

STANDARD VARIANCE APPLICATION
RESIDENTIAL OR COMMERCIAL

Return to:

Department of Community Development
City of Shoreview
4600 North Victoria Street
Shoreview, MN 55126
(651) 490-4680

Site Identification:

Address: _____

Property Identification Number: _____

Legal Description: _____

Applicant:

Name: _____

Address: _____
City State Zip Code

Telephone Number: _____ (daytime) _____ (home)

Fax Number: _____ E-Mail: _____

Property Owner (if different from applicant):

Name: _____

Address: _____
City State Zip Code

Signatures:

Applicant: _____ Date: _____

Property Owner: _____ Date: _____

Date Received by City: _____ By Whom: _____

FILING REQUIREMENTS

THE FOLLOWING ITEMS MUST BE SUBMITTED:

1. Completed application form.
2. A written statement identifying each requested variance. The City will act only on variances identified on this statement.
3. A written statement of justification that demonstrates that the need for the requested variance is consistent with the findings required by State Law and City Code, which are:
 - a. Strict enforcement would cause undue hardship because of circumstances unique to the individual property in question.
 - b. The Variance would be in keeping with the spirit and intent of the ordinance.
 - c. “Undue Hardship” means:
 - i. the property in question can not be put to a reasonable use if used under the conditions allowed by the City’s Development Code.
 - ii. the hardship is due to circumstances unique to the property in question and was not created by the property owner.
 - iii. the variance will not alter the essential character of existing neighborhoods.
 - iv. economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.
4. A completed application(s) for all other approvals necessary for the proposed development (e.g. Comprehensive plan amendment, rezoning, subdivision, and site and building plan approvals.)
5. **One** folded and collated copy of the plan sheets, on 11”x17” half-scale print. **One** 8½”x11” reproducible print for each required sketch, drawing, or plan. **Four** 20”x30” copies of each plan sheet for staff review.
6. A scaled property line map and site plan submitted shall at minimum include: (Note: A survey may be required)
 - a. The gross site area, property dimensions and all minimum required building setback lines
 - b. The location and dimensions of any existing development and easements
 - c. The proposed use, structure locations(s) and dimensions
 - d. The distance to all structures located within ten feet of the applicant’s property, land, the location of all-abutting streets, and alleys.

7. A filing fee of \$200.00 for RESIDENTIAL and \$400.00 for COMMERCIAL, (payable to the City of Shoreview) plus \$46.00 (payable to Ramsey County) to pay for the County's recording fee. Please provide separate checks for the recording and filing fees. If the variance request is denied, the check for the recording fees will be returned. **The City filing fee is non-refundable.**

REVIEW PROCESS

1. Planning Commission Review. The Planning Commission acts as the City's Board of Appeals. Applications that require review by the Planning Commission shall be processed after receipt of a complete application that contains all the required submittal information. The City Manager shall refer the application to the Planning Commission and establish a date for hearing of the application. The application shall be heard and acted on by the Planning Commission in accordance with Minnesota Statute 15.99.
2. Hearing. The Planning Commission shall hold a hearing, preceded by mailed notice as required by Section 203, in consideration of granting the request. The Planning Commission shall review the application in accordance with the requirements of the Development Ordinance. Upon review of the application, the Planning Commission shall table the application for further consideration, approve the application with conditions thereof or deny the application and provide reasons thereof.
3. Notice and Hearing Procedure.
 - a. Mailed Notice. Notice of the purpose, time and place of a public hearing shall be mailed at least 10 days before the date of the hearing to each recorded owner of property within 150 feet of the perimeter of the property which will be the subject matter of the public hearing. An affidavit containing the names of the property owners and the addresses to which the notices were mailed shall be made a part of the record of the proceedings.
 - b. Failure to Give Notice. Failure to give mailed notice or defects in the notice shall not invalidate the proceedings provided a bona fide attempt has been made to comply with the mailed notice requirement.
4. Issuance and Conditions. If approved, the Planning Commission may impose conditions and safeguards therein to insure that the proposed use will not be detrimental to the health, safety or general welfare of the community and that the use is in harmony with the general purpose and intent of the Development Ordinance and the Comprehensive Guide Plan. If denied, the Planning Commission shall provide the reasons thereof.
5. Decision and Appeal. The Planning Commission has the authority to table, grant or deny the request in accordance with the requirements of the Development Ordinance upon majority vote of its membership. Decisions of the Planning Commission shall be final unless the applicant or other aggrieved party submits an appeal in accordance with Section 203.020(E), Appeals to Planning Commission Decisions.

NOTES

1. An application can not be accepted until each of the filing requirements listed above has been satisfied.
2. The purpose of requiring the data referenced in the filing requirements is to permit the City to thoroughly evaluate your proposal relative to City ordinances and policies. Refusal to provide the requested information may jeopardize approval of your request. Information submitted with this application will be made available to anyone who may request it.
3. The City of Shoreview recommends that you discuss your proposal with the adjoining property owners before you submit this application. In so doing, you may reduce the time required by the city to act on your proposal.
4. Approved variances must be acted upon within one year from the date of approval or approval shall become null and void.
5. The applicant and property owner shall be responsible for paying any out-of-pocket administrative, engineering, or legal expense incurred by the City to process this application or to enforce any conditions(s) of any resulting approval or permit.

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