

Non-Conforming Expansion Permit



Application Process Summary

What is a Non-Conforming Expansion Permit?

Legal non-conformities are those uses, structures, or lots that legally existed prior to the creation of a zoning district or adoption of a specific zoning regulation and, in recognition of the landowner's property rights, are allowed to continue even though they are now no longer legal.

If any aspect of a building is non-conforming, the City of Fridley requires expansions to be approved via a Non-Conforming Expansion Permit prior to receiving a Building Permit for the alterations. Permits will only be approved for alterations that do not increase the 'non-conforming' aspect of the property.

For example: an existing house doesn't meet the 25 ft. **front yard** setback, and a property owner wants to add an addition to the **back** of the home. Provided the addition meets the current rear yard setback, an **expansion permit** may be approved **to acknowledge the non-conforming front yard setback**.

An Expansion Permit for a non-conforming structure can be granted administratively through the Community Development Director or the Planning Manager if the application meets the burden of proving the following:

1. The expansion does not increase or intensify the existing non-conformity.
2. The expansion would be architecturally compatible with the existing principal structure
3. Adequate off-street parking exists for the expansion.
4. There are no adverse off-site impacts from such things as traffic, vision safety, noise, dust, odors, or parking.
5. The expansion is an improvement to the appearance and stability of the property and neighborhood by ensuring the proposed expansion meets all current zoning and building code requirements.
6. The expansion is compatible with the character of the neighborhood.

The Community Development Director or Planning Manager may impose reasonable conditions on the permit related to health and safety of the general public.

The City shall make its decision subject to conditions within 60 days of receipt of a complete application.

What is the application process?

Those interested in pursuing a Non-Conforming Expansion Permit are encouraged to speak with staff in the Planning Department prior to filing an application. Staff can help identify any potential concerns or challenges with the proposed expansion before an official application is made.

Beginning in 2022, applications will be accepted online. A complete application, along with the necessary fee(s) and submittal requirements listed in this handout must be submitted.

Additional information regarding the Non-Conforming Expansion Permit process may be obtained by contacting the City of Fridley Planning Department at planningdivision@fridleymn.gov or 763-572-3595 or 763-572-3599.

What are the application requirements?

The following information is needed to process a Non-Conforming Expansion Permit application. Beginning in 2022, applications will be accepted online.

- Property information
 - Street address
 - Anoka County Property Identification Number (PIN)
 - Legal description
 - Current zoning
 - Square footage of property
- Reason for Non-Conforming Expansion Permit
 - A brief one-sentence summary
 - A full narrative explaining the reason for the expansion of a non-conforming structure
- Petitioner (applicant) information
 - Name of individual and/or company
 - Mailing address
 - Phone number
 - Email address
 - Signature authorizing application
- Property owner information (if different from petitioner)
 - Name
 - Signature authorizing application
- Application fee
 - \$200

File information for online applications:

- Maximum file size for uploads is 25 MB.
- As possible, **please submit drawings as native PDF files (not scans)**.
- Narrative/text files and other documents may be Word, PDF, or image files.

NON-CONFORMING EXPANSION PERMIT APPLICATION SUBMISSION CHECKLIST

Application and Fee	Completed application, with \$200 fee. (Applications are considered complete if all blanks are completed, all attachments are provided, and both the fee owner and petitioner have approved the application.)
Legal Description	A full legal description of the property, as documented on property deed or certificate of title.
Survey	To-scale certificate of survey, by a licensed surveyor. Showing north arrow, lot lines, existing and proposed structures, driveways, and parking areas, setbacks, easements, significant topographical features, mature trees, adjacent street names, and buildings on adjacent lots within 10 feet of the common lot lines.
Building Rendering	Elevation of building and description of materials to be used on the building.
Narrative	Narrative describing the expansion permit, the intended use of the proposed structure, and how the request would meet various expansion permit considerations as outlined in city code (see attached).