



Conditional/Interim Use Permit Application

Planning and Zoning Department

37028 County Rd 66, Crosslake, MN 56442

218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Receipt Number: _____ Permit Number: _____

Property Owner(s): _____

Mailing Address: _____

Site Address: _____

Phone Number: _____

E-Mail Address: _____

Parcel Number(s): _____

Legal Description: _____

Sec _____ Twp 137 Rge 26 / 27 / 28

Land Involved: Width: _____ Length: _____ Acres: _____

Lake/River Name: _____

Do you own land adjacent to this parcel(s)? ____ Yes ____ No

If yes, list Parcel Number(s) _____

Authorized Agent: _____

Agent Address: _____

Agent Phone Number: _____

Signature of Property Owner(s) _____ Date _____

Signature of Authorized Agent(s) _____ Date _____

(Check applicable requests)

Residential & Related Uses:

Specify _____

Shoreland District

Rural Residential District (5 A Min.)

Sensitive Shoreland District

Limited Commercial District

Downtown Commercial District

Waterfront Commercial District

Commercial/Light Industrial District

Recreational Uses:

Specify _____

Shoreland District

Rural Residential District (5 A Min.)

Limited Commercial District

Waterfront Commercial District

Commercial/Light Industrial District

Civic, Edu & Institutional Uses:

Specify _____

Shoreland District

Rural Residential District (5 A Min.)

Limited Commercial District

Waterfront Commercial District

Commercial/Light Industrial District

Commercial & Industrial Uses:

Specify _____

Shoreland District

Rural Residential District (5 A Min.)

Sensitive Shoreland District

Limited Commercial District

Downtown Commercial District

Waterfront Commercial District

Commercial/Light Industrial District

- All applications must be accompanied by a site plan
- Fee \$500 for Residential and Commercial Payable to "City of Crosslake"
- No decisions were made on an applicant's request at the DRT meeting. Submittal of an application after DRT does not constitute approval. Approval or denial of applications is determined by the Planning Commission/Board of Adjustment at a public meeting as per Minnesota Statute 462 and the City of Crosslake Land Use Ordinance.

For Office Use:

Application accepted by _____ Date _____ Land Use District _____ Lake Class _____

Septic: Compliance _____ SSTS Design _____ Installation _____



City of Crosslake Planning & Zoning Commission/Board of Adjustment

Conditional/Interim Use Permit Application

Findings of Fact

Supporting/Denying a Conditional/Interim Use Permit Request

Findings shall be made in either recommending approval or denial of a Conditional/Interim Use Permit application, and should reference Chapter 26, Article 7 of the City of Crosslake Ordinance. The following questions are to be considered, but are not limited to:

1. Is the proposed use or development appropriate for the current land use zone?

Yes No

Why?

2. Does the proposed use with conditions conform to the City Comprehensive Plan?

Yes No

Why?

3. Is the proposed use with conditions compatible with the existing neighborhood ?

Yes No

Why?

4. Will the proposed use with conditions be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the city?

Yes No

Why?

5. Will the proposed use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes permitted on that property, nor substantially diminish or impair property values in the immediate vicinity?

Yes No

Why?

6. Will the proposed use impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area?

Yes No

Why?

7. Will the proposed use create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community?

Yes No

Why?

8. Does the conditional use have vehicular approaches to the property which are so designed as not to create traffic congestion or an indifference with traffic on surrounding public thoroughfares?

Yes No

Why?

9. Have adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use?

Yes No

10. Have adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result?

Yes No

Why?

11. Will the proposed conditional use result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.

Yes No

Why?

12. Will the proposed conditional use promote the prevention and control of pollution of the ground and surface waters, including sedimentation and control of nutrients?

Yes No

Why?



