

CONDITIONAL USE APPLICATION AND PUBLIC HEARING PROCESS:

- ✓ If the application is for property which lies in a flood zone and applicant wishes to construct a building there, they must first obtain a Certificate of Elevation. If there is already a structure located there and they are only asking to change the use of it, a copy of the portion of the applicable flood zone map, with the property in question highlighted will be attached to the application for review by the Planning Commission.
- ✓ If property is not yet in the owner's name on the tax system, a copy of the deed needs to be submitted to our office before the application will be accepted.
- ✓ The **APPLICANT** must fill out and sign the Application for Conditional Use form, as well as a permit form.
- ✓ The person signing the application for Conditional Use **MUST** be the owner.
- ✓ A design for the sewage system filled out by a licensed designer must be 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** must be submitted.
- ✓ 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 setbacks shown.
- ✓ 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.
- ✓ 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 ¼ mile of the property or the nearest 10 whichever is more.
- ✓ Notice may also be sent to the Wadena County Soil and Water Conservation District Office, the Department of Natural Resources, the Wadena County Highway Department, or the Minnesota Pollution Control Agency depending on the situation.
- ✓ 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 allowed on the property and will question the applicant at length to get a good understanding of whether or not they feel this criteria can be 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; 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.