Applying for a Variance can sometimes be a confusing process for many applicants. The Todd County Planning & Zoning staff is happy to help you through this process.

Please note that no permits can be issued, nor any work commence, until the County Board of Adjustment have made their final decision.

Board of Adjustment Meetings are held once a month according to the BOA Meeting schedule. If applications received exceed the number that can be considered for each meeting, they may be moved forward to be scheduled at another meeting.

(1) Completely fill in the attached application form. If you have any questions contact the Todd County P&Z. 320-732-4420. toddplan.zone@co.todd.mn.us

(2) A drawn site plan must be submitted with the application (form attached). A neat sketch that is generally to scale, and shows all of the physical characteristics of your property is especially important. Examples of the physical characteristics we need to see are: accurate property dimensions and shape, accurate shoreline alignment, road centerline and right-of-way, all existing and proposed structures with dimensions, septic system, wells, driveways, vegetation, steep slopes, topographic alterations, wetlands, etc…

(3) Evidence that your existing septic system (if one exists on this parcel) is in compliance. Evidence may either be (1) a copy of a county inspection form that shows septic is less than five years old; or (2) a copy of “Compliance Inspection Form for Existing Individual Sewage Treatment Systems” that is less than three years old. If you do not have either of these, you will need to have your system inspected by a MN-licensed ISTS inspector. If you apply between Nov. 15 – April 15 and the ground is frozen so a compliance inspection cannot be done, then a Septic Compliance/Inspection agreement must be submitted in lieu of a current certificate of compliance. Sewer system information must be included or application will not be accepted.

NOTE: Todd County Zoning Ordinance requires: Any nonconforming sewage treatment system shall be upgraded upon the following: Any application for variance, conditional use permit, permits for enlargement or intensification or improvement of property.

(4) Fees: $350.00 (non-refundable) which includes application fee and recording fee. After-the-Fact Fee: $700.00 (non-refundable) Make the check payable to “Todd County.”

- After-the-Fact rates may apply

(5) Application must be received in the Planning & Zoning Office, 215 1st Ave South – Suite 103, Long Prairie, MN 56347 by the scheduled closing date/time to be considered at a subsequent Board of Adjustment meeting. Contact the Planning and Zoning Office for application deadlines and hearing dates. toddplan.zone@co.todd.mn.us

(6) Applicant or authorized agent must be present in person for the hearing of this application. Notice will be sent to applicant verifying date, time and location of the meeting. If an agent will represent the owner the attached form attached be submitted to the P&Z Office prior to the meeting.

It is required to mark off lot lines and exact location of the proposed building/addition. Flags must be in place 2 weeks prior to a meeting.

RETURN APPLICATION AND FEE TO THE FOLLOWING LOCATION:

Todd County Planning & Zoning
215 1st Ave South – Suite 103
Long Prairie, MN 56347
SKETCH DRAWING INSTRUCTIONS

A sketch of your site plan is a required part of the land use permit application. Use the attached sheet on Page 2 to draw out your sketch or attach on a separate sheet of paper.

Required Information:

- North arrow
- Lot dimensions on side
- Waterbodies and wetlands
- Roads, right-of-ways, driveways and parking areas
- Existing Easements
- Existing structures, outside wall dimensions
- Proposed structures, outside wall dimensions
- Well and septic system location, if applicable
- Identification of steep slopes or bluffs
- Setback distances from proposed structure to lines, waterbodies, top bluff, etc… See attached sheet for required setbacks.

- If building new dwelling, attach floorplan with all levels in dwelling including basements
- Other information that may be necessary
Appeal for a Variance

Todd County Planning & Zoning
215 1st Ave South – Suite 103
Long Prairie, MN 56347

Applicant _____________________________________

Mailing Address ___________________________________

Site Address ______________________________________

Phone Number ___________________ Cell Number ______________________

E-Mail Address ____________________________

Property Owners Name & Address (if not applicant) _______________________________

__________________________________________________________

Parcel Number(s)________________________________________

Legal Description: _______________________________________

_________________________________________ Section: ______ Township ______

Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Comm; Industry; or Shoreland (Lake or River Name): ______________________________

Do you own land adjacent to this parcel(s) _____Yes _____No

Septic System: Date installed __________ Date of Compliance Inspection __________

Is a new system needed: _____yes _____no _____ STS Design attached

Does property meet Buffer Law requirements? _____ yes _____ No

Variances Requested:
What standards or requirements are you unable to maintain?(check all that apply)

Lot width____ Lot area____ Lake or River setback____ Bluff setback____

Road right-of-way setback____ Side Yard setback____ Buildable area____

Impervious surface coverage____ Building/Structure Height____ Other____
LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. For example: “Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage.”

1.)

_____________________________________________________________________________________
_____________________________________________________________________________________

2.)

_____________________________________________________________________________________

3.)

_____________________________________________________________________________________

4.)

