

**CITY OF MEDFORD
Variance Request**

APPLICANT _____ E-MAIL _____

PHONE _____ (H) _____ (W) _____ (C)

ADDRESS _____ PARCEL # _____

Public Hearing Fee at Regular Meeting \$125.00 Cash _____ Check _____
Public Hearing Fee at Special Meeting \$250.00 Cash _____ Check _____

Criteria for Granting Variances. Criteria for Granting Variances. Pursuant to Minn. Stat. § 462.357, subd. 6, as it may be amended from time to time, the City Council, acting as a Board of Appeals and Adjustments, may issue variances from the provisions of this Land Use Ordinance. A variance is a modification or variation of the provisions of this Land Use Ordinance as applied to a specific piece of property. A variance may be granted only in the event that all of the following criteria are satisfied:

1. The proposed variance must be in harmony with the general purposes and intent of the Land Use Ordinance.
2. The proposed variance must be consistent with the comprehensive plan.
3. The applicant for the proposed variance must establish that there are practical difficulties in complying with the Land Use Ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that
 - (i) the property owner proposes to use the property in a reasonable manner not permitted by the Land Use Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate lot size or shape, topography, inadequate access to direct sunlight for solar energy systems, or other circumstances over which the owner of the property has no control.

4. No variance shall be permitted as to any use that is not allowed under the Land Use Ordinance for property in the zone where the affected person's land is located.
5. The City Council may impose such restrictions or conditions upon the premises benefited by the variance as may be necessary to comply with the standards established by this Land Use Ordinance, or to reduce or minimize the effect of such variance upon other properties in the neighborhood, and to better carry out the intent of the variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

REQUIRED SUBMITTALS:

- Copy of full legal description.
- A preliminary building and site development plan and shall require a boundary survey of the property.
- Evidence of ownership or enforceable option on the property.

SIGNATURE OF APPLICANT _____ **DATE** _____

SIGNATURE OF CITY OFFICIAL _____ **DATE** _____

