



Wright County Board of Adjustment **Information for Public Hearing**

Office of Planning and Zoning
Wright County Government Center
10 2nd St. NW, Room 140
Buffalo, MN 55313
(763)682-7338

The Wright County Board of Adjustment is a five-member board appointed by the County Board of Commissioners. The Board of Adjustment conducts all public hearings pertaining to requests for variances and administrative appeals to the Wright County Zoning Ordinance. All decisions by the Board of Adjustment are final, except that any aggrieved person or persons, or any department, board or commission of the jurisdiction or of the state shall have the right to appeal within thirty (30) days, after receipt of notice of the decision, to the District Court in the County in which the land is located on questions of law and fact.

For technical information and advice, the Board of Adjustment relies on the staff of the Planning and Zoning Office. Staff will assist the applicant in deciding what information to present to the Board of Adjustment and will create a slide presentation for the applicant prior to the hearing. Staff cannot predict decisions by the Board before the hearing.

All supplementary information for the hearing (narratives, photos, soil borings, site plans, building plans, surveys, etc.) must be submitted for an application to be considered complete. Changes in state law make it impossible for staff to accept incomplete applications, except in unique circumstances. Petitions that are deficient or lack information cannot be placed on the Board of Adjustment agenda.

The BOA is guided by very specific instructions regarding its actions. Economic hardship alone is not an adequate reason for a variance, according to State law. Following is an excerpt from the County Code of Ordinances, which is closely modeled after State law.

- a) **The granting of the variance will not be in conflict with the County Plan;**
- b) **The property owner proposes to use the property in a reasonable manner;**
- c) **The plight of the owner is due to circumstances unique to the property not created by the owner;**
- d) **The proposal does not alter the essential character of the locality;**
- e) **Can the practical difficulty be alleviated by a method other than a variance;**
- f) **The granting of the variance will not adversely affect the environmental quality of the area;**

Remember, the “burden of proof” is upon the applicant to ensure that their proposal conforms to the Wright County Ordinances and Comprehensive Plan. They must also ensure it will not harm the public health, safety, and welfare.

PROCESS TO APPLY FOR A PUBLIC HEARING BEFORE THE WRIGHT COUNTY BOARD OF ADJUSTMENT

1. Due to the wide variety of proposals we receive, it is essential to discuss your proposal with a staff member of the Planning and Zoning Office before obtaining and filling out a Board of Adjustment application. Staff will determine what information will need to be submitted for the item to be placed on an agenda. The applicant should set up a meeting with Staff prior to submitting the application. **Applications will not be accepted until ALL required information has been submitted, hearing fees paid, and planning staff have approved the application.** If the application is complete, the item will be placed on the next available meeting agenda.
2. Attend the appropriate Township meeting to explain the proposal to the Town Board (contacts and meeting dates are attached). **The Board of Adjustment will not act on any petition without a Township recommendation, which will delay BOA action.**
3. State law requires that public hearing notices be published and delivered to nearby landowners for all Board of Adjustment actions. For this reason, there is usually a wait of approximately three weeks from the date of application to the hearing. Staff cannot legally expedite this process. Please refer to the hearing and application deadline schedule attached.
4. **Adequate site information must accompany the application.**
 1. **A Certificate of Survey must be submitted for Board of Adjustment requests on all lots under 20,000 square feet in size.** Complex requests, or requests requiring lake or property line setback variances, may also require a Certificate of Survey. Please refer to the attached example survey regarding what information MUST be shown. If a survey is not required, a site plan must be provided. Surveys or professionally engineered plans may be required for parcels with questionable topography or for requests involving land alterations that will not require a Planning Commission hearing. Aerial photos may be adequate for simple requests for lot line adjustments, large divisions, entitlement appeals, or the like. **Surveys and site plans must be printed to the scale indicated on the drawing.**
 2. **A Certificate of Septic System Compliance.** If the system is noncompliant, needs to be enlarged, or a new system is being proposed, a full design for the system may be needed.
 3. **Preliminary Building Plans of the project.** The plans must include floor plans for all levels including the basement, a cross-section, and elevation drawings of the exterior. **These plans must be printed to the scale indicated on the plans.**
5. **The applicant or a representative must be present at the hearing.** Hearings are held Friday mornings in the County Board Room. An agenda time will be assigned and indicated on the notice. **Failure to appear may be grounds for denying an item.**
6. Any further questions should be directed to Planning Staff or the Zoning Administrator.
(Phone: (763)682-7338)

Fee: _____ Check payable to: Wright County Treasurer

Hearing fees will be doubled when application is made after action requiring a hearing has already been started. When, due to the complex nature of any matter, or lack of adequate preparation by an applicant, the Board determines that continuation of a hearing is required, a %50 renotification fee may be required. No refund after the first public hearing – only 70% of fee will be refunded after any internal review/site inspection or notices have been sent.



