



INSTRUCTIONS

To protect and promote the public health, safety, and general welfare of the Village of Milltown and to implement the Village of Milltown's Comprehensive Plan, the Milltown Village Board adopted the Zoning Chapter of the Village Code.

The application for variation shall be filed with the Zoning Administrator. Applications may be made by the owner or lessee of the structure, land or water to be affected. The application shall contain the following information:

- (1) Name and address of applicant and all abutting and opposite property owners of record.
- (2) Statement that the applicant is the owner or the authorized agent of the owner of the property.
- (3) Address and description of the property.
- (4) A site plan showing an accurate depiction of the property.
- (5) Additional information required by the Plan Commission, Village Engineer, Board of Zoning Appeals or Zoning Administrator.

Applications and the Zoning Chapter can be found on the Village's website: <https://milltownvillage.com/>. Per the Zoning Chapter, applications shall include the following information/materials:

Application Requirements (per Section 13-1-193 of the Zoning Chapter)

Public Hearing of Application. The Board of Appeals shall conduct at least one (1) public hearing on the proposed variation. Notice of such hearing shall be given not more than thirty (30) days and not less than ten (10) days before the hearing in one (1) or more of the newspapers in general circulation in the Village, and shall give due notice to the parties in interest, the Zoning Administrator and the Plan Commission. At the hearing the appellant or applicant may appear in person, by agent or by attorney. The Board shall thereafter reach its decision within thirty (30) days after the final hearing and shall transmit a written copy of its decision to the appellant or applicant, Zoning Administrator, Plan Commission and Village Board.

Action of the Board of Appeals. For the Board to grant a variance, it must find that:

- (1) Denial of variation may result in hardship to the property owner due to physiological consideration. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.
- (2) The conditions upon which a petition for a variation is based are unique to the property for which variation is being sought and that such variance is necessary for the preservation and enjoyment of a substantial property rights possessed by other properties in the same district and same vicinity.
- (3) The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property.
- (4) The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
- (5) The proposed variation will not undermine the spirit and general and specific purposes of the Zoning Code.

Conditions. The Board of Appeals may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the standards established in this Section.

Village Hall Office Hours: Monday – Friday, 8:00 am through 4:30 pm. Call us at (715) 825-3258 or email us at clerk@villageofmilltown.gov to speak with our Clerk / Treasurer for assistance.



APPLICATION

Instructions: The Village has prepared instructions on what materials may be required along with a submitted application. Please review the instructions prior to filling out and submitting the application.

Submission of Materials: All application materials must be submitted to the Village Clerk at least 21 days prior to each meeting in order for the application to be placed on the agenda for review by the Zoning Board of Appeals. The Zoning Board of Appeals meets on an as needed basis, typically at the Milltown Public Library.

Attendance: Attendance at Zoning Board of Appeals meetings is not required, but it is strongly advised that applicants or their representatives attend. Failure to attend can result in the denial or delay of review due to lack of information.

APPLICANT INFORMATION					
Name:		Phone:		Email:	
Mailing Address, City, State, Zip:					
Applicant is (check one):	Owner ☐	Authorized Representative ☐	Other (describe): ☐		
Owner Information (if different from Applicant)					
Name:		Phone:		Email:	
Mailing Address, City, State, Zip:					

SITE INFORMATION	
Address, City, State, Zip (if no address, describe location):	
Tax Key:	151-
Current Use:	
Proposed Use:	
Current Zoning:	
Legal Description:	

ADDITIONAL MATERIALS REQUIRED WITH APPLICATION* (see Section 13-1-193 of the Zoning Code for more details)	
☐	Site Plan*
☐	Additional information required by the Plan Commission or its designee or Village Staff.
*Required	

DESCRIBE THE REQUESTED VARIANCE

FEES
See Village of Milltown Fee Schedule. Fee is non-refundable and will not be refunded if the request is denied.

VARIANCE CRITERIA (add pages if necessary) – A variance may only be granted if the Zoning Board finds all five criteria below are met:
(1) Please describe the exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.
(2) Please describe the conditions upon which a petition for a variance is based are unique to the property for which variance is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
(3) Please state whether or not the variance is based exclusively upon a desire to increase the value or income potential of the property.
(4) Please describe how granting the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
(5) Please explain how the variance will not undermine the spirit and general and specific purposes of the Zoning Code.

The undersigned certifies that the information in this application is true and correct to the best of the applicant’s knowledge and authorizes Village Staff, representatives of the Village, Zoning Board of Appeals members to visit and inspect the site location listed on this application.

Applicant Signature: _____ **Date:** _____