AUTHORIZED AGENT FORM

I hereby authorize (print) _____ to act as my authorized agent in dealing with Crosslake to obtain the following:

- _____ Land Use Permit _____ Shoreland Alteration Permit
_____ Septic Permit _____ Subdivision Approval
_____ Public Hearing

For the following property:

Site Address _____

Section # _____ Township #137 Range # 27 28

Parcel Number(s) _____

Recorded Document Number –Contract for Deed (If applicable) _____

Property Owner Signature / Printed Name Date

Property Owner Phone Number

Authorized Agent Phone Number

Authorized Agent's Mailing Address



CONDITIONAL/INTERIM USE PERMIT APPLICATION

Crosslake City Hall
37028 County Road 66, Crosslake, MN 56442
Phone: (218) 692-2689 Fax: (218) 692-2687
Email: crosslakepz@crosslake.net
Website: www.cityofcrosslake.org

Land uses shown as Conditional/Interim Uses in the Land Use Tables in Article 10, shall be allowed only after a Conditional/Interim Use Permit application has been made to and approved by the Planning Commission/Board of Adjustment. An application for a conditional use permit shall be filed with the Department including:

1. A certificate of survey signed by a Registered Land Surveyor licensed in the State of Minnesota, unless the Administrator determines otherwise. A negative determination, signed by the Administrator, shall be made in writing and forwarded to the applicant and the Planning Commission/Board of Adjustment setting forth the facts upon which the determination was made. Required certificates of survey shall indicate information pertinent to the application which may include the following:
 - a. Graphic scale
 - b. North point
 - c. Bearing/coordinate system
 - d. Date of preparation
 - e. Legal description of subject parcel boundary and resulting parcels
 - f. Property boundary with sufficient survey and mathematical data to locate and retrace the boundary
 - g. Location of right of ways, public roads and easements of record
 - h. Structure setbacks including all pertinent dimensions
 - i. Area of parcel(s) in square feet and acres
 - j. Total area of riparian parcel and area above ordinary high water elevation level
 - k. Buildable area of parcel(s)
 - l. Building envelope
 - m. Location, square footage and height of all existing and proposed structures/additions
 - n. Location of all wells (existing and proposed) and septic systems
 - o. Location and size of existing and proposed driveways, roads and easements
 - p. Nonconforming structure setbacks including all pertinent dimensions
 - q. Bluff or steep slopes including all pertinent dimensions and setbacks
 - r. Shoreline and ordinary high water elevation line, if riparian
 - s. Location of delineated wetlands
 - t. Impervious coverage calculations
2. Grading and storm water plans utilizing the current certificate of survey as a base for the subject property depicting the following;
 - a. Existing contours at two (2) foot intervals
 - b. Drainage plan, including the configuration of drainage areas and calculations
 - c. Surface water ponding and treatment areas
 - d. Erosion control measures
3. Include the \$500.00 non-refundable application fee. Make check payable to “City of Crosslake”
4. Locate and mark your property lines or lot corner monuments and stake out or flag the proposed project area(s) so they are clearly visible to the Planning Commission/Board of Adjustment for the on-site.

5. A current certificate of compliance (C.O.C) for your septic system(s) or a septic system design is required. A (C.O.C) is needed for any application not proposing a new sewer structure, altering an existing structure or added bedroom(s) in an existing structure. If your- application proposed any or all of these three listed items, then a new septic system design must be submitted showing room on your lot for a septic system that will meet sizing requirements for the proposed construction. If you apply between Nov. 1 – April 30 and the ground is frozen so a compliance inspection cannot be done then a Septic Compliance/Inspection Agreement must be submitted in lieu of a current (C.O.C).
6. All applicants and/or authorized agents are required to attend a Development Review Team meeting prior to submitting a complete application.
7. When the application and all accompanying plans have been completed, you can mail or deliver the information to the Crosslake Planning and Zoning Office, Crosslake City Hall, 37028 County Road 66, Crosslake, MN 56442. The appropriate fee must accompany all applications. Please make check payable to City of Crosslake.
8. No decisions will be made on an applicant’s request at the DRT meeting. Submittal of an application after DRT does not constitute approval. Approval or denial of application is determined by the Planning Commission/Board of Adjustment at a public meeting as per Minnesota Statute 462 and the City of Crosslake Zoning Ordinance.
9. The Administrator shall have discretion to determine whether an application may be forwarded to the Planning Commission/Board of Adjustment without an accompanying Certificate of Survey. A determination by the Administrator that a Certificate of Survey is not necessary shall be made in writing on a form approved by the City Council for this purpose. The form shall specifically set forth the facts upon which the determination was made, and a copy of said form, signed by the Administrator, shall be forwarded to the City Council and to the Planning Commission/Board of Adjustment.

