



Zoning Variance Application

Becker Township
PO Box 248
12165 Hancock Street
Becker, MN 55308

www.beckertownship.org

763-261-5301

Date Complete: _____

LU-ID: _____

Date Received _____

Above for Office Use Only

Fee – \$400 + \$250 Escrow

Attach copy of escrow check to application

APPLICANT

Name(s): _____

Site Address: _____

City/State/Zip Code: _____

No address? Subdivision, Lot and Block: _____

Daytime Phone Number: _____

Email Address: _____

FEE OWNER (property owner)

Name(s): _____

Site Address: _____

City/State/Zip Code: _____

No address? Subdivision, Lot and Block: _____

Daytime Phone Number: _____

Email Address: _____

LEGAL DESCRIPTION OF PROPERTY (attach a separate document if necessary):

VARIANCE APPROVAL

The Joint Planning Commission may allow a departure from the terms of the zoning ordinance pertaining to setbacks, height or width of structures or the size of yard and open spaces where such departure will still be in harmony with the general purpose and intent of the ordinance.

A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner “practical difficulties.” For a variance to be granted, the applicant must satisfy a three-factor test for practical difficulties under state statute.

ALL THREE FACTORS MUST BE SATISFIED TO CONSTITUTE PRACTICAL DIFFICULTIES.

The factors are as follows. When writing your narrative, you may attach additional sheets if necessary.

- (1) That the property owner proposes to use the property in a reasonable manner but cannot do so under the rules of the ordinance.

Explain how this applies to your request. _____

- (2) That the landowner’s problem is due to circumstances unique to the property not caused by the landowner. There are uniquely exceptional circumstances or conditions applying to the land, structure or building in questions that do not generally apply to other properties in the same zoning district i.e. sloping topography or other natural features.

Explain how this applies to your request. _____

- (3) That if the variance is granted it will not alter the essential character of the locality meaning the structure will not be out of scale, out of place, or otherwise inconsistent with the surrounding area.

Explain how this applies to your request. _____

NOTE: Economic considerations alone shall not constitute practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met. Additional conditions may be imposed to ensure compliance with the Town Code and to protect adjacent properties.

APPLICATION FEES

Fees

The application fees pay for administrative staff time related to the assembly and distribution of the application materials, administration of internal and public meetings, publication of the public hearing notice in The Patriot, and for postage to mail the required notices to adjacent properties. These fees do not include professional staff review time, recording fees, or additional fees that may occur. **\$325 fee plus \$1,000 escrow**

Escrow

The escrow is used to pay consultants for review of land use cases, hours applied to an application by professional staff, as well as recording and additional fees, where required. Staff hours may include time spent on review, site visits, documentation, presentations, meetings, and all inspections.

If the escrow is used in its entirety, the responsible party indicated in Billing Information will be billed monthly for additional services (see Agreement to Pay Costs of Review). Remaining balances will be refunded to the party that posted the escrow.

AGREEMENT TO PAY COSTS OF REVIEW – REQUIRED

It is the policy of Becker Township to require the party indicated as the Fee Owner to reimburse the township for costs incurred by the township in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the township. These costs include all of the township’s out-of-pocket costs for expenses, including the township’s costs for review of the application by the township’s engineer, planning staff, township attorney, or other consultants; recording fees, and necessary publication costs. Additionally, these costs do include actual time spent by professional staff on a particular application.

If payment is not received with the application, the township may return the application for failure to comply with the requirements for processing the application or may suspend the application review process.

The township will invoice the party indicated in Billing Information for costs incurred after the escrow is depleted, and payment will be due within thirty (30) days.

Payment for costs will be required whether the application is granted or denied and unpaid fees may be assessed to property taxes, with penalty.

The undersigned has received the above policy regarding the payment of costs of review, understands that reimbursement to the township of costs incurred in reviewing the application will be required as set forth in the policy, agrees to reimburse the township as required in the policy, and make payment when billed by the township.

Signature of property owner: _____

Date: _____

APPLICATION FOR VARIANCE APPROVAL

Applications for Variance Approval shall be on this form and shall include the established fee. The application and copies of the site plan shall be submitted twenty four (24) days prior to the next Planning Commission meeting. Please see Planning Calendar either attached or at www.beckertownship.org/planning-calendar.html.

The application shall contain

- 1 physical copy and an electronic copy of exhibits, which will include the following information:
 - Site Plan drawn at scale showing parcel, grading, landscaping and location of utilities, as applicable.
 - Location of all buildings and their square footage.
 - Curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks.
 - Landscaping and screening plans.
 - Sanitary sewer and water plan with estimated use per day.
 - Drainage and grading plan; indicate soil type.
 - Any additional information reasonably required by the Town Staff, Planning Commission or Joint Planning Commission

PROCEDURE

The Planning Commission shall hold a Public Hearing on the proposed variance request, review the request and make a recommendation to the Joint Planning Commission. Notice of the Public Hearing shall be publicized in the official paper and notice shall be mailed to each owner of property situated wholly or partly within 500 feet of the property to which the variance is related at least ten (10) days prior to the Meeting. The Town of Becker shall be responsible for mailing such notices.

I HEREBY CERTIFY that I have no delinquent property taxes, special assessments, penalties, interest, or municipal utility fees due on the parcel to which the application relates. I am also aware that the property taxes which are being paid under the provisions of a court order or which are in the process of being appealed are not considered delinquent for purposes of this law if all payments under the terms of the order or appeal have been paid.

I FURTHER CERTIFY that if I am in violation of this requirement, the Town of Becker may deny the permit application by law.

If the variance is not approved by the Joint Planning Commission, the reasons for such action will be recorded in the proceedings and transmitted to the applicant.

We, the undersigned, have read and understand the above.

Signature of Applicant	Date	Printed Name
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Signature of Owner	Date	Printed Name
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Signature of Owner	Date	Printed Name
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