



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
info@slpmn.org

| For Office Use Only | |
|---------------------|---------|
| Case Number: | |
| Fee Paid: | |
| Received by: | |
| Date Filed: | |
| Date Complete: | |
| Base Fee: | Escrow: |

*Charlie. Davis 85 @
gmail.com*

DEVELOPMENT APPLICATION

| TYPE OF APPLICATION (Check All That Apply) | | |
|---|---|--|
| <input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text) <input type="checkbox"/> Rezoning <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Site Plan/Building Plan Review <input type="checkbox"/> Conceptual Plan Review <input type="checkbox"/> Conditional Use Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Street or Easement Vacation | <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Lot Combination <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Other _____ |
| PROPERTY INFORMATION | | |
| Street Address: <i>511 BALLANTYNE LANE</i> | | Current Zoning: |
| Property Identification Number (PIN#): | | |
| Legal Description (Attach if necessary): | | |
| APPLICANT INFORMATION | | |
| Name: <i>CHARLES DAVIS</i> | | Business Name: |
| Address: <i>511 BALLANTYNE LANE</i> | | |
| City: <i>SPRING LAKE PARK</i> | State: <i>mn</i> | Zip Code: <i>55432</i> |
| Telephone: <i>763-784-4476</i> | Fax: | E-mail: <i>Charlie.davis85@gmail.com</i> |
| Contact: | | Title: |
| OWNER INFORMATION (if different from applicant) | | |
| Name: <i>SAME</i> | | Business Name: |
| Address: | | |
| City: | State: | Zip Code: |
| Telephone: | Fax: | E-mail: |
| Contact: | | Title: |
| DESCRIPTION OF REQUEST (attach additional information if needed) | | |
| Existing Use of Property: <i>HOME RESIDENCE</i> | | |
| Nature of Proposed Use: <i>HOME RESIDENCE ADD SHED</i> | | |
| Reason(s) to Approve Request: <i>OUT BUILDING (SHED) CLEARANCE FROM OTHER SHED IS 3' TO GARAGE OUT BUILDING HAS NO NEED OF REASONING BUT SHOWS GOOD PLACEMENT ON PROPERTY</i> | | |
| PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE | | |
| Project Name: | | Date of Application: |
| Nature of Request: | | |
| NOTE: Applications only accepted with ALL required support documents. See City Code | | |

APPLICATION FEES AND EXPENSES:

The City of Spring Lake Park requires all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction. If the applicant requests the estimate, the application shall not be deemed complete until the City has (1) provided an estimate to the applicant; (2) received the required application fees, as specified by the City; (3) received a signed acceptance of the fee estimate from the applicant; and (4) received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application from the applicant.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner (select one):

E-mail Charlie.davis85@gmail.com Fax _____ USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application, including all four requirements of Minnesota Statute § 471.462, should I request a written estimate of consultant fees. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: Charles Davis Date: 10-24-11

Owner: S Ann Date: 10-24-11

**NOTE: Applications only accepted with ALL required support documents.
See City Code**

**City of Spring Lake Park
Variance Supplemental Application**

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: Charles Davis

Telephone: 763-226-4476

Address: 511 BALLANTYNE LANE NE

Cell Phone: SAME

City/State/Zip: SPRING LAKE PARK, MN

E-mail: Charles.davis85@gmail.com

2. Property Owner Information (if different from above):

Name: SAME AS ABOVE

Telephone: _____

Address: _____

Cell Phone: _____

City/State/Zip: _____

E-mail: _____

3. Project Location (Address and Legal Description): 511 BALLANTYNE LANE

4. Present Use of Property: HOME-RESIDENCE

5. Description of Project: ADD SHED BEHIND GARAGE

UNDER 10 FT X 20 FT NOT EXCEEDING 12 FT HIGH

6. Specify Section of the Ordinance from which variance is sought: _____

7. Explain how you wish to vary from the applicable provisions of this Ordinance: _____

WISH TO SET SHED 3 FT FROM GARAGE (SIDE TO SIDE)
ORDINANCE CALLS FOR 8 FT FROM SIDE TO SIDE

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. **Practical Difficulties Test:** Please answer the following questions as they relate to your specific variance request.

a. In your opinion, is the variance in harmony with the purposes and intent of the Ordinance?

Yes No Why or why not?

THIS PLACEMENT OF SHED IS MERELY NEXT
TO GARAGE WITH NO HARM TO SIDE LINES

b. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes No Why or why not?

PLAN IS TO SET SHED NEXT TO GARAGE

c. In your opinion, does the proposal put property to use in a reasonable manner?

Yes No Why or why not?

USES UNUSED SPACE BETWEEN GARAGE

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

Yes No Why or why not?

CIRCUM STANCES ALLOW ENOUGH ROOM FOR SHED
PLACEMENT

e. In your opinion, will the variance maintain the essential character of the locality?

Yes No Why or why not?

NATURALLY & ESTABLISHEDLY REASONABLE SIZE & SHAPE
AS TO NOT BE OBSTRUCTIVE OR DEGRADE SIDE LINES

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:

Charles Davis

Date:

10-24-22

Fee Owner's (Property Owner) Signature:

Charles Davis

Date:

10-24-22

16.60.040 Variances

- A. *Purpose.* The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. "Practical difficulties" as used in connection with the granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, 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. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved.
- B. 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.
- C. *Application.* An application for a variance shall be filed with the Zoning Administrator and shall state the unique circumstances claimed as a basis for the variance. The application shall contain at least the following information:
1. The signature of each owner of affected property or his agent.
 2. The legal description of the property and the common address.
 3. A description of the variance requested and a statement demonstrating that the variance would conform to the requirements necessary for approval.
 4. The present use.
 5. Any maps, drawings and plans that the Zoning Administrator considers to be of value in considering the application.
- D. *Referral to Planning Commission.* The application shall be referred to the Planning Commission for study concerning the effect of the proposed variance upon the Comprehensive Plan, and upon the character and development of the surrounding neighborhood. The Planning Commission shall make a recommendation to the City Council to grant or deny the variance, and may recommend imposing conditions in the granting of the variance. The conditions may include considerations such as location, character and other features of the proposed building.
- E. *Approval; denial.* Variances require the approval of a majority vote of the City Council. Variances may be denied by motion of the City Council and such motion shall constitute a determination that the findings required for approval do not exist. No application for a variance which has been denied in whole or in part shall be resubmitted within six months of the date of the order of denial, except upon grounds of new evidence or upon proof of change of conditions. The City Council may impose conditions upon the granting of a variance. The conditions may include considerations such as location, aesthetics and other features of the proposed buildings. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- F. *Decision period.* All applications shall be reviewed consistent with M.S. § 15.99.
- G. *Revocation.* A violation of any condition attached to the approval of a variance shall constitute a violation of this title and shall constitute sufficient cause for the termination of the variance by the

City Council.

H. *Expiration.* If the development does not proceed within one year of the date on which the variance was granted, such variance shall become void, except that, on application, the City Council may extend the variance for such additional period as it deems appropriate.

Street 511 BALLYMONE PROPERTY SLP.

