

# Le Sueur County

## After-The-Fact Variance Application

---

---

**I. Applicant:**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Phone # \_\_\_\_\_

**II. Property Owner (s), if different from above:**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Phone # \_\_\_\_\_

**III. Parcel Information:**

Parcel Number \_\_\_\_\_ Parcel Acreage \_\_\_\_\_  
Legal Description *(full legal description must be attached)* \_\_\_\_\_  
\_\_\_\_\_

**IV. After-The-Fact Variance Request:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**V. A variance may be granted only where the strict enforcement of the County zoning controls will result in a practical difficulty. A determination that a “practical difficulty” exists upon the consideration of the following criteria.**

1. Is the request a substantial variation from the requirements of the zoning ordinance? **Y N**
2. Will the request have an adverse effect on government services? **Y N**
3. Will the requested variance effect a substantial change in the character of the neighborhood or will it result in a substantial detriment to neighboring properties? **Y N**
4. Is there another feasible method to alleviate the need for a variance? **Y N**
5. Did the landowner create the need for the variance? **Y N**
6. Is the variance inconsistent with the Zoning Ordinance and Comprehensive Plan? **Y N**
7. Did the applicant/owner act in good faith to obtain a Variance or comply with the applicable requirements prior to commencing work? **Y N**
8. Did the applicant/owner attempt to comply with the Ordinance by obtaining the proper permits prior to commencing work? **Y N**

**VI. Quantities and Submittal Formats:**

- a. One reproducible 8.5” x 11” copy of the request and all other supporting documents.
- b. If in color, an aerial, or larger than 8.5” x 11” in size, 10 copies must be submitted.
- c. Electronic version of any supporting documents if available.
- d. Additional copies may be requested as deemed necessary by the Planning & Zoning Department.
- e. Application must be made in person by the applicant and/or owner no later than 12 P.M. on the date of application deadline. **Appointment is necessary.** Applications will not be accepted by mail.

**VII. Attachments shall include but not limited to:**

- |                                   |  |
|-----------------------------------|--|
| _____ a. Site Plan- <b>survey</b> | _____ d. Floor plans and/or blue prints <i>(if applicable)</i> |
| _____ b. Full legal description   | _____ e. Septic plans <i>(if applicable)</i>                   |
| _____ c. Access approval          | _____ f. Erosion control plan <i>(if applicable)</i>           |

**VIII. Site Plan-must be a survey:**

Site plan shall include but not limited to:

- |  |                   |  |
|--|-------------------|--|
| • North point  | • lakes           | • existing structures <i>(within and adjacent to project area)</i> |
| • setbacks   | • rivers          | • proposed structures  |
| • property lines   | • wetlands, ponds | • lot dimensions   |
| • road right-of-way  | • streams         | • septic system  |
| • easements  | • well            | • access   |
| • impervious surface <i>(if in shoreland)</i>                        |                   |  |
| • landscape, screening and buffering <i>(if applicable)</i>          |                   |  |
| • location of significant trees to be removed <i>(if applicable)</i> |                   |  |
| • note how disturbed areas will be restored <i>(if applicable)</i>   |                   |  |

**IX. Fee:**

|                  |         |  |
|------------------|---------|--|
| Variance:        | \$ 600  | <b>After-The-Fact Penalty: \$1,500</b>                               |
| Filing Fee:      | \$ 46   | <i>Or 10% of the value of the improvement, whichever is greater.</i> |
| Special Meeting: | \$1,200 | <b>After-The-Fact meeting fees are <u>doubled</u>.</b>               |

**X. Procedure:**

The Board of Adjustment shall hold a public hearing on the proposed Variance at a regularly scheduled Board of Adjustment meeting. The Board of Adjustment has the authority to determine Variance approval or denial. The Planning & Zoning Administrator shall notify the applicant and/or landowner in writing of the Board of Adjustment decision. A zoning permit is required prior to starting construction; however zoning permits will not be available the day of the Board of Adjustment meeting.

**XI. Signatures:**

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*

\_\_\_\_\_  
Applicant signature Date

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*

\_\_\_\_\_  
Property Owner signature Date

**OFFICE USE ONLY**

|                     |                                     |  |
|---------------------|-------------------------------------|--|
| Date received _____ | Present Zoning Classification _____ | Feedlot within <b>500'</b> <b>1000'</b> <b>N</b> |
| Meeting date _____  | Lake Classification _____           | Erosion Control Plan <b>Y</b> <b>N</b>           |
| 60 Day _____        | Lake _____                          | Water courses <b>Y</b> <b>N</b>                  |
| FEMA Panel # _____  | Flood Zone _____                    | Bluff <b>Y</b> <b>N</b>                          |

|                        |                   |                                      |
|------------------------|-------------------|--------------------------------------|
| £ Application complete | £ Ordinance       | £ Septic <b>CI / DESIGN</b>          |
| £ Site Plan -survey    | £ Access approval | £ Fee \$ _____ <b>ATF / SPEC MTG</b> |
| £ Full legal           | £ Blue Prints     | £ Other _____                        |
| £ Erosion Control Plan |                   |                                      |

\_\_\_\_\_  
Planning & Zoning Authority signature Date Permit #  
Revised July 23, 2009