

## **Criteria for the granting of a “use variance”**

<https://city.milwaukee.gov/BOZA/Statement-of-Variance.htm>

What is a Statement of Variance?

A Statement of Variance addresses the variance criteria set forth in the Milwaukee Code of Ordinances. You will explain how your proposed project meets all the required criteria.

You must submit a Statement of Variance for each variance you are requesting. A variance cannot be granted unless the Board finds that all criteria have been met.

### Statement of Variance

Please [click HERE for the form](#) that will help you to address each of the following criteria:

**Preservation of Intent.** A variance would not be inconsistent with the spirit, purpose and intent of the regulations for the district in which it is requested.

**Exceptional Circumstances.** Exceptional, extraordinary or unusual circumstances or conditions apply to the lot or intended use that do not apply generally to other properties or uses in the same district, and the variance is not of so general or recurrent nature to suggest amendment of the regulation.

**Preservation of Property Rights.** The variance is necessary for the preservation and enjoyment of the same substantial property rights, which are possessed by other properties in the same district and same vicinity.

**Absence of Detriment.** The variance will not create substantial detriment to adjacent property, and will not materially impair or be contrary to the spirit, purpose and intent of this chapter, or the public interest.

**Hardship.** The alleged difficulty or hardship is not self-imposed nor is it based solely on economic grounds.