

CITY OF MOTLEY
VARIANCE APPLICATION

Please read the variance application in its entirety before submitting the application. The Board of Adjustment meets the last Tuesday of the month. Depending upon publication timeline requirements, your application may be scheduled for the following meeting.

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 a practical difficulty 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.

APPLICATION:

- A. Applicant shall complete the Variance Application provided by the city.
- B. Application shall be accompanied by a site plan drawing complete with, at a minimum, the information from the Variance Checklist.
- C. Application shall be accompanied by an application fee of \$300 made payable to the City of Motley. There shall also be a \$46.00 fee included for the recording of the variance made payable to Morrison or Cass County (depending on location of property). **This fee does not cover the Land Use Permit, which must be filed separately, if necessary.**

REVIEW:

- A. The Zoning Administrator reviews the application for completeness and assigns a reference number to the application, plans, and any other attachments. The Applicant will be notified within ten days if additional information is required to complete the application.
- B. After receipt of a completed Variance Application and supporting documents, the Zoning Administrator shall schedule a public hearing date on the Board of Adjustment agenda for the earliest possible opening. Applicant will be notified by mail or email of the date and time of the public hearing.
- C. The Zoning Administrator will prepare a Staff Report on the application. The Staff Report will be available for public review by request of the Zoning Administrator, typically one week prior to the scheduled meeting date.
- D. The Zoning Administrator may conduct a site visit of the property to familiarize himself or herself with the property and to verify that the requirements of the Ordinance, such as setbacks, can be met.
- E. The City Fee Schedule is based on average processing and review costs for all applications. When costs exceed the original application fees, the Applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to obtain in reviewing permits. The City may withhold final action on any application and/or hold the release of such permits until all fees are paid.

ACTION:

- A. The Board of Adjustment shall hold a public hearing on the variance application.
- B. At the conclusion of the public hearing, and after consideration of the testimony presented, the Board of Adjustment shall make a recommendation on the application. The application can be approved, denied, or tabled in order to gather additional information. Conditions can be placed on an approved variance as long as they are directly related to and bear a rough proportionality to the impact created by the variance.
- C. The recommendation is then given to the city council. The council shall review the recommendation and have make a final decision on the application.

CITY OF MOTLEY CONTACT INFORMATION

Contracted Zoning Administrator:

Katie Kostohryz
Sourcewell
PO Box 219
Staples, MN 56479
Phone: (218) 541-5510
katie.kostohryz@sourcewell-mn.gov

**CITY OF MOTLEY
VARIANCE APPLICATION**

APP # _____

Date _____

Fee _____

Check # _____

(for office use only)

Name of Applicant _____

Phone _____

Property Address (E911#) _____

Mailing Address _____
(if different than above)

Email _____

Applicant is:

Title Holder of Property (*if other than applicant*)

Legal Owner () _____

Contract Buyer () _____

Option Holder () _____

Agent () _____

Other _____

(Name)

(Address)

(City, State, Zip)

Property ID # (# on Tax Statement) _____

Zoning District _____

What are you proposing for the property? State nature of request in detail: _____

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

Building: _____

Landscaping: _____

Parking/Signs: _____

Signature of Owner, authorizing application (*required*) _____

(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (*if different than owner*): _____

(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

The Applicant should be prepared at the public hearing to explain the unique practical difficulty for the proposed variance. A practical difficulty is defined as a condition whereby the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a difficulty if reasonable use for the property exists under the terms of the Ordinance. Please complete all the following questions:

(1) Discuss your current use of the property and the reason for your variance request:

(2) Describe the effects on the property if the variance is not granted:

(3) Describe any unique physical limitations that exist on your property, not generally found on others, which prevent you from complying with the provisions of the current ordinance:

