

Am I eligible for a variance?

A variance is an exception to the City's performance standards. You may be eligible for a variance if your situation meets the variance findings.

What are the variance findings?

The variance findings, listed below, describe a set of circumstances your situation must meet to be eligible for a variance. They are set by the State of Minnesota and City code.

To be eligible for a variance, the exception you are seeking:

- **Must be in harmony with the intent of the ordinance.**
- **Must be consistent with the City's Comprehensive Plan.**
- **Must be a reasonable use of the property.**
- **Must be needed due to circumstances unique to the property.**
 - ◆ Explain what is special about the situation that warrants an exception. Economic considerations alone do not make a property owner eligible for a variance. See the column to the right for examples of unique circumstances.
- **Must *not* be needed due to a situation created by the property owner.**
 - ◆ For example, just because Ms. Smith's bottle cap collection is taking over her house does not make her eligible for an extra large storage shed.
- **Must not change the essential character of the neighborhood.**

If you feel like your situation can meet the variance findings please contact the Planning Division to discuss (see contact information above).

How much does a variance application cost?

A variance application costs between **\$220 - \$610** depending on your situation.

Most applications require a certified survey of your property.

- Survey costs vary greatly depending on the situation.
- The City does not provide survey services.
- There are many Certified Land Surveyors located in metro area that you can contact for a survey quote.

Need more information?

Phone: 952-563-8920

Email: planning@BloomingtonMN.gov

Or come visit us Monday through Friday from 8:00am to 4:30pm at City Hall:

1800 W. Old Shakopee Road
Bloomington, MN 55431

We encourage you to set up a pre-application meeting with Planning Division staff if you are going to submit a variance application.

Examples of unique circumstances

Unique circumstances include:

- Steep slopes
- Wetlands
- Oddly shaped lots
- Large trees

Key City Code Requirements

Please see

Section 2.98.01(b)(2) of the City of Bloomington Code for more information on variances.

How do I apply for a variance?

To apply for a variance you must submit the following documents:

- **A written description of your situation**
 - ◆ Describe why and how it meets each of the variance findings.
- **Site plan and floor plans**
 - ◆ Show all existing and proposed features and dimensions relating to the proposal.
- **Elevation drawings**
 - ◆ Show the front, sides, and rear of the structure and other proposed elements.
- **Certified survey showing the existing conditions on your property**
- **The application fee**

All drawings and plans must be drawn at an architectural or engineering scale

This is the minimum list of required information.

Other information may be required depending on your situation. Please contact the Planning Division to discuss your individual application.

What happens after I apply?

After you apply staff determines if your variance is:

An administrative variance.

Administrative variances are for the simplest, least complicated applications and are conducted by a hearing examiner. If the hearing examiner approves the variance it is then placed on the next available City Council agenda.

Or a standard variance.

Standard variances are for more complex situations. The first step in this process is a Planning Commission public hearing. If approved, the variance is then placed on the next available City Council agenda.

How long does the variance application process take?

The variance process takes **six to ten** weeks to complete.

Examples of administrative variances

Variances that could be administrative include:

- Variances related to setbacks for a driveway, garage, or a side or rear yard swimming pool
- The variance is five feet or less
- A renewal of a expired variance

Who is the hearing examiner?

The hearing examiner is a qualified individual appointed by the City Manager to hear administrative variance applications.

What should I include in my written description?

- **State what you want to do:**
 - ◆ “I propose to construct a 10 foot wide addition to the south side of an existing 14 foot wide attached garage.”
- **Describe why the variance is needed:**
 - ◆ “The house was constructed with a single-car garage at a 10 foot setback. At least seven feet of space is needed to add a second stall to the garage, which results in only a three foot side yard setback.”
- **State the ordinance requirement:**
 - ◆ “Section 19.41(a) of the City Code requires a minimum setback of five feet for garages.”
- **Describe the circumstances that prevent you from meeting the normal requirements of the ordinance:**
 - ◆ “The proposed location is the only possible site for an addition which would provide a two-car garage.”
- **Provide as much detail as possible:**
 - ◆ Describe the exterior building materials, color, height, integration with existing structures, distance and relationship with neighboring structures – all details and conditions affecting your property, your neighbors’ properties, public streets and sidewalks.
- ◆ Describe how your proposal will (or will not) affect storm water drainage on your property or your neighbors’ property.
- **Discuss other requirements of the City Code which may be impacted by your proposal and how you propose to handle them:**
 - ◆ “A five-foot utility easement exists along the south lot line. However, no utilities are located in this easement and the Public Works Department has no objections to vacating the portion that would be occupied by the addition.”
- **Address the findings required by the Zoning Ordinance:**
 - ◆ The staff will provide you with the findings which the hearing examiner, Planning Commission and/or City Council must “make” if the variance is to be approved. They will indicate which are applicable. Copy and discuss each required finding in your letter.

◆ **Remember: Findings are important!** If any findings cannot be substantiated, your variance cannot be approved.

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Key City Code Requirements

Please see

Section 2.98.01(b)(2) of the City of Bloomington Code for more information on variances.

What are the elevation drawing requirements?

If the variance request involves a new building or an addition to an existing building, drawings of the exterior elevations may be required.

- **Drawings should be drawn at an architectural or engineering scale.**
- **Show the location of all significant features:**
 - ◆ Windows, doors, roof, steps, grade (ground) level, etc.
- **Show which portions of the buildings are new, and which are existing.**
- **Label dimensions of existing and proposed buildings.**
 - ◆ Including the height from grade to the eaves and to the peak of the roof.
- **Identify the exterior building materials.**

What are the site plan requirements?

- Site plans must be at a scale large enough to clearly indicate all:
 - ◆ Buildings, driveways, decks, patios, pools, sidewalks and other features.
- Show the location of requested variance.
- Show all dimensions of structures and features, including distances from property lines.
- Where the variance involves the slope of the site, elevation contours, not merely spot elevations, must be shown.
- The Building and Inspection Division has drawings of many Bloomington properties.
 - ◆ If available, you may purchase a copy of these drawings to use as a starting point to plan your addition.
 - ◆ Please note these drawings are generally not accurate enough to determine actual setbacks.

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Sample Site Plan

