

Application # _____	Date Application Rec'd ___/___/___	Fee Collected \$ _____
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(for office use only)

**ALEXANDRIA TOWNSHIP
VARIANCE APPLICATION**

Name of Applicant _____ Phone _____

Property Address (E911#) _____

Mailing Address _____ Local Phone _____
(if different than above) *(if different than above)*

City, State, Zip _____

Applicant is: _____ Title Holder of Property *(if other than applicant)*

Legal Owner	()	_____
Contract Buyer	()	(Name)
Option Holder	()	_____
Agent	()	(Address)
Other _____		_____
		(City, State, Zip)

Signature of Legal 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.)

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) _____

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: _____

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 (610 Fillmore Street – behind Trumm Drug next to Trumm Home Medical) and online at www.alexandriatownship.org.

Please complete all of the following questions:

1. How will **reasonable** use of the parcel be deprived if the variance is not granted? If the variance request were denied, how would you be able to use your property?

2. What are the unique circumstances of the parcel size, shape, topography or other characteristics that make strict interpretation of the Ordinance impractical?

3. Discuss whether the variance is necessary in order to secure for the applicant a right or rights that are enjoyed by other owners in the same area.

4. Describe the character of the area and whether the variance, if granted, would alter the essential character of the locality.

5. Discuss whether the variance, if granted, would allow for a use that is prohibited in the zoning district in which the subject property is located.

6. What considerations other than economic considerations (i.e. cost) make this variance necessary? What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

7. Discuss any environmental limitations of the site or area.

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

VARIANCE APPLICATION 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.*

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.

Pursuant to the Alexandria Township Zoning Ordinance, Section VI.H.1, the applicant should be prepared at the public hearing to explain the unique hardship for the proposed variance.

The Board of Adjustment must consider the following when evaluating a variance application:

1. The property in question cannot be put to a reasonable use if used under the conditions allowed by this Ordinance.
2. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
3. The variance is proved necessary in order to secure for the applicant a right or rights that are enjoyed by other owners in the same area.
4. The variance, if granted, will not alter the essential character of the locality.
5. The variance will not allow any use that is prohibited in the zoning-district in which the subject property is located.
6. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of this Ordinance.

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 610 Fillmore Street (behind Trumm Drug next to Trumm Home Medical) 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 **\$300** 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 6:30 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 www.alexandriatownship.org 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:
 - a. 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. The applicant or a representative shall appear before the Board of Adjustment and answer any questions concerning the proposed variance.
2. 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.
3. A certified copy of the granted variance shall be filed with the Township recorder or Registrar of Titles by the Zoning Administrator.
4. 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.
5. 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.
6. 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.
7. 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 CONTACT INFORMATION

Alexandria Township, effective January 1, 2007, will begin administering and enforcing its own Zoning and Subdivision ordinances. Land Use and other Permit Applications can be obtained at the township website (www.alexandriatownship.org) or at the Township office. Completed applications should be dropped off at the Township Offices during office hours (9am-1pm, Mon-Fri) or in the drop box outside of the office between the hours of 8am and 5pm, Mon-Fri).



Applications may be mailed (along with required fee) to:

Alexandria Township
P.O. Box 445
Alexandria, MN 56308
Phone: 320-759-5300
Fax: 320-763-5320
Email: admin@alexandriatownship.org
www.alexandriatownship.org

The Township Zoning Administrator is:

Community Growth Institute
Attn: Ben Oleson
610 Fillmore Street, Suite #4
Alexandria, MN 56308
Phone: 866-900-3064
Fax: 866-924-1928
E-mail: oleson@communitygrowth.net
www.communitygrowth.com/alexandria_township

The Alexandria Township Land Use and Subdivision Ordinance, Comprehensive Plan, permit fee schedule and applications, upcoming P&Z meeting dates, and other planning documents are available on the Alexandria Township website (www.alexandriatownship.org).