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VARIANCE PROCESS

- ✓ *Submit application, exhibits, narrative explaining the application, \$225 application fee.*
- ✓ *Review by staff for completeness.*
- ✓ *Notification of property owners within 100 feet.*
- ✓ *Publish public hearing notice.*
- ✓ *Staff report prepared.*
- ✓ *Planning Commission holds public hearing.*
- ✓ *Planning Commission and staff's recommendations forwarded to City Council*
- ✓ *Action by City Council.*
- ✓ *Upon approval, applicant accepts conditions of City Council.*

Note: Variance must be used within 1 year.

For further information, contact the Albany Zoning Department at 320-845-4244.

APPLICATION REQUIREMENTS

In addition to the information required on the attached application form, you are required to provide the City with the following information:

1. The property identification number and complete legal description of the existing and proposed property in question. This information can be obtained from the City Assessor's office (320-656-3683).
2. Surveys and other applicable exhibits per Subdivision Regulations of the City Code.
3. All maps/exhibits that accompany your application shall not exceed 11" x 17".

The application is not complete if it does not contain all required information.

City of Albany

Date: _____

Received by: _____

Fee: \$225

Paid: _____

APPLICATION FOR VARIANCE

Subdivision Regulations	Zoning Regulations	Sign Ordinance
Applicant		Home Phone
		Business Phone
Address		
Owner		Home Phone
		Business Phone
Address		
Legal Description of Site (attach survey, if required)		Property Identification No.
Present Zoning Classification		
Present Use		Proposed Use (If additional space is needed, please attach information)
Abutting Property Uses		
North: _____		
South: _____		
East: _____		
West: _____		
<p>A Certificate of Survey must accompany this application showing property lies, proposed locations/size of building, and existing buildings including abutting property owner's buildings, if nearby. See attached example.</p>		
<p>ORDINANCE CRITERIA-In order to aid in the application review process, please give a DETAILED response to the following criteria. Your ability to meet these findings are what the Planning Commission and City Council require, in part, to base their review on, so be specific.</p>		

IN ORDER TO GRANT A VARIANCE, ALL OF THE FOLLOWING FINDINGS MUST BE MET:

A. There are unique conditions or extra-ordinary circumstances that apply to the structure or land in question that do not apply generally to other structures of land in the same zoning district. Please list the conditions that are unique.

B. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same district and in the same vicinity. The possibility of increased financial gain shall not in itself be deemed sufficient to warrant a variance.

C. That the granting of such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest. Please list any issues?

D. Granting the variance must neither impair the public health, safety, comfort, or morals in any respect, nor be contrary to the intent of the Zoning Ordinance or the Comprehensive Plan. Please identify any potential impact the requested variance may have.

Economic hardship is not regarded by the Planning Commission or City Council as a reason for approval. Neighborhood opposition, without any basis of facts, is not regarded by the Planning Commission or City Council as reason for either approval or denial.

Acknowledgement and Signature: The undersigned hereby requests upon all of the penalties of law, for the purpose of inducing the City of Albany to take the action herein mentioned will be done in accordance with the ordinance of the City of Albany, and the laws of the State of Minnesota.

Applicant's Signature

Date

Owner's Signature

Date

Approved _____ Denied _____ by the Planning Commission on _____.

Approved _____ Denied _____ by the City Council on _____.