

## VARIANCE HEARING PROCEDURE

When making application for a variance, the following public hearing procedure will be followed.

You will be notified by mail of the exact date, time and place of the hearing. Hearings are currently held in the Commissioners Room of the Douglas County Courthouse, 305 8th Ave. West, Alexandria, Minnesota 56308.

You will be requested to appear in front of the Board of Adjustment. At that time your application will be read. The Board may then ask questions regarding your application. You, the applicant or representative, will have an opportunity to present your application, stating the reason or reasons you need a variance.

The applicant/representative must be able to prove that there is a hardship in order for the Board of Adjustment to grant a variance. "Hardship" means:

1. The property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls.
2. The plight of the landowner is due to circumstances unique to the property, not created by the landowner.
3. If granted, the variance will not alter the essential character of the locality.
4. If a reasonable use for the property exists under the terms of the ordinance economic considerations alone shall not constitute a hardship.

The hearing will then be opened to the public. The Board will hear views from the public for and against. The Board will also ask the Town Board for their opinion and the hearing will then be closed.

The Board will then have three options:

1. Approve
2. Disapprove
3. Table for more information and/or viewing.

If your application is tabled for viewing the Board will view your property/application, date and time to be determined. The Board will make a decision for approval or disapproval at the viewing.

The decision for approval or disapproval by the Board of Adjustment is final.

The minimum time period for this process is six weeks.

If your application is denied you have two options:

1. Wait one year to reapply.
2. Appeal to Douglas County District Court within thirty (30) days of the decision of the Board of Adjustment.