



2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

OFFICE USE ONLY
Date Submitted: _____
Total Fee Paid: _____
Escrow Application Submitted: _____

VARIANCE PERMIT PROCESS & CHECKLIST

Application Fee: \$300 Escrow: \$500* Anoka Co. Filing Fee: \$55

*Consulting fees accrued from the City Engineer, City Attorney, etc will be taken from the escrow amount. The remaining escrow will be refunded after the project is finished and has met all of the conditions during final inspection. The application fee is non-refundable.

NAME OF PROJECT (if applicable): _____

PROJECT ADDRESS: _____ PRESENT ZONING: _____

LOCATION PID: _____ LOT: _____ BLOCK: _____ SUBDIVISION: _____

DESCRIPTION OF PROJECT: _____

<u>PROPERTY OWNER:</u>	<u>APPLICANT:</u>
NAME: _____	<input type="checkbox"/> SAME AS PROPERTY OWNER
PHONE: _____	NAME: _____
ADDRESS: _____	PHONE: _____
CITY/STATE/ZIP: _____	ADDRESS: _____
EMAIL: _____	CITY/STATE/ZIP: _____
	EMAIL: _____

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

Property Owner Signature

Date

Applicant Signature

Date

Land Use Escrow Application

Property Address: _____

Owner's Name: _____ Phone: _____

Email: _____

Type of Land Use Application: _____

Person/Company paying the escrow	Person/Company receiving returned escrow (if different from the person/company paying the escrow than permission is needed)
Name: _____	Name: _____
Phone: _____	Phone: _____
Email: _____	Phone: _____
Mailing Address: _____	Address: _____
_____	_____
Amount entered into escrow: \$ _____	Email: _____

Escrow Type	Escrow Amount
Tax Increment Financing	\$12,000
Preliminary Plat	\$5,000
Major Mining Permit	\$1,500
Admin. Subdivision, Comp Plan Amendment, Conditional Use Permit/Amendment, Metes and Bounds Split, Minor Mining Permit, Planned Unit Development, Rezoning, Site Plan Review, Vacation,	\$1,000
Final Plat	\$1,000 + \$50/Lot if new road
Environmental Review	\$650
Concept Plan Review, Grading Permit, Planned Unit Development Amendment, Variance, Zoning Text Amendment	\$500
Interim Use Permit/Amendment	\$300

Escrow Information

Escrow is set aside for attorney, consulting, engineering, and other misc. fees. If the City of East Bethel is to acquire these fees while working on your Land Use Application, than you are authorizing the City to use this escrow to pay for those fees. The remaining escrow amount will be returned once the work has been approved by the Building and/or Community Development Director.

The Escrow must be paid along with any other fees 15 days prior to the Planning Commission meeting that is the matter is scheduled to be addressed.

Escrow Payer Signature: _____ Date: _____

Community Development Director: _____ Date: _____

East Bethel Community Development

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Variance Findings of Fact

“Practical difficulties” is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

2. Uniqueness

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area

The application for a **VARIANCE PERMIT** is processed in three separate review steps:

- 1) CITY STAFF
(Applicant is required to meet with City Staff **prior** to submittal of the application.)
- 2) PLANNING COMMISSION
(Public hearing and recommendation to the City Council)
- 3) CITY COUNCIL
(No public hearing required)

The following information is required to be submitted in support of the variance thirty (30) days prior to the scheduled Planning Commission meeting date.

- Completed application and fee/escrow
Legal description of property (located on deed)
Evidence of ownership or an interest in the property
- Certification of Taxes Paid. Prior to approving an application, the Applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the variance relates.
- Letter explaining reasons why a variance is needed and what the hardship is to justify the variance. Also explain in the letter what the existing use of the property is and if there is a proposed change in use.
- Certificate of Survey, to scale, showing applicable existing and proposed conditions including property lines and dimensions, building location and setbacks, dimensions of building, curb cuts, driveways, access roads, parking, off-street loading areas, septic system, and well; locations of neighboring septic systems and wells. If the proposed variance is located in the Shore land Overlay District, it is required to have the impervious area (hard surface) calculated and shown on the survey. This includes hard surface patios, driveways, houses, garages, etc. Properties in the Shore land Overlay District are required to have an impervious surface of no more than 25 percent (**3 copies – 11 x 17 – see handout on Survey/Site Plan for survey requirements**).
- Certificate of Survey identifying Grading and Drainage Plan – 11 x 17 – to scale (**existing and proposed 2-foot contours, see survey handout**)
- Proposed architectural elevations and floor plans of the addition or structure
- On variances requesting second (2nd) story additions, proof of structural integrity of lower level and footings by a licensed engineer shall be provided.
- Wetland delineation report and soil conditions report if deemed necessary by City Staff
- Any other information City Staff may request

