



# Conditional Use Permit

PROPERTY INFORMATION	
Property Address	
Parcel ID Number	
OWNER INFORMATION	
Owner Name	
Owner Address	
Owner Phone	
Owner Email	
APPLICANT INFORMATION	
Applicant Name	
Applicant Address	
Applicant Phone	
Applicant Email	

CONDITIONAL USE PERMIT REQUEST

**OWNER'S STATEMENT**

I am the owner of the above described property and I agree to this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the city by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other city approvals that have been granted to me for any matter. (If the owner is a corporation or partnership, a resolution authorizing this action on behalf of the board or partnership must be attached.)

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Signature

Date

**APPLICANT'S STATEMENT**

This application should be processed in my name, and I am the party whom the city should contact about this application. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

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Signature

Date

## SUBMITTAL REQUIREMENTS

City code outlines various items which must be submitted and considered as part of conditional use permit applications. The following items must be submitted for a conditional use permit application to be considered complete. **All plans and written information submitted are public information that may be used in written reports and distributed to the public.**

<b>Application Fee</b>	\$400.00 for home occupations, public buildings, grading permits, accessory apartments, accessory buildings, and transient sales \$800.00 for all other land uses
<b>Legal Description</b>	A full legal description, as documented on property deed or certificate of title must be submitted.
<b>Survey</b>	A Certificate of Survey prepared by a Registered Land Surveyor must be submitted for any conditional use permit application involving construction or earth disturbing activities. The survey must include: legal description, lot dimensions, all platted and recorded easements, natural features (lakes, creeks, floodplain, or wetlands), all existing and proposed structures with dimensions to show size and location, the location of existing and proposed driveways and utility lines, existing two foot contours, grade elevations at lot and building corners, and lowest floor elevations.
<b>Site Plan</b>	In those cases when a registered survey is not required, a site plan is required. The site plan must be drawn with a straight edge and to a standard engineering scale. The site plan must include the following information: <ul style="list-style-type: none"> <li>• north arrow</li> <li>• streets labeled</li> <li>• all lot lines with dimensions</li> <li>• driveway location</li> <li>• all known easements</li> <li>• natural features (lakes, creeks, floodplain, or wetlands)</li> <li>• existing structures, with setbacks from all property lines</li> <li>• proposed additions, with setbacks from property lines</li> <li>• all trees in the area of the addition, both existing and to be removed</li> </ul> Setbacks must be measured perpendicular from the property line to the closest point of the structure.
<b>Grading and Drainage Plan</b>	A grading and drainage plan must be submitted and must include: <ul style="list-style-type: none"> <li>• existing and proposed two-foot contours</li> <li>• location and size of proposed pipes and stormwater treatment areas</li> <li>• associated engineering calculations</li> </ul>
<b>Landscape Plan</b>	A landscape plan must be submitted and must depict and describe all existing and proposed landscaping.
<b>Building Rendering</b>	Building renderings must be submitted and must depict all elevations of the proposed addition and specify building materials.
<b>Floor Plan</b>	A floor plan must be submitted, illustrating existing and proposed floor plan.
<b>Written Statement</b>	A written statement must be submitted and must describe the intended use of the property or proposed structure, and how the request would meet the conditional use permit standards as outlined in city code.
<b>Other Items As Required</b>	City staff may require that additional items be submitted for full review of this application.

### If plans larger than 8.5" by 11" are submitted:

- 15 copies of such plans must be submitted;
- Plans must be folded to a size no greater than 8.5" by 14"

## PROCESS

- At its discretion, the city may require an outside consultant review the proposed application and provide written comment. Such consultants may include: a traffic engineer, telecommunications engineer, water resources engineer, landscape architect, forester, or appraiser. The applicant must provide cash escrow to the city to cover the cost of the review. City staff will notify applicants that such review is required prior to hiring the consultant(s).
- A property owner or their representative completes a conditional use permit application and submits this application with all required documents to the Planning Division.
- The city sends notification to all property owners within at least 400 feet of the property for which the conditional use permit is being requested. These property owners are encouraged to comment on the request through the *MyMinnetonka* function on the city's website *eminnetonka.com*. These owners are further invited to attend a Planning Commission public hearing which is held to consider the request.
- City staff reviews the submitted application and documents and prepares a written report recommending either approval or denial of the conditional use permit request. The written report, which includes all "Neighborhood Feedback" responses, is forwarded to the applicant or their representative and the Planning Commission.
- The Planning Commission holds a public hearing on the conditional use permit request. During the public hearing: (1) staff makes its recommendation; (2) the applicant or their representative have an opportunity to address the commission; (3) area residents are given an opportunity to ask questions and speak for or against the request. Following the public hearing the Planning Commission discusses the request and votes to recommend the City Council approve or deny the request.
- The City Council considers the permit request at a following meeting and votes to approve or deny the proposal.
- By state law, a final decision on a conditional use permit request must be made within 120-days of submittal of a complete application. An applicant may waive this 120-day time limit.

## APPROVAL

- **If a conditional use permit is approved, it is generally approved subject to several conditions; *many of these conditions must be satisfied before a building permit will be issued.***