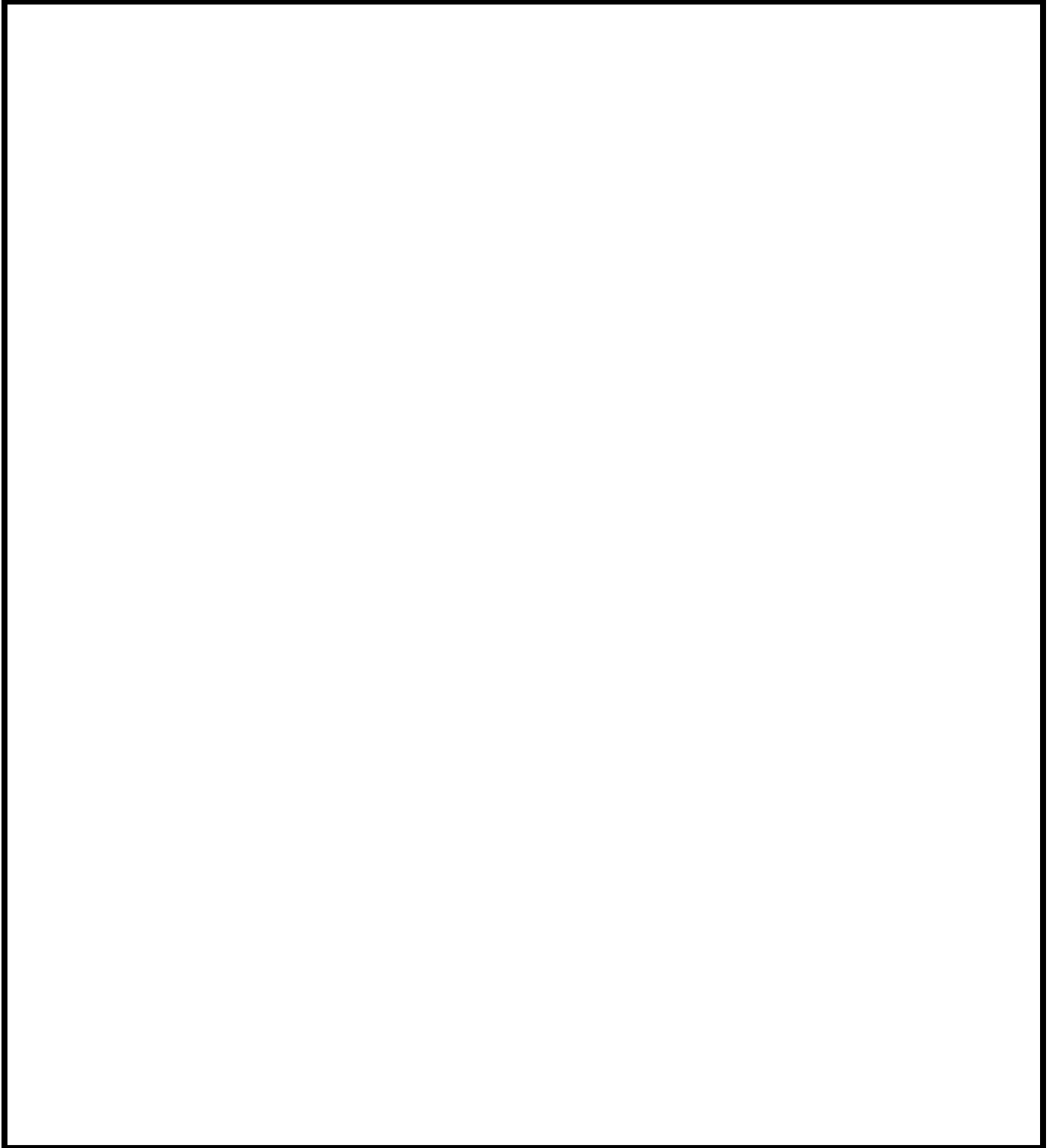
(4) Discuss alternatives you considered that comply with existing standards. If compliant alternatives exist, provide your reasoning for rejecting them:

(5) Discuss alternatives you considered that would require a lesser variance. If you rejected such alternatives, provide your reasoning:

- (6) In your opinion, do you think the granting of your variance request would alter the “essential character” of the neighborhood/area?:

- (7) Does the need for the variance involves more than economic considerations? Please include any other comments pertinent to this request

Include: Property lines, water features, existing and proposed structures, septic systems, wells and roads. Include all setbacks to features



Impervious Surface Calculation for Your Lot

Name_____

Address_____

	Structure or Impervious Surface	Dimensions	Total sq. ft.
1	Existing or Proposed Dwelling		
2	Proposed Dwelling Addition		
3	Existing Accessory Structure		
4	Existing Accessory Structure		
5	Proposed Accessory Structure		
6	Sidewalks		
7	Deck with Impervious Below		
8	Deck with Impervious Below		
9	Patio(s)		
10	Driveways and Parking Areas		
11			
12			
13			
		Total Impervious Surface (A)	

Existing Lot Dimensions:

_____ X _____ = _____ sq. ft. (B)

Impervious coverage (A divided by B multiplied by 100)

(A)_____ ÷ (B) _____ X 100 = _____%

VARIANCE CHECKLIST

- _____ Completed application, including signature of property owner
- _____ Fee (\$300 dollars to City of Motley and \$46 to Morrison County Recorder)
- _____ Sewer Compliance Inspection Report (if ISTS on the property)
- _____ No outstanding violations
- _____ Site plan as close to scale as possible with the following information, as a minimum
 - _____ Current survey showing existing iron pipe boundary monuments marked with proof of survey
 - _____ Legal Description of Site (from deed)
 - _____ Size of parcel and dimensions
 - _____ All existing structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake 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
 - _____ Impervious surface coverage of the lot (calculated in percentage)
 - _____ Location on the parcel of existing and proposed sewage treatment systems (ISTS) and wells and their distance from property lines, structures and each other
 - _____ Existing and/or proposed square footage of the driveway (gravel and paved), access roads, parking, sidewalks
 - _____ Proposed landscaping, screening and drainage plans
 - _____ Soil data for the proposed site are.
 - _____ Name of record owner/title holder of property