

# APPLICATION FOR VARIANCE



## Waseca County Planning and Zoning Office

300 North State Street  
Waseca, Minnesota, 56093

Phone: 507-835-0650 Fax: 507-837-5310

Website: [www.co.waseca.mn.us](http://www.co.waseca.mn.us)

Form no. PZ081009

- Fees: 1. VARIANCE Fee (check payable to Waseca County): **\$500.00**  
2. County Recorder (if Variance is approved - check payable to Waseca County Recorder): **\$46.00**

1. Name of Applicant:

Email Address:

\_\_\_\_\_  
(First) (Middle) (Last)

2. Address of Applicant:

Phone Number:

\_\_\_\_\_  
(Address) (State) (ZIP)

3. Name of Property Owner:

Email Address:

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(First) (Middle) (Last)

4. Address of Owner:

Phone Number:

5. Street address of Property Involved:

Parcel ID#:

6. Legal Description (Full) of Property involved (*attach if necessary*):

7. Present Zoning District:

8. Zoning ordinance Section authorizing  
Special Permit:

9. Present Use of Property:

10. Proposed Use of Property:

11. Description of Request:

12. Applicants are responsible to contact:

- I) MNDOT (Angie Piltaver @ [angela.piltaver@state.mn.us](mailto:angela.piltaver@state.mn.us)), if adjacent to a State Highway;
- II) DNR (Todd Piepho @ [todd.piepho@state.mn.us](mailto:todd.piepho@state.mn.us)), if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake)

**CRITERIA FOR GRANTING A VARIANCE**

**13. Criteria for Granting a Variance.** Variances shall only be permitted when the applicant establishes that they are in harmony with the general purposes and intent of the official control and when the variances are consistent with the Comprehensive Plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties complying with the official control. As used in connection with a decision as to whether to grant a variance, practical difficulties means that the property owner proposes to use the property in a reasonable manner not permitted by an official control; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulty:

**14. In order to grant a variance, the Board of Adjustment must find that all of the following criteria are met:**

*(Note: Please attach responses to the criteria on a separate sheet if necessary)*

**(a) Is the variance request in harmony with the general purposes and intent of the official controls and consistent with the county's Comprehensive Plan?**

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**(b) Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?**

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**(c) Is the need for the variance due to circumstances unique to the property and not created by the current or prior property owners?**

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**(d) Will the issuance of the variance maintain the essential character of the locality?**

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**(e) (Does the need for the variance involve more than economic considerations?)**

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**15. Exhibits** to be submitted as specified in §3.08 of Waseca County Unified Development Code (UDC).

An application for a variance shall be filed with the Zoning Administrator, on the appropriate form, with the required fees. The application shall:

- a) Legal description of the property
- b) Survey (required in most cases) drawn at scale showing the parcel, building dimensions and setbacks;
- c) Location of all buildings and their square footage;
- d) Location of curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks;
- e) Sanitary system and water source location and information;
- f) In any Shoreland areas, (name and type) a thorough evaluation of the water body and the topographic, vegetation, and soils condition on the site must be made and the applicant must demonstrate with photos and written specifications:
  - i. How the property will be viewed from the public waters before and following the completion of the project;
  - ii. How will the applicant will prevent soil erosion and other possible pollution of public waters both during and following construction of the project;
  - iii. That the types, uses and the numbers of watercraft are compatible and suitable to the area and the water body being impacted;
  - iv. That the applicant shall submit an impervious surface calculation prior to and following development; and
  - v. Flood Plain Elevation should be provided
- g) Any additional data reasonably required by the Zoning Administrator and or Waseca County UDC.
- h) MnDOT, if adjacent to a State Highway, contact Angie Piltaver at [angela.piltaver@state.mn.us](mailto:angela.piltaver@state.mn.us)
- i) DNR, if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake), contact Dan Girolamo at [daniel.girolamo@state.mn.us](mailto:daniel.girolamo@state.mn.us)

**16. Acknowledgement and Signature:** The undersigned hereby represents upon all of the penalties of law, for the purpose of inducing the Waseca County to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances of the Waseca County and the laws of the State of Minnesota. The undersigned hereby consents that Waseca County officials, employees, appointed commissioners and consultants hired by the County may enter the property to inspect layout of structures, proposed placement of planned structures or additions, and other property's site features and dimensions.

