



**PIERCE COUNTY, WISCONSIN**  
**DEPARTMENT OF LAND MANAGEMENT & RECORDS**  
PO Box 647, 414 West Main St, Ellsworth, WI 54011  
Planning Office 715-273-6746 Zoning Office 715-273-6747  
Fax: (715) 273-6864 www.co.pierce.wi.us

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## **Pierce County VARIANCE Application**

**APPLICABILITY:** If applicants want to do something that is not allowed by zoning ordinances, they apply for a variance. A variance is a relaxation of a standard in a zoning ordinance. Variances are decided by the Pierce County Board of Adjustment. The zoning board is a quasi-judicial body because it functions almost like a court. The board's job is not to compromise ordinance provisions for property owner's convenience, but to apply legal criteria provided in state laws, court decisions, and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

Pierce County Zoning Code § 240.78 describes the variance petition and processing requirements. An example of a request for a variance may be from a dimensional standard, i.e. building setback from a road or lot line.

**APPLICATION:** Applicants are encouraged to meet with Department staff for a pre-application conference. The application for a variance must be completed and received by the Department in order to be processed. Complete the attached application by including the following information:

- Provide contact, location, zoning, and other information (Page 1);
- Provide comments on alternatives and a written statement of verifiable facts that describes and justifies your project meets legal criteria for a variance (Page 2);
- Affidavit, Authorization to Examine Premises, and Certification of Information Form (Page 3);
- Provide detailed site plans describing your lot and project (location, dimensions, and materials) (Page 4);
- You maybe asked to stake out lot corners or lines, the proposed building footprint, and all other features of your property related to your request so that the Board of Adjustment and staff may inspect the site;
- Site development plan, grading plan, erosion control plan (if necessary); and,
- Fee: \$500.

**REVIEW PROCESS:** After a complete application is submitted, the Land Management & Records Department will publish notice of your request in the *Pierce County Herald* noting the location and time of the required public hearing before the Board of Adjustment. Your neighbors and any affected state agency will also be notified. The burden will be on you as property owner to provide information upon which board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the Board of Adjustment to make a ruling in your favor. The board must make its decision only on the evidence submitted to it during the hearing. Unless you or your agent are present, the board may not have sufficient evidence to rule in your favor and must then deny your application.

**APPEAL RIGHTS:** An aggrieved person may appeal a Board of Adjustment decision to circuit court within 30 days after the Board of Adjustment's decision. A lawsuit must be filed with the Pierce County Circuit Court seeking a certiorari review of the Pierce County Board of Adjustment's decision.

For specific information regarding Variances read Pierce County Zoning Code section listed above. This chapter can be purchased at our office or reviewed on our website listed above.

Working today for a better tomorrow

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## CONTACT INFORMATION:

Property Owner \_\_\_\_\_ Contact/Agent (if not owner) \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
Daytime Phone (\_\_\_\_\_) \_\_\_\_\_ Daytime Phone (\_\_\_\_\_) \_\_\_\_\_

## LOCATION INFORMATION:

Property Location: \_\_\_\_\_ ¼ of the \_\_\_\_\_ ¼, Section \_\_\_\_\_, Town \_\_\_\_\_ N., Range \_\_\_\_\_ W, Lot \_\_\_\_\_, Block \_\_\_\_\_,  
Subdivision \_\_\_\_\_ Town of \_\_\_\_\_, Pierce County, WI.  
Lot Area: \_\_\_\_\_ sq. ft. or \_\_\_\_\_ acres; Lot Dimensions \_\_\_\_\_ ft by \_\_\_\_\_ ft  
Site address: \_\_\_\_\_  
Parcel Identification # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Computer # \_\_\_\_\_

## ZONING INFORMATION:

Zoning District (Check one):

Exclusive Agriculture.... <input type="checkbox"/>	Primary Agriculture..... <input type="checkbox"/>	Ag-Residential..... <input type="checkbox"/>	General Rural..... <input type="checkbox"/>
General Rural Flexible... <input type="checkbox"/>	General Rural Flexible-8... <input type="checkbox"/>	Rural Residential-8... <input type="checkbox"/>	Rural Residential-12... <input type="checkbox"/>
Rural Residential-20..... <input type="checkbox"/>	Commercial..... <input type="checkbox"/>	Light Industrial..... <input type="checkbox"/>	Industrial..... <input type="checkbox"/>

Overlay District (Check one): Not Applicable..... Floodplain..... Shoreland/Wetland....  
Kinnickinnic River Blufflands..... St. Croix Riverway...

## OTHER INFORMATION:

Ordinance chapter and section relating to variance request: \_\_\_\_\_

Type of variance requested:

\_\_\_\_\_ **use variance**—permits a landowner to put a property to an otherwise prohibited use.

\_\_\_\_\_ **area variance**—provides an increment of relief (normally small) from a physical dimensional restriction such as a building height or set back.

Relaxation is requested to allow: \_\_\_\_\_  
\_\_\_\_\_

Describe the effects on the property if the variance is not granted: \_\_\_\_\_  
\_\_\_\_\_

Description of any prior petition for variance: \_\_\_\_\_  
\_\_\_\_\_

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## ALTERNATIVES:

In the space below or in an attached document, describe alternatives to your proposal such as other locations, designs, and construction techniques. Attach a site map showing alternatives you considered in each category below:

- a. Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with a regular land use permit. If you reject compliant alternatives, provide a reason you reject them.

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- b. Alternatives you considered that require a lesser variance and reasons you rejected them. If you reject such alternatives, provide the reasons you reject them.

