



VARIANCE APPLICATION

CASE NUMBER _____ DATE _____

FEE PAID _____

City of Edina Planning Department * www.cityofedina.com
4801 West Fiftieth Street * Edina, MN 55424 * (952) 826-0369 *
fax (952) 826-0389

FEE: RES - \$500.00 NON-RES - \$750.00

APPLICANT:

NAME: _____ (Signature required on back page)

ADDRESS: _____ PHONE: _____

EMAIL: _____

PROPERTY OWNER:

NAME: _____ (Signature required on back page)

ADDRESS: _____ PHONE: _____

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):

**You must provide a full legal description. If more space is needed, please use a separate sheet.
Note: The County may not accept the resolution approving your project if the legal description does not match their records. This may delay your project.

PROPERTY ADDRESS: _____

PRESENT ZONING: _____ P.I.D.# _____

EXPLANATION OF REQUEST:

(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: _____ PHONE: _____

EMAIL: _____

SURVEYOR: NAME: _____ PHONE: _____

EMAIL: _____

Minnesota Statutes and Edina Ordinances require that the following conditions must be satisfied affirmatively. Please fully explain your answers using additional sheets of paper as necessary.

The Proposed Variance will:

YES

NO

Relieve practical difficulties in complying with the zoning ordinance and that the use is reasonable

Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district

Be in harmony with the general purposes and intent of the zoning ordinance

Not alter the essential Character of a neighborhood

Detailed Application Requirements: Unless waived by the Planning Department, you must complete all of the following items with this application. An incomplete application will not be accepted.

- ___ Completed and signed application form.
- ___ Application fee (not refundable). Make check payable to “City of Edina.”
- ___ One (1) Copy of drawings to scale.
- ___ Five (5) 11x17 copies of drawings, including elevations and survey, photographs and other information to explain and support the application. Copies must be collated.
- ___ A current survey is required. Please refer to “Exhibit A.”
- ___ Grading, drainage, erosion control and stormwater management plan. Grading plan must include existing and proposed two-foot contours, and location and size of pipes and water storage areas. The grading and erosion control plan along with a stormwater management plan must be signed by a licensed professional engineer. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system.
- ___ Variance requests require scale drawings to explain and document the proposal. The drawings are not required to be prepared by a professional, but must be neat, accurate and drawn to an acceptable scale. The drawings may vary with the proposal, but should include a site plan, floor plans and elevations of the sides of the building which are affected by the variance.
- ___ Elevation drawings of all new buildings or additions and enlargements to existing buildings including a description of existing and proposed exterior building materials. **For single-family home projects, elevations drawings must include a rendering of the proposed home AND the existing homes on either side as seen from the street.**

VARIANCE GUIDELINES AND APPLICATION INFORMATION

The City of Edina Planning Department encourages healthy development within the city of Edina. Although this document is meant to serve as a guide for the application process for development through the Planning Department it is by no means comprehensive. The Planning Staff recommend that you schedule a meeting to answer any questions or to discuss issues that may accompany your project. It is much easier to tackle problems early on in the process. The office number for the Planning Staff is (952) 826-0465.

Variance Information

The Edina Planning Commission has been established to consider exceptions (variances) from the Land Use, Platting and Zoning Ordinance (Chapter 36), the Antenna Ordinance (Chapter 34), the Sign Ordinance (Chapter 36) and the Parking and Storage of Vehicles and Equipment Ordinance (Chapter 26).

The variance procedure is a “safety valve” to handle the unusual circumstances that could not be anticipated by these ordinances. The Commission is charged to only grant a petition for a variance if it finds:

1. That strict enforcement of the ordinance would cause practical difficulties because of circumstances unique to the petitioner’s property

2. That the granting of the variance is in keeping with the spirit and intent of the ordinance.
3. Would not alter the essential character of the neighborhood.

“Practical Difficulties” means that:

1. The property in question cannot put to a reasonable use as allowed by the ordinance
2. The plight of the petitioner is due to circumstances unique to his/her property which were not created by the petitioner
3. The variance, if granted, will not alter the essential character of the property or its surroundings.

**Economic considerations alone shall not constitute an undue hardship if reasonable use for the petitioner’s property exists under the terms of the ordinance.

Application: Applications are submitted to the Planning Department. Offices are open Monday through Friday, 8 AM to 4:30 PM.

Deadlines for Applications: Applications need to be submitted at least **thirty days** before the meeting. This allows the City of Edina time to notify surrounding property owners of the date of the hearing and details of the variance. It is helpful to submit the application as soon as possible to secure an early hearing position.

Notice of Public Hearing: Notice is mailed to all property owners (of record at City Hall) that are located within 200 feet of the site. Notice is mailed ten (10) days prior to the hearing. You are encouraged to contact adjacent or close owners and advise them of your proposal prior to the notice of the hearing. You may wish to provide statements of “no objection to the variance” from the nearby property owners.

Meetings and Public Hearings: Meetings of the Planning Commission are scheduled on the second and fourth Wednesday of each month. The meetings are held at 7:00 pm in the Edina City Hall Council Chambers, 4801 West 50th Street. ***Each meeting is limited to five variance cases on a first come, first serve basis.*** Additional requests are delayed until subsequent meetings. Meetings are formal public hearings with a staff report, comments from the proponent and comments from the audience. It is important the owner or a representative attend the meeting to answer questions.

Staff Report: After review of the drawings submitted and a visit to the site staff prepares a report. This report, along with any supporting drawings and materials, are sent to the Zoning Board in advance of the meetings. Board members may visit the site before the meeting. All plans, emails and written information are public information, and may be used in the staff report and distributed to the public.

Board Membership: The Planning Commission serves as the Zoning Board. Five members are required for a quorum.

Decisions by the Planning Commission: The Planning Commission may approve, deny or amend the variance request and establish conditions to ensure compliance or protect surrounding property owners. The Planning Commission generally makes a decision at the scheduled hearing. Occasionally, however, a continuance to another meeting may be necessary.

Appeals: Decisions of the Planning Commission are final unless appealed to the City Council in writing within 10 days. The proponents, any owner receiving notice of the hearing or the staff may appeal decisions. Appeals are rare and they can be time consuming because a new hearing is required before the full City Council. Appeals must be filed with the City Clerk.

Legal Fee: It is the policy of the City to charge applicants for the actual cost billed by our attorneys for all legal work associated with the application. An itemized bill will be provided which is due and payable within thirty (30) days.

**** Filing an Approved Variance:** The applicant is required to file an approved variance resolution with the County. Documents necessary for filing will be provided by the Planning Department.

APPLICANT’S STATEMENT

This application should be processed in my name, and I am the party whom the City should contact about this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the City by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other City approvals that have been granted to me for any matter.

I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

Applicant's Signature **Date**

OWNER’S STATEMENT

I am the fee title owner of the above described property, and I agree to this application.

(If a corporation or partnership is the fee title holder, attach a resolution authorizing this application on behalf of the board of directors or partnership.)

Owner’s Signature **Date**

Note. Both signatures are required (if the owner is different than the applicant) before we can process the application, otherwise it is considered incomplete.