



CITY OF WACONIA  
201 South Vine Street  
Waconia, MN 55387  
Phone: (952) 442-2184 Ext. 2  
Fax (952) 442-2135  
[www.waconia.org](http://www.waconia.org)

## VARIANCE

### APPLICANT INFORMATION

1. Owner's Name: \_\_\_\_\_
2. Address of Property: \_\_\_\_\_
3. Legal Description: \_\_\_\_\_
4. Applicant's Name: \_\_\_\_\_
5. Mailing Address: \_\_\_\_\_
6. Daytime Phone(s): \_\_\_\_\_
7. Email Address: \_\_\_\_\_

**\*The City will distribute copies & appropriate information to applicant via email\***

### OFFICE USE ONLY

Date Received: \_\_\_\_\_

Fee: \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_



CITY OF WACONIA  
201 South Vine Street  
Waconia, MN 55387  
Phone: (952) 442-2184 Ext. 2  
Fax (952) 442-2135

## **VARIANCE APPLICATION**

1. Present Zoning: \_\_\_\_\_
2. Existing use of Property: \_\_\_\_\_
3. Has request for a variance on this property been sought previously? If so, when? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **IMPORTANT**

#### Subd. 4. Variances

- A. No variance shall be granted to allow a use not permitted under the terms of this Ordinance in the district involved. In granting a variance the Board may prescribe appropriate conditions in conformity with this Ordinance. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this Ordinance. A variance shall not be granted by the Board unless it conforms to the following standards:
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and do not result from the actions of the petitioner.
  2. Literal interpretation of the provisions of this Ordinance would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
  3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
  4. The proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
  5. FINANCIAL SAVINGS WILL NOT CONSTITUTE A HARDSHIP.

### **THE FOLLOWING INFORMATION MUST BE FURNISHED IN ORDER TO PROCESS THE APPLICATION**

1. A letter from the applicant(s) which should address the following:
  - Explain (in detail) the variance you are requesting (giving distances where appropriate).
  - Conditions or peculiar difficulties to the structure or land, which makes a variance necessary.
  - Why do you feel a variance should be granted in this instance?
2. Payment of application fee (**\$125 residential; \$275 non-residential**)
3. **Residential applications requiring the submittal of a stormwater plan shall submit a \$150 non-refundable stormwater plan review fee.**
4. **Non-residential variance requests are required to submit an escrow payment in the amount of \$1,000.00.**

**\*\*Additional information may be requested by staff, based on the proposal. Additional consulting review fees may apply, such as civil engineering and legal counsel.**

5. Certificate of Survey with north arrow indicating existing structures and proposed additions or modification to structures.
6. Show all distances of buildings and structures from property lines.
7. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).
8. Stormwater Plan for all properties located within the Shoreland Overlay District and for all properties that currently exceed, or propose to exceed, the hardcover maximum identified in the applicable zoning district.

The Planning Commission may or may not hold a public hearing on the request (based on the amount of the variance requested). The Planning Commission should make a recommendation to the City Council within sixty (60) days. If they do not, the City Council may proceed without the Planning Commission's recommendation.

The City Council may approve, approve with conditions, or deny the variance. If a variance is denied the applicant cannot resubmit a variance request for that same property until six (6) months has lapsed. If a variance is approved, it should be made use of within one (1) year or it will become void.

A violation of any condition set forth in the granting of the variance shall be a violation of the zoning ordinance and automatically terminate the variance.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_