



CITY OF MONTICELLO

Community Development
505 Walnut Street, Suite 1
Monticello, MN 55362

**Variance
Application Checklist**

Applicant Name: _____

Office Use Only	
Application Date:	Application Review Date:

APPLICANT CHECK	APPLICATION SUBMITTAL REQUIREMENTS	CITY CHECK-IN
	A completed City of Monticello Land Use Application form, including full legal description of property	
	Completed checklist form (this document) with all required items from below	
	Supporting title information establishing ownership interests in the property <i>(a title commitment and/or signature of fee title property owner)</i>	
	A written narrative demonstrating that the criteria for a variance as set out in Section 2.4(C)(4)(a) have been met	
	A site plan of the property showing all information necessary to allow the City to determine conformance with all zoning provisions, and to calculate the specific variance being requested. Information shall include but not be limited to: <ol style="list-style-type: none"> 1. Property and structure (existing & proposed) dimensions 2. Setback dimensions/measurements 3. Parking and access locations and dimensions 	
	If deemed necessary by the Community Development Department, a survey may be required to be submitted with the application in addition to a site plan. Survey to include the following components: <ul style="list-style-type: none"> • Signed by a registered land surveyor • Current (within last 6 months) topographic survey and contours of all surface features including drainage ways, wetlands, etc. • Public utilities including pipe size, material type, depths • Private utilities • Legal description • Easements of record 	
	Electronic copies of all written narratives and plan sets required above. Submit electronic sets via flash/jump drive or .ftp only	
	Applications fee and escrow per Land Use Application form	



Base Plan Set Requirements

One (1) Large Plan set – 24" x 36"

One (1) Reduced Plan set – 11" x 17"

Electronic copies of all Plan sets – *submit electronic sets via flash/jump drive or .ftp only*

**If application is incomplete, full set of revised submittals are required for re-submittal of application.*

Complete Application Required

The review and consideration of an application submitted shall only occur if such application includes all items that are required in support of the application and is deemed complete by the Community Development Department.

Application Submission Schedule

Application, required information, and payment must be submitted no later than 28 days prior to the regularly-scheduled Planning Commission meeting, per the submission schedule maintained by the Community Development Department. Application submittals are due by 4 p.m. on the deadline date. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

Applicants will be notified in writing when their application is considered complete. Applicants may be asked to supply additional information beyond required list above. A public hearing will be scheduled only when it has been verified that the application is complete.

A complete application will be scheduled for an Application Review Conference between staff and the applicant, which typically occurs one week prior to the Planning Commission meeting.

Variance Approval Criteria

Approval of a Variance may only be made upon a determination that practical difficulties will result based on all of the following criteria:

- The property in question cannot be put to a reasonable use if the provisions of this ordinance are strictly applied.
- The circumstances rendering the property unusable are unique to the property.
- The circumstances rendering the property unusable were not created by the owner thereof.
- A Variance, if granted, will not alter the essential character of the locality.
- Economic considerations alone shall not constitute a sufficient basis for a Variance if reasonable use for the property exists under the terms of the regulation.

Board of Adjustment and Appeals Consideration

Before any variance is approved, the Board of Adjustment and Appeals shall hold at least one public hearing after proper notice has been issued in accordance with ordinance. Following the hearing, the Board of Adjustment and Appeals shall consider the request(s) against the variance review criteria outlined above and take action on the request(s).

In approving a variance, the Board of Adjustment and Appeals may impose conditions on the approval as are deemed appropriate to ensure compliance with the approval and to protect adjacent properties. Denial of any request shall be accompanied by findings of fact as to how the request did not meet one or more of the review criteria.

Appeal of Variance Decision

Decisions of the Board of Adjustment and Appeals are final unless the applicant or an affected party, including any member of the City Council, files a written appeal outlining the basis for the appeal within

ten (10) business days of the decision. Variance appeals shall be reviewed by the City Council as outlined in Section 2.4(H)(3)(c) subject to the review criteria in Section 2.4(H)(4).

Effect of a Variance

The issuance of a Variance shall authorize only the particular variation that is approved by either the Board of Adjustment and Appeals or City Council.

A Variance, including any conditions, shall run with the land and shall not be affected by a change in ownership.

Subsequent Development

Development authorized by the Variance shall not be carried out until the applicant has secured all other approvals required by this ordinance or any other applicable chapters or regulations. The granting of a Variance does not constitute, imply, or guarantee the granting of any other such required approval (i.e.: a building permit).

Time Limit

Unless otherwise specified in the Variance, if a Building Permit has not been secured within one (1) year of the date of the Variance approval, the Variance shall become invalid. Permitted timeframes do not change with successive owners.

Upon written request, one extension of one (1) year may be granted by the Community Development Department if the applicant can show good cause.