



**CITY OF WAUSAU**  
**DEPARTMENT OF INSPECTION AND ZONING**

City Hall, 407 Grant Street, Wausau, WI 54403-4783  
(715) 261-6780 / fax (715) 261-4102

**Variations and the Zoning Board of Appeals**

**WHY:** Zoning laws assure you and your neighbors that any new development or changes to adjacent properties will not adversely affect your enjoyment or value in, and use of, your property. Any changes to the existing zoning requirements need a careful review of all factors to protect you and your neighbors.

**WHEN:** Your proposed project cannot meet the zoning code requirements, such as a need to reduce a required yard size, setback, etc. Also, any person “aggrieved” by the decision of any officer, department, or board, may appeal. Authorized variations include:

1. To hear and decide appeals when it is alleged there is error in any order, requirement, decision, or determination of the Zoning Administrator.
2. To hear and decide special exceptions to the terms of the Zoning Code upon which the Zoning Board of Appeals is required to review.
3. To authorize variations in accordance with section 23.74.040.

**HOW:** To obtain a variance, you must establish that it would be a hardship or practical difficulty to meet the zoning code requirements, due to the physical surroundings, shape, or topography of the property. Submit your request for a variance to the Zoning Administrator, with the following:

1. A present and proposed site plan drawn to scale, showing:
  - a.) The lot size of the subject property;
  - b.) The locations of all present and proposed buildings, additions, decks, etc., located on the property; and
  - c.) The dimensions / distances to all property lines, from all buildings / structures.
2. The present and the proposed building elevations / floor plans.
3. The required, non-refundable application fee of \$200.

A public hearing will then be scheduled before the Zoning Board of Appeals, which meets the third Wednesday of the month, at 4:00 p.m. in the Council Chambers. **To meet the deadline for a specific month, completed applications must be submitted no later than the first Wednesday of the month by 12:00pm.** Notice of the hearing is sent to the applicant and owners of property within 100 feet of the proposed variance. The hearing notice is also published once in the Wausau Daily Herald newspaper.

**The applicant must attend the hearing to present their case and give testimony.** In addition, other individuals in support of the applicant’s request, as well as those persons in opposition to the request, or persons seeking additional information, are allowed to testify.

Based upon the standards set forth in the Zoning Code and State Statutes, the Zoning Board of Appeals makes the final decision to grant or deny a variance. The Board of Appeals may impose conditions and restrictions to protect the interests of both parties.

If the Zoning Board of Appeals approves your variance request, you can then apply for your building permit and any other required permits. A variance, once approved, is valid for twelve months; therefore necessary permits must be obtained and the project started or the use commenced within such period, or the project must go through the variance process again.

Final decision by the Zoning Board of Appeals may be appealed, aggrieved, or restrained by any interested party to the Marathon County Circuit Court. A denied variance may not be re-applied for within twelve months of the denial.

If you have any questions regarding the zoning variance process, contact the Zoning Administrator.



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**ZONING BOARD OF APPEALS**

STATE OF WISCONSIN

MARATHON COUNTY

**CITY OF WAUSAU**

**ZONING BOARD OF APPEALS APPLICATION / ACCEPTANCE FORM**

KEY #: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_  
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OWNER/AGENT: \_\_\_\_\_ PHONE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ EMAIL: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
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**VARIANCE STANDARDS**

State law sets three standards for granting a zoning variance. Applicants must provide evidence to the Zoning Board that their situation meets **all three of the required standards** in order for a variance to be granted.

- Unnecessary Hardship:** Application of the zoning ordinance to a site must cause unnecessary hardship in order for a variance to be granted. The legal standard of unnecessary hardship requires that the property owner demonstrate that compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

Are you denied reasonable use of the property?	Yes: _____	No: _____
Is your hardship self-imposed?	No: _____	Yes: _____
Is your loss or hardship profit driven?	No: _____	Yes: _____
Would a hardship exist in the absence of the code?	No: _____	Yes: _____
Did the parcel pre-exist the code requirement?	Yes: _____	No: _____

The hardship or difficulty shall be peculiar to the subject property and different from that of other properties, and not one which affects all properties similarly. Describe your specific hardship:

\_\_\_\_\_

\_\_\_\_\_

Such a hardship or difficulty shall have arisen because of the unusual shape of the original parcel, unusual topography, or elevation. Describe your specific hardship:

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Prove why the parcel is not economically suitable for a permitted use, or will not accommodate a structure of reasonable design for a permitted use, if all area, yard, green space, setback, etc., requirements are observed:

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2. **Unique Property Limitations:** Proof of unnecessary hardship includes the burden of proving "uniqueness". Describe the unique physical characteristics of the subject property that prevent you from developing in compliance with the zoning ordinance:

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3. **Public Interest:** Describe why the grant of a variance is in the public's interest and why this is the minimum relief necessary for you to have reasonable use of your property:

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\_\_\_ Attach a scale map of the subject property showing all lands for which the variance is proposed.

\_\_\_ Attach a map showing the general location of the subject property within the City.

\_\_\_ Attach a written description of the proposed variance, describing which of the authorized variances is being requested.

REGARDING: \_\_\_\_\_ SUBMITTED ON: \_\_\_\_\_

ZONING ADMINISTRATOR REVIEW: Date: \_\_\_\_\_ Application: Complete / Incomplete

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WILLIAM D. HEBERT, ZONING ADMINISTRATOR

Notes:

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