



# APPLICATION FOR VARIANCE

## Dakota County Shoreland Zoning and Floodplain Management Ordinance

Dakota County Water Resources Dept.  
 Western Service Center  
 14955 Galaxie Avenue  
 Apple Valley, MN 55124  
 Telephone: (952) 891-7024  
 Fax: (952) 891-7031

**FOR OFFICE USE ONLY**  
 File: \_\_\_\_\_  
 Received: \_\_\_\_\_  
 Permit Fee Paid: \_\_\_\_\_  
 ISTS Status: \_\_\_\_\_

### Intent

The uncontrolled use of shorelands of Dakota County, MN affects public health, safety and general welfare not only by contributing to pollution of public waters, but also by impairing the local tax base. Therefore, it is in the best interests of public health, safety and welfare to provide for the wise use and development of shorelands of public waters. The Legislature of MN has delegated responsibility to local governments of the state to regulate the subdivision, use and development of shorelands of public waters to preserve and enhance the quality of surface waters, to protect and preserve the outstanding values of a designated Wild and Scenic River, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources.

### Variance Application Procedure

A variance permit request requires a public hearing before the Zoning Board of Adjustment. **Attendance by the applicant is required.** If you have any questions during this process please call the Water Resources Department at (952) 891-7024.

- 1) Submit a completed application including a detailed site plan and permit fee.
- 2) Variance requests will be reviewed by the Water Resources Department. Staff will complete an on-site inspection. You will be notified when your application has been received and reviewed.
- 3) Water Resources Department will notify property owners within 500 feet of the site of the public hearing. Township supervisors, municipalities within 2 miles, and the Department of Natural Resources will also be notified.
- 4) The public hearing will be held as scheduled. Once a variance is acted upon you will be formally notified by the Water Resources Department as to the status of your variance.

### County Shoreland Setback Requirements

Check with the Water Resources Department for your local shoreland zoning classification.

	Natural Environment Lakes & Rivers	Recreation Lakes	Recreation Rivers	Wild & Scenic River	Transition River	Agricultural Rivers	Remote Rivers	Tributaries
State/County Road	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Township Road/RR	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet
Ordinary High Water Mark	200 feet	100 feet	200 feet	200 feet	200 feet	200 feet	200 feet	100 feet
Side Lot Lines	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet
Rear Lot Lines	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet
Minimum Lot Size (sq. ft)	80,000 (sq.ft)	43,560 (sq. ft)	87,120 (sq. ft)	174,240 (sq.ft)	80,000 (sq. ft)	80,000 (sq. ft)	N/A	80,000 (sq. ft)
Bluffline/Top of Bluff	30 feet	30 feet	30 feet	30 feet	30 feet	30 feet	30 feet	30 feet
Lot Width at Building Line & Water Frontage	200 feet	150 feet	250 feet	250 feet	250 feet	150 feet	300 feet	100 feet

\*Township requirements may differ

Note: For an application to be processed, Sections A, B, C, and D must be completed in full. Incomplete applications may be returned to the applicant by the Zoning Administrator for completion.

## Section A: Owner Information

**Property Owner:** \_\_\_\_\_  
(Last Name) (First Name) (Middle Initial)

**Address:** \_\_\_\_\_  
(Street Address or P.O. Box) (City) (State) (Zip Code)

**Telephone:** \_\_\_\_\_  
(Home) (Work)

**Site Address:** \_\_\_\_\_  
(Street Address) (City) (State) (Zip Code)

**Township Name:** \_\_\_\_\_ **Property Identification number (PIN):** \_\_\_\_\_  
(If unsure, see your tax statement)

**Name of Lake, River, or Stream:** \_\_\_\_\_

**Applicant** (if different than owner listed above):

\_\_\_\_\_  
(Name) (Street Address or P.O. Box) (City) (State) (Zip Code) (Telephone)

## Section B: Required Site Plan

To evaluate your permit request, provide as much information as possible, such as maps, plans, etc. Create a detailed site plan with the following information that applies. (Contact the Zoning Administrator if you have any questions.)

Basic Elements	Existing Features	Proposed Changes
Date of preparation	Existing structures	New structures
Scale	Existing driveways, roads, trails	Fences
North arrow	Existing well/septic system	Landscaping
Property lines/boundary	Adjacent roads	Roads/driveways
Property dimensions	Length of shoreline frontage	Grading-areas of cut and fill
	Ponds, lake rivers, streams	Distance of structures to lot lines
	Existing vegetation	Septic system
	Steep slopes	Well
	Drainage patterns	
	Right-of-ways	
	Easements	

## Section C: Variance Description

The Dakota County Shoreland and Floodplain Ordinance (#50) states that variances may be granted only in the event that the following five criteria are met. The Zoning Board of Adjustment reviews the following criteria to determine if the variance should be granted or denied, based in part on the staff report.

### Variance Criteria

1. Special conditions and circumstances are present which are unique to the land, structure, or building involved.
2. The variance is proved necessary in order to secure for the applicant a right or rights that are enjoyed by other owners in the same district under the terms of this Ordinance.
3. The special conditions or circumstances do not result from the actions of the applicant.
4. The granting of the variance will not be contrary to the policies and intent of the Ordinance, or detrimental to the public health, safety, and welfare.
5. The variance requested is the minimum variance which would alleviate hardship.

1) Describe the present use of the site. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

