



Department of Planning and Community and Economic Development  
Building Inspection Division

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2984  
Madison, Wisconsin 53701-2984  
TDD 608 266 4747  
FAX 608 266 6377  
PH 608 266 4551

Dear Applicant:

In this packet you will find the variance application and standards by which the Zoning Board of Appeals will base their decision. You must complete the application fully, submit all materials requested with the application, and specifically address how the project meets all variance standards.

The Zoning Board of Appeals consists of seven citizen members, appointed by the Mayor and approved by the City Council, who give their time without compensation. Normally there are five members present at the hearing and it takes a majority of votes to approve a variance. The meetings are low key and only as formal as is necessary. Cases are generally heard in the order as they appear on the agenda. A member of City staff will explain the details of your case to the Board and present photographs, taken by a staff member during an outside inspection of your property. You will then be invited to present information explaining how your request meets the standards for the granting of a variance. All owners and occupants of neighboring properties within 200 feet will be notified of your project, and any interested party will be allowed an opportunity to speak on your variance request.

It is strongly encouraged that you contact Zoning Staff to discuss your project and the variance process before you submit your application. If you have questions regarding the preparation of your presentation, please feel free to contact our office to set up an appointment. A quality submittal and thoughtful presentation increases the probability of a favorable decision by the Board.

**IMPORTANT** – The Zoning Board of Appeals reviews variance requests using standards adopted by the City Council and provided by law. A complete submittal should specifically address each standard and be prepared in consideration of these standards. Please be aware that any statements made in the application or at the meeting require evidentiary support in order to be considered fact. The variance standards may be found on the following pages of this packet.

Sincerely,

Matt Tucker  
Zoning Administrator  
266-4569

Patrick Anderson  
Assistant Zoning Administrator  
266-5978

Jenny Kirchgatter  
Zoning Inspector  
266-4429

Gregory Patmythes  
Zoning Inspector  
261-9662

Sarah Anderson  
Zoning Inspector  
266-6554

Jacob Moskowitz  
Zoning Inspector  
266-4560

**Standards for Variance: The Zoning Board of Appeals shall not grant a variance unless the applicant shows and the Board finds that the following standards have been met:**

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.
2. The variance is not contrary to the spirit, purpose, and intent of the regulations in the zoning district and is not contrary to the public interest.
3. For an area variance, compliance with the strict letter of the ordinance would unreasonably prevent use of the property for a permitted purpose or would render compliance with the ordinance unnecessarily burdensome.
4. The alleged difficulty or hardship is created by the terms of the ordinance rather than by a person who has a present interest in the property.
5. The proposed variance shall not create substantial detriment to adjacent property.
6. The proposed variance shall be compatible with the character of the immediate neighborhood.

**– IMPORTANT –**

Your presentation and submitted materials must address all of the above conditions, as the Zoning Board of Appeals must find that all of the standards are met for a variance to be approved. **Any statements made must be supported by competent evidence in order to be considered as fact.**



**CITY OF MADISON**  
**ZONING BOARD OF APPEALS**  
**VARIANCE APPLICATION**

**\$300 Filing Fee**

Ensure all information is **typed** or legibly **printed** using blue or black ink.

Address of Subject Property: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address of Owner (if different than above): \_\_\_\_\_

\_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

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

Name of Applicant (Owner's Representative): \_\_\_\_\_

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

\_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

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

Description of Requested Variance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(See reverse side for more instructions)*

**FOR OFFICE USE ONLY**

Amount Paid: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Receipt: \_\_\_\_\_

Published Date: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Appeal Number: \_\_\_\_\_

Received By: \_\_\_\_\_

GQ: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Code Section(s): \_\_\_\_\_

Zoning District: \_\_\_\_\_

\_\_\_\_\_

Alder District: \_\_\_\_\_

\_\_\_\_\_

## Standards for Variance

**The Zoning Board of Appeals shall not grant a variance unless it finds that the applicant has shown the following standards are met:**

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.

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2. The variance is not contrary to the spirit, purpose, and intent of the regulations in the zoning district and is not contrary to the public interest.

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3. For an area (setbacks, etc) variance, compliance with the strict letter of the ordinance would unreasonably prevent use of the property for a permitted purpose or would render compliance with the ordinance unnecessarily burdensome.

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4. The alleged difficulty or hardship is created by the terms of the ordinance rather than by a person who has a present interest in the property.

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5. The proposed variance shall not create substantial detriment to adjacent property.

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6. The proposed variance shall be compatible with the character of the immediate neighborhood.

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## Application Requirements

**Please provide the following Information** (Please note any boxes left unchecked below could result in a processing delay or the Board's denial of your application):

<input type="checkbox"/>	<b>Pre-application meeting with staff:</b> Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with Zoning staff. <b>Incomplete applications could result in referral or denial by the Zoning Board of Appeals.</b>
<input type="checkbox"/>	<b>Site plan</b> , drawn to scale. A registered survey is recommended, but not required. Show the following on the site plan (Maximum size for all drawings is 11" x 17"): <ul style="list-style-type: none"><li><input type="checkbox"/> Lot lines</li><li><input type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines</li><li><input type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance</li><li><input type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features</li><li><input type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred)</li><li><input type="checkbox"/> North arrow</li></ul>
<input type="checkbox"/>	<b>Elevations</b> from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s). (Maximum size for all drawings is 11" x 17")
<input type="checkbox"/>	<b>Interior floor plan of existing and proposed structure</b> , when relevant to the variance request and required by Zoning Staff (Most additions and expansions will require floor plans). (Maximum size for all drawings is 11" x 17")
<input type="checkbox"/>	<b>Front yard variance requests only.</b> Show the building location (front setback) of adjacent properties on each side of the subject property to determine front setback average.
<input type="checkbox"/>	<b>Lakefront setback variance requests only.</b> Provide a survey prepared by a registered land surveyor showing existing setbacks of buildings on adjacent lots, per MGO 28.138.
<input type="checkbox"/>	<b>Variance requests specifically involving slope, grade, or trees.</b> Approximate location and amount of slope, direction of drainage, location, species and size of trees.
<input type="checkbox"/>	<b>CHECK HERE.</b> I acknowledge any statements implied as fact require supporting evidence.
<input type="checkbox"/>	<b>CHECK HERE.</b> I have been given a copy of and have reviewed the standards that the Zoning Board of Appeals will use when reviewing applications for variances.

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

------(Do not write below this line/For Office Use Only)-----

### DECISION

The Board, in accordance with its findings of fact, hereby determines that the requested variance for \_\_\_\_\_ **(is) (is not)** in compliance with all of the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

**The Zoning Board of Appeals:** ☐ **Approved** ☐ **Denied** ☐ **Conditionally Approved**

**Zoning Board of Appeals Chair:**

**Date:**