

The difference between what is billed and what was collected will either be refunded or billed to the applicant.

CITY OF BUFFALO
212 CENTRAL AVE
BUFFALO MN 55313

APPLYING FOR:

**Variances,
Conditional use permit,
Minor subdivisions &
annexations**



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INTRODUCTION

The Buffalo City Code book contains ordinances designed to provide safe, orderly and well planned building and growth in the City. The variance and conditional use process provides a means to review requests that would not normally be allowed according to the ordinances. The subdivision process allows property owners to realign property lines and split or combine parcels. The annexation process allows for properties adjacent to the City to apply to become part of the City and receive City services.

Requirements for a Variance

A Variance is needed when a request to build does not meet applicable ordinances. In order to qualify for a variance the applicant must show that undue hardship will result if the variance is denied due to the existence of special conditions and circumstances which are peculiar to the land, structure or building involved. Special conditions may include exceptional topographic, water conditions or other irregularities restricting building on an existing lot of record.

There are two types of variances; minor and major. Minor variances take less time to process and may be applied for when a hardship is created due to a public action or change in City Code standards. Also, the structure and/or setback deviations are common among neighboring uses and do not exceed five feet. Minor Variance requests are reviewed by the City Zoning Administrator and then voted on by the City Council. Major Variances would be anything not meeting the above criteria and must go through the entire public hearing process.

If you need to apply for a variance, please refer to the "Filing Procedures" section in this brochure.

Requirements for Conditional Use Permit

The Conditional Use Permit process allows the City a reasonable degree of discretion in determining the suitability of certain designated uses. The City will take into consideration such things as the nature of adjoining land and buildings, effects upon traffic flow, planned future uses in the area and public health, welfare and safety. Such things as putting a fast food restaurant in a business district or building a second garage in a residential district would require a Conditional Use Permit.

If you need to apply for a Conditional Use Permit, please refer to the "Filing Procedures" section in this brochure.

Requirements for a Minor Subdivision

Examples of a Minor Subdivision are; combining two abutting lots, dividing a lot to create no more than two lots (can be done only once in a 5 year period) or moving a lot line between two abutting properties. All resulting lots in a minor subdivision must conform to existing building and zoning codes.

Minor Subdivisions can be done administratively as long as the above criteria are met. The subdivider must have a registered land surveyor prepare a certificate of survey which needs to be submitted with the application and filing fees. This is reviewed by the Zoning Administrator who will determine if the criteria for a minor subdivision has been met. If approved the City will have the subdivision recorded by the County and then it's complete.

Requirements for Annexation

Annexations are handled on a case by case basis. Annexations must be approved by the township. Some townships already have areas pre-approved for "Orderly Annexation" into the City. Final approval of

annexations is done by the State Planning Agency. Anyone interested in pursuing an annexation should contact both the City of Buffalo and their Township officers.

FILING PROCEDURES

The application procedure is the same for major variances and conditional use permits. State Statutes mandate the public notification process. When a major variance or conditional use permit is requested all property owners within 350 feet of the requesting party must be notified and a public hearing held. This notification must be done at least 10 days prior to the hearing. It is done by mail and by publication in the Wright County Journal Press. The public hearings are held at the monthly Planning Commission meetings on the second Monday of the month. In order to meet notification and publication requirements, the application along with all necessary information and filing fees must be submitted by the third Friday of the month. The application form can be picked up at the administration counter in City Center.

Once a completed application is received, it is reviewed by the City planning consultants. These consultants charge an hourly fee for their services. Their fee must be paid by the applicant. When an application is received, the City will collect the filing fee plus an estimate of what the planner's fee will be.