

ORDINANCE NO. 2024-08-01

AN ORDINANCE REPLACING SUBSECTION 304.020 OF THE CITY CODE TITLED “VARIANCE APPLICATION REQUIRMENTS” IN SECTION 304 OF THE CITY CODE TITLED “ZONING CODE: VARIANCES”

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

Section 1. Enactment. The following section replaces section 304.020 of the City Code.

304.020 Variance Application Requirements. Before consideration of a variance, an application for variance shall be made on forms provided by the City Administrator. The application must be accompanied by the required information described below and by all required fees. City zoning staff shall mark an application complete only if it includes the following items or if the applicant includes a reasonable explanation of why each omitted item is unnecessary. Incomplete applications shall be returned to the applicant within fourteen days of application.

- a). The legal description and address of parcel.
- b). Name, address, and phone number of applicant (and of owner if owner is not the applicant).
- c). Plot plan drawn to scale (including a bar scale on the plan). Lot elevations and contour lines (existing and proposed). Cross sections of disturbed areas and proposed structures.
- d). Plan showing existing and proposed new work and changed structures, landscaping and areas on the lot. (i.e. critical spot elevations at structures and changes in existing site contours. Proposed structures material specifications. Proposed foundations, volumes of material disturbance, landscaping layout, slope stabilization and erosion control plans and materials.) The plan shall include sufficient detail and dimensions to determine which variances are necessary, and in what dimensions, and to evaluate the project against requirements.
- e). Existing structures and site elevations/contours on adjacent lots.
- f). A certificate by a registered professional land surveyor verifying the location of all buildings, setbacks, and building and impervious surface area coverage.
- g). A certificate by a registered professional land surveyor or engineer certifying other facts that, in the opinion of the city, are necessary for evaluation of the application. (i.e. stormwater maintenance plan, drainage plan, etc.)

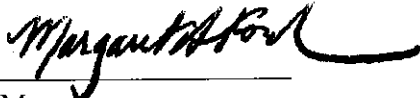
h). A separate enumeration of each section, including a clear reference to the section of the code to which a variance is requested along with a demonstration that each criterion set forth in section 304.040 is met for each enumerated section.

i). Evidence demonstrating compliance with regulations of other governmental units when required by provisions of this code, State Law, or regulations of other governmental units. Non-limiting examples of government units which may have applicable regulations including the State of Minnesota, Rice Creek Watershed District, Minnesota Department of Natural Resources, White Bear Lake Conservation District, and Minnesota Pollution Control Agency.

Section 2. Effective Date.

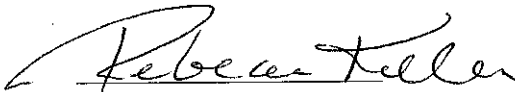
This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of The City of Birchwood, Minnesota this 10th day of September, 2024.



Mayor

Attested:



City Clerk