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## DESCRIPTION & JUSTIFICATION:

In the space below or in an attached document, provide a written statement of verifiable facts that describes and justifies your project meets legal criteria for a variance. Please note that a variance is a three-step test; it must be demonstrated that unique property limitations exist, no harm to public interests, and unnecessary hardship is present. Include reasons for your variance and any additional information.

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I hereby certify that the above application and all attachments are true, correct, and complete to the best of my knowledge and belief.

Signed: \_\_\_\_\_ Date \_\_\_\_\_

Attachments include: Site Plan; Site development, grading, erosion control plan (if applicable); Affidavit, Authorization to Examine Premises, and Certification of Information Forms; & Fee: \$500 Payable to 'Pierce County Zoning.'

LEAVE BLANK - FOR RECEIVING AGENCY USE ONLY	
Date Filed:	Signed:  (Zoning Administrator)
Fee:	
Code Reference:	
Petition#	

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## AFFIDAVIT:

TO WHOM IT MAY CONCERN:

This affidavit is to verify, to the best of my knowledge, that the Variance requested in the attached application does not violate any Deed Restriction.

Owner(s) Notarized Signature(s):

Acknowledgement:

_____ Owner Signature	This instrument was acknowledged before me on this date _____ by
_____ Owner Name - Printed	_____ NOTARY PUBLIC Signature
_____ Co-Owner Signature (if applicable)	_____ Notary Public Name - Printed
_____ Please print Co-Owner Name (if applicable)	County of _____, State of Wisconsin. My commission expires: _____.

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## AUTHORIZATION TO EXAMINE:

I hereby authorize the Pierce County Department of Land Management & Records authorities to inspect premises

at: \_\_\_\_\_  
(address)

Date: \_\_\_\_\_  
(Signature of Owner)

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## CERTIFICATION:






I hereby certify that I have been informed and understand that if I, my agent, or my attorney does not appear at the public hearing, and/or if I do not provide the information requested by the Zoning Administrator, the Board/Committee may dismiss the appeal or application or may dispose of the matter on the record before it.

Date: \_\_\_\_\_  
(Signature of Applicant/Appellant)

## Plot Plan: How to create a Plot Plan

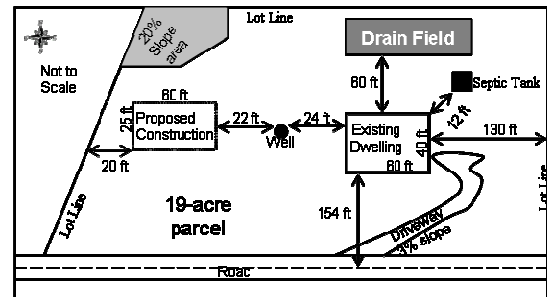
This Variance application requires a plot plan. A plot plan is a drawing that shows the entire construction site and all structures, existing and proposed. To assist creating a plot plan, follow these directions:


1. Find your property by going to Pierce County Home Page <http://www.co.pierce.wi.us/>.
2. From the horizontal list on top of the webpage, click on 'Tax & Land Information.'
3. In the middle of this webpage, click on 'Property Data Search.'
4. Type in the computer number, parcel address, or parcel owner, and then press 'Go.'
  - a. If you are taken to the Real Estate Tax Summary. Scroll down to the bottom of the page and click on 'Go to Map.'
  - b. If you are taken to a list of properties, find the correct address and click on the Map Icon. 
5. The computer will automatically go to the selected property. WebFusion is a program that will help generate your plot plan. A basic report caption shows up on the right side of the screen. To continue making the map, close out that caption by clicking on the upper right corner. 
6. On the left side of the screen is a tab labeled 'Map Layers Tab.' Click on the tab and a list of information will show up that you can add your map. Click inside the box to the left of Streams and Aerial Photograph. A check mark will appear inside the box and the information will show up on your map. Hide the tab by clicking on words 'Map Layers Tab' to the left of the screen.
7. Enlarge the parcel by clicking the "Zoom In" Magnifying Glass  tool at the top of the screen. After clicking this tool, use your mouse to left click and drag a boxed area over the selected parcel. Your computer will zoom into the area. If you zoomed in too far, click on the "Zoom Out" Magnifying Glass  tool, repeat the same process, and your computer will zoom out of that area.

8. Now print the map. At the top of the page, click on 'Print' and then 'Print Map.'    A print map caption will show up on the right of the screen. Give your map a title (i.e. John & Jane Doe, N111 – 410<sup>th</sup> Street). Click on 'Generate Map.' The computer should automatically show you a .PDF document. There are three ways to print the document: a. Go to File, Print, and select your printer. b. Choose the  printer icon to the left of the screen and then select your printer, or c. Choose the  printer icon to the upper right of the screen and then select your printer.

9. The figure to the right is an example of information to draw on to the plot plan. On your printed map, please indicate the following:

- Location & size of proposed construction
- Lot dimensions and lot size
- Locate & label road and any easements
- All existing structures.
- Slopes greater than 20%
- Driveway slope (must be 12% or less)
- Waterways and Floodplains (staff in the office will help with this)
- Distances from construction to roads, well, septic tank, drain field, lot lines, and waterways. This can be measured from your computer screen. First, close out the map you created. Go to the top and middle of your screen and



select the measuring  tool.

\* **Note:** If you need assistance with task #9, bring your map to the Land Management Department and ask staff for assistance. If you need assistance using WebFusion, please feel free to call our office at the phone numbers above.

10. Please attach an approved State, County, or Town Driveway Permit if this requires new access to the parcel.
11. Sign your name as owner or agent to the bottom of the WebFusion Plot Plan. Put the date next to your signature.
12. Bring this map to the Land Management Department.

*Add additional pages to the application, if necessary. Please number the pages.*