

City of Blue Earth Planning Commission

FINDINGS OF FACT SUPPORTING or DENYING A VARIANCE REQUEST

Date:

Name of Applicant:

Variance Application #:

Variance Type: Area ____ or Use* ____

*No Use Variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

Description of Request: _____

A Variance may be granted only where the strict enforcement of City zoning controls will result in "practical difficulties." A determination that a "practical difficulty" exists is based upon consideration of the following criteria:

1. Variances shall only be permitted when they are in harmony with the general purposes and intent of the Zoning Ordinance and when they are consistent with the Comprehensive Plan.
 - 1a. Is this variance consistent with and supported by the purpose of the Comprehensive Land Use Plan? Yes ____ No ____

 - 1b. Is this variance consistent with and supported by the purpose of the Zoning Ordinance? Yes ____ No ____

 - 1c. If in shoreland, variance is consistent with and supported by the MN Shoreland Management Rule. Yes ____ No ____ Not Applicable ____

2. ONLY ANSWER IF REQUEST IS FOR A USE VARIANCE: Does the property owner propose to use the property in a reasonable manner which is not otherwise permitted by the ordinance? Yes ____ No ____ Not Applicable ____

3. In order for a Variance to be granted, there must be practical difficulty that exists. In this case,
 - 3a. Are the circumstances for which this variance is being applied for unique to the property and NOT created by the landowner? Yes ____ No ____ Not Applicable ____

3b. Are the circumstances for which this variance is being applied for due to changes or updates to the current Zoning Ordinance? Yes ___ No ___ Not Applicable ___

3c. Are the circumstances for which this variance is being applied for based solely on economic considerations? Yes ___ No ___ Not Applicable ___

3d. Are the circumstances for which this variance is being applied for due to inadequate access to direct sunlight for solar energy systems? Yes ___ No ___ Not Applicable ___

4. Will the issuance of this variance maintain the essential character of the locality? (will the request change the purpose or the appearance of the neighborhood. Refer to question 3 of application)
Yes ___ No ___ Not Applicable ___

5. Will the issuance of this variance result in an adverse effect on the environment? (potentially impact the environment, groundwater, surface water, air quality, or water quality)
Yes ___ No ___ Not Applicable ___

6. Has the applicant adequately presented facts to the Planning Commission sufficient to prove that the criteria to either approve or deny the request has been satisfied? Yes ___ No ___ Not Applicable ___

7. Based on the facts and information presented and completion of the Findings of Facts, the final action of the Planning Commission for this Variance is to:

___ **Approve the Variance with the listed conditions.**

CONDITIONS: Must be directly related to and must bear a rough proportionality to the impact created by the variance.

___ **Deny the Variance.** Reason: _____

Signature, Planning Commission

Date