



FARIBAULT COUNTY PLANNING AND ZONING

415 South Grove Street, Suite 8 – Blue Earth, MN 56013

Phone: (507) 526-2388/2300 Fax: (507) 526-2508

CONDITIONAL USE PERMIT (CUP) APPLICATION PROCEDURE

A Conditional Use is a land use or development that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that 1) certain conditions as detailed in the Faribault County Zoning Ordinance exist, and 2) the use or development conforms to the Comprehensive Land Use Plan of the County and 3) is compatible with the existing neighborhood.

When Required:

When a landowner wishes to use his/her property in a way that may affect the public through increased use, lighting, hours of operation, appearance, environmental hazards, etc.

Some examples of Conditional Uses are: home occupations or business, two family dwellings, salvage yards, sanitary and demolition landfills, nurseries, kennels, and earthen basins, towers, or when the proposed use is one of the uses listed in each zoning district as permitted upon issuance of a Conditional Use Permit.

Processing Time: Varies from 4-8 weeks from the submittal of a completed application. This depends on the date of application submittal. Applications are due according to the current conditional use schedule in order for the CUP Public Hearing to be held on the second Tuesday of the following month. If approved by the Planning Commission, the CUP will be presented to the Board of Commissioners at their next scheduled meeting.

Fees: \$400.00 Application Fee plus \$46.00 for recording fees. This must be submitted with the application.

Required Submittal Information:

- ✓ Completed CUP Application
- ✓ **Last Deed of Record** to prove ownership and proper legal description (**Obtained from Co. Recorder**)
- ✓ Site plan drawn to scale which includes:
 - Dimensions of the property with property corners identified
 - Location and use of all existing buildings including building dimensions
 - Proposed building uses, dimensions, and square footages
 - Existing Driveway and public roads (labeled)
 - Setback distances from:
 - All property lines
 - Center and/or right of way of nearest public road
 - Lake, river, stream, DNR protected area
 - Septic System (if not in compliance, will need a plan from licensed contractor)
 - Well
 - Public and Private Drainage
 - Any new driveways. (does a 911 address need to be applied for)
 - Identify any areas on the property where there will be materials, such as fill, stored on site.
 - These activities are not allowed in the Floodplain (DNR)
 - Additional data requested by the FCZA: _____

Review and Approval Procedures: Applicant must submit completed application with all supporting documentation to the P and Z Administrator.

1. The Administrator will review the documents and will work with the applicant to ensure that all necessary information has been submitted. Staff will draft a report and recommendation and forward it to the Planning Commission to be heard at the next scheduled meeting.
2. Notice of the Public Hearing will be sent to all affected property owners within one-quarter mile or the 10 nearest property owners, the affected township, County Attorney, municipalities within two miles, and DNR.
3. Notice of the Public Hearing will also be published in the official County newspaper (Faribault County Register) 10 working days before the date of the hearing.
4. The Public Hearing will be held by the Planning Commission at it's next scheduled meeting. The applicant, and any other interested party, will be given an opportunity to speak for or against the proposal.
5. The Planning Commission may:
 - a. Recommend approval of the request with such attached conditions as are necessary to ensure proper development of the property and to protect surrounding areas.
 - b. Recommend denial of the request.
 - c. Forward the request without recommendation
 - d. Table the request pending revision or submittal of additional information.
6. The County Board will consider the Recommendation of the Planning Commission and may:
 - a. Conditionally approve the request subject to terms and conditions specified and made conditions of the approval.
 - b. Deny the request
 - c. Refer the request back to the Planning Commission for further review
7. A Certified Copy of the Conditional Use Permit shall be filed with the County Recorder

Conditions can be attached The Planning Commission may make recommendations, including the stipulation of additional conditions or restrictions and guarantees that such conditions or restrictions will be complied with when they are deemed necessary for the development of the property and for the protection of public interest.

Maintenance Fee Is required to be paid by the applicant every 2 years to cover the costs of the county to ensure that the conditions of the permit are being met. If conditions are not being met, or the fee is not paid, the conditional use may be revoked by the county.

IMPORTANT – PLEASE READ

Please answer all of the questions in the Conditional Use Application portion as they pertain to your situation. All of the responses to these questions, information that is obtained from a site visit, and any information received at the public hearing, will be used by the Planning Commission and staff in making their final decision. A complete site plan showing property dimensions and all physical characteristics (structures, septic system, proposed accesses, signs, parking, distances to lot lines, etc.) will also assist the Board of Adjustment and staff in identifying important criteria that may affect your application.

WHEN COMPLETED, PLEASE RETURN APPLICATION AND FEE TO: Sara Hauskins, Planning & Zoning
415 South Grove Street, Suite 8
Blue Earth, Minnesota 56013

If you have any questions, please contact 507-526-2388