

**VARIANCE
APPLICATION**

125 Pine Cone Road North
SARTELL, MN 56377
PHONE: 320-253-2171
FAX: 320-253-3337



DATE RECEIVED _____

FEE - \$375

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APPLICANT _____

PHONE _____ FAX _____ EMAIL _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

FEE OWNER _____

ADDRESS _____ PHONE _____ FAX _____

PROPERTY IDENTIFICATION NUMBER(PIN) _____

PROJECT/DEVELOPMENT NAME _____

PROJECT LOCATION _____

PURPOSE OF VARIANCE _____

LEGAL DESCRIPTION OF PROPERTY (attach a separate document if necessary):

PROCEDURE FOR VARIANCE APPROVAL

The City Council may allow a departure from the terms of the zoning ordinance pertaining to setbacks, height or width of structures or the size of yard and open spaces where such departure will still be in harmony with the general purpose and intent of the ordinance.

A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner "practical difficulties." For a variance to be granted, the applicant

must satisfy a three-factor test for practical difficulties under state statute. All three factors must be satisfied to constitute practical difficulties. The factors are as follows: (1) That the property owner proposes to use the property in a reasonable manner but cannot do so under the rules of the ordinance. (2) That the landowner's problem is due to circumstances unique to the property not caused by the landowner. There are uniquely exceptional circumstances or conditions applying to the land, structure or building in questions that do not generally apply to other properties in the same zoning district i.e. sloping topography or other natural features. (3) That if the variance is granted it will not alter the essential character of the locality meaning the structure will not be out of scale, out of place, or otherwise inconsistent with the surrounding area.

NOTE: Economic considerations alone shall not constitute practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met. Additional conditions may be imposed to ensure compliance with the City Code and to protect adjacent properties.

APPLICATION FOR VARIANCE APPROVAL

Applications for Variance Approval shall be on a form provided by the City Clerk or City Planner and shall include the established processing fee. The application and copies of the site plan shall be submitted three (3) weeks prior to the next Planning Commission meeting. (Please see attached meeting schedule). The application shall contain thirty (30) copies (8.5"x11", 8.5"x14" or 11"x17") of exhibits, which will include the following information:

- Name of project/development
- Location of project/development by street address
- Description of site (legal description)
- Site Plan drawn at scale showing parcel, grading, landscaping and location of utilities, as applicable
- Location of all buildings and their square footage
- Curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks
- Sanitary sewer and water plans with estimated use per day
- Soil Type
- Any additional information reasonably required by the City Staff, Planning Commission or City Council.

PROCEDURE

The Planning Commission shall review the variance and a recommendation shall be made to the City Council.

A notice of a Variance application shall be mailed at least 10 days prior to the City Council meeting, to each owner of property situated wholly or partly within 350 feet of the property to which the Conditional Use is related. The City of Sartell shall be responsible for mailing such notices.

The City would also recommend that you are prepared to give a presentation with enlarged drawings or elevations of the proposed units, plat and/or other materials that would be helpful for and during the public hearing to better familiarize not only the City Council, but any residents that are present for the public hearing on your proposed land use request.

The City Council shall hold a Public Hearing on the proposed variance request and shall have notice of such hearing, publicized in the official paper at least ten (10) days prior to the Meeting.

If the variance is not approved by the City Council, the reasons for such action will be recorded in the proceedings and transmitted to the applicant.

SARTELL strongly recommends that you discuss your proposal with the adjacent property owners before a formal application is made. Any conflicts you can resolve ahead of time will make it easier and faster for the City to process your applications.

This application must be signed by all owners of the subject property or an explanation given why this is not the case.

We, the undersigned, have read and understand the above.

Signature of Applicant Date

Signature of Owner (s) Date

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