

Variance Information

A zoning ordinance variance is required to provide relief to a property owner when the strict enforcement of zoning regulations for lot size, setbacks, parking requirements, etc., imposes a practical difficulty on the petitioner or denies the petitioner the reasonable use of his land. Variance(s) will be granted only to provide relief in unusual situations that were not intended or foreseen when the zoning ordinance was adopted and, if granted, will not alter the essential character of the locality. Economic loss is seldom a unique situation and is generally not considered a valid difficulty if reasonable use for the property exists under the terms of the ordinance.

HOW DO I OBTAIN A VARIANCE?

Although one may apply for a Variance, the approval of one is not always a guarantee. As for the application, there is a non-refundable fee required and an Escrow payment required to process your application. Please contact City Hall for fee amount.

After it has been determined that a variance is required, you will need to submit:

1. A completed application form which includes: name, address and telephone number of the applicants; legal description of the property; and a survey if the legal description is other than either a regular platted Lot or simple fractional share of a land section.
2. Site Plan.
3. Description of the nature of the variance requested.

4. Narrative/letter demonstrating that a practical difficulty exists and why a variance should be granted.
5. The required fee and Escrow

A variance may be granted by the City Council only in the event that the following circumstances exist:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other properties in the same district under the terms of this ordinance.
2. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
3. That the special conditions and circumstances does not result from the actions of the applicant
4. That the difficulty is not created solely by economic considerations.
5. That granting the variance will not alter the essential character of the area or community,
6. That granting the variance will not result in a use that is otherwise not permitted in the zoning district.
7. That the applicant proposes to use the property in a reasonable manner.
8. That the terms of the variance are consistent with the Comprehensive Plan.
9. That the variance, if granted, is in harmony with the intent and purpose of the Zoning Ordinance.

WHAT HAPPENS AFTER I APPLY?

After all the information has been received, the application will be forwarded to the Planning commission. The Planning Commission will hold a public hearing. Following the hearing, the Planning Commission will make a recommendation to the Board of Adjustments and Appeals as to whether the variance should be granted. In the City of Columbus, the City Council sits as the Board of Adjustments and Appeals and is the final arbiter of Zoning matters arising under the City Code.

HOW CAN I GET MORE INFORMATION ON VARIANCES OR ANY OTHER ZONING QUESTIONS?

If you have any questions about the information in this handout, please contact

the Planning and Zoning Department via phone (651) 464-3120, Ext. 1008, 1011. You can also e-mail your questions to planningtech@ci.columbus.mn.us

PLEASE NOTE: *A variance shall not be granted unless the Board of Adjustment and Appeals makes specific findings of fact based on the particular evidence presented to it, and the City Council determines that these findings support conclusions that the applicant has met the variance standards.*

This information is a guide to the most common questions. It is not intended nor shall it be considered a complete set of requirements.



16319 Kettle River Blvd.
Columbus, MN 55025
Phone: (651) 464-3120 Ext.1008
Website: www.ColumbusMN.us

APPLICATION FOR CONSIDERATION OF: VARIENCE REQUEST

Application Information Form

APPLICANT:

Name: _____ Phone: _____ (Alt.): _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

OWNER: (If other than applicant)

Name: _____ Phone (work) _____ (Alt.) _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Legal description of property: _____

Lot(s) _____ Block(s) _____ Additions(s) _____

Existing use of property: _____ Present zoning: _____

Action Requested: Please check (√): Variance _____

Brief description of and reason for request (this does not serve as the narrative requirement)



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Submittals Check List:

Application Information Sheet (Permit)		<u>Information Recommended by Zoning Administrator:</u>
Read and Understood the “Variance Information” sheet attached to this Application.		
Scaled Site Drawing (Showing <i>all</i> current and proposed site conditions)		
Certified Survey (if applicable)		
Narrative Statement (What code are you requesting a variance from, what is the practical difficulty placed on you by the current City Code, why should the variance be granted, etc.)		
Required Fees Paid		
Watershed Approval/Permit (if applicable)		
Additional Information (further information that you believe is relevant and helps explain your request)		
<p><i>Note: this checklist is an outline intended to provide a general statement of the required submittals for a Variance. For exact requirements you should refer to the Columbus City Ordinance (Section 7A-524) found in the Zoning Code available on the City website www.ColumbusMN.us</i></p>		

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: _____ DATE: _____

SIGNATURE OF OWNER: _____ DATE: _____

For Office Use Only		
Date Application Received _____	PC # _____	60-Day Deadline _____
Permit Fee _____	Escrow Amount _____	Total Amount Paid _____
Date Paid _____	Check # _____	Receipt # _____