WRIGHT COUNTY BOARD OF ADJUSTMENT

Office of Planning and Zoning
Wright County Government Center
10 2nd Street NW Room 140
Buffalo, MN 55313-1185
(763) 682-7338

DATE: _____ **TAX PARCEL #(s)** _____

TOWNSHIP NAME: _____ **PRESENT ZONING DISTRICT:** _____

APPLICANT: _____
Last name First Middle Initial

PHONE: _____ **EMAIL:** _____

MAILING ADDRESS: _____
Street City State Zip

PROPERTY OWNER: _____ **PHONE:** _____
(If other than Applicant) Last name First Middle Initial

PROPERTY ADDRESS _____
Street City State Zip

DESCRIBE NATURE OF REQUEST (attach extra sheets as necessary) _____

The information in this application is true and correct to the best of my knowledge and ability. I understand and agree that, even if this application is accepted as complete, the Board of Adjustment or Office of Planning and Zoning may require additional property descriptions, property surveys, site plans, building plans and other information either before or after this request receives a public hearing. I understand that this application may be dismissed or denied if I do not supplement my application as requested. I understand that there is no refund of fees after the first public hearing, and only 70% of the fees will be refunded after any internal review has taken place or notices have been sent.

No application for a Variance shall be resubmitted for a period of six months from the date of said order of denial. Variances shall be valid for 3 years, unless otherwise specified.

I have read the application materials and agree to follow the policies and procedures of the Wright County Board of Adjustment and I consent, in the event a site inspection is requested, to the public entering my property pursuant to the Minnesota Open Meeting Law.

APPLICANT SIGNATURE: _____ **DATE:** _____

PROPERTY OWNER SIGNATURE: _____ **DATE:** _____
(If other than Applicant)

Office Use Only	TYPE OF REQUEST: (check all that apply)
1. <input type="checkbox"/> Setback Variance 2. <input type="checkbox"/> Undersized lot 3. <input type="checkbox"/> 1 per 40 Variance 4. <input type="checkbox"/> Lot Line Adjustment 5. <input type="checkbox"/> Appeal/Interpretation	
6. <input type="checkbox"/> Other _____	
Has this property been involved in a request to rezone, obtain a variance, or a conditional use permit? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when: _____ Type of request: _____	
TOWNSHIP BOARD approval/denial is required before the Board of Adjustment will act (contacts and meeting dates are enclosed). _____ Date Approved _____ Date Denied	
APPLICATION IS COMPLETE (Planning Staff must date & initial before it is considered complete) _____ Date/ Initial	
60 DAY EXPIRATION DATE _____ 120 DAY EXPIRATION DATE _____	
HEARING DATE _____	
FEE \$ _____ Checks payable to: Wright County Treasurer RECEIPT # _____ DATE _____	

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Example Survey and Site Plan

Please Present This To Your Surveyor

All site plans, whether prepared by the applicant or a professional, **must be drawn to scale and must include the following information:**

- Proposed & existing buildings, labeled and showing dimensions
- Proposed & existing septic system treatment area and tanks
- Wells on your and your neighbor's property
- Normal Ordinary Highwater Mark of lakes, ponds, and wetlands
- Lot size/area above the Ordinary High-water Mark
- Floodplain Elevations and road access elevations
- Knolls, ridges, bluffs, steep slopes, or drainage ways
- Orientation to north shown with an arrow
- Driveways, sidewalks, decks, patios, and all other impervious surfaces
- Any other relevant features (trees, easements, power lines, etc.)

