

CITY OF SILVER BAY
VARIANCE APPLICATION

These permits generally are designed for a modification or variation from the provisions of the zoning district in which a property is located. They are typically granted when there are reasons of exceptional circumstances unique to the property which would cause a hardship. Variances require a public notification and hearing in accordance with MN Statutes.

PLEASE READ BEFORE COMPLETING. ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED. Applications must be completed, returned to City Hall, AND APPROVED before any construction can begin. A land use application must be completed and attached to the variance application.

PRINT OR TYPE

Property Address and Legal Description: _____

Lot # _____ Block # _____ Division _____

Lake County Parcel ID # _____

Applicant Name: _____

Owner's Name (if different) _____

Mailing Address _____

Phone (home/mobile) _____ (business) _____

Detailed Description of Request (Attached separate sheet if necessary): _____

What section of the City Code is being asked to vary from:

Chapter _____ Section _____ Subsection _____

State justification for the variance being requested (Attach separate sheet, if necessary): _____

ALL DECISIONS WILL BE FILED AGAINST YOUR DEED.

I hereby certify that I am the owner or authorized agent of the owner of the described property, representative of the existing conditions on the property. I understand this request will result in public notification process and hearing conducted in accordance with Minnesota Statutes. I consent to the site visits by City representatives prior to the hearing. I understand further that falsifications of this application or any attachments thereto will serve to make this application and any subsequent permit invalid.

By signing this application I do hereby certify that all the information is complete and accurate. I further certify that there are no delinquent property taxes, special assessments, penalties, interest and municipal utility fees due on the parcel to which the application relates on the above stated property.

APPLICANT'S SIGNATURE

DATE

PROPERTY OWNER'S SIGNATURE

DATE

Is proof of ownership attached (I.E. the recorded deed)? _____ Yes _____ No

Application Fee (\$250.00): _____ (After the fact fee- \$500)

Applicant is also responsible for Lake County Recording fees.

DO NOT WRITE BELOW THIS LINE

Date Filed:

Administration Review:

Property Currently Zoned:

Exempt from Building Permit: Yes No

Zoning Commission: Approved Denied

Signature

Date

City Council: Approved Denied

Signature

Date

Variance Start Date: _____

End Date: _____

VARIANCE APPLICATION CHECKLIST

This form is completed by the City of Silver Bay and is only used as a guideline.

Name of Applicant: _____
 Property Location: _____
 Permit Number: _____

Please note: If you are planning to change or add to the structure of your property, you will also need to complete a building permit.

- Date Completed
- _____ City received fully completed Variance Permit Application
 - _____ \$250 Application Fee paid to City of Silver Bay
 - _____ Variance recording fee paid
 (Fee is based upon charge from Lake County. This check is to be written to Lake County Recorder and be submitted to the City of Silver Bay with completed Variance Application.)
 - _____ Property markers are located by property owner
 - _____ Copy of property ownership received with application (I.E. recorded deed)
 - _____ Does property have delinquent utilities due? ____ Yes (\$____) ____ No
 - _____ Does property have delinquent taxes due? ____ Yes (\$____) ____ No
 - _____ Lake County Parcel ID _____
 - _____ Zoning Administrator notified and copied
 - _____ Deadline date to issue permit
 (60 days after City receives Variance Application)
 - _____ Application sent to Planning & Zoning to set public hearing
 - _____ Public hearing date set by Planning & Zoning Board
 - _____ Affidavit of Mailing to local citizens
 This includes a copy of the notice sent to property owners & a list of parties the notices were sent to. Notices sent to property owners within 350' for all hearings with the exception of rezoning in which notices will be sent to property owners within 500' of the property in this application. This must be done within 10 days before the public hearing but not more than 20 days.
 - _____ Affidavit of Public Hearing publication
 This must be completed 10 days before the public hearing but not more than 20 days.
 - _____ Public hearing conducted
 - _____ Planning & Zoning: ____ Approved ____ Denied
 Planning & Zoning Chair must sign application
 Reason for denial: _____
 - _____ Council: ____ Approved ____ Denied
 Mayor must sign application
 Reason for denial: _____
 - _____ Date Variance was recorded with Lake County
 - _____ Date Variance permit was issued

PERMITS – GENERAL OVERVIEW

This overview is provided to help ease the questions in the permit process, but is not all encompassing. Each project is different, therefore the Planning & Zoning Commission and/or City Council will determine if there is additional information required. Should you have any questions regarding permits, please contact City Hall at 218-226-4408.

