

**ORDINANCE NO. ORD 2023-04-01**

**AN ORDINANCE AMENDING ORDINANCE NO. 304 ADOPTED ON MARCH 8, 2022,  
AND TITLED "VARIANCES."**

**The City Council of The City of Birchwood Village, Minnesota ordains:**

**Section 1. Findings and Purpose.**

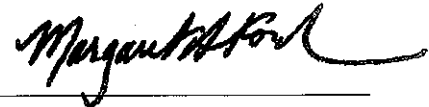
*Construction projects that require variances often last longer than one year. Because construction work usually cannot begin until a variance is granted, construction at a typical pace risks overshooting the expiration of a variance. Construction projects are often completed more than one year after the grant, and providing that longer limit affords applicants some assurance that a variance will remain valid until it can be used. The council maintains the prerogative to lengthen the expiration in its discretion, but may now also shorten the expiration.*

**Section 2.** Section 304.035 of Ordinance No. 304 adopted on March 8, 2022 and titled "VARIANCES" is amended to read:

304.035      **Revocation and Termination of Variances.** A violation of any condition set forth or required in granting a variance shall be a violation of the Code and automatically terminates the variance. Unless the City Council prescribes another expiration, a variance shall become void two years after it was granted, unless the use for which it is was granted has been established. The City Council may, for good cause, extend the expiration of a variance not more than once by one year, but only if an application for an extension is made in writing to the City Administrator before expiration.

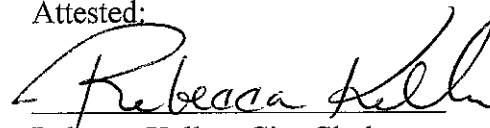
This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of The City of Birchwood Village, Minnesota, Minnesota this 9<sup>th</sup> day of May, 2023.



Margaret Ford, Mayor

Attested:



Rebecca Kellen, City Clerk