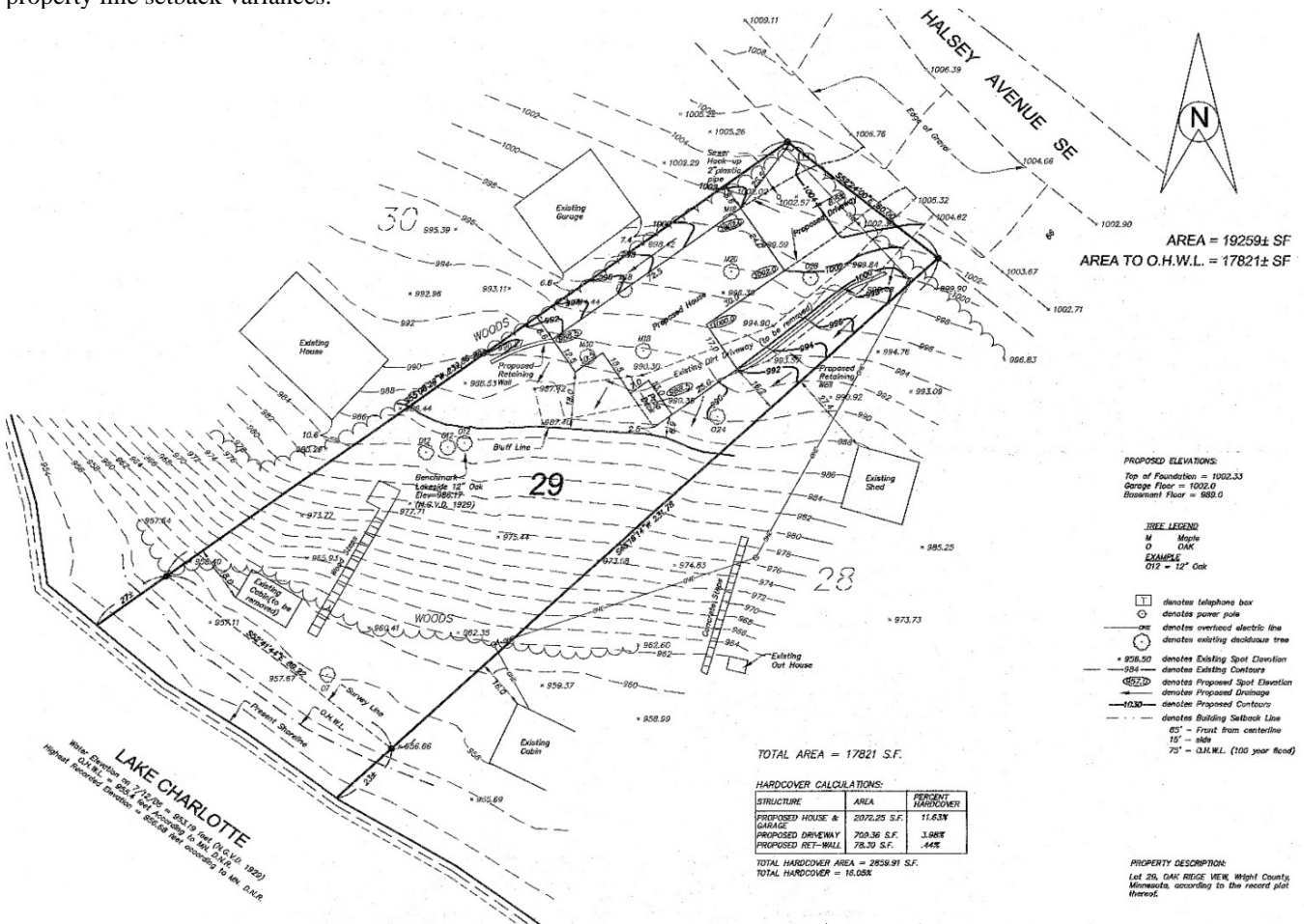
Show these distances & dimensions on the map:

- Lot Dimensions and any proposed changes of lot lines
- Distances from buildings to property lines, roads, and lake
- Distances from wells to septic system treatment area and tanks
- Distance from wells & septic system treatment area and tank to property lines, buildings, road, and lake

*Plans for lakeshore properties **must** include:

- Square footage of the lot based on the Ordinary Highwater Elevation
- Elevation of the lowest floor on new dwelling and additions
- Any proposed changes in contour elevations, especially between the house and lake
- Changes to surface water flow and erosion control measures

Please Note: A Certificate of Survey is required for lots less than 20,000 square feet, complex requests, or requests requiring lake or property line setback variances.



