

CONDITONAL USE APPLICATION AND PUBLIC HEARING PROCESS

- ✓ If the application is for property which lies in a flood zone and the applicant must also meet all the provisions of the Flood Plain Ordinance as well.
- ✓ Property taxes on the parcel where the use is proposed must be current. (meaning they must be paid up to where there is nothing delinquent – confessions of judgment are not considered current)
- ✓ If the property is not yet in the owner's name on the County tax system, a copy of the deed conveying the property, needs to be submitted to our office before the application will be accepted.
- ✓ The **PROPERTY OWNER** must sign the Application for Conditional Use as well as the recording form.
- ✓ A design for the sewage system serving the property must be completed by a licensed designer & submitted, if required, or
- ✓ A Certificate of Compliance on **any system older than five (5) years old, or that doesn't have a current Certificate of Compliance on file with the County,** must be submitted with the application.
- ✓ A detailed drawing of the building site indicating all setbacks from roads, property lines, OHWL, and/or bluffs as they relate to the structures on the property must be submitted, all structures located on the property should be drawn in and identified, the location of the well and the sewage system drawn in and any proposed new structures should be drawn in on the sketch and all the setback shown (an aerial photo of the property may be used and setbacks and proposed buildings labeled on it). Zoning staff may also request other information prior to accepting the application.
- ✓ Photographs of the property are very helpful and can be submitted with the application as well.
- ✓ Once the application is accepted, it will be set for public hearing for the following month after it is accepted.
- ✓ Notices are sent out to both the local newspaper for the area in which the property is located as well as the official county newspaper, if different.
- ✓ Zoning staff will normally schedule a site visit to the property to take photos, if necessary, or to collect other information that may be pertinent in the decision making process.
- ✓ Notice is sent to the township in which the property is located and to any municipality within 2 miles of the property.
- ✓ Notice is sent to landowners within 500 feet of the property if in an incorporated area and to any property owners within ¼ mile of the property or to the nearest 10 whichever provides the most notice in an unincorporated area.
- ✓ Notices will also be sent to any other local, state, or federal agency who may have an interest.
- ✓ The Public Hearing is held by the Wadena County Planning Commission and provides the public with an opportunity to comment on the application either in favor of or in opposition to the request. The Planning Commission has a specified set of criteria that must be met in order to recommend the Conditional Use be approved by the County Board of Commissioners and allowed on the property. The Planning Commission may question the applicant at length to get a good understanding of whether or not the use is compatible with the surrounding area and the criteria is met.
- ✓ Someone MUST be present at the hearing to represent the application. If no one is present, the application may be 1) tabled for the following meeting, if it can meet the statutory limit on time in which to act on the application, which is 60 days from the date of acceptance of the application; or 2) denied due to lack of information and no representation.
- ✓ The Planning Commission may act on the application immediately or they may choose to adjourn the meeting and select a time to meet at the property in question to view the property themselves prior to making a recommendation to the County Board of Commissioners.
- ✓ The Planning Commission may recommend the addition of reasonable conditions on the use permit to assist in meeting all of the criteria for approving the use on the property.
- ✓ Once the Planning Commission makes a decision to recommend approval or denial of the application, it is taken to the County Board of Commissioners for final action, where they may also impose conditions reasonably related to the criteria necessary for allowing the use on the property.
- ✓ If a Conditional Use is approved on a property it is recorded in the Office of the Recorder on the property in question. This use, unless otherwise specified by the Planning Commission or County board, goes with the property if it is transferred to another owner.
- ✓ If a use ceases to exist on a property for a period of 12 months or more, the County can move toward revoking the CUP after all appropriate steps outlined in the ordinance are followed.