The applicant or agent hereby makes application for a conditional/interim use permit agreeing to do all such work in accordance with all City of Crosslake Ordinances. Applicant or agent agrees that application, site plan and other attachments submitted herewith are true and accurate. Applicant or agent agrees, that in making application for a conditional/interim use, applicant grants permission to City of Crosslake, at reasonable times to enter applicant’s premises to determine compliance of that application with any applicable county, state or federal ordinances or statues. If any of the information provided by the applicant in his/her application is later found or determined by the City to be inaccurate, the City may revoke the conditional/interim use permit based upon the supply of inaccurate information.

I have fully read and fully understand the above instructions. I hereby swear that all information provided in this application is true and correct.

Signature of owner(s) _____ Date _____

Signature of authorized agent _____ Date _____

Land Use Tables (Sec. 26-281)

The following table establishes the permitted, conditional, and allowed uses within the land use districts of the City. Any uses not listed in these tables are prohibited.

For the purposes of this table:

- “P” means a use requiring a permit
- “PP” means a use requiring a permit with performance standards
- “CU” means a use requiring a conditional use permit
- “I” means an interim use
- “A” means a use that is allowed without a permit but may have performance standards
- “SD” means a shoreland district
- “RR-5” means a rural residential district—5 acre minimum lot size
- “WC” means a waterfront commercial district
- “LC” means a limited commercial district
- “DC” means a downtown commercial district
- “C/LI” means a commercial/light industrial district
- “SS” means a sensitive shoreland district

LAND USE TABLES	SD	RR 5	SS	LC	DC	WC	C/LI
(1) Agricultural Uses							
Farm buildings (barns, silo, hay shed, etc.)	P	P	P	P			
Farmland: Crop growing and harvesting	A	A	A	A			
Farmland: Livestock, poultry use, including related buildings	A	A		A			
Forest land: growth, harvest	A	A	A	A		A	A
(2) Residential and Related Uses							
Accessory structure	P	P	P	P	P	P	P
Auxiliary quarters/cottage	PP	PP	PP	PP	PP	PP	PP
Controlled access lot							
Energy systems assoc. with a principal use (i.e. solar collectors and wind generators under 50KW)* Type of permit depends on wind energy tower height and power output	P/CU*	P		P		P/CU*	P
Garage/Yard Sales (Maximum 3 per calendar year)	A	A	A	A	A	A	A
Group home, detention or correction home (including detoxification center, rehabilitation home, etc.)	CU	CU	CU	CU		CU	
Home business	CU	CU		PP	PP	CU	PP
Home occupation	A	A	A	A	A	A	
Home: assisted living, nursing, supportive care	CU	CU		CU	CU		
Meteorological test station for wind energy conversion systems (WECS)	I	I		I		I	I
Mobile home park or development		CU					
Multi-family dwelling	CU	CU		CU	CU	CU	
Portable or temporary storage	P	P	P	P	P	P	P
Single-family dwelling—24' or wider	P	P	P	P	P	P	CU
Two-family dwelling—duplex	CU	P	P	P	CU	P	
Water-oriented accessory structures	P					P	
(3) Recreational Uses							
Campground, private, or commercial	CU	CU		CU		CU	
Shooting range, fire arms, archery - private		CU		CU			CU

LAND USE TABLES	S D	RR 5	S S	L C	D C	W C	C/ L
(4) Civic, Educational and Institutional Uses							
Athletic field/stadium; arena		CU		CU			
Cemetery	A	A		A			
Church/Synagogue	P	P	P	P	P	P	
Transient Camps, Church Camps	CU	CU				PP	

