

CUP vs. Variance – At a Glance

	Conditional Use Permit (CUP)	Variance
What it is	A use listed in the zoning ordinance that may be allowed if it meets certain conditions.	Relief from a dimensional zoning standard due to a practical difficulty
Key Question	Is this use appropriate at this location and should any conditions of approval be placed on this use?	Is there a practical difficulty unique to the property that is not created by the land owner?
What it CANNOT do	Allow a prohibited or unlisted use	Authorize a use not allowed in the zoning district
Public Input	Important and considered, but not determinative	Important and considered, but not determinative
Decision Basis	Policy consistency, compatibility, and mitigation of impacts	Legal hardship test under Minnesota law
Common Error	Approving based on popularity or neighborhood pressure	Approving based on convenience or cost