PERMITS REQUIRED FOR ITEMS SUCH AS:

New construction, Alterations/Remodeling Sheds, Fences, Decks, Garages, Maintenance/Repair/Replacement Additions, Repaving of Driveway Approach, Demolition or moving of any building, Signing, Home Occupation, Rezoning

PERMITS MAY NOT BE REQUIRED FOR ITEMS SUCH AS*:

Residing (unless you alter the sheathing), Repaving (unless you repave approach), Window replacement (unless you change size or add windows), Shingling (unless you change physical aspects of the roof), Repairs, Maintenance or minor alterations that do not change the physical dimensions or shape of any building or structure on land, Garage sales (limit 2 per year), telemarketing, business conducted by phone

*Please contact City Hall with questions.

TYPES OF PERMITS THAT NEED TO BE COMPLETE AND REQUIRE FEES:

| | |
|-----------------|---|
| LAND USE | The purpose of a land use permit is to insure setback requirements, impervious surface requirements, variances, special conditions, signage, and zoning changes are adhered to. Application fee is \$50 and is non-refundable. |
| BUILDING | The purpose of the building permit is to insure changes to properties follow appropriate building codes and regulations. Building permit fees are determined upon the valuation of the structure changes. This permit most often is in addition to the Land Use Permit. Application fee is based on valuation and determined by the City. |

CONDITIONS PLACED UPON LAND USE PERMITS THAT REQUIRE PUBLIC NOTIFICATIONS AND HEARINGS. THEY REQUIRE ADDITIONAL FEES AND APPLICATIONS:

| | |
|-----------------------------|--|
| HOME OCCUPATION | For anyone wishing to operate a home-based business for compensation, which houses inventory, and/or generates additional traffic within the neighborhood. There are some occupations that do not require a permit such as Home Retail Parties (Tupperware, Pampered Chef, Jewelry, etc.), Daycares, telemarketing, computer based businesses that do not have public coming to the home, or businesses that are conducted via phone/e-mail. All Home Occupation permits require a public hearing and must be renewed every three (3) years. A pre-application for home occupation permits is required before completing the full Home Use Application. Application fee is \$100. Renewal fee is \$30 / 3 years. |
| CONDITIONAL USE | These permits generally are designed for a specific use of the property as it relates to the zoning district in which the property is located. They may be allowed with specific restrictions set by the City. Additional charges apply. They require a public notification and hearing according to Minnesota Statutes. Application fee is \$250 plus Lake County Filing Fees. |
| VARIANCE | These permits generally are designed for a modification or variation from the provisions of the zoning district in which a property is located. They are typically granted when there are reasons of exceptional circumstances unique to the property which would cause a hardship. Additional charges apply. They require a public notification and hearing according to Minnesota Statutes. The variance is also filed with Lake County. Application fee is \$250 plus Lake County Filing Fees. |
| ZONING CHANGES | Anyone requesting a property zone change must complete the Land Use Application. No "spot zoning" is allowed. Additional charges apply. They require a public notification and hearing according to Minnesota Statutes. The zoning changes are also filed with Lake County. Application fee is \$250 plus Lake County Filing Fees. |
| PLATTING/SUBDIVISION | These are separate from the permit process. |

Permits that require a public hearing must be submitted sixty (60) days prior to the start of the project. All other permit applications should be submitted to the City of Silver Bay at least two (2) weeks prior to the start of the project.