(5) Commercial and Industrial Uses							
Adult uses							CU
Amusement Park		CU		CU			
Athletic club				PP	PP	PP	
Auto body shop				PP			PP
Auto repair shop, lubrication service station				PP	PP		PP
Bank or financial institution				P	P		PP
Beauty shop, barber shop				PP	PP	PP	PP
Bed and Breakfast Residence	CU	CU	CU	PP	PP	PP	
Bowling Lanes				PP	PP	PP	PP
Breeding and boarding of animals	CU	CU		CU	CU		CU
Bulk liquid storage				CU			PP
Business or professional office space				PP	PP	PP	PP
Car wash				PP	PP		PP
Cement/concrete/redi-mix plant, permanent							P
Commercial greenhouse/nursery		CU		PP			PP
Commercial storage building/storage unit rental		CU		CU	CU	CU	P
Concrete/asphalt plant, portable				I			PP
Construction and contractor services- carpentry, electrical, plumbing, heating, ventilation, mechanical, flooring, insulation, siding, etc				P	P		P
Day care facility	PP	PP		PP	PP	PP	
Demolition Landfill							CU
Dry cleaners				CU	CU		CU
Extractive use, mining, gravel pit, aggregate		CU					CU
Funeral home with crematorium				CU			
Funeral Home without crematorium				PP			
Gas station/convenience store with or without fuel sales	CU	CU		PP	PP	PP	
Golf Course	CU	CU		CU		CU	
Industrial park development							CU
Liquor: On and/or off sale	CU			CU	CU	CU	CU
Lumber yard				PP	PP		PP
Manufacturing: light in general, assembly plant, machine shop, welding shop, packaging plant				CU			PP
Marina						CU	
Medical or dental clinic				PP	PP		PP
Miniature golf	CU	CU		PP	PP	PP	PP
Motel/hotel	CU	CU		CU	CU	CU	CU
Outdoor seasonal sales		CU		PP	PP	PP	PP
Over-the-counter print shop				PP	PP		PP
Portable concrete and asphalt plants				I			P
Private clubs and lodges	CU	CU		PP	PP		PP
Race track: horse, auto, motorcycle, go cart		CU		CU			CU
Recycling collection site		I		I			PP

LAND USE TABLES	S D	RR 5	S S	L C	D C	W C	C/ L
Rental equipment sales and service	CU	CU		PP	PP		PP
Repair shop, equipment				PP	PP		PP
Restaurant	CU	CU		PP	PP	PP	
Retail store				PP	PP	PP	PP
Sawmill		CU		CU			PP
Sign – on site	P	P	P	P	P	P	P
Storage buildings, Commercial	PP	PP		PP		PP	PP
Studio-art, music, photo, decorating, dance				P	P		
Telecommunication tower							CU
Temporary real estate office/model home	P	P		P	P	P	
Theater				PP	PP		PP
Vehicle, boat, recreational equipment sales				PP	PP		PP
Veterinary clinic				CU	CU		PP
Wholesaling and/or warehousing, freight terminal				PP	PP		PP

Sec. 26-186 Public Hearing

The Planning Commission/Board of Adjustment shall hold at least one public hearing on an application for a conditional use permit pursuant to Minnesota Statutes, Chapter 462.357, subd. 3 and its adopted rules of business. The Administrator must submit hearing notices for proposed variances to the Department of Natural Resources sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

Sec. 26-187 Delayed Action

In considering the application for a Conditional Use, the Planning Commission/Board of Adjustment may adjourn the hearing to a future time and defer action or consideration until further information desired from the applicant is submitted. The applicant shall be formally notified of the information needed or reason for tabling the item. The provisions for action on an application shall be in compliance with Minnesota Statutes, Chapter 15.99 and Section 26-74 of this Chapter.

