

Brown County Variance Application Worksheet

Brown County Zoning Ordinance Section 503.1

MN Statutes 394.27, subdivision 7

The Board of Adjustment shall have exclusive power to order the issuance of variance from the requirements of any official control including restrictions placed on nonconformities. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the official control. Review the criteria for issuance of a variance:

	Criteria	Criteria is Met	Supporting Information
1.	Is the variance in harmony with the intent of the land use plan, the zoning ordinance and MN Rule 6120 (shoreland rule)?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
2.	The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
3.	Is the alleged practical difficulty due to circumstances unique to the property? (topography, lot size, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	
4.	Were the circumstances causing the practical difficulty created by someone or something other than the landowner?	<input type="checkbox"/> YES <input type="checkbox"/> NO	

	Criteria	Criteria is Met	Supporting Information
5.	The variance requested is the minimum variance which would alleviate the practical difficulty?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
6.	Will the issuance of the variance maintain the essential character of the locality?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
7.	Are there any economic considerations that should be discussed and considered for this variance request?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
8.	No variance shall allow a lower degree of flood protection than the flood protection elevation.	<input type="checkbox"/> YES <input type="checkbox"/> NO	

Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the official control. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variations. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.