ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

Name of Owner: _____ Building Location: _____

Owner Address: _____ Use: _____

E-Mail: _____ Zoning: _____

Telephone No.: _____ Business Name: _____

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1. City of Janesville Ordinance _____ Section: _____ cannot be entirely satisfied because:

_____

_____

_____

2. In lieu of complying with the ordinance, the following alternate is proposed:

_____

_____

_____

_____

3. Before the ZBA can grant a variance, they must find that the following criteria have been satisfied. Describe how your variance request meets the following review criteria.

   a. That the proposed variance request is not contrary to the public interest, is consistent with the intent of City ordinances, and will not compromise public safety and welfare.

_____

_____

_____

_____

   b. That the proposed variance will not serve as a special privilege and is justified based on special conditions on the property, which are not shared by other properties in the same locality or district (for example: lot shape, elevation, or topography).

_____

_____

c. A strict and literal interpretation of the ordinance will result in a practical difficulty and no reasonable use of the property on the property owner. (Financial hardship is not grounds for a variance.)

d. The variance is not requested because of a self-imposed hardship.

4. **Attach** Plot Plan, colored photographs and a completed building and/or sign permit application. The variance request will not be processed unless these items accompany the application.

5. Has this property been the subject of any action taken by any other City Commissions or Board within the last year? _ Yes ___ No. If yes, which Board, and what was the action taken?

6. Verification by Applicant ---------- owner, or contract owner for which relief is sought, says he/she is the applicant herein, thus he/she has read the foregoing application and the same is true.

Prior to the hearing date and up until a decision is rendered in this case, I hereby give my permission to the members of the Zoning Board of Appeals to inspect any portion(s) of my property which are applicable to this **variance process."**

Property Owner Signature Date

Personally came before me this __ day of , 2026, the above named person(s) to me known to be the pcrson(s) who executed the foregoing instrument and acknowledge the same.

Notary Public State of Wisconsin
My Commission Expires:_____

Property Owner Signature Date

Personally came before me this __ day of _____, 2026, the above named person(s) to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Notary Public State of Wisconsin
My Commission Expires:_____

ZONING BOARD OF APPEALS

APPLICATION PROCEDURES

I. You must submit a notice of appeal stating the nature and grounds of the appeal.

Return the application to: Building Director, ZBA Secretary
Zoning Board of Appeals
18 N. Jackson Street
P.O. Box 5005
Janesville, WI 53547-5005

Application form must be accompanied by the following:

a. $300.00 filing fee (non-refundable)
b. Information to support request.

Such notice of appeal must be filed within 30 days of the determination or action from which the appeal is taken.

2. **Meetings** are held the fourth Tuesday of each month (unless stated otherwise on the back of this page) at **6:00 p.m.** in the City Council Chambers in City Hall, 18 N. Jackson Street. Meetings are held only when an appeal has been filed. This is an open public meeting, and anyone interested may attend. The **deadline** for filing required information is **shown on the next page.** If a legal holiday falls during the scheduled week please contact the Building Division for application deadline and meeting dates.

3. As required by Wisconsin State Statutes, the Secretary of the Zoning Board of Appeals will notify adjoining property owners by letter of the appeal being filed.

4. You are required to attend the meeting to present your appeal; an attorney or agent may appear on your behalf. In case you are unable to attend, the person representing you should be fully informed and able to answer any questions the Board members may ask. Any representations made by the applicant of the opinions of neighbors or action taken by other individuals or groups must be provided in writing and signed, or they will not be considered.

5. Legal notice will be published in the Janesville Gazette once prior to the hearing. The notice will state time, place and purpose of the hearing.

If you have any questions, please feel free to contact the Building Division (755-3060), Monday through Thursday 8:00 a.m. to 4:30 p.m. or on Fridays from 8:00 to noon.

