



Application Received: \_\_\_\_\_  
Fee Received: \_\_\_\_\_  
Staff Initials: \_\_\_\_\_

## APPLICATION FOR VARIANCE

### APPLICANT INFORMATION

Name(s): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

### PROPERTY OWNER INFORMATION (if different from above)

Name(s): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

### PROPERTY INFORMATION

Describe Location: \_\_\_\_\_  
\_\_\_\_\_  
Property Address (es): \_\_\_\_\_  
Parcel Number(s): \_\_\_\_\_  
Legal Description (attach if lengthy): \_\_\_\_\_  
\_\_\_\_\_

**[Complete back side of form.]**

Applicant Signature(s) \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

Property Owner Signature(s) \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

Property Owner Signature(s) \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

**APPLICATION DEADLINE:** Completed application and submission requirements must be received by 12:00 p.m. on the Tuesday two weeks prior to the scheduled Planning Commission meeting.

**APPLICATION SUBMISSION REQUIREMENTS:** The following must accompany this application.

\_\_\_\_\_ Proof of Title to the property and written authorization from owner(s) if applicant is not the owner

\_\_\_\_\_ Application fee of \$175 + County Recorder fee of \$46 = total of \$221 is **payable to the City of Moorhead.**  
The City of Moorhead will record the variance with the Clay County Recorder's office.

**SUBMIT APPLICATION AND SUBMISSION REQUIREMENTS TO:**

Planning Department, 500 Center Avenue, Fourth Floor, PO Box 779, Moorhead, MN 56561-0779.

**COMPLETE THE FOLLOWING FOR YOUR VARIANCE REQUEST:**

1. Describe request:

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2. State what hardship or problems would be caused to you if the variance were not granted.

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3. State what special circumstances exist with your particular property or structure which makes it different from other properties or structures in the same area.

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4. State why the granting of this variance would not negatively impact adjoining landowners.

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**Questions? Contact the City of Moorhead Planning Department at 218.299.5370.**

**CRITERIA FOR CONSIDERATION:** Section 10-5-3B of the Moorhead Zoning Ordinance states that:

1. In considering all requests for a variance, the Board of Adjustment and Appeals shall make a finding of fact that the proposed action will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Have the effect of allowing any district uses prohibited therein, permit a lesser degree of flood protection than the flood protection elevation for the particular area, or permit standards which are lower than those required by state law.
  - d. Increase the danger of fire or endanger the public safety.
  - e. Unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this title.
  - f. Violate the intent and purpose of the comprehensive plan.
  - g. Violate any of the terms or conditions of subsection B2 of this section.
  
2. A variance from the terms of this title shall not be granted unless it can be demonstrated that:
  - a. Undue hardship will result if the variance is denied due to the existence of special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.
    - (1) Special conditions may include exceptional topographic or water conditions or, in the case of an existing lot or parcel of record, narrowness, shallowness, insufficient area or shape of the property.
    - (2) Undue hardship caused by the special conditions and circumstances may not be solely economic in nature, if a reasonable use of the property exists under the terms of this title.
    - (3) Special conditions and circumstances causing undue hardship shall not be a result of lot size when the lot qualifies as a buildable parcel.
  - b. Literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title or deny the applicant the ability to put the property in question to a reasonable use.
  - c. The special conditions and circumstances causing the undue hardship do not result from the actions of the applicant.
  - d. Granting the variance requested will not confer on the applicant a special privilege that is denied by this title to other lands, structures or buildings in the same district under the same conditions.
  - e. The request is not a result of nonconforming lands, structures or buildings in the same district.
  - f. The request is not a use variance.
  - g. The variance requested is the minimum variances necessary to accomplish the intended purpose of the applicant.

**Questions? Contact the City of Moorhead Planning Department at 218.299.5370.**