

INSTRUCTIONS FOR REQUIRED INFORMATION VARIANCE

NO APPLICATION CAN BE ACCEPTED FOR FILING UNLESS ALL OF THE REQUIRED
INFORMATION IS PRESENTED

1. **GENERAL INFORMATION:** The Watertown City Council is empowered by Minnesota Statute 462.357 subd. 6 and by ordinance to hear requests and to make decisions on said requests in regard to certain applications for variances to the Zoning Ordinance and for certain exceptions to the district regulations, following a recommendation by the Planning Commission. The City Council is a body with authority to grant variance permits in exceptional cases and is limited to such cases that are consistent with the general purpose and spirit of the zoning regulations. The City has no authority to allow a variance that would have the effect of establishing a non-conforming use of land or to change district boundaries except as outlined in the Zoning Ordinance. The City has no authority to allow a variance whose effect is not in harmony with the intended spirit and purpose of the Zoning Ordinance. Specifically, the Council is limited to the powers and duties as outlined in the Minnesota State Statute and the Watertown Municipal Code. Once an application is determined to be completed, it will be scheduled for a public hearing. Property owners within 350 feet of the outer boundaries of the subject area are required to be notified of the public hearing. At the Public Hearing the Planning Commission will make a “recommendation for approval or denial” to the Watertown City Council. The City Council, at a regularly scheduled meeting, will make a final decision. **No permits can be issued, nor can any work commence on any portion of the site, until the City Council has made their final decision.**

2. **MEETING DATES:** The Planning Commission meets the fourth Thursday of each month at 6:30 p.m. The City Council meets at 6:30 p.m. on the second and fourth Tuesday of each month. Submittal of the information does not in any way assure that the application will be placed on the next available agenda. All meetings are held in the Council Chambers of City Hall, 309 Lewis Ave. S., Watertown, Minnesota. The meetings are open to the public.

3. **FILING DEADLINE:** Please contact the Planning Department for the deadline to file the application and supporting materials. All materials must be filed electronically or in person at City Hall with the City Planner at 309 Lewis Avenue South. **NOTE: Be sure that you have all required materials at that time. Failure to do so may result in your application being delayed to the next regularly scheduled meeting.**
 - A. **FILING FEE:** A filing fee is required at the time the materials are filed with the City Planner. The fee helps cover administrative expenses. The Planning Commission rules state that no application is to be considered filed until this fee is received. The fee schedule for variance appeals is \$500.00 and a \$1,500 escrow deposit. The application fee is nonrefundable. Any unused portion of the escrow deposit will be refunded.

 - B. **EXHIBITS:** The applicant must submit a boundary survey and plot plan which clearly shows the variance that is sought. Proposed improvements should be drawn to scale on the survey on a sheet of paper no larger than 11” x 17”. The survey shall include the following minimum information:
 - a) Property lines and dimensions;
 - b) Abutting right-of-ways;
 - c) Location of all existing and proposed property lines;
 - d) Required setback location and size of existing and proposed structures;
 - e) Driveways and parking areas fully dimensioned; and

Planning Department

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- f) Any other pertinent information necessary to fully understand the need for a Variance (e.g. significant change in topography, location and size of mature trees, wetlands, etc.)
- g) Elevations of improvements, including materials to be used, colors, etc.

The application must be completed in full and accompanied by all information, plans, and fees required by applicable Watertown Municipal Code provisions.

NOTE: If the appeal is for a sign, the appeal must be accompanied by both a fully dimensioned, to scale elevation drawing of the sign, as well as a fully dimensioned survey showing the exact location of the sign whether it is a free standing or a building wall sign.

- 4. ADDITIONAL INFORMATION:** If you have questions about this form, or should you require additional information regarding the variance process, please contact City Hall Planning Department at 952-955-2681, FAX 952-955-2695, or by email info@ci.watertown.mn.us.

Planning Department

APPLICATION FOR VARIANCE

All required information must be presented before acceptance of application.
The applicant must complete all sections in bold for review to begin.

Please type or print clearly. Use a separate sheet of paper if necessary.

1. Applicant Name: _____ **Telephone**
Home: _____
Work/Cell: _____

2. Address: _____
(Street) (City) (State) (Zip)

3. Property Owner's Name (if different from above): _____ **Telephone**
Home: _____
Work/Cell: _____

4. Address: _____
(Street) (City) (State) (Zip)

5. Location of Project: _____

6. Legal Description: _____

7. Zoning Classification: _____

8. Explain Request: State exactly what is intended to be done on or with the property which does not conform with the Zoning Ordinance. List measurements as shown on drawing.

9. Please attach a boundary survey and plot plan and required exhibits which clearly show the variance that is being sought. This plan shall be no larger than 11" x 17" and easily reproducible.

10. Please answer the following questions as they relate to your specific variance request:

A. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?
Yes () No () Why or why not?

B. In your opinion, is the variance consistent with the comprehensive plan?
Yes () No () Why or why not?

C. In your opinion, does the proposal put the property to use in a reasonable manner?
Yes () No () Why or why not?

D. In your opinion, are there circumstances unique to the property? The plight of the owner is due to unique circumstances and not to general conditions in the ordinance or neighborhood. The appellant must show that the physical circumstances on his/her property are unique and unlike properties in the vicinity or elsewhere in the city.
Yes () No () Why or why not?

E. In your opinion, will the variance maintain the essential character of the locality? The variance will not be contrary to the public interest or overall neighborhood integrity. The appellant must present information to indicate that the variance will not result in injury or endangerment to other property or persons nor will it alter the essential character of the locality.
Yes () No () Why or why not?

The City Council must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied. Approval of the variance by the City Council in no way absolves the applicant from subsequently obtaining the necessary Building Permit(s) or other permits from the City of Watertown or any other applicable agency.

The undersigned certifies that they are familiar with the application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

(City Use Only)

FEE PAID: _____ RECEIPT NO: _____

DATE FILED: _____

PLANNING COMMISSION DATE _____ HEARING DATE: _____

CITY COUNCIL ACTION

APPROVED: _____ (DATE) DENIED: _____ (DATE)