Sec. 26-188 Determination

In considering an application, the Planning Commission/Board of Adjustment shall determine and make findings for approval or denial on:

- (1) The impact of the proposed use on the health, safety, and general welfare of the occupants in the surrounding neighborhood;
- (2) The ability of the proposed use to meet the standards of this Chapter.
- (3) The ability of the proposed use to meet goals and policies adopted within the Crosslake Comprehensive Plan;
- (4) The effect of the proposed use on property values and future development of the land in the surrounding neighborhood;
- (5) The effect of the proposed use on public utility, public services, roads and schools;
- (6) The effects of the proposed use on the environment including its impact on groundwater, surface water and air quality;
- (7) The adequacy of water supply, public sewer or subsurface sewage treatment system facilities, erosion control and stormwater management are provided pursuant to applicable standards;

Sec. 26-189 Conditions May Apply

The Planning Commission/Board of Adjustment, in approving any such application, may impose additional conditions to the granting of the permit that shall fulfill the purposes of this Chapter. Such conditions may include, but are not limited to, the following:

- (1) Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
- (2) Special provisions for the location, use of structures, sewage treatment systems, water craft launching and docking areas, and vehicle parking areas.
- (3) Performance security as prescribed in Section 26-72 of this Chapter.
- (4) Provisions to insure that the conditional use will not be detrimental to the use and enjoyment of the environment or of other properties.
- (5) Buffers between potentially conflicting uses or along shorelines.
- (6) Designated length of time in which work must be completed.

Sec. 26-190 Special Review Criteria for Floodplain Conditional Use Permits

In reviewing Conditional Use applications in Floodplain areas, the Planning Commission/Board of Adjustment shall consider all relevant factors specified in other sections of these standards, and:

- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments.

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- (2) The danger that materials may be swept onto other lands or downstream to the injury of others or they may block bridges, culverts or other hydraulic structures.
- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the facility for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed use.
- (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and Floodplain management program for the City.
- (10) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (11) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
- (12) Such other factors which are relevant to the purposes of these standards.

Sec. 26-191 Conditional Use Permit Decision

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment shall determine if the conditional use requested be approved, denied, or modified. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be forwarded to the applicant. If the conditional use is approved by the Planning Commission/Board of Adjustment, the Department shall cause a copy of the conditional use to be recorded with the land records for the subject property in the Office of the County Recorder. A copy of the final decision granting a conditional use within a shoreland or floodplain area shall be sent to the Commissioner of the Department of Natural Resources within 10 days of final action.

Sec. 26-192 Status of Conditional Use Permit

Any use permitted under the terms of a conditional use permit shall be established and conducted in conformity with the terms and conditions designated in connection with the approval of the permit and all other applicable provisions of this Chapter. A conditional use permit shall remain in effect so long as the conditions agreed upon are observed. Nothing in this Article shall prevent the City Council from enacting this Chapter or any other Chapter or Ordinance to change the status of a conditional use.

Sec. 26-193 Amendments to Conditional Use Permits

Amendments to approved conditional use permits or requests for changes in conditions attached to conditional use permits shall be referred to the Planning Commission/Board of Adjustment and processed in the same manner as new conditional use permits.

Sec. 26-194 Appeals of Planning Commission/Board of Adjustment Decision on Conditional Use Permits

Acting in its capacity as the Planning Commission, all Planning Commission/Board of Adjustment decisions under this Chapter regarding conditional use permits are final. Any aggrieved person or department, board, or commission, County, or Department of the State of Minnesota may appeal such Planning Commission/Board of Adjustment decision by writ of certiorari to the Minnesota Court of Appeals.

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Sec. 26-195 Revocation of Conditional Use Permit

The Planning Commission/Board of Adjustment, subsequent to a public hearing, may revoke a conditional use permit if any conditions imposed as part of granting the conditional use permit request, are violated.

Sec. 26-196 Interim Use Permits

- (1) Applications for interim uses as designated in the land use tables in Section 26-281 shall be processed in the same manner as conditional uses under this Article with the exception that the Planning Commission/Board of Adjustment shall make a recommendation to the City Council. The City Council shall take final action on the interim use application.
- (2) The Planning Commission/Board of Adjustment may recommend approval of an interim use of property to the City Council if:
 - a) the use conforms to the land use district regulations;
 - b) the date or event that will terminate the use can be identified with certainty;
 - c) permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
 - d) the user agrees to any conditions that the governing body deems appropriate for permission of the use.
- (3) Any interim use may be terminated by a change in zoning regulations.