_____________________________________________________________________________________
_____________________________________________________________________________________

**State Statutes Section 394.7 Subd7: Variances: Practical Difficulties. The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

EXPLAIN YOUR PRACTICAL DIFFICULTIES** or reason why you need your request approved.

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant’s premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is alter found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

____________________________________  ________________________               __________________________________
Applicant’s Signature               Date

Print Property Owner(s) Name                Property owner (s) Signature

Variance Application Updated: 12/23/2019  5 of 9
AUTHORIZED AGENT FORM

I hereby authorize ________________________________ to act as my authorized agent
for all public hearing(s) and legal relations with this application on property located at:

Site address __________________________________________________________________________

Section # ___________ Township Name _________________________________________________________________________

Parcel Number(s) __________________________________________________________________________

Property Owner(s) name (print) _________________________________________________________________________

Property Owner(s) Signature(s) ___________________________________________________________ Date ______

Authorized Agent(s) name (print) _________________________________________________________________________

Authorized Agent(s) Signature(s) ___________________________________________________________ Date ______

Authorized Agent Phone Number _________________________________________________________________________
IMPERVIOUS SURFACE WORKSHEET
(FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name __________________ Mailing Address ____________________________

Phone (______) ______-________ City ______________ State ____ Zip ________

Site Address __________________________________ Parcel Number ______-__________

IMPERVIOUS SURFACE: is a constructed hard surface that either prevents or retards the entry of water into the soil or causes water to run off the surface in greater quantities & at an increased rate of flow than prior to development.

LOT/STRUCTURE DIMENSIONS

Total lot area: _____ sq ft

List all structures (structure’s foundation footprint: length, width, and total area)

<table>
<thead>
<tr>
<th>#</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

<table>
<thead>
<tr>
<th>#</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total of 25% of lot may be covered by foundations of impervious surfaces (15% from roofed structures, 10% from non-roofed structures)
1. List in the table below any efforts by landowner to reduce project impact by removing or reducing impervious surfaces.

<table>
<thead>
<tr>
<th>List Structure or Impervious Surface to Be removed</th>
<th>Square footage to be removed</th>
<th>Location of structure or impervious surface to be removed (see table below)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: concrete drive to lake</td>
<td>8’ x 35’ = 280 sq ft</td>
<td>(C) Within Impact Zone</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location of variance request in reference to Ordinary High Water level</th>
<th>General Development Lake</th>
<th>Recreational Development Lake</th>
<th>Natural Environment Lake and Rivers / Streams</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Outside shoreland building setback</td>
<td>75’+</td>
<td>100’+</td>
<td>150’ +</td>
</tr>
<tr>
<td>B. Between Shore Impact Zone and Building Setback</td>
<td>37.5’ to 75’</td>
<td>50’ to 100’</td>
<td>75’ to 150’</td>
</tr>
<tr>
<td>C. Within Shore Impact Zone</td>
<td>0 to 37.5’</td>
<td>0 to 50’</td>
<td>0 to 75’</td>
</tr>
</tbody>
</table>

2. List below any Storm Water Management Best Management Practices (BMP’s) that will be installed to help mitigate impacts of development.

**INfiltration BMP’s**

List any measures you plan on taking to increase water infiltration and retention. Examples include rain gutters, rain gardens, retention swales, berms, sub-surface tile, etc.. Efforts to install BMP’s will be graded positively in the site evaluation. Locate projects on site map.

**Vegetation BMP’s**

Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site evaluation. List any areas to be planted or restored and mark the location on your site map.
Todd County Planning & Zoning Board of Adjustment
Criteria Questions for Findings of Fact
Supporting/Denying a Variance

The following questions may be asked by the Board of Adjustment as an aid to help build a body of information, findings of fact, for supporting or denying a request for a variance. These questions are included as an aid for the applicant to better understand the variance process. These criteria questions are for information only and completion is not required.

DECISIONAL STANDARDS WHEN GRANTING OR DENYING A VARIANCE

Q1. Is the request for the variance due to unique circumstances or limiting characteristics associated with this property i.e. topography, wetlands, sensitive vegetation, drainage issues, etc.?
Yes = request due to property feature    No = request for variance not related to land
If Yes, What is the Feature? ____________________________

(Q2) Past construction activities (both structural and/or topographic) DID NOT CREATE the need for the current variance request?
Yes = need not created by landowner(s)    No = need created by the landowner actions
What about a previous owner’s actions?    What about previous County actions?

(Q3) Will the variance request be a minimal variation from what is currently found on the site?
Yes = minimal change from current condition    No = Substantial change from what is on site

(Q4) Is the variance request a minimal variation from the requirements of the Planning and Zoning Ordinance? (Consider the # of variances and the % above or below the Ordinance Standard to make this determination).
Yes = minimal request    No = Substantial request

(Q5) Have safety and environmental concerns been adequately addressed?
Yes = adequately addressed    No = Not adequately addressed

Notes: Consider what conditions may address identified concerns.

(Q6) Will the essential character of the locality be maintained if the variance if granted?
Yes = essential character won’t change    No = project proposed by variance will change essential character