



# VARIANCE APPLICATION CHECKLIST

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11955 Champlin Drive / Champlin, MN 55316 / Phone: 763-923-7104 / [www.ci.champlin.mn.us](http://www.ci.champlin.mn.us)

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For the City of Champlin to accept an application submittal, all of the following information shall be submitted at least 30 days prior to the Planning Commission scheduled meeting dates. If any portion of your submittal is incomplete, it may not be accepted or placed on the next Planning Commission agenda. If you should have any questions on the application, please contact Community Development at 763-923-7104 or [lsmith@ci.champlin.mn.us](mailto:lsmith@ci.champlin.mn.us).

## **Process Steps**

1. Obtain planning application form and information from Community Development Department.
2. Review meeting schedule, application deadlines, relevant City Code, and pre-application materials and contact Community Development prior to the application deadline.
3. Submit application including the application form, fee and all other items included on the checklist below.
4. Variance approvals require a public hearing at Planning Commission and approval by City Council. The applicant or applicant's agent shall attend the Planning Commission and City Council meetings which address this project.
5. If applicable, review and enter into a development agreement with the City.
6. If the application is approved, the approved resolution must be submitted to Hennepin County for recording and proof of recording must be remitted to the City.

## **Relevant City Code**

### **Sec. 126-135. Variances.**

[https://library.municode.com/mn/champlin/codes/code\\_of\\_ordinances?nodeId=PTIILADERE\\_CH126ZO\\_ARTII\\_ADEN\\_DIV4VAAP\\_S126-135BOZOADESVA](https://library.municode.com/mn/champlin/codes/code_of_ordinances?nodeId=PTIILADERE_CH126ZO_ARTII_ADEN_DIV4VAAP_S126-135BOZOADESVA)

### **Sec. 126-136. - Lapse of variance by nonuse.**

[https://library.municode.com/mn/champlin/codes/code\\_of\\_ordinances?nodeId=PTIILADERE\\_CH126ZO\\_ARTII\\_ADEN\\_DIV4VAAP\\_S126-136LAVANO](https://library.municode.com/mn/champlin/codes/code_of_ordinances?nodeId=PTIILADERE_CH126ZO_ARTII_ADEN_DIV4VAAP_S126-136LAVANO)

### **Sec. 122-6. – Variances (Subdivision).**

[https://library.municode.com/mn/champlin/codes/code\\_of\\_ordinances?nodeId=PTIILADERE\\_CH122SU\\_ARTIINGE\\_S122-6VA](https://library.municode.com/mn/champlin/codes/code_of_ordinances?nodeId=PTIILADERE_CH122SU_ARTIINGE_S122-6VA)

## **Granting of a Variance**

Variances shall only be permitted when they are in harmony with the general purpose and intent of the ordinance and when the variances are consistent with the Comprehensive Plan.

Variances may be granted when the City determines that there are “practical difficulties” in complying with the official control. “Practical difficulties,” as used in connection with the granting of a variance, means:

1. The property owner proposes to use the property in a reasonable manner not permitted by an official control;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner;
3. The variance, if granted, will not alter the essential character of the locality;
4. Economic considerations alone do not constitute practical difficulties.

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

Note: If the erection or alteration of a building or structure as described in such variance has not been substantially completed within one (1) year of granting the variance, the variance shall become null and void unless a petition for extension has been completed. The petition must be filed with the City Planner no less than twenty (20) days before the expiration.

## **Submittal Checklist**

1. Completed application form
2. Application fee
  - i. Fee: \$250
3. Narrative describing the variance request and practical difficulty
4. Site plan, floor plan, elevations and relevant specifications showing request
5. One 11” x 17” and one electronic reproducible copy of the plans
6. Additional material relevant to the request

## **Process Following Application Submittal**

After receipt, your application will be evaluated by the City staff. The criteria for this evaluation will be the degree of compliance between the proposal and the City Code, which specifies the grounds for granting a **variance**. The City will prepare comments and recommendations regarding the application. Information regarding your request will be sent to property owners within 350-500 feet of your property prior to the meeting for which you are scheduled. You will receive a copy of the report prior to the meeting.

At the public hearing, the City will present the report and the recommendations. You will be given an opportunity to address the Commission and make any comments. Next, the Commission will open the public hearing and allow for any additional testimony. After questions and comments, the

Planning Commission will discuss the request and make a formal recommendation to the City Council. The City Council will act on the request at their meeting.