



# Variance Application

## Lake of the Woods County Land & Water Planning

206 8<sup>th</sup> Ave SE – Suite #290 Baudette, MN 56623-2867

Phone: 218-634-1945 Fax: 218-634-2509

[www.co.lake-of-the-woods.mn.us](http://www.co.lake-of-the-woods.mn.us)

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## Instructions to Applicant

1. **All items on all pages must be completed in INK and submitted in an application before it will be processed.** Incomplete applications will not be accepted and will be returned to the applicant(s).
2. Applicant must own the property or have a valid purchase agreement. If using an agent, the landowner and agent must both sign the variance application.
3. A “to scale” or dimensional SITE PLAN of your property must be submitted and show the following:
  - a. All lot lines with every line’s length shown.
  - b. Location and all dimensions of all existing and proposed structures/additions.
    - i. Show all existing structures in solid lines.
    - ii. Show proposed structures/additions in dotted lines.
  - c. Location and dimensions of all existing and proposed wells and septic systems.
  - d. Location and dimensions of all existing and proposed driveways, roads, and easements.
  - e. Location and length, width, and height dimensions of any proposed grading/filling project.
  - f. Setback distances for all items shown in 3. b - e from lakeshore, lot lines, and right-of-ways.
  - g. Indicate North point and slope of land.
4. Include ground-level color photographs of the proposed project site.
5. Include the \$200.00 non-refundable application fee with checks made out to the “Lake of the Woods County Treasurer” and the \$46.00 non-refundable recording fee with checks made out to the “Lake of the Woods County Recorder”.
6. Accurate parcel ID #s must be given. (Parcel IDs are shown on your tax statement.)
7. Provide:
  1. A copy of your deed(s); or
  2. A valid purchase agreement (and copy of the seller’s deed) for the property on which the variance is requested.
8. Provide written directions from Baudette to your property (include E911 address.)
9. Locate and mark your property lines or lot corner monuments and stake out or flag the proposed project area(s) so they are clearly visible to the Board of Adjustment on the lot viewal date.

10. A current Compliance Inspection for your septic system(s) **or** an SSTS site design is required. A Compliance Inspection is not needed for any application proposing a new sewer structure. If your application proposes the above listed item, then a new SSTS site design must be submitted showing room on your lot for a septic system that will meet sizing requirements for the proposed construction. If you apply between November 1 – April 30 and the ground is frozen so a compliance inspection cannot be done, then a “SSTS Compliance Inspection/Field Evaluation Agreement” must be submitted in lieu of a current Compliance Inspection.
11. When you have completed the application and all accompanying plans, etc., mail or deliver it and the application and recording fees in person to: **Lake of the Woods County Land & Water Planning 206 8<sup>th</sup> Ave SE – Suite #290, Baudette, MN 56623-2867**. Applications must be complete and received by 4:00 p.m. on the application deadline date in order to be placed on the corresponding Board of Adjustment meeting agenda. Applications found to be incomplete will be returned.
12. You will be notified by mail as to the date and time of the lot viewal and the application hearing.
13. If the variance is approved, you **must** still obtain all necessary permits before starting your project.
14. The applicant is responsible for securing any other local, state, or federal permits that may be required. **If your application involves work in wetlands, permits and approvals will be required to comply with the Wetland Conservation Act and U.S. Army Corp of Engineers regulations.**

The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all of Lake of the Woods County Ordinances. The applicant or agent agrees that the application, site plan, and other attachments submitted herewith are true and accurate. The applicant or agent agrees that, in making application for a variance, the applicant grants permission to Lake of the Woods County, at reasonable times, to enter the applicant’s premises, to determine compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/hers application is later found or determined by the County to be inaccurate, the County may revoke the permit/ variance based upon the supplying of inaccurate information.

I have read and fully understand the above instructions. I hereby swear that all information provided in this application is true and correct.

A parcel(s) in joint ownership **must** provide written permission of **all** owners below:

Signature of owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

Signature of authorized agent(s): \_\_\_\_\_ Date: \_\_\_\_\_



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This application **must** be completed using **INK**.

Owner Name(s): \_\_\_\_\_ Date: \_\_\_\_\_

Agent Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E 911 Property Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Tax Parcel Number(s): \_ . \_ . \_ . \_ . ; \_ . \_ . \_ . \_ . ; \_ . \_ . \_ . \_ . ; \_ . \_ . \_ . \_ .

Legal Description: \_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Township Name: \_\_\_\_\_

Waterbody Name: \_\_\_\_\_ Do you own adjacent property? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, list tax parcel number(s): \_ . \_ . \_ . \_ . ; \_ . \_ . \_ . \_ . ; \_ . \_ . \_ . \_ .

**Explain reasons for requested variance:** Give details of the type, size, and purpose of proposed changes. State specific section(s) of the Ordinance(s) from which your variance is sought. Attach additional sheets labeled "Variance Request", if necessary.

Application Fee: \$200.00

Payable to "Lake of the Woods County Treasurer".

