

**ALEXANDRIA TOWNSHIP
VARIANCE APPLICATION**

Name of Applicant _____ Phone _____

Property Address (E911#) _____

Mailing Address _____ Email _____
(if different than above)

City, State, Zip _____

Applicant is:	Title Holder of Property <i>(if other than applicant)</i>
Legal Owner ()	_____
Contract Buyer ()	(Name)
Option Holder ()	_____
Agent ()	(Address)
Other _____	_____
	(City, State, Zip)

Property ID # (9 digit # on Tax Statement) _____

Full legal description of property involved in this request, including total acreage (required – attach separate sheet if necessary):

Zoning District _____, Lake Name (if applicable) _____

*** By signing, the applicant or agent hereby makes application for a permit to construct as herein specified, agreeing to do all such work in strict accordance with all Alexandria Township and other applicable ordinances or federal and state laws. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith and which are approved by the Alexandria Township Zoning Administrator are true and accurate, and shall become part of the permit. Applicant or agent agrees that, in making said application for a permit, applicant grants permission to Alexandria Township’s designated zoning or building inspection officials, at reasonable times during the application process and thereafter, to enter applicant’s premises covered by said permit, to determine the feasibility of granting said permit or for compliance of that permit with any applicable township, state, or federal ordinances or statutes. Applicant or agent understands that it is applicant’s sole responsibility to contact any other federal, state, county or local agencies to make sure applicant has complied with all relevant Municipal, State, Federal or other applicable laws concerning applicant’s project described above**

Signature of Applicant*: _____	Date: _____
Signature of Title Holder*: _____	Date: _____

What are you proposing for the property? State nature of request in detail(attach separate sheet if necessary):

What changes (if any) are you proposing to make to this site?

Building: _____

Landscaping: _____

Parking/Signs: _____

Please complete all of the following questions to the best of your ability:

1. Describe why you believe the granting of the variance request would be in harmony with the general purposes and intent of the Alexandria Township Land Use and/or Subdivision Ordinance (available at www.alexandriatownship.org).

2. Describe why you believe the granting of the variance would be consistent with the Alexandria Township Comprehensive Plan (Plan available at www.hometownplanning.com/alexandria-township.html).

3. Describe why you feel that your proposal is a reasonable use of the property.

4. Describe what factors contributing to the need for a variance were not in your control. Address factors such as the lot size or shape, topography, location of existing buildings, sewer systems and wells, and any other factors you feel are relevant.

5. Describe the character of the area and why your project will not substantially change the character of the neighborhood or be a detriment to nearby properties.

6. Describe why it is not feasible for your project to meet the minimum requirements of the ordinance. What options did you explore that would minimize the variance necessary and why did you determine these were not feasible alternatives?

7. Discuss what impacts, if any, the requested variance may have on the environmental quality of the area. For any potential impacts, how do you intend to eliminate or minimize their effect?

8. Please include any other comments pertinent to this request.

**ALEXANDRIA TOWNSHIP
VARIANCE APPLICATION**

Please read the variance application in its entirety before submitting the application. See the attached schedule of public hearings for relevant application deadlines. The full land use ordinance is available at the Township Office (324 Broadway, Ste. 101) and online at www.alexandriatownship.org.

WHAT IS A VARIANCE?

A variance is a legally permitted deviation from the provisions of the ordinance as deemed necessary by the Board of Adjustment when the strict interpretation of the Ordinance would create undue hardship and be impractical because of circumstances related to lot size, shape, topography or other characteristics of the property. The deviation from the Ordinance, with any attached conditions, must still be in keeping with the spirit and intent of the Ordinance. Variances cannot be given to create a land use that is not permitted in a zone.

The Board of Adjustment must consider the requirements for granting a variance contained in Minnesota State Statutes:

2011 Minnesota Statutes

462.357 OFFICIAL CONTROLS: ZONING ORDINANCE.

Subd. 6. Appeals and adjustments.

Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. 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 the 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. Variances shall be granted for earth sheltered construction as defined in section [216C.06, subdivision 14](#), when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

The variance shall not be granted simply because there are no objections or because those who do not object outnumber those who do, nor for any other reason than a proved hardship.

The Board of Adjustment may impose conditions in granting a variance to insure compliance and to protect adjacent properties and the public interest.

APPLICATION:

1. Applicant shall complete Variance Application provided by Zoning Administrator and submit to the Township Offices in person at 324 Broadway, Ste. 101 or by mail at PO Box 445, Alexandria, MN 56308. See the attached schedule of public hearings for relevant application deadlines.
2. Application shall be accompanied by a copy of a site plan drawing complete with, at a minimum, the information from Variance Checklist.
3. Application shall be accompanied by an application fee of **\$400** made payable to Alexandria Township. ***This fee does not cover any Land Use Permits which may be necessary separately if the variance application is approved.***
4. The Board of Adjustment holds their monthly meeting on the third Monday of the month at 6:00 PM at the Township Office.
5. The Zoning Administrator will prepare a Staff Report on the application. The Staff Report will be available for public review at the Township Office and online at <http://www.hometownplanning.com/alexandria-township.html> approximately one week prior to the scheduled meeting date.