Submitted Subsequent to City Council Approval

- Variance Agreement for signature and recording if variance is approved by City Council

Additional Notes

- The City Council meets on the first (1st) and third (3rd) Wednesday of the month.
- The Planning Commission meets on the fourth (4th) Tuesday of the month.
- Make sure you give yourself enough time to receive approvals from all reviewing agencies.
- If the variance takes place on a wetland, than you may have to fill out the Joint Application Form for Activities Affecting Water Resources in Minnesota

CONTACT LISTS FOR REVIEW OF DEVELOPMENT PROJECT

If the box is checked, you must provide a letter of approval, copy of minutes, or other documentation as it relates to your project to the City of East Bethel Planning/Building Department as part of your application for submittal.

<p><u>CITY</u></p> <p><input type="checkbox"/> Mark Vierling, City Attorney 1809 Northwestern Ave. S. Stillwater, MN 55082 Tel (651) 967-7344 MVierling@eckbergammers.com</p> <p><input type="checkbox"/> Hakanson Anderson Association Attn: Craig Jochum – City Engineer 3601 Thurston Ave. Anoka, MN 55303 Phone: 763-427-5860 craigji@haa-inc.com</p>	<p><u>HIGHWAY/TRANSPORTATION</u></p> <p><input type="checkbox"/> Anoka County, Public Services Division, Highway Department Attn: Jane Rose, Traffic Engineering Manager 1440 Bunker Lake Blvd. Andover, MN 55304-4005 Phone: 763-862-4231 jane.rose@co.anoka.mn.us</p> <p><input type="checkbox"/> MN Department of Transportation-Metro Division, Waters Edge Attn: Development Review Coordinator 1500 West County Road B-2 Roseville, MN 55113-3174 Phone: 651-234-7500</p>
<p><u>JOINT APPLICATION REQUIRED (WETLANDS/WATERWAYS)</u></p> <p><input type="checkbox"/> Anoka Conservation District Attn: Becky Wozney 1318 McKay Dr NE, Ste 300 Ham Lake, MN 55304 Tel (763) 434-2030, ext. 14 becky.wozney@anokaswcd.org</p> <p><input type="checkbox"/> MN Dept of Natural Resources Attn: Area Hydrologist 1200 Warner Road St. Paul, MN 55106-6796 Phone: 651-259-5802</p> <p><input type="checkbox"/> MN Dept of Natural Resources Attn: Ecological Services 1200 Warner Road St. Paul, MN 55106-6796 Phone: 651-259-5755</p> <p><input type="checkbox"/> Watershed Management Organization – Upper Rum River Attn: Calvin Bahr Phone: 612-306-1483 ckbahr@g.com</p> <p><input type="checkbox"/> Dennis Rodacker Board of Water & Soil Resources Phone: 651-296-6736 dennis.rodacker@state.mn.us</p> <p><input type="checkbox"/> U.S. Army Corps of Engineers Attn: Rachel A Nuetzel 180 Fifth St East, Ste 700 St. Paul, MN 55101 Phone: 651-290-5282 rachel.a.nuetzel@usace.army.mil</p> <p><input type="checkbox"/> Sunrise Watershed Management Organization Attn: Leon Mager, Vice Chair 19511 E. Tri Oak Cir Wyoming, MN 55092 Phone: 763-434-9652 LAM3@ISD.net</p>	

Planning Commission Deadlines for 2018

Application Deadline (30 days prior to PC meeting)	Planning Commission Meeting	60 days from App Deadline	120 days from App Deadline
		City Council must act by this date or city must file for an extension	City Council must act by this date
		These dates are if they submitted the application on the application deadline. Please watch for early submittals.	
December 24, 2017	January 23, 2018	February 22, 2018	April 23, 2018
January 28, 2018	February 27, 2018	March 29, 2018	May 28, 2018
February 25, 2018	March 27, 2018	April 26, 2018	June 25, 2018
March 25, 2018	April 24, 2018	May 24, 2018	July 23, 2018
April 22, 2018	May 22, 2018	June 21, 2018	August 20, 2018
May 27, 2018	June 26, 2018	July 26, 2018	September 24, 2018
June 24, 2018	July 24, 2018	August 23, 2018	October 22, 2018
July 29, 2018	August 28, 2018	September 27, 2018	November 26, 2018
August 26, 2018	September 25, 2018	October 25, 2018	December 24, 2018
September 23, 2018	October 23, 2018	November 22, 2018	January 21, 2019
October 28, 2018	November 27, 2018	December 27, 2018	February 25, 2019
November 18, 2018	December 18, 2018	January 17, 2019	March 18, 2019

Planning Commission meetings are held on the 4th Tuesday of the month.

City Council meetings are held on the 1st and 3rd Wednesdays of the month.