Recording Fee: \$46.00

Payable to "Lake of the Woods County Recorder".

A parcel(s) in joint ownership **must** provide written permission of **all** owners below:

Signature of owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

Signature of authorized agent(s): \_\_\_\_\_ Date: \_\_\_\_\_

### For Office Use:

Date of application: \_\_\_\_\_ Filing acknowledgement by: \_\_\_\_\_ Receipt #: \_\_\_\_\_ App. #: \_\_\_\_\_

Date, time, and place of public hearing: \_\_\_\_\_

Applicant and MN DNR notified on: \_\_\_\_\_



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### Additional Information

This application **must** be completed using **INK**.

Is the variance request after-the-fact (e.g. has the work already been done?)  Yes  No  
(If yes, after-the-fact fees will apply if the variance is approved.)

Place an "X" by each item that applies to your variance request. Then fill out only the applicable following section(s) that apply, as directed. If a section does not apply to your request, leave it blank.

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

- Setback issues (complete Section 1)
- Land or vegetative alteration (complete Section 2) **If this item is marked, our office must conduct a site visit prior to submitting your application.**
- Lot size not in compliance with minimum Ordinance standards (complete Section 3)
- Alteration to Non-conforming structure (complete Section 4)
- Other (Attach separate sheet explaining variance request)

#### Section 1

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance (feet)

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Ordinary High Water Mark (OHWM)          | Proposed Setback <input type="text"/> |
| <input type="checkbox"/> Lot Line                                 | Proposed Setback <input type="text"/> |
| <input type="checkbox"/> Road Right-of-Way (ROW)                  | Proposed Setback <input type="text"/> |
| <input type="checkbox"/> Septic System Components                 | Proposed Setback <input type="text"/> |
| <b>(New SSTS site design must accompany variance application)</b> |                                       |
| <input type="checkbox"/> Crest of bluff                           | Proposed Setback <input type="text"/> |

#### Section 2

What is your land alteration? Check all that apply. **(This application must include an additional cross-section sketch showing length, width, and height dimensions and an itemized list showing volume (cubic yards) of all proposed grading/filling.)**

- Vegetative Alteration
- Grading/Filling
- Other (Attach separate sheet explaining the land alterations.)



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### Section 3

When was your lot initially created and recorded? (This information can be found in your abstract of title. A copy of this first deed or portion of your abstract must be included in your application.)

**A SSTS site design showing your proposed building site, well location, a primary drain field site, and an alternate drain field site must be included in your application.**

Was the lot recorded prior to September 5, 1972?  Yes  No

Was the lot recorded from September 5, 1972 to September 26, 1995?  Yes  No

Was the lot recorded from September 26, 1995 to present and within  
the shoreland of the Rainy or Rapid River?  Yes  No

Will this be a new parcel subdivision?  Yes  No

### Section 4

**A three-dimensional sketch showing length, width, and height measurements of all portions of the existing and proposed structure(s) and addition(s) must be included in your application.**

What is the existing structure's setback from the OHWM? \_\_\_\_\_

What is the existing structure's setback from the lot line? \_\_\_\_\_

What is the existing structure's setback from the ROW? \_\_\_\_\_

What is the square footage of the existing structure's footprint? \_\_\_\_\_

What is the total square footage of all stories of the proposed addition(s)? \_\_\_\_\_

If multiple stories are proposed, itemize the square footage of each story: \_\_\_\_\_

Is the proposed addition's total square footage of all stories greater than 50% of the existing structure's footprint?  Yes  No Indicate the percentage here: \_\_\_\_\_

Is there a second story to the existing structure?  Yes  No

Will the proposed addition have a second story?  Yes  No

Is there a basement to the existing structure?  Yes  No

Will the proposed addition have a basement?  Yes  No

How many bedrooms are in the existing structure? \_\_\_\_\_ in the proposed addition? \_\_\_\_\_

What is the existing structure's height? \_\_\_\_\_ proposed addition(s) height? \_\_\_\_\_  
(per the Ordinance height of structure definition)