Hearing Date

Application Cut-Off Date

<u>January 8, 2021</u>	<u>December 18, 2020</u>
<u>February 12, 2021</u>	<u>January 22, 2021</u>
<u>March 12, 2021</u>	<u>February 19, 2021</u>
<u>April 9, 2021</u>	<u>March 19, 2021</u>
<u>May 7, 2021</u>	<u>April 16, 2021</u>
<u>May 28, 2021</u>	<u>May 7, 2021</u>
<u>June 18, 2021</u>	<u>May 28, 2021</u>
<u>July 9, 2021</u>	<u>June 18, 2021</u>
<u>July 30, 2021</u>	<u>July 9, 2021</u>
<u>August 20, 2021</u>	<u>July 30, 2021</u>
<u>September 10, 2021</u>	<u>August 20, 2021</u>
<u>October 8, 2021</u>	<u>September 17, 2021</u>
<u>November 5, 2021</u>	<u>October 15, 2021</u>
<u>December 10, 2021</u>	<u>November 19, 2021</u>

*In order for an application to be considered complete, all required information, along with the application fee, must be submitted and accepted by the Planner no later than the above referenced cut-off date.

**Since Board policy limits the number of items on any particular agenda, any application submitted and deemed complete after the maximum number has been reached will be placed on the next available agenda.

To Schedule an appointment to submit an application, please contact:

Barry Rhineberger, Planner
Phone: (763)682-8947
Email: barry.rhineberger@co.wright.mn.us

Wright County Board of Adjustment

Applicant Response Form

The request for a variance is, in essence, a request to break or bend the law. Variances cannot be granted without very strong justification. The desire of the property owner to have a specific development/construction proposal does not constitute justification for granting a variance. As determined by State law and County Ordinance, a variance may be granted only where the strict enforcement of official controls will result in "practical difficulties." A determination that "practical difficulties" exist is based upon the consideration of the following factors as defined by Minn. Statute 394.36 and the Wright County Zoning Ordinance. The following questions relate to the factors for granting variances. Please complete and return with your completed Board of Adjustment application.

1. Will granting the Variance be in conflict with the Wright County Land Use Plan? The Plan is a policy guideline that directs building and development in Wright County. A full copy is available on the County Website: <http://www.co.wright.mn.us/departments/pandz/>. The most commonly applied goals and policies are from the Plan include:

- To protect, preserve, and enhance the quality of the natural environment, and require development to take place in a manner which makes wise use of Wright County's resources without degradation
 - *Steep slopes, wetlands, unstable soils and other sensitive environmental features will be protected, as far as is practical, in their natural, stable state. Development on or near such areas may be required to provide larger lot sizes, enhanced setbacks or other conditions to protect the sensitive features.*
 - *Development of lakeshore property shall abide by State Shoreland Management rules to maintain, as far as practical, a natural shoreline and natural views of shoreland areas from the lake's surface.*
 - *In general, development activity should take place in harmony with the existing, stable, natural environment. Development proposals should be adapted to suit the natural landscape, rather than altering the land to suit the development.*
- To protect agricultural lands from encroachment by incompatible land uses and provide assurances that such areas will remain agricultural in nature

Does the proposal conflict with the Land Use Plan? Why or why not?

2. Does the property owner propose to use the property in a reasonable manner?

3. Is the plight of the owner due to circumstances unique to the property not created by the property owner?

4. Will the proposal essentially alter the character of the locality?

5. Can the practical difficulty, if one exists, be alleviated by a method other than a variance?

6. Will granting the variance adversely affect the environmental quality of the area?

WRIGHT COUNTY TOWNSHIP CONTACTS

Albion

<u>Name</u>	<u>Address</u>	<u>Phone</u>
Clerk Debbie Uecker Email: albiontownship@gmail.com	2235 Co. Rd. 6 NW, Annandale	612-716-0465 (clerk c#) 320-963-5667 (hall)

Board meets: 3rd Tuesday @ 7:00 p.m.

Buffalo

Clerk/Treas Mark Hoffman Email: mkh.lvh.89@gmail.com	4567 40 th St. NE, Buffalo	763-267-3712 (clerk c#) 763-682-0428 (hall)
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Board meets: 2nd Monday @ 7:00 p.m.

Chatham

Clerk/Treas Jim Bischoff Email: townshipclerk60@gmail.com	PO BOX 122, Buffalo	612-237-7996 (clerk c#) 320-963-5799 (hall)
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Board meets: 2nd Tuesday @ 7:00 p.m.

Clearwater

Clerk/Treas Jean Just Email: clearwatertwp@frontiernet.net	15015 State Hwy 24 Clearwater	320-980-0302 (clerk) 320-558-4011 (hall) 320-558-6790 (fax)
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Board meets: 1st Monday @ 7:30 p.m.