\_\_\_\_\_  
Signed

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

*Note: Refer to annual meeting schedule for the Waseca County Board of Adjustment and application deadlines for completed applications. An application is not considered complete until all required exhibits and fees have been submitted.*

## **ARTICLE 3: DEVELOPMENT REVIEW PROCESSES AND REQUIREMENTS**

### **§3.05 SITE PLANS.**

**(B) Site plan requirements.** Whenever this ordinance requires submission of a site plan the applicant shall submit 15 paper copies and an electronic version (AutoCAD) in a form acceptable to the Zoning Administrator of a site plan prepared by an engineer, landscape architect, architect or other similar licensed professional and meeting the following specifications and showing the data listed.

**(1) Application information:**

- (a) Names of all property owners;
- (b) Address of property including street, city and zip code; and
- (c) Existing and requested zoning classification, use of property, number of employees if applicable.

**(2) Specifications.**

- (a) Paper sized 11 inches by 17 inches; additional larger format copies may be submitted in addition to the 11 inches by 17 inches format.
- (b) Drawn to scale of not less than one inch equals 50 feet, unless otherwise approved by the Zoning Administrator.

**(3) All existing and proposed site conditions shall be shown, including:**

- (a) Existing and proposed contour lines at intervals no greater than five feet, referred to USGS datum;
- (b) Location and dimensions of lot boundaries;
- (c) Flood hazard areas as designated on FEMA flood hazard boundary maps;
- (d) Watercourses and wetlands;
- (e) Any unique natural features including wooded areas; and
- (f) Location and dimensions of all existing structures. The structure must be labeled (e.g., existing warehouse, dwelling) and use must be labeled as well (e.g., storage of contractor's equipment, single-family residence.) Each structure must delineate its square footage and dimensions to existing and/or proposed lot lines.

Structures include:

1. Buildings;
2. Wells;
3. Fences;
4. Septic tank and septic field locations;
5. Retaining walls;
6. Utility poles;
7. Walkways;
8. Signs;
9. Location, dimensions and uses of each existing platted street, highway, railroad or utility easement;
10. Identification of parks and other public open space within or adjacent to the proposed development;
11. Existing parking spaces, number, dimensions and drives;
12. All existing storm and sanitary sewer lines, water lines, gas lines, culverts or other underground installations within the proposed development or immediately adjacent, with pipe size (if available) and locations shown;
13. Layout, lot numbers and scaled dimensions of each lot in each block of any proposed subdivision;
14. Names, locations and dimensions of all proposed streets, roadways, alleys and pedestrian ways;
15. Other property lines, proposed right-of-way lines, building setback lines;
16. Location, dimensions and uses of any proposed street, highway, railroad or utility easements;
17. Existing and proposed parking spaces with dimensions and class (including handicapped) with a notation of the number of spaces required and the number provided. Proposed parking drive areas with proposed direction of traffic flow;
18. Access to all public or private streets and radius of curvature of ingress and egress drives;
19. Circulation patterns of traffic;
20. Location, intensity, height, spacing and shielding of all exterior lighting; and

21. Locations of outside refuse collection areas, and the type of screen to be provided to enclose the container from the public view.

(4) The following information shall also be noted on the plan:

- (a) Date site plan was prepared or date when surveyed;
- (b) North arrow and scale of drawings;
- (c) Title block including the name, address, phone number and profession of the person preparing the site plan or plat, and the architect's, engineer's or surveyors' professional seal, the date and the date of all revisions. Title blocks shall meet requirements of state law;
- (d) Name, address, phone number and signed consent of all property owners;
- (e) Ownership, land-use and zoning of all adjoining properties within 500 feet of the proposed development, and when adjoining properties are part of a recorded subdivision, the name of that subdivision;
- (f) Type of water supply and sewage disposal and if storm sewer is available; and
- (g) Other information deemed necessary by the Planning Commission or Board.

**(C) Review of site plans.** Unless specified otherwise in this ordinance for land division applications, a site plan may be approved by the Zoning Administrator upon concurrence of all the appropriate county departments or other appropriate agencies as indicated on a site plan review form.