

VARIANCE APPLICATION

Our Zoning Ordinance is the mechanism through which we encourage the most appropriate uses of our lands, protect the rural character of our community and its natural resources and help to ensure a sustainable community for future generations.

Instructions:

1. Review the Zoning Ordinance to determine the zoning requirements for your parcel. The entire ordinance can be accessed on our Township web site at www.duluthtownship.org. A printed copy may be obtained via the web site, or you may purchase a copy at the Town Hall, 6092 Homestead Road, Duluth, MN 55804.
2. Complete the application. You need to supply all required information. Incomplete, inaccurate, or invalid applications will be returned to you.
3. A check must accompany your application in order for us to start processing it. The fee schedule is posted on the Web site and is attached to this application.
4. An application must be signed by the property owner(s) and dated.
5. In the event that a person other than the owner wishes to apply for a variance on a particular parcel, the owner(s) must consent to the application and sign as a co-applicant.
6. If the variance is granted, there will be a \$46 recording fee.

**We are happy to help you and answer any questions you may have.
Please contact us at 218.393.8500**

FOR OFFICE USE

<i>Application Received By</i>	<i>Date</i>	<i>Fee Amount Received</i>	<i>Check Number</i>	<i>Information Not Complete Letter Sent to Applicant</i>	<i>Date</i>	<i>Decision Made</i>	<i>Applicant Notified of Decision</i>	<i>Variance Fee Received Date and Check Number</i>	<i>Variance Recorded Date</i>
<i>Owners Name</i>					<i>Mailing Address</i>				
<i>Co-Applicant, If any.</i>					<i>Mailing Address</i>				

OWNER (S) SIGNATURE:

_____ **Date:** _____

SECTION I: APPLICANT INFORMATION

DATE _____

Owner's Name		Mailing Address		Owner	
				Yes	No
Phone - Home		Phone - Work		Phone - Cell	
E-mail Address:					
Name, if not owner (Relationship)		Address		Phone	

SECTION II: PROPERTY INFORMATION

Address of Property	Zone District	Parcel Code*	Ownership		
			Public	Private	Rental

* Parcel code can be found on your tax statement. If none has yet been assigned, obtain the universal number for a newly platted parcel from St. Louis County.

SECTION III. LEGAL DESCRIPTION OF PROPERTY

The legal description can be obtained from your deed or tax statement.

Township	Range	Section	Subdivision	Block	Lot

SECTION IV. EXISTING LAND USE

(Check one that applies)

Residential	Commercial	Industrial	Agricultural	Home Business	Home Occupation	Other (Describe)

SECTION V: SUMMARY OF VARIANCE REQUEST

(Use additional sheets if necessary)

SECTION VI. REASONS FOR THE VARIANCE

The Planning Commission shall always act with due consideration to promote the public health, safety, and welfare, encourage the most appropriate use of land and conserve property value, and shall permit no structure, building or use detrimental to a neighborhood.

When in the opinion of the Planning Commission a variance may result in a material adverse effect on the environment, the appellant may be required by the Planning Commission to demonstrate the nature and extent of the effect.

It shall be the burden of the applicant to demonstrate sufficient hardship to sustain the need for a variance. Absent a showing of hardship as provided in Minnesota Statutes and the Town Zoning Ordinance, the Planning Commission shall not approve any variance. A variance from the terms of the Ordinance must show:

1. There are "practical difficulties" in complying with the zoning ordinance;
2. "Practical difficulties" means the landowner's proposed use is a reasonable one which is not allowed by the zoning ordinance;
3. Economic considerations alone cannot constitute a "practical difficulty";
4. The "practical difficulty" must be due to circumstances unique to the property, and those circumstances cannot be created by the landowner;

5. The landowner's proposed use must be consistent with the comprehensive plan, and in harmony with the general purposes and intentions of the zoning ordinance;
6. The landowner's proposed use must not alter the essential character of the locality.

The Planning Commission may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest. Conditions must be directly related to and must bear a rough proportionality to the impact created by the variance.

The following table lists criteria which must be met in order to be granted a variance. Please fill in the table answering each criteria as to the reasons you should be granted a variance. The Planning Commission will use this information as well as testimony from you at the Public Hearing in making their decision.

Criteria For a Variance: Please answer the following questions.

1. *What practical difficulties would be created if you were not granted this variance? "Practical difficulties" means the landowner's proposed use is a reasonable one which is not allowed by the zoning ordinance.*

(Use additional sheets if necessary)

2. The landowner's proposed use must be consistent with the comprehensive plan, and in harmony with the general purposes and intentions of the zoning ordinance;

Is your variance request consistent with the Comprehensive Land Use Plan? If so, how?

(Use additional sheets if necessary)

3. The landowner's proposed use must not alter the essential character of the locality

Will your variance request fit in with the essential character of the neighborhood? If so, how?

(Use additional sheets if necessary)

SECTION VII. DETAILED SKETCH

If you wish, use the attached page to provide a detailed sketch of your property. Or, provide your own.

A detailed sketch with measurements showing dimensions of lot, structures, driveways, septic mounds, other disturbed surfaces, wetlands, streams, and lakes must be shown.

In addition, display all setback requirements for the existing structures and the proposed construction.

SECTION VIII. PROPOSED STRUCTURE OR MODIFICATION TO EXISTING STRUCTURE

Insert a “V” and the proposed dimension for the item on which you are requesting a variance

	Road Centerline To Front of Building (Ft.)	Furthest side yard (Ft.)	Nearest side yard (Ft.)	Rear yard line From back building line to back of structure (Ft.)	Building to Stream or Lake (Ft.)	Lot Size (Ac)	Impervious Surface Lot Coverage (%)
Required by Zone District							
Actual							

SKETCH