Cokato

Clerk Brad Morris Email: bmorris@centurylink.net / cokatotwp@centurylink.net	14987 30 th St. SW, Cokato	320-286-2051 (clerk) or 320-286-5406 320-286-5876 (fax)
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Board meets: 2nd Monday @ 8:00 p.m.

Corinna

Clerk/Treas Mary Barkley-Brown Email: clerk@corinnatownship.com	9801 Ireland Ave. NW, Annandale	320-274-8049 (hall) 320-274-3792 (fax)
Dep. Clk/Trs. Jean Just	9801 Ireland Ave. NW, Annandale	

Office Hours: Mon., Tues., Thurs., Fri, 8:00 a.m. to 3:00 p.m.

Board meets: 1st & 3rd Tuesday @ 7:00 p.m. Township Hall, 9801 Ireland Ave. NW, Annandale Planning

Commission: 1st Thursday of each month @ 7:00 p.m.

Franklin

Clerk/Treas Stephanie Russek Email: franklintwnshp@gmail.com	8735 County Road 16, SE, Delano (hall)	763-972-2017 (hall) 763-923-4284 (cell)
Dep. Clk/Trs. Renee Olson		763-639-4345

Board meets: 1st Monday @ 7:00 p.m. (except on Holiday, then following Tuesday @ 7:00 p.m.)

French Lake

Clerk Breanna Chapman Email: FrenchLakeTwpClerk@outlook.com	64113 305th St, Litchfield, MN 55355	320-583-0157 (clerk)
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Board meets: 1st Tuesday @ 7:00 p.m.

Maple Lake

Clerk Esther Doran Email: clerk.maplelaketownship@gmail.com	6298 Bishop Ave NW, Buffalo, MN 55313	320-963-3927 (clerk)
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Board meets: 3rd Tuesday @ 7:00 p.m.

Marysville

Clerk/Treas Deb Uecker Email: marysvilletownship@gmail.com	2235 County Road 6 NW, Annandale	612-716-0465 (clerk c#) 763-658-4064 (hall) 763-658-4056 (fax)
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Board meets: Last Monday @ 7:00 p.m.

Middleville
Clerk Name Address Phone
Joey Berg 10423 10th St. SW, Howard Lake 612-247-4348 (clerk c#)
Email: middlevilleclerk@gmail.com 320-286-5839 (home)

Board meets: 2nd Tuesday @ 7:00 p.m 320-543-3807 (hall)
320-543-3807 (fax)

Monticello
Clerk Cathy Shuman 8550 Edmonson Ave. NE, Monticello 763-295-3422 (hall)
Email: monticellotownship@tds.net 612-812-9198 (clerk c#)

Board meets: 1st & 3rd Monday @ 7:00 p.m.

Rockford
Clerk/Treas Rachelle L. McDougall 3039 Dague Ave. SE, Buffalo 763-682-3499 (hall)
Email: rockfordtownship@yahoo.com 763-682-6256 (fax)

Board meets: 1st & 3rd Tuesday @ 7:00 p.m.

Silver Creek
Clerk Nancy Betzler 3827 134th St. NW, Monticello 763-878-0141 (hall)
Email: silvercreektwp@tds.net 763-878-2550 (fax)

Board meets: 1st Tuesday @ 7:00 p.m. (Twp deadline 3 weeks prior)

Southside
Clerk/Treas Carmen Merrill 1208 Lakeview Pkwy, Buffalo 320-274-8602 (hall)
Email: cmerrill@southsidetownship.com

Board meets: 1st Tuesday @ 7:00 p.m.

Stockholm
Clerk Jody Selseth 16233 County Road 30 SW, Cokato 612-270-3409 (clerk)
Email: stockholmtwp@gmail.com 320-286-5123 (hall)

Board meets: 2nd Monday @ 7:00 p.m. 320-286-5125 (fax)

Victor
Clerk Sharon Glessing 8715 Grover Ave. SW, Waverly 320-543-3702 (clerk)
Email: sglessing@centurylink.net 320-543-3577 (hall)

Board meets: 2nd Monday @ 8:00 p.m

Woodland
Clerk Gloria Janikula 9065 Clementa Ave. SW, Montrose 763-658-4177 (clerk)
Email: woodland.township@gmail.com 763-658-4252 (hall)

Board meets: 2nd Monday @ 7:00 p.m.