



**Fiscal Estimate Narratives**

**DNR 6/6/01**

LRB Number <b>01-2470/1</b>	Introduction Number <b>AB-395</b>	Estimate Type <b>Original</b>
<b>Subject</b> Standards for granting a zoning variance		

**Assumptions Used in Arriving at Fiscal Estimate**

Bill Summary: Under current law, a municipality's board of appeals or a county's board of adjustment may authorize a variance from the terms of a zoning ordinance. To grant a variance which will not be contrary to the public interest, a board of appeals or board of adjustment must find, among other things, that due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship. Under this bill--subject to an exception for areas to which an ordinance that relates to zoning in wetlands, shorelands, or floodplains applies--a local board of adjustment or appeal may grant an area variance which will not be contrary to the public interest solely on the grounds that strict compliance with the area provisions of a zoning ordinance either would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. Wetland, floodplain, and shoreland area variance requests would still use the current statutory test of unnecessary hardship, which was further defined in the Supreme Court's decision in State v. Kenosha County Board of Adjustment, 218 Wis. 2d 396, 577 N.W.2d 813 in May of 1998.

Fiscal Estimate: Due to the exception provided for wetland, shoreland, and floodplain areas, the Department anticipates no state fiscal impact associated with this bill. The Department expects that local government costs will increase, based on an assumption that the number of variance requests would increase under this bill. Therefore, local governments will likely spend more for travel and hearing expenses related to variance requests. The amount of any increase would undoubtedly vary from one jurisdiction to another, but cannot be reliably estimated by the Department due to a lack of data on local government costs.

**Long-Range Fiscal Implications**

None

## Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>01-2470/1</b>	<b>Introduction Number</b> <b>AB-395</b>	
<b>Subject</b>		
Standards for granting a zoning variance		
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>		
None.		
<b>II. Annualized Costs:</b>	<b>Annualized Fiscal Impact on funds from:</b>	
	Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$	
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
<b>TOTAL State Costs by Category</b>	<b>\$</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
<b>TOTAL State Revenues</b>	<b>\$</b>	<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>		
	State	Local
NET CHANGE IN COSTS	\$	\$
NET CHANGE IN REVENUE	\$	\$
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
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