



This is a guide for Land Use Applications in the City of Ramsey.

### Variance Basics

The purpose of a variance is to provide for deviations from the literal provisions of the City Code in instances where strict enforcement would cause practical difficulty because of circumstances unique to the individual property under consideration. Variances shall only be permitted when they are in harmony with the general purposes and intent of the Ramsey City Code and when the variances are consistent with the Comprehensive Plan. Variances may be granted when the applicant demonstrates that there are practical difficulties in complying with the zoning code. Variances related to the use of a property are not permitted under State Law.

### Practical Difficulties

“Practical difficulties,” as used in connection with the granting of a variance, means:

1. That the property owner proposes to use the property in a reasonable manner, not permitted by the zoning code
2. The plight of the landowner is due to circumstances unique to the property, not created by the landowner
3. The variance, if granted, will not alter the essential character of the locality
4. Economic considerations alone do not constitute practical difficulties
5. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems
6. Public takings of property due to condemnation
7. Variances shall be granted for earth-sheltered construction as defined in Minn. Stats. § 216C.06, subd. 14, when in harmony with Chapter 106 of the City Code

It is the applicant’s responsibility to prove practical difficulty by addressing as many of the above criteria as possible.

### Application Fee and Escrow

Application Fee per project (non-refundable): \$500  
Minimum Escrow: \$750\*

- \* Required escrows are minimum escrows. Escrows are collected with a Land Use Application to pay for the review of the application by the Planning Division and costs associated with the application, such as public hearing notice mailings. A project may have multiple requests, and the escrow associated with each request must be paid when applying. The remaining surplus shall be refunded to the Applicant after all remaining obligations are completed and accepted by the City. The Applicant shall be responsible for all costs incurred by the City above the minimum escrow. More information can be obtained by contacting the Planning Division at 763-433-9821.

## Variance Application Procedure

1. Fill out the Land Use Application, which can be found on the City's website at [www.Cityoframseymn.gov/LandUseApplication](http://www.Cityoframseymn.gov/LandUseApplication), check the applicable box(es), and pay the appropriate application and escrow fee. Applications **cannot** be processed until the application fee and escrow(s) have been paid.
2. Provide a detailed description of your request (attach a separate page if necessary).
3. Provide a site layout (site plan) with detailed information regarding the request. Such information may include building and structure locations (existing and proposed) with dimensions, parking areas, screening (existing and required), and additional information as required by the City, per Chapter 106, Section 200 of the City Code. Please note that a survey prepared by a Minnesota-licensed surveyor may be necessary to get accurate measurements for the request.

## Variance Process

1. Applications for Variances must be submitted to the Planning Division per the Planning Division's Land Use Application Calendar meeting schedule at [www.cityoframseymn.gov/467](http://www.cityoframseymn.gov/467).
2. The City has 15 business days to determine if the application is complete. In the event that it is incomplete, the Planning Division will notify the Applicant within 15 business days and provide direction on what information is still required.
3. Properties within 350 feet of the subject property will be notified of the request and the public hearing date. A "Notice of Public Hearing" sign will be placed on the subject property.
4. The Planning Division will prepare a report detailing the information related to the request, findings of fact, and Variance resolution.
5. The Planning Commission will hold a public hearing on your request. For exact meeting dates, refer to the Land Use Application Calendar at [www.cityoframseymn.gov/467](http://www.cityoframseymn.gov/467). The Planning Commission will then make a recommendation to the City Council on whether to approve or deny the request.
6. The Planning Commission will forward the request and recommendation to the City Council for their review and decision at an upcoming meeting (typically the second Tuesday of the month).
  - **Note:** This schedule may be impacted by the Planning Commission and City Council if they table action due to particular circumstances. However, an aggrieved party may appeal the City Council's decision to the Court of Appeals for review at their expense.