

Itasca County Variance Application

Itasca County Environmental Services
123 NE 4th Street, Grand Rapids, MN 55744
Phone: (218) 327-2857
Fax: (218) 327-7331

PERMIT NO. _____

APPLICANT/OWNER NAME(S): _____

AGENT NAME (IF APPLICABLE): _____

MAILING ADDRESS: _____

PROPERTY ADDRESS: _____

PHONE: _____ ALTERNATE PHONE: _____

PARCEL IDENTIFICATION NUMBER: _____

LEGAL DESCRIPTION: _____

SECTION: _____ TOWNSHIP: _____ RANGE: _____ TOWNSHIP NAME: _____

ZONING DISTRICT: _____ LAKE NAME/CLASS: _____

THIS VARIANCE APPLIES TO _____ SECTION(S) OF THE ZONING ORDINANCE

EXPLAIN NEED FOR VARIANCE: Per MN Statute, variances cannot be granted on economic hardship alone. Applicant must demonstrate a practical difficulty exists that is unique to the property and was not created by the landowner (or a prior landowner).

*Attach additional sheets, if necessary

IS THIS VARIANCE REQUEST AFTER THE FACT? ☐ YES ☐ NO

CONDITION OF SUBSURFACE SEWAGE TREATMENT SYSTEM (SSTS):

☐ Certified Compliant, Date: _____ ☐ Upgrade Required ☐ New ☐ Not Applicable

LAKESHORE MITIGATION: Mitigation (if applicable) is mandatory to minimize impacts to lake water quality.

☐ Attach plan for erosion control, storm water management, and lakeshore mitigation. Final plan must be reviewed by Soil & Water Conservation District (SWCD).

☐ Applicant willing to restore vegetation to effectively screen structure(s) as viewed from public waters and establish a vegetative buffer consisting of trees, shrubs, and ground cover of native plants as set forth in Section 5.9.1.B.1 of the Itasca County Zoning Ordinance.

☐ Not Applicable

The applicant acknowledges that no one can be prohibited from coming onto the property when the site is inspected by the Board of Adjustment.

Upon approval of this variance, it shall be the responsibility of the applicant to notify the Environmental Services Department, upon completion of their project, including any conditions. The property may be inspected at any time to assure and affirm all conditions and terms of the permit are compliant.

SIGNATURE _____ DATE _____

FOR OFFICE USE:

On _____, the Environmental Services Department received a complete application, with required attachments, and the fee was paid in full. The Applicant/Agent has been given a copy of the processing procedures for variance applications that addresses their responsibility.

PERMIT APPROVAL: In accordance with MS#15.99, Itasca County must approve or deny any variance application within 60 days of submission of completed application. If denied, the reason(s) must be stated in writing at the time of denial. This time limit may be extended by Itasca County for another 60 days provided the applicant(s) receives written notice with reasons for the extension. The applicant may also, by written notice, request an extension of the 60-day time limit. The 60 days will end on:

_____.

On _____, Board of Adjustment authorized an extension for the following reasons with an expiration date of:

AUTHORIZING SIGNATURE _____ DATE _____

On _____, the applicants hereby waived the time frame requirements set forth in MS#15.99.

APPLICANT SIGNATURE _____ DATE _____

Witness: _____

RECOMMENDATIONS:

TOWN BOARD OF _____ APPROVAL CHAIR _____

OR _____ AMEND DATE _____

UNORGANIZED TOWNSHIP REJECTION COMMISSIONER _____

REASONS: _____

DECISION: *The Board may impose conditions in the granting of a variance to ensure compliance, to protect the environment, and to protect adjacent properties and the public interest. Any, and all conditions must be directly related to; and must bear a rough proportionality to the impact created by the variance.*

On _____, the Board of Adjustment, unanimously | majority vote ☐ APPROVED ☐ AMENDED ☐ DENIED
a variance for:

(Description of Variance and conditions or reasons for denial)

_____ DATE _____

CHAIRPERSON, ITASCA COUNTY PLANNING COMMISSION/BOARD OF ADJUSTMENT

Approval includes the findings of fact and compliance with all County, State, and Federal Rules, Regulations, and Statutes as required by law. In accordance with Section 18.4 of the Zoning Ordinance, an appeal to District Court may be filed within 30 days after receipt of notice of the decision.

CRITERIA NECESSARY FOR GRANTING A VARIANCE:

It is the applicant's responsibility to provide answers to all of the following before the Board of Adjustment. These criteria, labeled 1-5 below, will be asked of the applicant during the public hearing. A variance can be granted only if the criteria for a variance, as set forth below, are met:

1. Has the applicant established a practical difficulty which is unique to the property and was not created by the property owner or a prior property owner? ☐ Yes ☐ No

Justify your answer in detail:

2. Will the variance result in a reasonable use of the property not permitted by an official control?
☐ Yes ☐ No

Justify your answer in detail:

3. As variances may not be granted solely for economic reasons, is there a justification for the proposed beyond it being a financial hardship? ☐ Yes ☐ No

Justify your answer in detail:

4. Is the variance consistent with the spirit and intent of the Itasca County Zoning Ordinance, the Itasca County Comprehensive Land Use Plan, and in the public interest of protecting public health, safety, convenience, welfare, property value, and the environment? ☐ Yes ☐ No

Justify your answer in detail:

5. If granted, will the variance maintain the essential character of the locality and not create a substantial detriment to neighboring properties? ☐ Yes ☐ No

Justify your answer in detail:

For an application that includes a variance from the requirement that contiguous nonconforming parcels be combined (Section 4.2.3), the following must also be shown:

- a. The issuance of a variance will not unreasonably alter the building density of the locality;
- b. Compliant water supply and septic system can be installed upon both the subject property and all those parcels within 100 feet of the subject parcel (where applicable), without causing pollution to wells, lakes, streams, rivers, or wetlands.

CHECKLIST:

The following information is required at the time of submission to process a request for variance. If you have questions about how to fill out this application or any of the requirements, please contact Environmental Services at (218) 327-2857. Environmental Services staff is available to assist you Monday-Friday, 8:00 am – 4:30 pm.

☐

Complete Application

☐

Detailed Site Plan

On a separate sheet of paper, please create a site plan which includes all buildings/conditions, existing and proposed, labeled with dimensions and setbacks to property lines, public water, roads, and any other pertinent setbacks.

☐

Site Staked

All proposed structures/additions must have corner stakes placed prior to the Board of Adjustment site visit

☐

Certification of SSTS

Evaluation of any existing SSTS is required. If necessary, SSTS must be upgraded to comply with the requirements of Minnesota Rules Chapter 7080-7083 and local ordinance.

☐

Mitigation Plan

Required if within Shoreland Overlay zoning district.

☐

Responses to “Criteria Necessary for Granting a Variance,” and other applicable questions.

☐

Fee \$750 | \$1000, if after the fact

I have read and fully understand the above instructions.

SIGNATURE _____ DATE _____