

# Appeal Application

Fee: \$400.00

## Town of Beaver Dam

W8540 County Road W  
Beaver Dam, WI 53916  
920-887-0791

Appeals from the decision of the zoning administrator, plan commission or the town board concerning the literal enforcement of the zoning ordinance, may be made by any person aggrieved, to the Board of Appeals.

The Board of Appeals may:

- Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance.
- Authorize upon appeal in specific cases such variances from the terms of the code as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the code will result in practical difficulty or unnecessary hardship, so that the spirit of the code will be observed, public safety and welfare secured, and substantial justice done.
- Reverse, affirm, or wholly or partly modify the requirements appealed from and may issue or direct the issuance of a permit.

The process for obtaining a variance is as follows:

1. Complete the attached application form and submit the required fee.
2. Provide a detailed site plan describing your parcel and the proposed project.
3. Provide a written statement of verifiable facts showing that your project meets either of the following criteria for a variance:
  - a. A town official erred in an order, requirement, decision, or determination in the enforcement of the zoning ordinance.
  - b. Due to special conditions, a literal enforcement of the provisions of the code will result in practical difficulty or unnecessary hardship. In this case you must demonstrate that a variance will not be contrary to the public interest, and that the spirit of the code will be observed, public safety and welfare secured, and substantial justice done.

The site plan, drawn to scale, must show the location of all existing and proposed structures, lot lines, streets and other public ways, driveways, off street parking, loading areas and existing and proposed front, side and rear yards. If the site plan is illegible or appears to be inaccurate, the board may request a site plan prepared by a registered land surveyor.

After a completed application has been received by the Land Use Administrator, a notice will be published in the Daily Citizen describing your project and listing the location and time of the required public hearing. All neighbors located within 300 feet of your property boundaries will be notified of your request.

At the public hearing, you may appear in person or be represented by an agent or attorney. You may be asked to provide information and answer questions regarding the variance request. If you or your agent do not appear at the public hearing, your request may be denied and your application fee will be forfeited. The public hearing is also the time when concerned citizens have the opportunity to ask questions and/or to state their position regarding the issuance of a variance.

The BOA may also try to determine if there are any alternatives that will fully comply or lessen the degree of violation of the ordinance. You may be asked to resubmit a plan taking these alternatives into consideration. The BOA may impose limitations on project design, construction activities or operation of a facility as mitigating measures to ensure that public interests and neighboring properties are protected.

Please complete and return this form to the Land Use Administrator, along with a check to the Town of Beaver Dam to cover the appropriate fees. The form can be mailed or delivered in person to:

Land Use Administrator  
W8540 County Road W  
Beaver Dam, WI 53916

If you have any questions please contact the Land Use Administrator at 920-887-0791 ext. 15.



**Certificate**

I hereby certify that I am the owner and/or authorized agent of the property and that all the above statements and attachments submitted are true and correct to the best of my knowledge and belief. I hereby authorize members of the Town of Beaver Dam Board of Appeals to enter the above described property for purposes of obtaining information pertinent to my appeal.

Signature of owner or authorized agent \_\_\_\_\_

Date \_\_\_\_\_ Contact number \_\_\_\_\_

---

**Disposition (For office use only)**

Board of Appeals meeting date: \_\_\_\_\_

**The Appeal is (denied/granted/granted in part) subject to the following conditions:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Land Use Administrator