



VARIANCE APPLICATION
CITY OF EMPIRE
Dakota County, Minnesota

1. Obtain this Application form from the Clerk-Administrator or at the City Hall.
2. Complete the application, including fees, and provide any detailed documentation necessary (e.g. building plans, site plans, surveys and air photos) to illustrate the requested action.
 - A public hearing will be scheduled before the City Council.
 - Appear before the City of Empire Planning Commission for informal review and comment.
 - A notice for the Public Hearing must be published in the official City newspaper at least 10 days prior to the scheduled public hearing date.
 - A notification of the hearing to adjacent property owners within 350 feet of the subject parcel, or the nearest ten property owners, whichever is greater, will be made.
3. The City Council must take action on the Application within 60 days of receipt of a completed application, unless the review period is extended in writing to 120 days.
4. The decision on the variance will be based upon statutory findings required, the informal recommendations of the Planning Commission, particular circumstances of the variance petition, and consistency with all ordinance requirements.

Responsibility for Costs

The City of Empire has adopted ordinances that require reimbursement of costs associated with the review of any variances, permit requests, subdivisions, development reviews, ordinance amendments or comprehensive plan amendments under consideration by the City. These costs may include planning, engineering and legal fees. Payment of fees associated with reviews, in addition to the permit fees, will be the responsibility of the applicant, and payment will be required prior to final approval by the City of Empire.

The Planning Commission meets the 1st and 3rd Tuesdays of the month at 8:00 p.m. The City Council meets the 2nd and 4th Tuesdays at 8:00 p.m. All meetings are held at the Empire City Hall, 3385 197th Street West. Phone (651) 463-4494 Fax (651) 463-4620

VARIANCE APPLICATION
The City of Empire
Dakota County, MN

Applicant: _____ **Phone:** () _____
Last Name First MI

Property Address: _____

Owner (If different from applicant): _____

Legal Description of Property:

Section: _____ **City:** _____ **Range:** _____

Metes and bounds description attached: _____

Lot: _____ **Block:** _____ **Addition:** _____

Existing Zoning: _____

In considering the Variance request, the City will review all relevant regulations in the City of Empire Zoning Ordinance and evaluate the Variance application with respect to the following criteria found in Section 6.61-6.62 of the City Zoning Ordinance:

1. Exceptional or extraordinary circumstances apply to a property which do not apply generally to other properties in the same zone or vicinity, and which result from lot size or shape, topography, or other circumstances over which the owners of the property have had no control;
2. That literal interpretation of the provisions of this Ordinance would deprive the application of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
3. That the special conditions or circumstances do not result from the actions of the applicant, and economic considerations alone do not constitute a hardship;
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to others of other lands, structures, or buildings in the same district; and
5. The variance will not allow any use that is not permitted under this Ordinance for a property in the zone in which the affected applicant’s land is located.

Please prepare any commentary relevant to each of the above criteria.

1. _____

2. _____

3. _____

4. _____

5. _____

Non-refundable Application Fee: \$250.00
Consultant Escrow: \$500.00
Total: \$750.00

AGREEMENT: I hereby certify that the information contained herein is correct, and agree to pay all reasonable costs in excess of the escrow above that are incurred by the City of Empire for professional consultants to review the application.

Dated: _____ Signature of Applicant: _____

Signature of Owner (If different from applicant): _____

Application and Fee Received: _____