



VARIANCE APPLICATION

125 SOUTH BROADWAY
 WELLS, MN 56097
 507.553.6371 OFFICE
 507.553.5126 FAX
cityhall@cityofwells.net

FILE NUMBER	ZONING	DATE RECEIVED
PROPERTY INFORMATION		
Property Address		
Parcel ID Number(s)		
PROPERTY OWNER INFORMATION		
Owner Name		
Owner Address		
Owner Phone		
Owner Email		
APPLICANT INFORMATION		
Applicant Name		
Applicant Address		
Applicant Phone		
Applicant Email		

OWNER'S STATEMENT

I am the owner of the above described property and I agree to this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the City by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other City approvals that have been granted to me for any matter. (If the owner is a corporation or partnership, a resolution authorizing this action on behalf of the board or partnership must be attached.)

 Owner's Signature

 Date

APPLICANT'S STATEMENT

This application should be processed in my name, and I am the party whom the City should contact about this application. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

 Applicant's Signature

 Date

APPLICATION PROCESS

1. **APPLICATION:** A property owner or their representative completes an application and submits this application with all required documents and fees to the City of Wells Zoning Administrator.

All plans and written information submitted are public information that may be used in written reports and distributed to the public.

2. **ADDITIONAL FEES:** At its discretion, the City of Wells may require outside consultant review of the application. Outside consultants may include attorneys, planners or engineers. Applicants are required to cover the cost of the consultant review. City staff will notify applicants that such review is required prior to hiring the consultant(s). At that time, the applicant must provide a cash escrow to the City to cover the cost of the review. If the applicant refuses to comply with this part of the application, the application will be deemed incomplete and will not be processed until escrow is provided.
3. **NOTIFICATION:** The City sends notification to all property owners within at least 350 feet of the property for which the request is being made. These property owners are encouraged to comment on the request and further invited to attend a public hearing which is held to consider the request.
4. **CITY REVIEW:** City staff reviews the submitted application and documents and prepares a written report recommending either approval or denial of the request. The written report, which includes any neighborhood feedback, is forwarded to the applicant or their representative and the Board of Adjustment & Appeals.
5. **BOARD OF ADJUSTMENT & APPEALS PUBLIC HEARING:** The Board of Adjustment & Appeals holds a public hearing on the request after a 10 day notice in the official newspaper.

During the public hearing: (1) staff makes its recommendation; (2) the applicant or their representative have an opportunity to address the commission; (3) area residents are given an opportunity to ask questions and speak for or against the request.

Following the public hearing, the Board of Adjustment & Appeals discusses the request and votes approve or deny the request.

By state law, a final decision on a zoning request must be made within 60-days of submittal of a complete application. An applicant may waive this 60-day time limit or the City may give itself a 60-day extension by notifying the applicant in writing of the extension before end of first 60-days and must give a reason for extension.

The final decision with any conditions will be given in writing.

6. **APPROVAL:** If a request is approved, all conditions of approval must be satisfied before a building permit or certificate of occupancy will be issued.
7. **RECORDING:** If a request is approved and completed, it should be recorded with the County Recorder as approval will be attached to the property, until amended.

VARIANCE SUBMITTAL REQUIREMENTS

The following items must be submitted for a variance application to be considered complete. **All plans and written information submitted are public information that may be used in written reports and distributed to the public.**

VARIANCE REQUEST					
	FROM	TO		FROM	TO
Front Yard Setback	Ft	Ft	Building Height	Ft	Ft
Rear Yard Setback	Ft	Ft	Footprint	Ft	Ft
Side Yard Setback	Ft	Ft	Other	Ft	Ft
Alley Side Yard	Ft	Ft		Ft	Ft

Application Fee	\$300.00 + any consultant fees.
Legal Description	A full legal description, as documented on property deed or certificate of title must be submitted.
Survey	A Certificate of Survey prepared by a Registered Land Surveyor must be submitted for any conditional use permit <u>application involving construction or earth disturbing activities</u> . The survey must include: legal description, lot dimensions, all platted and recorded easements, natural features (creeks, floodplain, or wetlands), all existing and proposed structures with dimensions to show size and location, the location of existing and proposed driveways and utility lines, existing two foot contours, grade elevations at lot and building corners, and lowest floor elevations.
Practical Difficulties Worksheet	The attached Practical Difficulties Worksheet must be completed.
Grading and Drainage Plan	A grading and drainage plan must be submitted and must include: <ul style="list-style-type: none"> • existing and proposed two-foot contours • location and size of proposed pipes and stormwater treatment areas • associated engineering calculations
Building Rendering	Building renderings must be submitted for any conditional use permit application involving <u>construction</u> and must depict all elevations of the proposed addition and specify building materials.
Written Statement	A written statement describing the variance, the intended use of the proposed structure, and how the request would meet the practical difficulties test.
Other Items	City staff may require that additional items be submitted for full review of a variance application.

If plans larger than 8.5" x 11" are submitted, 7 copies must be submitted and must be folded no greater than 8.5" by 14".

PRACTICAL DIFFICULTIES WORKSHEET

By state law, variances may be granted from the standards of the city's zoning ordinance only if:

- 1) The proposed variance is in harmony with the general purpose and intent of the zoning ordinance;
- 2) The proposed variance is consistent with the comprehensive plan; and
- 3) An applicant establishes that there are practical difficulties in complying with the ordinance standard from which they are requesting a variance. Practical difficulties means:
 - The proposed use is reasonable;
 - The need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and
 - The proposed use would not alter the essential character of the surrounding area.

1. Describe why the proposed use is reasonable:

2. Describe the circumstances unique to the property:

3. Describe why the need for a variance was not caused by the applicant:

4. Describe why the need for a variance is not solely based on economic considerations:

5. Describe why the variance would not alter the essential character of the neighborhood:

VARIANCE APPLICATIONS WILL NOT BE ACCEPTED IF THIS WORKSHEET IS NOT COMPLETE

OFFICE USE ONLY

<p>Completed Application & Fee Received Date:</p> <p>Application & Fee Approved By:</p>	<p>60-Day Approval Date: _____ 120-Day Approval Date: _____</p> <p>60-Day Extension Date: _____</p>
<p>Public Hearing Notice Published Date:</p>	<p>Public Hearing Notice Letters Sent Date: _____</p>
<p>Board of Adjustment & Appeals Public Hearing/Action Date:</p>	<p><input type="checkbox"/> Approved <input type="checkbox"/> Approved with conditions</p> <p><input type="checkbox"/> Tabled <input type="checkbox"/> Denied</p>