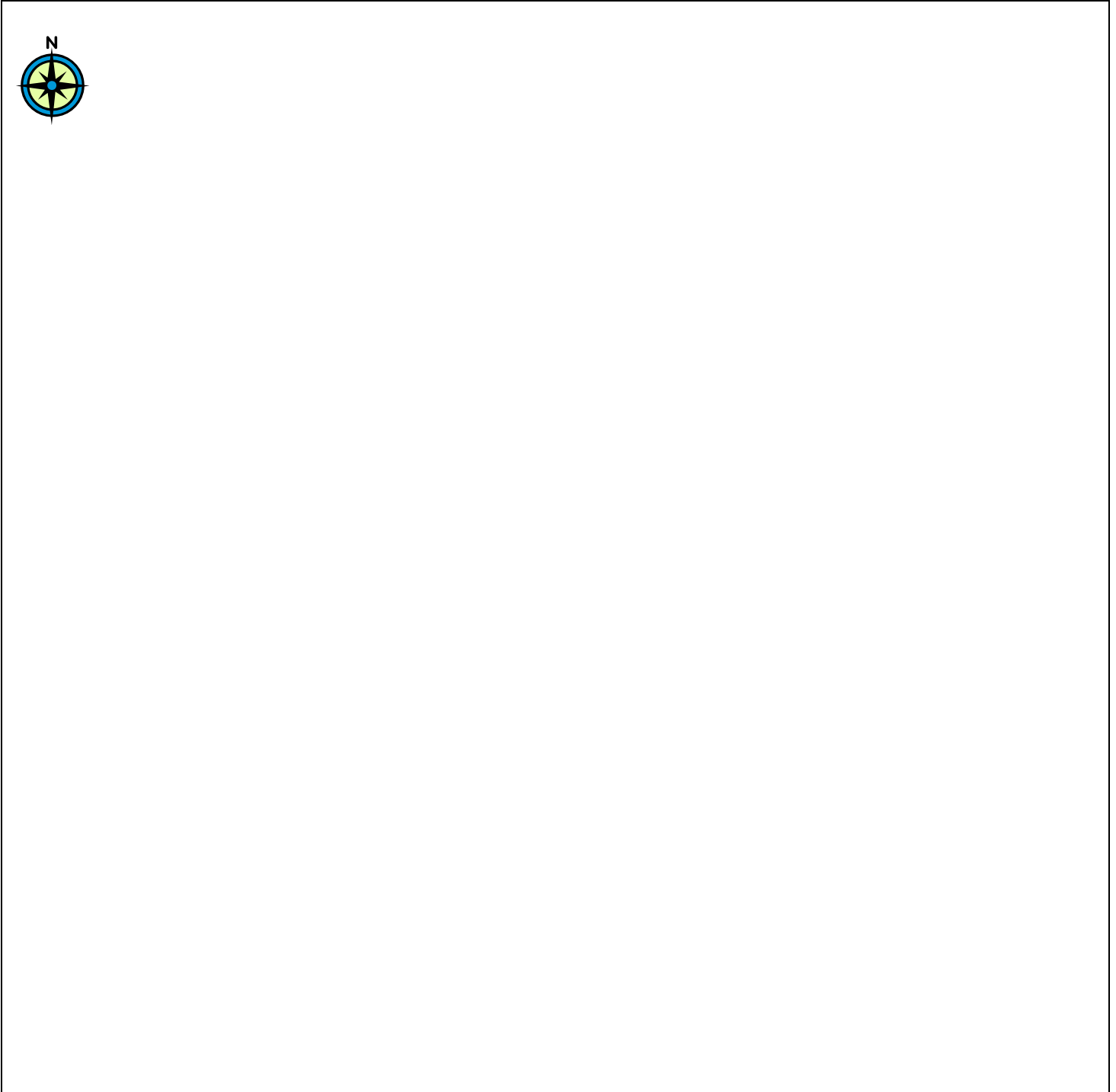
What will be the overall change in height of the roof when the project is completed? \_\_\_\_\_

Is there going to be additional living space once the project is completed?  Yes  No

Does your proposal involve altering the existing structure's main framework (i.e. outside stud wall, floor joists, etc.)?  Yes  No If yes, provide an itemized list of the framework to be altered.

# Site Plan

Required for ALL permit applications



A large empty rectangular box for drawing a site plan. In the top-left corner of this box, there is a compass rose icon with a yellow center, blue and green segments, and a black 'N' above it, indicating North.

You **must** include all existing and proposed buildings and additions, well(s), and septic system(s) on your property and label them. You **must** also include all dimensions (including height) of the buildings as well as all setbacks to property lines, lakes or rivers, roads, and any other pertinent setbacks.

I hereby swear that the information provided in this sketch is true, accurate, and complete.

\_\_\_\_\_  
Applicant or Agent Signature

\_\_\_\_\_  
Date

## Site Plan

Required for ALL permit applications

### Instructions

A “to scale” or dimensional “Site Plan” of your property must accompany each application and show the following: (see Example 1 below)

- a. All lot lines with every line’s length shown.
- b. Location and length, width, height dimensions of all existing and proposed structures/additions.
  - i. Show all existing structures in solid lines and label with year constructed.
  - ii. Show proposed structures/additions in dotted lines and label w/proposed build start date.
- c. Location and length x width dimensions of all existing and proposed wells and septic systems.
- d. Location and length x width dimensions of all existing and proposed driveways, roads & easements.
- e. Location and length, width, and height dimensions of any proposed grading and filling project.
- f. Setback distances for all items shown per **b.– e.** from OHWM, lot lines, and ROW’s
- g. If topography is extreme, show elevation levels.
- h. Indicate **North** point and slope of land.

**Note:** Building permits/variance applications for new structures and additions to existing structures also require separate side profile sketches of the structure and/or addition showing all dimensions – specifically height measured in feet. See Example 2 below.

**Note:** Shoreland alteration permits/variance applications also require a separate cross-section sketch of each proposed project area showing length, width, and height measured in feet. See Example 3 below.