Gray boxes to be filled in by staff only.

CITY OF WINONA

APPEAL TO BOARD OF ADJUSTMENT FOR MODIFICATION OF CITY CODE

Date_____ Owner_____
Owner Address_____

Petitioner_____
Petitioner Address_____

As property owner or petitioner, I hereby make application to modify the City Code at the following address:

_____

Also described as:

PIN #: _____

Legal Description: _____
_____
_____

It is understood that only those points specifically mentioned are affected by action taken on this appeal.

Purpose in seeking Board of Adjustment hearing: _____
_____
_____
_____

See handout for required submittal information and general appeal information.

The specific ordinance modification desired is _____
_____
_____
_____

I hereby certify that I am the owner of the above described property or am otherwise legally empowered to make this appeal.

_____
(Applicant's Signature)

Received by:
_____

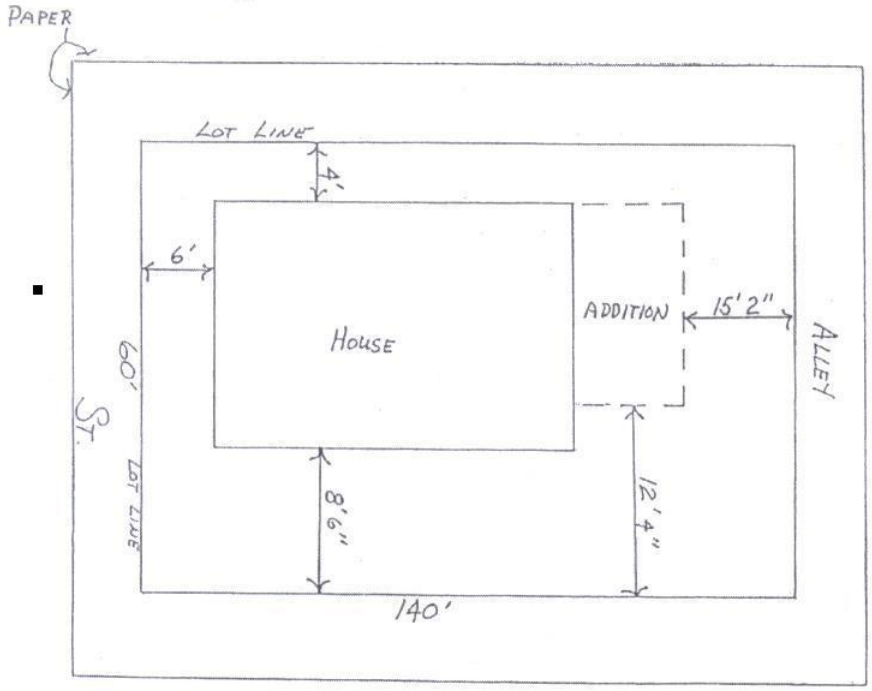
The Board meets on the first and third Wednesday of every month. Petition must be filed by noon on the Monday 16 days prior to the Wednesday meeting date. The petitioner is required to attend the meeting.

Petition # _____ Receipt # _____ Filing Fee _____
Date Received _____ Hearing Date _____ Zoning _____

FILING REQUIREMENTS FOR BOARD OF ADJUSTMENT

1. Filling fee is $191.00
2. File petition with Community Development, Room 210, City Hall.
3. Board meetings are held the 1st and 3rd Wednesday of each month in the Council Chambers at City Hall at 5:00 PM.
4. Petitioner must file by noon on the Monday 16 days prior to the Wednesday meeting date.
5. Petitioner or a representative must be present at the meeting for the petition to be heard.
6. If a variance is granted, all permits and/or certificate must be obtained within six (6) months of the Board's approval or the variance becomes void.

When applying for a variance, the following information must be supplied to Community Development:

1. Petitioner's name and address. Also, owner's name and address if different than petitioner.
2. Address or parcel number of the property a variance is being applied for.
3. A plot plan, drawn in black ink, showing the following:
   A. Present structures drawn with solid lines and labeled as to use; such as house, garage, etc.
   B. Proposed structures or additions drawn with dashed or dotted lines and labeled.
   C. Dimensions of the lot.
   D. Distance from structures to lot lines. The structure or addition the variance is being applied for must show distance from lot line to closest projection, such as bow windows, eaves, etc.
   E. Location and size of off-street parking areas.
4. **Petitioner must prove to the Board of Adjustment** that strict enforcement of the zoning ordinance would cause undue hardship because of circumstances unique to the individual property under consideration and demonstrate that such action will be in keeping with the spirit and intent of the zoning ordinance. The following shall constitute undue hardship and the Board shall not grant a variance unless it finds that all three exist:
   A. The property would be used in a reasonable manner not permitted by the zoning ordinance.
   B. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
   C. The variance, if granted, will not alter the essential character of the locality.
5. **Economic consideration alone shall not constitute undue hardship** if reasonable use for the property exists under the terms of the ordinance.
6. The Board may impose conditions in the granting of a variance to ensure compliance and to protect adjacent properties.

EXAMPLE