



East Bethel Community Development

2241 221st Ave. NE • East Bethel, MN 55011

Phone: (763) 367-7844 • Fax: (763) 434-9578

Variance Application Checklist

Variances allow for deviation and variation from the provisions of the City Code in instances where their strict enforcement would cause practical difficulties due to circumstances unique to the individual property under consideration. The City shall approve or deny a completed application within 60 days, with an additional 60 days allowed with written notice to the applicant before the end of the initial review period. Additional information may be found in Section 4-10 of the City Zoning Ordinance.

Required Materials Checklist

- Land Use Application
 - Fees and Escrow
 - \$300 Application Fee
 - \$55 Filing Fee
 - \$500 Escrow
 - Written or graphic material describing the request. Including, if applicable:
 - A written description of the variance request including an explanation of compliance with the variance practical difficulties criteria
 - A certificate of survey or map of the property that shows all lot lines, existing and proposed structures, driveways and parking areas, significant topographical features, and significant trees
 - Evidence of ownership or an interest in the property, and its legal description
 - Building floor plans, elevations, and sections
 - Grading and drainage plan
 - Impervious surface calculations
 - Other information as requested by Community Development staff
-

Practical Difficulties

The Planning Commission shall not recommend approval of any variance unless it finds that failure to grant the variance will result in practical difficulties on the applicant and, as may be applicable, all of the following hardship criteria have been met. Economic considerations alone do not constitute practical difficulties. Please explain how your variance request aligns with the hardship criteria:

- The property owner proposes to use the property in a reasonable manner not permitted by an official control:

- The plight of the landowner is due to circumstances unique to the property not created by the landowner:

- The variance, if granted, will not alter the essential character of the locality:

Planning Commission and City Council Process

Step 1: The application will be reviewed by City staff for completeness. Staff will notify the applicant of any missing materials. Once all materials are submitted, Staff will notify the applicant that the application is complete.

Step 2: Staff will prepare a report on the application to be presented to the Planning Commission.

Step 3: The Planning Commission will review the application, host a public hearing, and make a recommendation to the City Council based upon, but not limited to, the practical difficulties criteria

Step 4: The City Council may review the application and approve the application with a majority vote based on the Staff report and recommendation by the Planning Commission

Step 5: The City Council may impose additional conditions as it deems necessary

Expiration

Any variance granted by the City shall run with the land and shall be perpetual. However, if no building permit has been issued or substantial work performed on the project within one year of approval, then the variance shall be null and void. The City Council may extend the period for construction upon finding that the interest of the owners of neighboring properties will not be adversely affected by such extension. If the variance is part of an approved site and building plan, extension of the time for construction shall be contingent upon a similar extension of the time for the site and building plan by the City Council as required by this chapter. Once the project is completed as approved, the variance becomes perpetual.