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_____Phone No. _____
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

- Filling fee is $197.00
- File petition with Community Development, Room 210, City Hall.
- Board meetings are held the 1st and 3rd Wednesday of each month in the Council Chambers at City Hall at 5:00 PM.
- Petitioner must file by noon on the Monday 16 days prior to the Wednesday meeting date.
- Petitioner or a representative must be present at the meeting for the petition to be heard.
- 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.
- The Board may impose conditions in the granting of a variance to ensure compliance and to protect adjacent properties.

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 letter, preferably typed, describing your request. City staff will provide assistance with the letter, but staff cannot write it. The letter must:

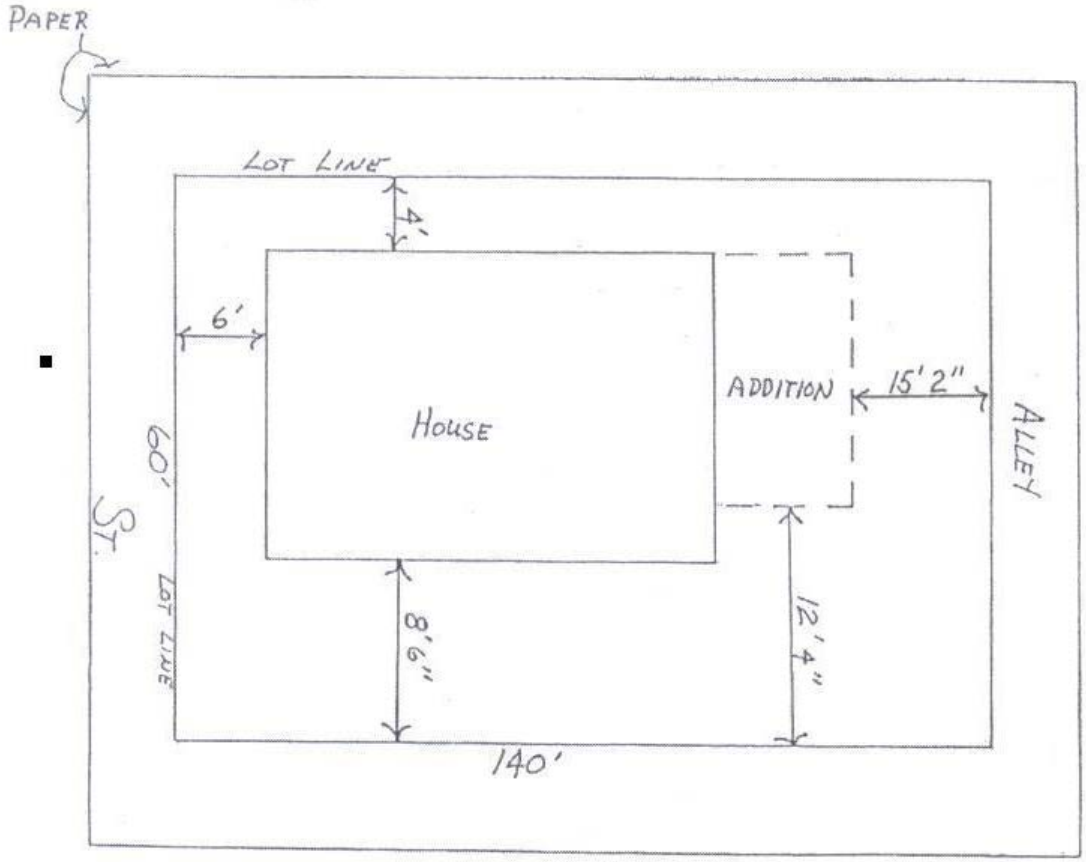
   - *State what you want to do*. For example, "I want to build a 10' X 12' addition onto the side of my house"
   - *Describe why the variance is needed*. For example, "My house is 13' from the side property line; the addition will leave 3' between my house and the side property line. City Code requires a setback of 5 feet."
   - *Describe the circumstances that prevent you from meeting the requirements of the ordinance*. For example, "The construction and layout of my house prevent the addition on the front or rear of the structure and there is a driveway to my garage on the other side of my house. As a result, the proposed location for the addition is my only reasonable option."

   *Note: In order to grant the request, the Board must find that the variance meets <u>all</u> of the following criteria:

   1. The variance is in harmony with the purpose and intent of the zoning ordinance. The purpose and intent of the zoning ordinance is to:
      A. Promote the public health, safety, morals, comfort and general welfare
      B. Conserve and protect property and property values
      C. Secure the most appropriate use of land
      D. Facilitate adequate and economical provisions for public improvements
   2. The variance is consistent with the Comprehensive Plan.
   3. The proposal puts the property to use in a reasonable manner.
   4. There are unique circumstances to the property not created by the property owner.
   5. The variance, if granted, will not alter the character of the neighborhood.
   6. There are other considerations for the variance besides economics – in order for this criteria to be satisfied, answers to numbers 3,4, and 5 must be affirmative.

   Although not required for a complete application, it is strongly encouraged that the letter which is provided addresses these criteria.

4. 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.

   An example plot plan is on the following page.

EXAMPLE PLOT PLAN