Cumulative impacts can be foreseen.
3. Self imposed hardship cannot be grounds for an approval.
4. The Board concurs with the concerns expressed by _____.
5. Other alternatives exist such as building in another location or building a smaller structure.
6. Loss of profit or inconvenience is not a hardship.

The **hardship is not due** to unique physical features or limitations of the property and appear to be unique to the applicant as follows:

1. There are many other similar lots in the area.
2. The hardship is unique to the property owner, not to the property.
3. There were no unique lot features observed by the Board.
4. This is a self imposed hardship.
5. No hardship was noted.
6. Loss of profit is not a hardship.
7. Convenience only.

The variance **will harm** the public interest or neighboring land uses, and damage the intent of the zoning code because:

1. An approval would set a precedent.
2. An approval would compromise public safety.
3. An approval would make a bad situation worse.
4. An increase in water runoff and erosion is anticipated.
5. Harm to water quality is anticipated.
6. The proposal is a convenience.
7. An approval would undermine the code and harm the neighboring properties and public interest at large.
8. The landowner should pursue other locations or building plans.

Therefore, the requested variance is hereby **denied** with the following conditions:

1. The _____ must be removed within _____ days.
2. The applicant will allow agents of Waushara County Access to the property to ensure compliance with the terms of this decision, Waushara County codes, and state and federal laws.

GENERAL CONDITIONS

Any privileges granted by this decision are subject to the conditions herein stated and must be exercised within one year of the date of filing of this decision by obtaining a building permit for the proposed construction, repairs, additions or alterations. Any period of time during which this decision is stayed by order of any court or operation of law shall not be counted in determining the time for exercise of the privileges granted. The applicant will allow agents of Waushara County access to the property to ensure compliance with the terms of this decision, Waushara County Codes, and State and Federal laws.

This decision may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision may be obtained by filing an action of certiorari with the Circuit Court for Waushara County within 30 days after the date shown below. Waushara County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period.

 s/Chairman, Waushara County
 Board of Adjustments

INSERT DATE

Copies to:

- () Office Copy
- () Applicant
- () Town Clerk
- () Town Chairman
- () ECWRPC
- () DNR (if within Shoreland or Floodplain)
- () Army Corps of Engineers (if within Shoreland or Floodplain)
- () John Lust, Building Inspector
- ()

