



**City of Le Sueur, MN
Variance - Residential**

\$350 Application Fee plus \$1,000 Escrow

APPLICANT INFORMATION	
Name:	
Street Address:	City/State/Zip:
Phone:	Email:
PROPERTY INFORMATION	
Site Address:	PID#:

NOTES TO APPLICANT
<p>Submittal Checklist: ___ Certificate of Survey and Site plan including necessary exhibits (drawn to a tenth scale). ___ Letter detailing variance requested and hardship.</p> <p>I hereby acknowledge the following: I have reviewed and understand the requirements of Le Sueur City Code 153.025 regarding variances.</p> <p>By signing this application form, I agree that all fees and expenses incurred by the City for the processing of this application, including costs for professional services, are the responsibility of the property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes 366.012 as amended. All fees and expenses are due whether the application is approved or denied or withdrawn. Escrow fees may also be collected but may not cover actual expenses; any additional fees will be billed.</p> <p>I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.</p> <p>Applicant(s) _____ Date: _____</p> <p>Owner(s): _____ Date: _____</p>

§ 153.025 VARIANCES.

- (A) Purpose. The purpose of a variance is to provide for deviations from the literal provisions of this chapter in instances where their strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter.
- (B) Procedures. An application for variance from the provisions of this chapter requires a public hearing and is to be processed in accordance with the procedures set forth in § 153.020.
- (C) Board of Adjustment and Appeals. The City Council shall act as the Board of Adjustment and Appeals.
- (D) Criteria. The Board of Adjustment and Appeals shall not approve any variance request unless they find all of the following criteria have been met:

***continued on next page.**

- 1) A variance shall only be granted when it is in harmony with the general purposes and intent of the ordinance.
- 2) A variance shall only be granted when it is consistent with the comprehensive plan.
- 3) A variance may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone do not constitute a practical difficulty. In order for a practical difficulty to be established, all of the following criteria shall be met:
 - a. The property owner proposes to use the property in a reasonable manner. In determining if the property owner proposes to use the property in a reasonable manner, the board shall consider, among other factors, whether the variance requested is the minimum variance which would alleviate the practical difficulty and whether the variance confers upon the applicant any special privileges that are denied to the owners of other lands, structures, or buildings in the same district;
 - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - c. That the granting of the variance will not alter the essential character of the neighborhood in which the parcel of land is located.
 - d. The variance does not involve a use that is not allowed within the respective zoning district.

(E) Conditions. The Board of Adjustment and Appeals 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.

(F) Application requirements. In addition to any other requirements outlined in the city code and this chapter, site and construction plans shall be required and shall be submitted to and subject to approval by the Building Official prior to the issuance of any building permit. The applicant shall file with the Zoning Administrator a completed application form which shall contain all necessary exhibits including, but not limited to:

1. Site development plan. A site development plan, which shall include:
 - e. A certified survey of the property in question.
 - f. The location and design of all buildings on lots, including both existing and proposed structures;
 - g. The location of all adjacent buildings located within 200 feet of the exterior boundaries of the property in question;
 - h. The location and number of existing and proposed parking spaces;
 - i. Vehicular circulation;
 - j. Architectural elevations (type and materials used in all external surfaces);
 - k. Photometric plan, including the location and candle power of all luminaries; and
 - l. Curb cuts, driveways, and number of parking spaces.
2. Dimension plan. A dimension plan, which shall include:
 - a. Lot dimensions and area;
 - b. Dimensions of proposed and existing structures;
 - c. A "typical" floor plan and a "typical" room plan;
 - d. Setbacks of all buildings located on the property;
 - e. Proposed setbacks; and
 - f. A sanitary sewer and water plan with estimated use per day.
3. Grading plan. A grading plan, which shall include:
 - a. Existing contours;
 - b. Proposed grading elevations;
 - c. Drainage configurations;
 - d. Storm sewer catch basins and invert elevations;
 - e. Spot elevations; and
 - f. A proposed road profile.
4. Landscape plan. A landscape plan, which shall include:
 - a. The location of all existing trees, their type and diameter, and which trees will be removed;
 - b. The location, type, and diameter of all proposed plantings; and
 - c. The location of and material used for all screening devices.

(Ord. 422, passed 6-8-1992; Ord. 583, passed 8-26-2019) Penalty, see § 153.999

OFFICE USE ONLY	
Date Received:	Amount Paid:
Date Approved:	Approved By: