

VARIANCE APPLICATION FORM

City of Gem Lake
4200 Otter Lake Road
Gem Lake, MN 55110
651 747-2790

INTRODUCTION

The City Council, sitting as the Board of Appeal and Adjustment, may grant Variances from the strict applications of the provisions of the Land Use Ordinance and impose conditions and safeguards in the Variances so granted. These Variances shall be considered in cases where by reason of narrowness, shallowness, or shape of a lot or where by reason of exceptional topographic or water conditions or where other extraordinary and exceptional conditions such of such lot exist, the strict application of the terms Zoning Ordinance would result in practical difficulties upon the owner of such lot in complying with the regulations of the zoning district in which said lot is located. "Practical difficulties," as used in connection with the grant of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the Land Use 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. A variance may not be granted to allow any use that is not allowed in the zoning district in which the property is located.

_____ Fee \$500 plus \$1,000 escrow

APPLICANT(S) _____ PHONE (Home) _____

(Business) _____
ADDRESS _____

(Cell) _____

PROPERTY OWNER _____

ADDRESS OF SITE _____ ZONING _____

EXISTING USE OF SITE _____

DESCRIPTION OF VARIANCE REQUEST _____

SETBACKS:	<u>Required</u>	<u>Existing</u>	<u>Requested</u>
Front Yard	_____	_____	_____
Side Yard	_____	_____	_____
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____

CHECKLIST:

- _____ Site Plan (with dimensions and to scale)
 - _____ Building locations (dwelling, garage, accessory building).
 - _____ Site improvements (fences, walks, lighting, decks, etc.).
 - _____ Yard (front, side, rear, delineating setbacks).
 - _____ Wetlands, lakes, streams, ditches including 100 year storm elevation.
- _____ Schedule (when does applicant intend to construct).
- _____ Additional information, if required.
- _____ Certificate of Survey, or full legal description.
- _____

REVIEW PROCESS:

1. Submit 15 copies of application and supporting information to the City of Gem Lake. Also submit 15 copies of all plans which exceed 11" x 17" in size. Any application must be received three weeks before the 1st Tuesday of month in which the applicant would like the Planning commission to review the proposal (to allow for public hearing notice.)
2. Planning Commission _____ (1st Tuesday of the month @ 7:00 p.m., City Hall)
3. City Council _____ (3rd Tuesday of the month 7:00 p.m., City Hall)

STANDARDS:

The City Council will approve a variance only if it satisfies the description in the INTRODUCTION on Page 1 of this form, and the following facts are established:

- _____ 1. Without a variance, applicant would be deprived of rights commonly enjoyed by others in the same district.
- _____ 2. The special circumstances do not result from actions of applicant.
- _____ 3. Granting variance will not confer on applicant any special privileges.
- _____ 4. Will not increase traffic congestion on public streets.
- _____ 5. Will not endanger public safety.
- _____ 6. Will not diminish established property value.

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of City of Gem Lake that all identifiable costs associated with a Variance Application within the City of Gem Lake shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Gem Lake planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the City of Gem Lake City Council, all expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the City of Gem Lake.

*Signature of Applicant(s)

Date

*Prior to applying for a variance it is recommended that the applicant contact the zoning administrator in order to discuss the proposal.

To Be Completed By Office:

Date Request Received _____

By _____
(Staff Member)

\$500.00 Fee Received, \$1000.00
escrow

Yes
No

Date Application Complete _____

