

MANHATTAN BEACH VARIANCE APPLICATION

Please read the variance application in its entirety before submitting the application. Applications must be submitted 30 days before the Planning Commission meeting. The full land use ordinance is available at City Hall and online at <http://manhattanbeachmn.org/ordinances.htm>.

WHAT IS A VARIANCE?

A variance is a legally permitted deviation from the provisions of the ordinance as deemed necessary by the Planning Commission 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.

The Planning Commission must consider the following when evaluating a variance application:

1. Is the variance request in harmony with the purposes and intent of the Land Use Ordinance?
2. Is the variance consistent with the Comprehensive Plan?
3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
4. Is the need for a variance due to circumstances unique to the property and not created by the property owner?
5. Will the issuance of a variance maintain the essential character of the locality?
6. Does the need for a variance involve more than economic considerations?

APPLICATION:

- A. Applicant shall complete Variance Application provided by Zoning Administrator and submit to Zoning Administrator at least **30 days** prior to scheduling public hearing.
- B. Application shall be accompanied by a site plan drawing complete with, as a minimum, the information from Variance Checklist.
- C. Application shall be accompanied by application fee made payable to City of Manhattan Beach. There shall also be a fee included for the recording of the variance to Crow Wing County. **This fees do not cover the Land Use Permit, which must be filed separately, if necessary.**
- D. The Planning Commission holds their monthly meeting on the third Tuesday of the month at 6:30 PM at City Hall. Meetings are held as needed, so coordinate with the Zoning Administrator for placement on the agenda.

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 Planning Commission's agenda for the earliest possible opening. Applicant will be notified by mail and/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 at City Hall during regular office hours or 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 him 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 Planning Commission 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 Planning Commission 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. Recommendations of the Planning Commission are taken to the City Council for final action.

CITY OF MANHATTEN BEACH CONTACT INFORMATION

Planning and Zoning Administrator:

Darrin Welle
National Joint Powers Alliance
PO Box 219
Staples, MN 56479
Phone: (218) 895-4142

APP # _____
Date _____
Fee _____
Check # _____
(for office use only)

**MANHATTAN BEACH
VARIANCE APPLICATION**

Name of Applicant _____ Phone _____

Property Address (E911#) _____ Local Phone _____

Mailing Address _____ Email _____
(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 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 # (15 digit # 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: _____

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 of the following questions:

(1) How is granting this variance in harmony with the intent of The Land Use Ordinance?

(2) How is granting this variance in harmony with the intent of the Comprehensive Plan?

(3) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

(4) What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

(5) Is the need for a variance due to circumstances unique to the property and not created by the property owner?

(6) Will the issuance of a variance maintain the essential character of the locality?

(7) Does the need for a variance involve more than just economic considerations?

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

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 = _____ %

Site Plan



VARIANCE CHECKLIST

- _____ Completed application, including signature of property owner
- _____ Fee (\$500 dollars to Manhattan Beach and \$46 to Crow Wing County)
- _____ Sewer Compliance Inspection Report (if ISTS)
- _____ All current city charges paid
- _____ No outstanding violations
- _____ Site plan as close to scale as possible with the following information, as a minimum (unless waived by P&Z Administrator)*:
 - _____ 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
 - _____ Name of record owner/title holder of property
 - _____ Approximate location of existing and proposed water courses, wooded areas, and other significant physical features
 - _____ Approximate location of any proposed signs

** Under certain circumstances, the Planning Commission may require a professionally prepared property survey, stormwater management plan, and/or landscaping plan*

Office Use

Notice sent to newspaper: _____

Notice sent to DNR: _____

Meeting Date: _____

60 Day Rule Date: _____