



## CROW WING TOWNSHIP VARIANCE APPLICATION

Please read the variance application in its entirety before submitting the application. Applications must be submitted 30 days before the Planning Commission meeting.

### **WHAT IS A VARIANCE?**

A variance is a legally permitted deviation from the provisions of the ordinance as deemed necessary by the Planning Commission when the strict interpretation of the Ordinance would create undue hardship and be impractical because of circumstances related to lot size, shape, topography or other characteristics of the property. The deviation from the Ordinance, with any attached conditions, must still be in keeping with the spirit and intent of the Ordinance. Variances cannot be given to create a land use that is not permitted in a zone.

The Planning Commission must consider the following when evaluating a variance application:

1. Is the variance request in harmony with the purposes and intent of the Land Use Ordinance?
2. Is the variance consistent with the Comprehensive Plan?
3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
4. Is the need for a variance due to circumstances unique to the property and not created by the property owner?
5. Will the issuance of a variance maintain the essential character of the locality?
6. Does the need for a variance involve more than economic considerations?

**APPLICATION:**

- A. Applicant shall complete Variance Application provided by Zoning Administrator and submit to Zoning Administrator 30 days prior to scheduling public hearing.
- B. Application shall be accompanied by nine (9) prints of site plan drawing complete with, as a minimum, the information from Variance Checklist.
- C. Application shall be accompanied by application fee made payable to Crow Wing Township. This fee does not cover the Land Use Permit, which must be filed separately, if necessary.
- D. The Planning Commission holds their monthly meeting on the first Monday of the month at 6:00 PM at Town Hall. Meetings are held as needed, so coordinate with the Zoning Administrator for placement on the agenda.

**REVIEW:**

- A. The Zoning Administrator reviews the application for completeness and assigns a reference number to the application, plans, and any other attachments. The applicant will be notified within ten days if additional information is required to complete the application.
- B. After receipt of a completed Variance Application and supporting documents, the Zoning Administrator shall schedule a public hearing date on the Planning Commission's agenda for the earliest possible opening. Applicant will be notified by mail of the date and time of the public hearing.
- C. The Zoning Administrator will prepare a Staff Report on the application.
- D. The Township Fee Schedule is based on average processing and review costs for all applications. When costs exceed the original application fees, the applicant shall reimburse the Township for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the Township may need to obtain in reviewing permits. The Township may withhold final action on any application and/or hold the release of such permits until all fees are paid.

**ACTION:**

- A. The Planning Commission shall hold a public hearing on the variance application.

B. At the conclusion of the public hearing, and after consideration of the testimony presented, the Planning Commission shall make a decision on the application. The application can be approved, denied, or tabled in order to gather additional information.

C. Appeals of the Planning Commission decision are made to the Town Board.

**CROW WING TOWNSHIP - VARIANCE APPLICATION**

Name of Applicant \_\_\_\_\_

Property Address (E911#) \_\_\_\_\_

Mailing Address \_\_\_\_\_  
(if different than above)

City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_ Local Phone \_\_\_\_\_

Email \_\_\_\_\_

Applicant is: Legal Owner ( ) Contract Buyer ( )

Option Holder ( ) Agent ( )

Other \_\_\_\_\_

Title Holder of Property (if other than applicant)

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Signature of Owner, authorizing application (required )

\_\_\_\_\_  
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner):

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(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Property ID # (15 digit # on Tax Statement)

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Zoning District \_\_\_\_\_

What are you proposing for the property? State nature of request in detail:

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What changes (if any) are you proposing to make to this site?

Building: \_\_\_\_\_

Landscaping: \_\_\_\_\_

Parking/Signs: \_\_\_\_\_

APP # \_\_\_\_\_

Date \_\_\_\_\_

Fee \_\_\_\_\_

(for office use only)

The applicant should be prepared at the public hearing to explain the unique hardship for the proposed variance. A hardship is defined as a condition whereby the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if reasonable use for the property exists under the terms of the Ordinance. Please complete all of the following questions:

(1) What are the unique circumstances of the parcel size, shape, topography or other characteristics that make strict interpretation of the Ordinance impractical?

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(2) How is granting this variance consistent with the intent of Crow Wing Township's Land Use or Subdivision Ordinance?

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(3) How will reasonable use of the parcel be deprived if the variance is not granted?

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(4) What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

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(5) Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

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(6) Describe character of the area and the existing patterns and uses of development in the area.

How is this proposal consistent with those patterns and uses?

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(7) Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Describe if additional facilities will be required.

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(8) Describe the impact on the character of the neighborhood in which the property is located.

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(9) Describe the impact to traffic on roads and highways in the vicinity, and expected traffic generated by this application. Is there adequate parking available to accommodate the proposal?

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(10) Discuss any environmental limitations of the site or area.

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(11) Please include any other comments pertinent to this request.

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#### CHECKLIST

\_\_\_\_\_ Completed application, including signature of property owner, and fee

\_\_\_\_\_ Send application electronically to Zoning Administrator

\_\_\_\_\_ Nine prints of the site plan (11" x 17" maximum size, 8.5" x 11" preferred)

\_\_\_\_\_ Sewer Compliance Inspection Report (if ISTS)

\_\_\_\_\_ All current Township charges paid

\_\_\_\_\_ No outstanding violations

\_\_\_\_\_ Site plan as close to scale as possible with the following information, as a minimum (unless waived by P&Z Administrator)\*:

\_\_\_\_\_ Legal Description of Site

\_\_\_\_\_ Size of parcel and dimensions

\_\_\_\_\_ All existing structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other

\_\_\_\_\_ All proposed structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other

\_\_\_\_\_ Location on the parcel of existing and proposed sewage treatment systems (ISTS) and wells and their distance from property lines, structures and each other

\_\_\_\_\_ Existing and/or proposed square footage of the driveway (gravel and paved), access roads, parking, sidewalks

\_\_\_\_\_ Proposed landscaping, screening and drainage plans (required)

\_\_\_\_\_ Location of the subject property (a copy of the tax map can be used)

\_\_\_\_\_ Name of record owner/title holder of property

\_\_\_\_\_ Approximate location of existing and proposed water courses, wooded areas, and other significant physical features

\_\_\_\_\_ Approximate location of any proposed signs

\* Under certain circumstances, the Planning Commission may require a professionally prepared property survey, stormwater management plan, and/or landscaping plan.

REVISED: JANUARY, 2023