



VARIANCE PROCEDURES AND APPLICATION REQUIREMENTS

WHAT IS A VARIANCE?

A variance is a legally permitted deviation from the provisions of the Zoning Code as deemed necessary by the Planning Commission and City Council when the strict interpretation of the Code would cause the landowner “practical difficulties.” For a variance to be granted, the City must find that the strict interpretation of the Zoning Code is impractical because of circumstances related to lot size, shape, topography or other unique characteristics of the property. However, it must be determined that the variance will still be within the spirit of the Arden Hills Zoning Code and the essential character of the neighborhood.

CITY REVIEW PROCEDURE:

1. Applicant reviews proposal with City Planner before plans are finalized.
2. Applicant submits complete application and submission documents to City.
3. Planner prepares written review of application for Planning Commission and City Council (City Attorney, Engineer, Building Inspector and Fire Chief may also prepare reviews depending on issues involved in application).
4. Planner notifies all properties within 350 of subject property
5. Planning Commission reviews proposal and makes recommendation to City Council.
6. City Council reviews application and takes action.
7. City Staff processes any necessary permits.

CRITERIA FOR REVIEW:

The variance procedure in the Arden Hills Zoning Code (Section 1355.04 Subd 4) and Minnesota Statutes 462.357 Subd. 6, requires the City to consider six matters when evaluating Zoning Code variance applications:

1. The property in question cannot be put to a reasonable use if used under conditions allowed by the official controls;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner;
3. The deviation from the Ordinance with any attached conditions will still be in keeping with the spirit and intent of the Ordinance;
4. The variance will not create a land use not permitted in the zone;
5. The variance will not alter the essential character of the City;
6. The variance is not for economic reasons alone;

Depending on the application, the City may include other evaluation criteria as deemed necessary. Responses to the above six criteria must be referenced in a written statement describing the project proposal.

SAVE FILE TO COMPUTER BEFORE FILLING OUT

INFORMATION REQUIREMENTS:

The application and supporting documents must be submitted at least thirty days before the Planning Commission meeting, which is held the first Wednesday after the first Monday of each month. Please review the project checklist to ensure that all required materials have been submitted. A certificate of Survey is required for all variance applications. In some cases, the City may waive the survey requirement and allow the submittal of a Site Plan. The full Zoning Code is available online at www.cityofardenhills.org.

Please provide the following information with your completed Land Use Application. To seek a waiver of any item, please contact the City Planner.

Project Checklist			
Complete	Incomplete	N/A	
			Required Project Information:
			Completed Land Use Application
			A letter addressed to the Planning Commission describing the proposal, why the City should approve the request, and how the application meets the six hardship criteria, as outlined above in "hardship criteria."
			Fee
			No outstanding violations
			Certificate of Survey or Site Plan*
			30 11"x17", Z-Folded, and one electronic copy in PDF format
			Size of parcel and dimensions
			All existing structures, their square footage, dimensions, height, distance from the property lines and setbacks (including right-of-way, and lake)
			All proposed structures, their square footage, dimensions, height, distance from the property lines and setbacks (including right-of-way, and lake)
			Calculation of total existing and proposed building coverage
			Calculation of existing and proposed impervious/hard surface coverage/landscape area
			Fences and retaining walls
			Adjacent streets, rights-of-way, and easements
			Shoreland boundary (including official OHW elevation)
			Wetland boundary
			Name of surveyor, date, license number, scale, and north arrow
			Other Considerations**:
			Illustrations and elevation images of the proposed project
			Landscaping plan
			Tree Survey and Tree Preservation Plan
			Drainage/stormwater management plan
			Signs
			Other plans, as appropriate to request
*Unless waived by the City Planner or Planning Commission, a full survey is required.			
**Please contact the City Planner to determine if other plans will be required.			

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