

STANDARD VARIANCE APPLICATION  
RESIDENTIAL OR COMMERCIAL

Return to:

Department of Community Development  
City of Shoreview  
4600 North Victoria Street  
Shoreview, MN 55126  
(651) 490-4680

**Site Identification:**

Address: \_\_\_\_\_

Property Identification Number: \_\_\_\_\_

Legal Description: \_\_\_\_\_

**Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City State Zip Code

Telephone Number: \_\_\_\_\_ (daytime) \_\_\_\_\_ (home)

Fax Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Property Owner (if different from applicant):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City State Zip Code

**Signatures:**

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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Date Received by City: \_\_\_\_\_ By Whom: \_\_\_\_\_

## FILING REQUIREMENTS

### THE FOLLOWING ITEMS MUST BE SUBMITTED:

1. Completed application form.
2. A written statement identifying each requested variance. The City will act only on variances identified on this statement.
3. A written statement of justification that demonstrates that the need for the requested variance is consistent with the findings required by State Law and City Code, which are:
  - a. The variance request shall comply with the purpose and intent provisions of City Code Section 201.010 and with the policies of the City's Comprehensive Plan.
  - b. Practical Difficulties. The application for a variance shall establish that there are practical difficulties in complying with the provisions of the Shoreview Development Regulations.
  - c. "Practical Difficulties" means:
    - i. Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.
    - ii. Unique Circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.
    - iii. Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.
  - d. Economic Consideration. Economic considerations alone shall not constitute Practical Difficulties
4. A completed application(s) for all other approvals necessary for the proposed development (e.g. Comprehensive plan amendment, rezoning, subdivision, and site and building plan approvals.)
5. A scaled property line map and site plan submitted shall at minimum include: (Note: A survey may be required)
  - a. The gross site area, property dimensions and all minimum required building setback lines
  - b. The location and dimensions of any existing development and easements
  - c. The proposed use, structure locations(s) and dimensions
  - d. The distance to all structures located within ten feet of the applicant's property, land, the location of all-abutting streets, and alleys may be needed as determined by Staff.
6. Grading, drainage, and utility plan, drawn to scale, with contour interval of two-feet, may be required as determined by Staff.
7. Building elevations drawn to scale for all sides of any proposed structure or addition, including notes on proposed exterior colors and materials.

8. Landscape plan showing existing and proposed vegetation.
9. **One** folded and collated copy of the plan sheets identified above drawn to scale. An 11"x17" print may be acceptable provided it is to scale and legible. **Two large prints (24" x 36")** drawn to scale copies of each plan sheet may also be required. **One 8½"x11"** reproducible print for each required sketch, drawing, or plan.
10. A filing fee of \$200.00 for RESIDENTIAL and \$400.00 for COMMERCIAL, (payable to the City of Shoreview) **The City filing fee is non-refundable.**
11. If approved, a \$46.00 (payable to Ramsey County) will be needed to pay for the County's recording fee of the Resolution. This fee does not need to be submitted with this application.
12. Additional information may be required as determined by Staff.

### REVIEW PROCESS

1. Planning Commission Review. The Planning Commission acts as the City's Board of Appeals. Applications that require review by the Planning Commission shall be processed after receipt of a complete application that contains all the required submittal information. The City Manager shall refer the application to the Planning Commission and establish a date for hearing of the application. The application shall be heard and acted on by the Planning Commission in accordance with Minnesota Statute 15.99.
2. Hearing. The Planning Commission shall hold a hearing, preceded by mailed notice as required by Section 203, in consideration of granting the request. The Planning Commission shall review the application in accordance with the requirements of the Development Ordinance. Upon review of the application, the Planning Commission shall table the application for further consideration, approve the application with conditions thereof or deny the application and provide reasons thereof.
3. Notice and Hearing Procedure.
  - a. Mailed Notice. Notice of the purpose, time and place of a public hearing shall be mailed at least 10 days before the date of the hearing to each recorded owner of property within 150 feet of the perimeter of the property which will be the subject matter of the public hearing. An affidavit containing the names of the property owners and the addresses to which the notices were mailed shall be made a part of the record of the proceedings.
  - b. Failure to Give Notice. Failure to give mailed notice or defects in the notice shall not invalidate the proceedings provided a bona fide attempt has been made to comply with the mailed notice requirement.
4. Issuance and Conditions. If approved, the Planning Commission may impose conditions and safeguards therein to insure that the proposed use will not be detrimental to the health, safety or general welfare of the community and that the use is in harmony with the general purpose and intent of the Development Ordinance and the Comprehensive Guide Plan. If denied, the Planning Commission shall provide the reasons thereof.
5. Decision and Appeal. The Planning Commission has the authority to table, grant or deny the request in accordance with the requirements of the Development Ordinance upon majority vote of its membership. Decisions of the Planning Commission shall be final unless the applicant or other aggrieved party submits an appeal in accordance with Section 203.020(E), Appeals to Planning Commission Decisions.

## NOTES

1. An application cannot be accepted until each of the filing requirements listed above has been satisfied.
2. The purpose of requiring the data referenced in the filing requirements is to permit the City to thoroughly evaluate your proposal relative to City ordinances and policies. Refusal to provide the requested information may jeopardize approval of your request. Information submitted with this application will be made available to anyone who may request it.
3. The City of Shoreview recommends that you discuss your proposal with the adjoining property owners before you submit this application. In so doing, you may reduce the time required by the city to act on your proposal.
4. Approved variances must be acted upon within one year from the date of approval or approval shall become null and void.
5. The applicant and property owner shall be responsible for paying any out-of-pocket administrative, engineering, or legal expense incurred by the City to process this application or to enforce any conditions(s) of any resulting approval or permit.

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