



City of Crosslake Planning Commission/Board of Adjustment

After-The-Fact Variance Application

Findings of Fact

Supporting/Denying an After-The-Fact Variance

*An After-the-Fact Variance may be granted by the Planning Commission/Board of Adjustment when it is found that strict enforcement of the Land Use Ordinance will result in a "practical difficulty" according to Minnesota Statute Chapter 462. The Planning Commission/Board of Adjustment should weigh each of the following questions to determine if the applicant has established that there are "practical difficulties" in complying with regulations and standards set forth in the Land Use Ordinance.*

1. Is the After-the-Fact Variance request in harmony with the purposes and intent of the Ordinance?

Yes            No  
Why?

2. Is the After-the-Fact Variance consistent with the Comprehensive Plan?

Yes            No  
Why?

3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes            No  
Why?

4. Will the issuance of an After-the-Fact Variance maintain the essential character of the locality?  
Yes            No  
Why?

5. Is the need for an After-the-Fact Variance due to circumstances unique to the property and not created by the property owner?  
Yes            No  
Why?

6.. Does the need for an After-the-Fact Variance involve more than economic considerations?  
Yes            No  
Why?

7. Did the applicant fail to obtain a variance/or comply with the applicable requirements before commencing work? (Whether the applicant acted in good faith should be considered in the analysis of this factor)  
Yes            No  
Why?

8. Did the applicant attempt to comply with the Ordinance by obtaining the proper permits?

Yes            No

Why?

9. Did the applicant make a substantial investment in or improvement to the property?

Yes            No

Why?

10. Are there other similar structures in the neighborhood?

Yes            No

Why?

11. Would the minimum benefits to the City appear to be far outweighed by the detriment the applicant would suffer if forced to move or remove the structure?

Yes            No

Why?