



## PETITION FOR VARIANCE

\* City Review will cease if costs exceed deposit and deposit is not replenished.

Date: \_\_\_\_\_ Fee: \$250.00 + \$500.00 Deposit\* Zoning: \_\_\_\_\_

Applicant: \_\_\_\_\_

Street Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Status of Applicant: Owner \_\_\_\_\_ Lease Holder \_\_\_\_\_ Other \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Street Address (subject property): \_\_\_\_\_

Description of Request: \_\_\_\_\_

Reason for Request: \_\_\_\_\_

A variance is a use that is not generally permitted by the City’s zoning ordinances but which is allowed in special cases only. A request for a variance from the City’s zoning ordinances will be granted upon a showing of undue hardship by a property owner who is determined to have a unique situation. “Undue hardship” means that the property cannot be put to a reasonable use if the conditions of the zoning ordinances are followed, that the property owner’s particular circumstances are unique and not self-created, and that granting a variance will not alter the essential character of the locality or neighborhood. Economic hardship alone will not constitute undue hardship if some reasonable use currently exists under the terms of the City’s zoning ordinance. If the property owner purchased the property knowing that the City’s zoning ordinances prohibited a use, the property owner’s circumstances are self-created.

Minnesota Statutes (MS 462.357, Subd. 6) and City Code 156, Section 156.310 requires that the following conditions must be satisfied for approval of this request. Please respond to these conditions using additional sheets of paper if necessary.

1. Because of the particular physical surroundings, shape or topographical conditions of the parcel or lot, the proposed variance would relieve an undue hardship, as distinguished from a mere inconvenience, should the applicable ordinance be strictly enforced.
2. The purpose of the proposed variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land, but would correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district.

3. The alleged difficulty or hardship is caused by the City Ordinance and has not been created by any persons presently having an interest in the parcel of land.
4. The variance will not adversely affect public health, welfare and safety and will not be detrimental or injurious to property or improvements in the neighborhood.
5. Variances will not be granted that allow a use that is otherwise not a permitted use in the zoning district that the subject property is located.

Signature of Applicant: \_\_\_\_\_

\*By paying the above stated fee, I understand that no refunds will be issued in full, in part, or at any time, even though the outcome of Council's action is denial of the request.

### **APPLICANTS, PLEASE NOTE:**

All developers or property owners must submit the following information to the City of Centerville by the Tuesday that is 30 days **PRIOR** to the meeting of the Planning and Zoning Commission or the City Council meeting at which the request will be heard at a public hearing.

1. Complete the application for the specific request and pay the fee.
2. Submit a complete survey and site plans (including measurements, dimensions), showing lot lines and building footprint, driveways, sidewalks, curb cuts, ingress, egress, etc. on the property and its relation to adjacent properties.
3. Explanation of materials that will be used and plans for screening, landscaping, fencing and dumpster enclosures.
4. Drawings of completed buildings, if appropriate to the project, and materials used.
5. Storm water retention and drainage plans. The Rice Creek Watershed District and/or other water management organizations may need to be notified of the project.
6. A letter explaining the reason for the variance request. The letter must also demonstrate the variance will not impact the surrounding properties nor impact the characteristic of the neighborhood in any manner.