



**After the Fact Variance Application
Request for a Public Hearing**
 Dodge County Environmental Services
 22 6th St East, Dept 123
 Mantorville MN 55955
 Phone 507-635-6272
 www.co.dodge.mn.us

Application Fee \$ 1800.00
 Recorder Fee \$ 46.00
 Date Received _____
 Received By _____

Applicant: _____ Phone: _____

Address: _____ City, State, Zip: _____

Applicant's Signature _____

Date _____

Property Owner: _____ Phone: _____

Address: _____ City, State, Zip: _____

Property Owner's Signature _____

Date _____

Signature of this application authorizes Environmental Services Staff to enter the property to perform needed inspections.

Property Address: _____ City, State, Zip: _____

Parcel I.D. Number _____ Township _____ Section _____

Legal Description _____ # of acres _____

Variance requested from:

- Setback to a Feedlot of _____ feet
- Side yard Setback of _____ feet
- Rear yard Setback of _____ feet
- Front yard Setback of _____ feet
- Other _____

1. A detailed description and/or reason for the request.

2. The application should include the following:

- I. Name, address and signature the applicant.
- II. The legal description of the property involved in the request for the variance.

- III. The names and addresses of owners of the property or any persons having a legal interest therein;
- IV. A description of all land uses within one quarter (1/4) mile of the affected property;
- V. A site plan showing all pertinent dimensions, buildings and significant natural features having an influence on the variance;
- VI. A detailed map showing existing land uses and buildings of adjacent properties within 500 feet;
- VII. The variance request and a statement outlining the particular situation involved in creating the need for a variance.
- VIII. For variance requests within the Shoreland Overlay District, the application for variance must demonstrate whether a conforming sewage treatment system is present for the intended use of the property.
- IX. Any other information or exhibits when requested by the Environmental Services Department and/or as required by the Board of Adjustment necessary to make findings and determinations.

A Variance may be granted the Board of Adjustment and Appeals when it is found that strict enforcement of Zoning Ordinance will result in "practical difficulties". The Board of Adjustment and Appeals should weigh each of the following questions to determine if the applicant has established that there are "practical difficulties" in complying with regulations and standards set forth in the Dodge County Zoning Ordinance.

- a. Is the request a substantial variation from the requirements of the zoning ordinance?
- b. Will the request have an adverse effect on government services?
- c. Will the requested variance effect a substantial change in the character of the neighborhood or will it result in a substantial detriment to neighboring properties?
- d. Is there another feasible method to alleviate the need for a variance? (Economic considerations play a role in the analysis under this factor).
- e. How did the need for a variance arise? Did the landowner create the need for the variance?
- f. Why did the applicant fail to obtain a variance / or comply with the applicable requirements before commencing work? Did the applicant act in good faith?
- g. Did the applicant attempt to comply with the law by obtaining the proper permits?
- h. Did the applicant obtain a permit from another entity that violated the law?
- i. Did the applicant make a substantial investment in the property?
- j. Did the applicant complete the repairs/construction before the applicant was informed of the impropriety?

- k. Is the nature of property residential/recreational and not commercial?
- l. Are there other similar structures in the area?
- m. Would the minimum benefits to the county appear to be far outweighed by the detriment the applicant would suffer if forced to remove the structure?

In addition to determining "practical difficulties", the Board shall consider if the Variance is in agreement with the Dodge County Comprehensive Plan and Dodge County Zoning Ordinance.

- a. Is the Variance consistent with goals and policies of the Comprehensive Plan?
- b. Is the Variance in harmony with the general purpose and intent of the Zoning Ordinance?
- c. Is the proposed use of the property allowed in the land use district in which the property is located?

For Office Use Only

Date Rcvd _____ 15 day _____ 60 day _____ 120 day _____