REVIEW:

1. Any proposed variance shall be presented to the Board of Adjustment for determination. In support of such determination of applicability, the Board of Adjustment may require preliminary architectural drawings or sketches on all buildings or groups of buildings, showing the front, side and rear elevations of the proposed building, structure or other improvements, and the proposed location of such buildings on the lot as the same will appear after the work has been completed. Such drawings or sketches shall be considered by the Board of Adjustment in an endeavor to ascertain that such buildings, structures and other improvements shall be so designed or constructed that they will not be of unsightly, undesirable or obnoxious appearance. The following procedure shall be used in granting variances:
2. The Zoning Administrator shall refer the application to the Board of Adjustment for a public hearing and cause notice of such hearing to be properly published in the legal newspaper not less than ten (10) days prior to the hearing. Property owners within five hundred (500) feet of the affected property or the ten (10) properties nearest the affected property (whichever would provide notice to the greatest number of owners) shall be given notice of the date the Board of Adjustment will consider said application, although failure of any property owner to receive such notification shall not invalidate the proceedings. Notice shall be given the governing body of any city the incorporated limits of which lie within two (2) miles of the proposed variance.

ACTION:

1. A site visit is scheduled for the Board of Adjustment to view the property. ***The applicant, or their representative, must be present at the site visit in order to answer any questions that may arise. Failure to do so may result in your public hearing being delayed to a future meeting.*** If you cannot be there in person, let the Zoning Administrator know so that you can at least participate via phone or other electronic means.

The purpose of the site visit is to gather basic information and view the site, not discuss whether the application will be granted or not. By state law, the site visit must be open to the public to ensure compliance with state “open meeting” laws.

2. ***The applicant or a representative must be present at the public hearing before the Board of Adjustment and answer any questions concerning the proposed variance.***
3. A decision shall be made by the Board of Adjustment within sixty (60) days of the date the complete application was received by the Zoning Administrator, or within a longer period if extended in accordance with the provisions of Minnesota Statutes 15.99. All decisions by the Board of Adjustment in granting variances shall be final except that any aggrieved person or persons or any department, board or commission of the jurisdiction of the State shall have the right to appeal to the District Court in the Township in which the land is located on questions of law and fact within thirty (30) days of the decision of the Board of Adjustment.
4. A certified copy of the granted variance shall be filed with the Township recorder or Registrar of Titles by the Zoning Administrator.
5. When a variance is approved after the Department of Natural Resources has formally recommended denial in the hearing record, the notification of the approved variance required in Section VI.I.2. shall also include the Board of Adjustment's summary of the public record/testimony and the findings of fact and conclusions which supported the issuance of the variance.
6. No application for a variance shall be resubmitted for a period of one (1) year from the date that the request is denied, except the Zoning Administrator may allow a new application if, in the opinion of the Zoning Administrator, new evidence or a change in circumstances warrants it.
7. Work on any project requiring a variance shall begin within one (1) year and shall be completed within eighteen (18) months of the issuance of the variance or it shall expire.
8. When a variance is approved after the Department of Natural Resources has formally recommended denial in the hearing record, the notification of the approved variance required in Section VI.I.2. shall also include the Board of Adjustment's summary of the public record/testimony and the findings of fact and conclusions which supported the issuance of the variance.

ALEXANDRIA TOWNSHIP
VARIANCE CHECKLIST

The following information shall be provided as part of an application for a variance (incomplete applications, as determined by the Zoning Administrator, will not be accepted or scheduled for a hearing):

- Completed application, including signature of property owner
- Application Fee
- Sewer Compliance Inspection Report (if not served by public sewer and the property in question has a dwelling)
- No outstanding violations
- Site plan as close to scale as possible with the following information, as a minimum (unless waived by the Zoning Administrator)*:
 - Legal Description of Site (can be located on most property tax statements)
 - Location of the subject property (a copy of the tax map can be used)
 - Name of record owner/title holder of property
 - Size of parcel and dimensions
 - North point
 - All existing structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake Ordinary High Water (OHW) level) and each other
 - All proposed structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other
 - Location on the parcel of existing and proposed sewage treatment systems (ISTS), if present, and wells and their distance from property lines, structures and each other. If served by public sewer, note this.
 - Existing and/or proposed square footage of any driveway (gravel and paved), access roads, parking, sidewalks, or other impervious (hard) surfaces that sheds rainwater.
 - Proposed landscaping and screening plans showing location and type of grasses, shrubs, trees or landscaping material to be used. Note the amount of material to be moved as part of the project (brought in, removed or moved around) in cubic yards.
 - Proposed grading plan, showing any areas to be graded or otherwise disturbed so that bare soil is exposed. Note the dimensions and overall size of the area to be disturbed (if greater than one

acre, a separate stormwater permit will be required) and the amount of material to be moved as part of the project (brought in, removed or moved around) in cubic yards.

- Approximate location of existing and proposed water courses, wooded areas, and other significant physical features

- A description of the expected timeline for any work related to the proposed use.

** Under certain circumstances, the Board of Adjustment may require photos of the site or buildings on the site, a professionally prepared property survey, stormwater management plan, landscaping plan, architectural drawings, construction plans or other detailed information when determined necessary to make an informed decision. In order to expedite your application and avoid delays, the Zoning Administrator may recommend the submittal of this information as part of the initial application or at least two weeks prior to the meeting.*