

CITY OF LAKE SHORE
VARIANCE APPLICATION

APPLICATION:

- A. Applicant shall complete Variance Application provided by Zoning Department and submit to Zoning Department 30 days prior to scheduling public hearing.
- B. Application shall be accompanied by fifteen (15) prints of site plan drawing complete with as a minimum the information from Variance Checklist.
- C. Application shall be accompanied by application fee made payable to the City of Lake Shore. **This fee does not cover the land use permit, which must be filed separately, if necessary.**

REVIEW:

- A. Planning and Zoning Department shall review the application for completeness and assign a reference number to application, plans, and any other attachments. Applicant shall be notified within ten days if additional information is required to complete the application.
- B. After receipt of a completed Variance Application and supporting documents, the Zoning Department shall schedule a public hearing date on the Planning Commission's agenda for the earliest possible opening. Applicant will be notified by mail of the date and time of the public hearing.
- C. City Staff will prepare a Staff Report on the application. The Staff Report will be available for public review at City Hall no later than one week prior to the scheduled meeting date. The City Engineer may comment on the application if appropriate.
- D. The City Fee Schedule is based on average processing and review costs for land use applications. When costs exceed the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to obtain in reviewing permits. The City may withhold final action on a land-use application and/or hold the release of a construction permit until all fees are paid.

ACTION:

- A. The Planning Commission shall hold a public hearing on the variance application.
- B. At the conclusion of the public hearing, and after consideration of the testimony presented, the Planning Commission shall make a decision to table, approve or deny the application.

APP # _____
Date _____
(for office use only)

**CITY OF LAKE SHORE
VARIANCE APPLICATION**

Name of Applicant _____ Phone _____

Address _____ Email _____

City, State, Zip _____

Applicant is:

Title Holder of Property:

Legal Owner ()
Contract Buyer ()
Option Holder ()
Agent ()
Other _____

(Name)

(Address)

(City, State, Zip)

Signature of Owner, authorizing application: _____
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Location of property involved in this request:

Parcel ID No. _____ Zoning District _____

Description of Proposed Project:

Specify the section of the ordinance from which a variance is sought:

Explain how you wish to vary from the applicable provisions of the ordinance: _____

A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of property. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are **practical difficulties** in complying with the zoning ordinance. Practical difficulties as used in connection with granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; 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. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

- (1) In your opinion, is the variance in harmony with the purposes and intent of the ordinance?
Yes () NO () Why or why not?

- (2) In your opinion, is the variance consistent with the Comprehensive Plan?
Yes () No () Why or why not?

- (3) In your opinion, does the proposal put the property to use in a **reasonable** manner?
Yes () No () Why or why not?

- (4) What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

- (5) Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

(6) In your opinion, are there circumstances unique to the property?
Yes () No () Why or why not?

(7) In your opinion, will the variance maintain the essential character of the locality?
Yes () No () Why or why not?

(8) Discuss any environmental limitations of the site or area.

(9) Please include any other comments pertinent to this request.

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria above have been satisfied.

CITY OF LAKE SHORE

VARIANCE CHECKLIST

- _____ Completed application
- _____ Fee (\$300.00)
- _____ Fifteen prints of site plan
- _____ Sewer Compliance Inspection (if ISTS)
- _____ All current City charges paid
- _____ Site plan with the following information, as a minimum (unless waived by P&Z Department): **Proposed improvements must be staked 10 days prior to the meeting.**
 - _____ Legal Description of Site
 - _____ Building Envelope
 - _____ Site plan, prepared by a licensed surveyor, showing parcel, dimensions and 10 foot contours (smaller contour intervals may be required where deemed necessary)
 - _____ Location of all existing and proposed structures, their square footage, dimensions and setbacks from lot lines and lakes
 - _____ Existing and proposed driveway, access roads, parking, off-street loading and sidewalks
 - _____ Proposed landscaping and screening plans
 - _____ Proposed Drainage Plan
 - _____ Location of Septic System and well. Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day
 - _____ Building Elevations
 - _____ Impervious surface calculations (existing and proposed).
 - _____ Soils data
 - _____ Bluff determination if necessary.
 - _____ Name of record owner/title holder of property
 - _____ Approximate location of existing and proposed water courses, wooded areas, and other significant physical features

CITY OF LAKE SHORE CONTACT INFORMATION

City of Lake Shore:

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