



**It's Better  
in Becker**

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**Fee: \$325.00**

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

Permit #: \_\_\_\_\_

**Variance Application**

*APPLICANT/AGENT INFORMATION*

APPLICANT/AGENT NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

*FEE OWNER INFORMATION, IF DIFFERENT THAN APPLICANT*

FEE OWNER NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

*PROJECT SITE INFORMATION*

PROJECT/DEVELOPMENT NAME \_\_\_\_\_

PROJECT ADDRESS \_\_\_\_\_

PROPERTY IDENTIFICATION NUMBER (PIN) \_\_\_\_\_

PURPOSE OF VARIANCE \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

<p>Staff Use Only:</p> <p style="text-align: center;">End of 60 Days: _____ Finance Code: 100-3217-324</p>
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**VARIANCE APPROVAL**

The City Council 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:

(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 City Code and to protect adjacent properties.**

**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 attached meeting schedule). The application shall contain twelve (12) copies (8.5"x11", 8.5"x14" or 11"x17") 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 City Staff, Planning Commission or City Council.

### **PROCEDURE**

The Planning Commission shall hold a Public Hearing on the proposed variance request, review the request and make a recommendation to the City Council. 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 350 feet of the property to which the variance is related at least ten (10) days prior to the Meeting. The City of Becker shall be responsible for mailing such notices.

The City recommends that you are prepared to give a presentation with enlarged drawings or elevations of the proposed units, plat and/or other materials that would be helpful for and during the public hearing to better familiarize not only the Planning Commission and City Council, but any residents that are present for the public hearing on your proposed land use request.

If the variance is not approved by the City Council, 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.

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Signature of Applicant

Date

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Signature of Owner (s)

Date