Variances

WHAT IS A VARIANCE?

A variance is a request to allow the use of property in manner otherwise prohibited by ordinance by varying one or more requirements such as the size, design, and location of buildings and lots. Variances are meant to be an infrequent remedy for situations where the unique physical characteristics of a property impose a substantial burden to reasonable use under the plain and literal interpretation of the ordinances.

FINDINGS FOR VARIANCES:

In reviewing all variance requests, the Board of Adjustment shall specify "Findings of Fact" in each case which evaluates the request for conformance with the variance standards. In conformance with Minnesota State Statute 394.27 the Board of Adjustment may only grant variances when it finds the request meets all of following criteria:

1. Harmony with the general purposes and intent of the official controls
2. Consistent with the Comprehensive Plan
3. The variance would not allow any use that is not allowed in the zoning district
4. The applicant has established "practical difficulties" exist. "Practical difficulties," as it pertains to variances, means the applicant proposes to use the property in a reasonable manner not permitted by an official control, and the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute "practical difficulties."

APPLICATION:

The following items must be received by the Land Use Management Department for a variance application to be considered complete:

1. Completed variance application form & supporting documentation
2. Signature of property owner, or letter of authorization
3. Township signature of acknowledgment
4. Site plan
5. Property survey by a MN Licensed Surveyor (unless waived by County)
6. Complete Legal Description of Property
7. Required Fees

REVIEW PROCESS:

Upon receipt of a complete application, staff will schedule a Board of Adjustment hearing to consider the variance request. Notice of the public hearing will be mailed and published in accordance with county ordinances. The Board of Adjustments Decision is final.

APPEAL RIGHTS:

In accordance with Goodhue County Zoning Ordinance Article 5, an aggrieved person may appeal a Board of Adjustment decision with the Goodhue County District Court within thirty (30) days.

Goodhue County
Land Use Management

Variance Application

For Staff Use Only	
Permit #	
$400 Receipt #	DATE:

SITE ADDRESS, CITY, AND STATE	ZIP CODE:

LEGAL DESCRIPTION:

Attached ☐

PID#:	ZONING DISTRICT	LOT AREA (SF/ACRES):	LOT DIMENSIONS:	STRUCTURE DIMENSIONS (if applicable):

APPLICANT OR AUTHORIZED AGENT'S NAME

APPLICANT'S ADDRESS:	TELEPHONE:
	EMAIL:

PROPERTY OWNER'S NAME::

Same as Above ☐

PROPERTY OWNER'S ADDRESS:	TELEPHONE:
	EMAIL:

CONTACT FOR PROJECT INFORMATION:

Same as Above ☐

ADDRESS:	TELEPHONE:
	EMAIL:

VARIANCE REQUESTED TO: (check all that apply)

- ☐ Property Line Setbacks
- ☐ % Lot Coverage
- ☐ Height Limits
- ☐ Shoreland or Bluff Setbacks
- ☐ Lot Width &/or Area
- ☐ Other (specify)
- ☐ Subdivision Regulations

CURRENT OR PREVIOUS USE:

PROPOSED USE:

BUILDING APPLICATION PERMIT NO.: (if filed)	DATE FILED:

TOWNSHIP SIGNATURE:

By signing this form, the Township acknowledges they are aware of the Applicant's variance request.
In no way does signing this application indicate the Township's position on the variance request.

Attached ☐

TOWNSHIP OFFICAL'S SIGNATURE	TOWNSHIP OFFICAL'S PRINTED NAME AND TITLE	DATE

By signing below, the applicant acknowledges they are the owner or authorized agent of the owner of this property, and the information presented is true and correct to the best of my knowledge.

Applicant's Signature: _____ Date: _____

REQUEST SUMMARY

Cite the Ordinance Article(s) and Section(s) you are requesting a variance from:

Article: _____Section: _____Title: _____

Article: _____Section: _____Title: _____

The property owner bears the burden of providing information to convince the Board to rule in their favor. Please provide answers to the following questions or attach a document.

Discuss your current use of the property and the reason for your variance request:

_____

_____

Describe the effects on the property if the variance is not granted:

_____

_____

Describe any unique physical limitations that exist on your property, not generally found on others, which prevent you from complying with the provisions of the current ordinance:

_____

_____

Discuss alternatives you considered that comply with existing standards. If compliant alternatives exist, provide your reasoning for rejecting them:

_____

_____

Discuss alternatives you considered which would require a lesser variance. If you rejected such alternatives, provide your reasoning:

_____

_____