



**Dakota County Environmental Management**  
 14955 Galaxie Avenue  
 Apple Valley MN 55124  
 Ph: 952-891-7000 Fax: 952-891-7031

**APPLICATION for VARIANCE**  
 from County Ordinance 50 setback  
 requirements

**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 or applicants representative is required.** If you have any questions during this process please call the Environmental 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 Environmental Resources Department. Staff will complete an on-site inspection. You will be notified when your application has been received and reviewed.
- 3) A public hearing will be scheduled and publically noticed in the official county newspaper.
- 4) Environmental Resources Department will notify property owners within 500 feet of the site, of the public hearing date. Township supervisors, municipalities within 2 miles if relevant, and the Department of Natural Resources will also be notified.
- 5) The public hearing will be held as scheduled. Once a variance is acted on you will be formally notified by the Environmental Resources Department as to the status of your variance.

**Structure Setbacks and Lot Specifications**

Structural Setback From:	Recreation Lake	Natural Environment Lake	Recreation River	Scenic River	Transition River	Agricultural River	Remote River	Tributary River
Federal State or 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	100 feet	200 feet	200 feet	200 feet	200 feet	200 feet	200 feet	100 feet
Side & rear lot line	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet
Bluffline	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet
Unplatted cemetery	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Sewer to OHWM	75 feet	150 feet	150 feet	150 feet	150 feet	150 feet	150 feet	75 feet
Minimum lot size (sq. ft.)	40,000	80,000*	87,120	174,240	80,000	80,000	N/A	80,000
Maximum structure height	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
Lot width at building line & water frontage	150 feet	200 feet	250 feet	250 feet	250 feet	150 feet	300 feet	100 feet

Township setbacks may be greater. Check with your township for setback information.

**Owner Information**

Property Owner Name: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

City/Zip: \_\_\_\_\_ Parcel ID: \_\_\_\_\_

Email Address: \_\_\_\_\_

Primary Phone Number: \_\_\_\_\_

<b>Required Site Plan</b>		
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.)		
<b>Basic Elements</b>	<b>Existing Features</b>	<b>Proposed Changes</b>
Date of preparation Scale North arrow Property lines/boundary Property dimensions	Existing structures Existing driveways, roads, trails Existing well/septic system Adjacent roads Length of shoreline frontage Ponds, lakes, rivers, streams Existing vegetation Steep slopes Drainage patterns Right-of-ways Easements	New structures Fences Landscaping (including retaining walls) Roads/driveways Grading-areas of cut and fill Distance of structures to lot lines Septic system Well Other

<b>Variance Description</b>
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.
<b>Variance Criteria</b>
1. Is the request in harmony with the general purposes and intent of the ordinance?
2. Would granting the variance be consistent with the comprehensive plan?
3. Are there unique circumstances to the property not created by the land owner?
4. Would granting the variance allow the essential character of the locality to stay the same?
5. Does the owner propose to use the property in a reasonable manner not permitted by the ordinance?

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

Describe the purpose or intent of the shoreland variance request (attached extra sheets if necessary).  
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 \_\_\_\_\_  
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**Read and Sign**

*A sewage treatment system not meeting the requirements of the Dakota County Shoreland and Floodplain Management Ordinance (Ordinance 50) must be upgraded any time a permit of any type is required for any improvement on, or change in use of the property. If requested, the applicant must provide the Zoning Administrator with an inspection report completed by a State Licensed Inspector or Designer 1 and any information that may be requested to verify that the sewage treatment system in question is functioning in accordance with the Dakota County Individual Sewage Treatment Systems Ordinance 113 and Mn Rules 7080-7083.*

*I hereby certify that the information provided is correct and if granted the Variance Permit, I agree to have the proposed work done in strict accordance with the description given and according to the provisions of the ordinances of Dakota County, Minnesota. I further agree that any plans and specifications submitted are part of this Variance Permit application. I also understand that Dakota County takes no responsibility for the proper design of the project. I accept all responsibility for the design of the project and for all damages resulting from the failure of the project due to improper design, and understand that false or misleading information may be grounds for invalidating this permit. I understand that this permit is valid for a period of one year from the date of issuance.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**HOMEOWNER CHECK LIST**

- Completed and signed application
- Permit fee of \$974: check or money order should be made payable to: DAKOTA COUNTY TREASURER. To make a credit card payment, please call 952.891.7110.
- Septic system compliance inspection report, unless waived by the Zoning Administrator.
- Permits are valid for one year.

<p>For Office Use Only:</p> <p>Permit #: _____</p> <p>Check #: _____</p> <p>Amount: _____</p> <p>Approved by: _____</p>	<p>Comments:</p>
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