Sincerely,

Jay Yunker, ZBA Secretary
Zoning Board of Appeals
CITY OF JANESVILLE

ZONING BOARD OF APPEALS

CITY OF JANESVILLE

2026 MONTHLY MEETING SCHEDULE

The regular monthly meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of the month at 6:00 PM on the 4th floor in the Council Chambers of the City Hall.

Please keep this page showing the ZBA meeting and deadline dates.

If you have any questions, please contact Jay Yunker, yunkerj@janesvillewi.gov ; or Vicky Miller millerv@janesvillewi.gov; or call 608-755-3060.

2026 ZBA Schedule		
MEETING DATE (Tuesdays 6:00 PM)		**APPLICATION DEADLINE (Wednesday - 12:00 Noon)**
Tuesday, January 27, 2026		Tuesday Dec 30 2025 at 12:00 noon
Tuesday, Feb 24		Wednesday, Jan 28, 2026 at 12:00 noon
Tuesday, March 24		Wednesday, Feb 25 at 12:00 noon
Tuesday, April 28		Wednesday, April 1 at 12:00 noon
Tuesday, May 26**		Wednesday, April 29 at 12:00 noon
Tuesday, June 23		Wednesday, May 27 at 12:00 noon
Tuesday, July 28		Wednesday, July 1 at 12:00 noon
Tuesday, August 25		Wednesday, July 29 at 12:00 noon
Tuesday, September 29*		Wednesday, Sept 2 at 12:00 noon
Tuesday, October 27		Wednesday, Sept 30 at 12:00 noon
Tuesday, November 24		Wednesday, October 28 at 12:00 noon
Tuesday, December 29*		Tuesday, Dec 2 at 12:00 noon
*5th Tuesday rule applies to the September & December meetings. **Meeting location moved to Room 416 due to a conflict with a City Council meeting. (May in 2026)		

APPLICATION NOTES

Dear Applicant:

In an effort to assist you in understanding and filing your application with the Zoning Board of Appeals, please read the following carefully.

In deciding variance requests, the board of appeals acts **as an agent of the local government,** not the property owner.

The three standards of the existence of an **unnecessary hardship (unnecessarily burdensome of the property),** the **presence of a unique property limitation** and the **protection of the public interest** must be satisfied. Additionally, the court system has established that the following principles need to be met as well:

1. Unnecessary hardship: defined as a situation where in the absence of a variance, the restrictions prevent the owner from using the property for a permitted purpose, or the restriction would be unnecessarily burdensome. *(State v. Waushara County Board of Adjustment)*
2. The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels. *(Thalhofer v. Patri)*
3. Financial hardship is not grounds for a variance. *(Snyder v. Waukesha Zoning Board)* In no event shall a variance be granted where the primary reason is to obtain a more profitable use of the property, personal inconvenience, construction errors, economic reasons, self-created hardship, or where the property is presently a non-conforming use. *(State v. Kenosha County Board of Adjustment)*
4. Self-imposed hardship is not grounds for a variance. *(State ex. rel. Markdale Corp. v. Board of Appeals)*
5. The hardship cannot be one that would have existed in the absence of a zoning ordinance. *(Thalhofer v. Patri)*
6. Unique physical characteristics of the property, not the desires of or conditions personal to the applicant. *(Snyder v. Waukesha County Zoning Board)*
7. Protection of the public interest; the granting of a variance must neither harm the public interest nor undermine the purpose of the ordinance. *(State v. Ozaukee Board of Adjustment)* **Please note that lack of local opposition does not mean that a variance will not harm public interest.**
8. The Board may impose special conditions in the granting of a variance to ensure that the public welfare will not be damaged. The variance should include only the minimum relief necessary to allow reasonable use of a property.
9. Granting of a variance to neighboring owners does not justify a variance. *(Von Elm v. Board of Appeals)*

If you have any questions regarding this information or the application itself, you may contact me at (608)-755-3097 or yunkerj@janesvillewi.gov.

Sincerely,

Jay Yunker, ZBA Secretary