

**AVON TOWNSHIP
STEARNS COUNTY, MINNESOTA
16881 Queens Road, Avon MN 56310**

VARIANCE APPLICATION

Property Owner(s):

Mailing Address:

Phone: _____ **email:** _____

Parcel #: _____ **Township 125 Range 030 Section** _____

Zoning District: _____

Property Address *(if different than mailing address):*

Legal Description: *(full legal description required, i.e., copy of Deed)*

STAFF TO COMPLETE

Applicant requests variance from Section(s) _____ of Avon Township Ordinance(s) No(s) _____ . The intended use that does not comply with the ordinance(s) is:

APPLICANT TO COMPLETE

State the reason for requesting a variance. Include an explanation of why the strict enforcement of the ordinance(s) will cause an unnecessary hardship, and/or why the strict conformity of the standards are unreasonable, impractical, or not feasible under the circumstances.

I hereby swear / affirm that the information supplied to Avon Township is accurate and true. I acknowledge that this application is rendered invalid and void should the Township determine that information supplied by me, the applicant, in applying for this variance, is inaccurate or untrue.

Signature: _____
Property Owner

Dated: _____

Criteria for Granting a Variance Include:

1. No excessive burdens on existing parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the area.
2. Sufficiently compatible with or separated by distance or screening from adjacent agriculturally or residentially zoned or used land so that existing property will not be depreciated in value and there will be no deterrence to development of adjacent land.
3. The structure and site appearance will not have adverse effect upon adjacent properties.
4. Use is reasonably related to the existing land use.
5. Use is consistent with the purpose of Zoning Ordinance and Zoning District.
6. Use is not in conflict with the land use plan of the Township.
7. Use will not create traffic hazards or congestion
8. Use is in harmony with the general purpose and intent of the applicable ordinances
9. Use is consistent with the comprehensive plan
10. Use is necessary to alleviate practical difficulties or particular *hardship resulting from strict enforcement of the applicable ordinance? A hardship means that the property cannot be put to reasonable use if forced to comply with the requirements of the applicable ordinance; the plight of the landowner is due to circumstances unique to the property and not created by the property owner or a previous owner; and the variance, if granted, will not alter the essential character of the locality.
11. Use does not involve only economic hardship.

