

# City of Loretto

279 N. Medina Street, Suite 260

PO Box 207, Loretto, MN 55357

[mschneider@ci.loretto.mn.us](mailto:mschneider@ci.loretto.mn.us)

Phone: 763-479-4305 fax: 763-479-2685

## VARIANCE ADDENDUM

**Complete this form only if you are requesting a variance. Attach additional documentation as necessary and submit to the City Clerk along with a completed Planning and Zoning Application form.**

### Description of Variance Requested:

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**Variance History:** Use this area to describe any past variances on the property as well as any neighboring properties that are relevant to your request. Attach copies of resolutions authorizing prior variances.

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## STANDARDS FOR VARIANCES

### Loretto City Code 420:61 VARIANCES

#### Subdivision 1.

- (a) Purpose: The purpose of a variance is to provide for deviations from the literal provisions of the Zoning Ordinance in instances where their strict enforcement would cause "practical difficulties" because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the Zoning Ordinance and Comprehensive Plan.
- (b) Practical Difficulties:
1. Definition: "Practical difficulties" as used in connection with the granting of a variance means that:
    - a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.
    - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner
    - c. The variance, if granted, will not alter the essential character of the locality.
  2. Economic Considerations. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

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- (c) Criteria: The City Council shall not approve any variance request unless it finds that failure to grant the variance will result in practical difficulties and that the following criteria has been met:
1. The variance would be consistent with the Comprehensive Plan
  2. The variance would be in harmony with the general purpose and intent of the Zoning Ordinance
  3. The purpose of the variance is not based exclusively upon economic considerations.
  4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
  5. The granting of the variance will not alter the essential character of the neighborhood in which the parcel of land is located.
  6. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.
  7. The proposed variance does not involve a use that is not allowed within the respective zoning district.

**EVALUATION      please fill out the section below**

1. Describe why the proposed use is reasonable

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2. Describe circumstances unique to the property and why the need for a variance is not created by the landowner.

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3. Describe why the variance, if granted, will not alter the essential character of the neighborhood.

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4. Describe why the need for a variance is not solely based on economic conditions.

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### APPLICATION REQUIREMENTS

**Subdivision 2.** The person applying for a variance must fill out and submit to the city clerk a variance application form and pay the required fee as established by council resolution. A site plan must be attached at a scale large enough for clarity showing the following information:

- a) Location and dimensions of lot lines, buildings, driveways, and off-street parking spaces;
- b) Distances between buildings and front, side and rear lot lines; principal buildings on adjacent lots;
- c) Location of any signs, easements, underground utilities, septic tanks, tile fields, water wells, and similar features; and
- d) A survey, or other information, as may be reasonably required at the request of the city.

### REVIEW PROCESS

**Subdivision 3.** After a complete formal application is received, a date shall be set for a public hearing before the city council. Notice of the time, place and purpose of the hearing shall be published once in the official newspaper and sent by mail to all the owners of property located within 350 feet of the outer boundaries of the land to which the variance will be applicable, at least ten days prior to the public hearing. The city council shall make a decision within 60 days after receipt of a completed application, unless written notice of an extension is provided to the applicant, or the applicant agrees to the extension.

### VARIANCE TERM

**Subdivision 4.** Any variance granted by the council is valid for one year and must be used within such period of time. After such period, the variance is null and void and is no effect unless the council grants an extension upon the request of the variance holder prior to the expiration of the year.

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**CONDITIONS**

**Subdivision 5.** The city may impose such other conditions on any variance that it considers reasonable and necessary to protect the public interest and ensure compliance with the standards and purposes of the zoning code and comprehensive plan.

**OWNER'S STATEMENT**

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

**Owner's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**APPLICANT'S STATEMENT**

This application should be processed in my name, and I am the party whom the city should contact about this application. 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** \_\_\_\_\_