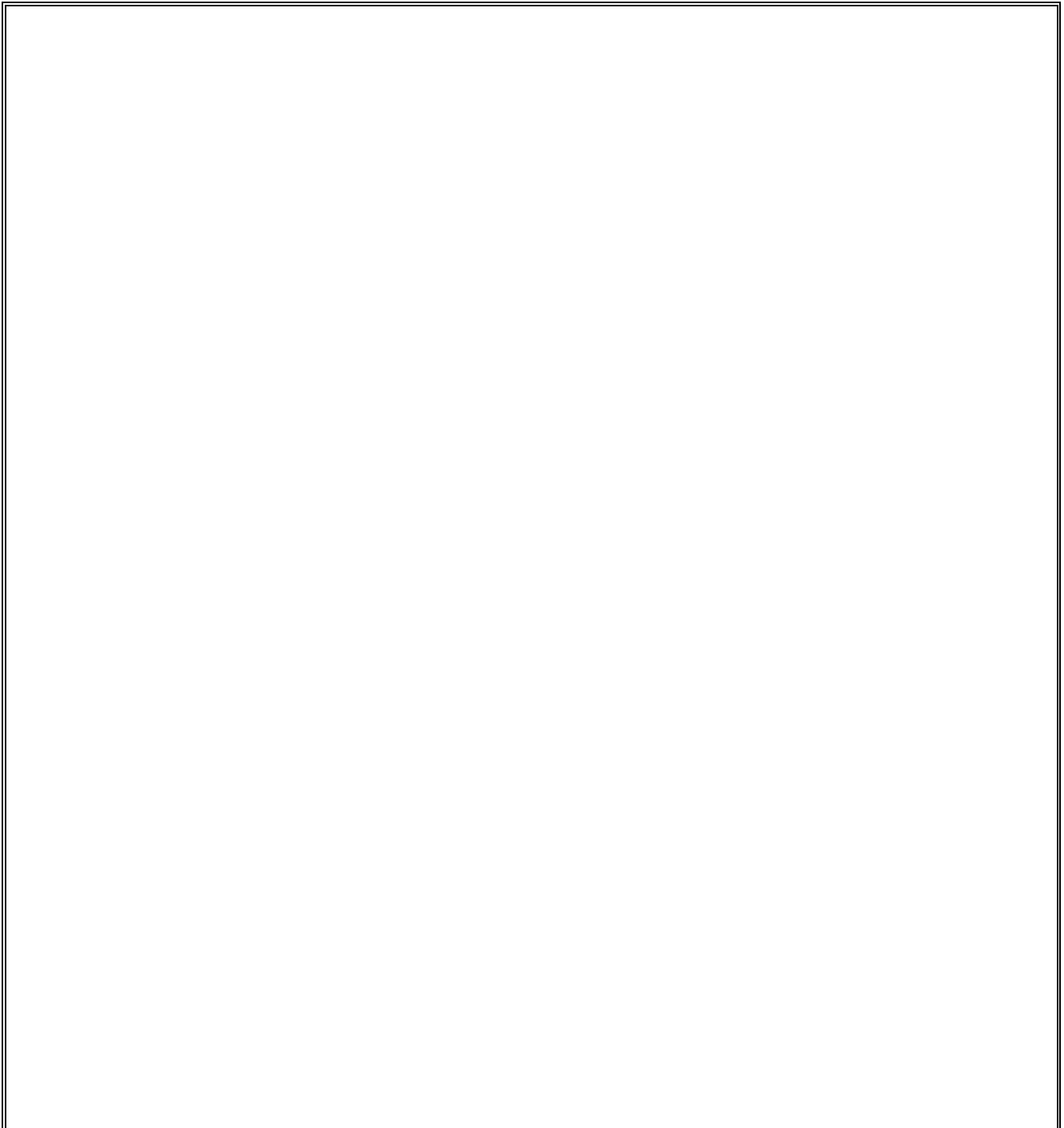
Fee: (Non-Refundable): \$ _____

Receipt No. _____

**AVON TOWNSHIP
VARIANCE APPLICATION – SITE PLAN**

Provide a sketch (*in the box below*), aerial photograph, plat, or other map that shows:

1. Dimensions of site.
2. Dimensions and location of structures
3. Setbacks from road rights-of-way, property lines and easements.
4. Locations of sewage treatment system and well(s).

A large, empty rectangular box with a thin black border, intended for the applicant to provide a sketch, aerial photograph, plat, or other map as required by the instructions above.

Avon Township Planning Commission VARIANCE RECOMMENDATION

**Stearns County
State of Minnesota
IN RE: Variance Request**

Administrative Information

_____ (name) applied for a variance from Section(s) _____ of Avon Township Ordinance(s) N(s) _____. The intended use that does not comply with the ordinance(s) is:

Property Legal Description: *(append if necessary)*

Parcel ID#:

Township 125 Range 030 Section _____

On _____ (date) the Planning Commission of Avon Township met and held a public hearing to consider this Variance request. Said public hearing was duly noticed by publication, posting and mail. Based on the application and evidence received at the above said hearing the Planning Commission makes the following findings of fact and recommendation.

FINDINGS OF FACT

1. The applicant is requesting a variance (see above)
2. The legal description of the property is as above.
3. The property is currently zoned _____.
4. The Planning Commission has considered the findings (appended).

RECOMMENDATION

The Planning Commission of Avon Township recommends to the Board of Supervisors of Avon Township that the application of _____ for a Variance to

_____ at their property at _____, MN, be:

_____ Approved _____ Denied *(Findings Of Fact appended)*

The Planning Commission recommends that the approval be conditioned on the following stipulations:

- 1.
- 2.
- 3.

The Planning Commission recommends disapproval for the following reasons:

- 1.
- 2.
- 3.

APPROVAL

Avon Township Chair (*sign*)

Avon Township Chair (*print*)

ATTEST

(*sign*)

Date

(*print; include title*)

{ Avon Township Seal }

Findings of Facts - Variances

Name of Applicant(s):
Variance Request:

Date:

A variance may be granted only where the strict enforcement of township controls will result in unnecessary hardship. A determination that a “hardship” exists is based upon the consideration of the following criteria:

| Findings | PC Member Response (name; yes/no) | | | | | Summary (yes/no) |
|--|--------------------------------------|--|--|--|--|---------------------|
| Is the proposed use allowed in the zoning district in which the subject property is located? Yes/No | | | | | | |
| Is the variance in harmony with the general purpose and intent of the applicable ordinance(s)? Yes/No | | | | | | |
| Are terms of the variance consistent with the comprehensive plan? Yes/No | | | | | | |
| <i>The variance may be granted to alleviate practical difficulties or particular hardship* resulting from strict enforcement of the applicable ordinance as determined by the following:</i> | | | | | | |
| The property owner proposes to use the property in a reasonable manner? Yes/No | | | | | | |
| The plight of the landowner is due to circumstances unique to the property and not created by the property owner or a previous owner? Yes/No | | | | | | |
| The variance, if granted, will not alter the essential character of the locality? Yes/No | | | | | | |
| The need for the variance involves more than economic hardship? Yes/No | | | | | | |

**AVON TOWNSHIP
VARIANCE DECISION**

**STATE OF MINNESOTA
COUNTY OF STEARNS
TOWNSHIP OF AVON**

FILE # _____

In the matter of:

A request for a Variance submitted by _____ from **Section ____** of
AVON TOWNSHIP LAND USE AND ZONING ORDINANCE NUMBER # _____ to:

The above matter, regarding the request for a Variance for the following described parcel,
was heard before the Avon Township Board of Supervisors on the _____ day of
_____, _____.

Legal Description: *(append)*

Parcel I.D. #: _____ **Township 125 Range 030 Section _____**

Property address:

IT IS ORDERED that the Variance be denied / granted and subject to the following conditions:

APPROVAL

Avon Township Chair *(sign)*

Avon Township Chair *(print)*

ATTEST

(sign)

Date

(print; include title)

Avon Township Seal}

Drafted by:
Avon Township; 16881 Queens Road, Avon, MN 56310
May 2019