

CITY OF EMILY
INTERIM USE PERMIT APPLICATION

Please read the Conditional Use Permit application in its entirety before submitting the application. Applications must be submitted **30** days before the Planning Commission meeting. The full Land Use Ordinance is available at City Hall and online at emilymn.com

WHAT IS AN INTERIM USE PERMIT?

A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it. The Planning and Zoning Commission must determine if the following requirements are met when reviewing an Interim Use Permit Application:

1. The use or development is an appropriate interim use in the land use zone.
2. The date or event that will terminate the use can be identified with certainty.
3. 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
4. The user agrees to any conditions that the governing body deems appropriate for permission of the use.

The Planning Commission must also consider the following questions when reviewing the Conditional Use Permit Application:

1. The use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
2. The use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
4. The use will 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.
5. Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.
6. 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.
7. The use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
8. The use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

APPLICATION:

- A. Applicant shall complete Industrial Use Permit Application provided by the Zoning Administrator and submit to the Zoning Administrator **30** days prior to scheduling Public Hearing.
- B. Application shall be accompanied by a Site Plan Drawing complete with, as a minimum, the information from the Interim Use Permit Checklist.
- C. Application shall be accompanied by the application fee of \$500, made payable to the City of Emily and a recording fee of \$46.00 made payable to the Crow Wing County Recorder. The recording fee will be returned if the application is denied. **This fee does not cover the Land Use Permit, which must be filed separately, if necessary.**
- D. The Planning Commission holds their monthly meeting on the first Tuesday of the month at 6:00 PM at City Hall. There is no January meeting.

REVIEW:

- A. The Planning and Zoning Administrator shall review the application for completeness and assign a reference number to application, plans, and any other attachments. Applicant shall be notified within ten days if additional information is required to complete the application.
- B. After receipt of a completed Interim Use Permit Application and supporting documents, the Zoning Administrator shall schedule a Public Hearing date on the Planning Commission's agenda for the earliest possible opening. Applicant will be notified by mail or email of the date and time of the Public Hearing.
- C. City Staff will prepare a Staff Report on the application. The Staff Report will be available for public review at City Hall approximately one week prior to the scheduled meeting date.
- D. The City Fee Schedule is based on average processing and review costs for all applications. When costs exceed the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to obtain in reviewing permits. The City may withhold final action on any application and/or hold the release of such permits until all fees are paid.

ACTION:

- A. The Planning Commission shall hold a Public Hearing on the Interim Use Permit Application. **A representative for the application must be present at the public hearing to present the application.**
- B. At the conclusion of the Public Hearing, and after consideration of the testimony presented, the Planning Commission shall make a recommendation on the application. The application can be approved, denied, or tabled in order to gather additional information.
- C. Recommendations of the Planning Commission are then forwarded to the City Council for final decision.

APP # _____
Date _____
Fee _____
Check # _____
(for office use only)

**CITY OF EMILY
INTERIM USE PERMIT APPLICATION**

Name of Applicant _____ Phone _____

Property Address (E911#) _____ Local Phone _____

Mailing Address _____ E-mail _____
(if different than above)

City, State, Zip _____

Applicant is:		Title Holder of Property : <i>(if other than applicant)</i>
Legal Owner	()	_____
Contract Buyer	()	(Name)
Option Holder	()	_____
Agent	()	(Address)
Other _____		_____
		(City, State, Zip)

Property ID # (# on Tax Statement) _____

Zoning District _____, Lake Name (if applicable) _____

What are you proposing for the property? State nature of request in detail:

What changes (if any) are you proposing to make to this site?

Building: _____

Landscaping: _____

Parking/Signs: _____

Signature of Owner, authorizing application (required): _____
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Pursuant to the Emily City Ordinance, the applicant should be prepared at the Public Hearing to discuss the following issues by explaining how the proposed Interim Use will cause no significant adverse effects. Please complete all of the following questions:

(1) The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity. If there is no impact, explain why.

(2) Describe how the use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. How is this proposal consistent with those patterns and uses?

(3) Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Describe if additional facilities will be required.

(4) Describe the impact on the character of the neighborhood in which the property is located.

(5) Will 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? Describe the impact to traffic on roads and highways in the vicinity, and expected traffic generated by this application. Is there adequate parking available to accommodate the proposal?

(6) 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?

(7) The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance and use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients?

(8) Please identify the date or event that will terminate the use can be identified with certainty.

(9) Explain how this use is an appropriate use in the zone.

(10) Explain how this use will not impose additional costs on the public if it is necessary for the public to take the property in the future.

Please Use Additional Sheets if Necessary

INTERIM USE PERMIT APPLICATION CHECKLIST

- _____ Completed application, including signature of property owner
- _____ Fee (\$500 application fee + \$46.00 recording fee)
- _____ Sewer Compliance Inspection Report (if SSTS)
- _____ All current City charges paid
- _____ No outstanding violations
- _____ Site Plan – (on 8-1/2 x 11 paper preferred) as close to scale as possible, with the following information, as a minimum (unless waived by the P&Z Administrator)*:
 - _____ Legal Description of Site (can be located on most property tax statements)
 - _____ Size of parcel and dimensions
 - _____ All existing structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other
 - _____ All proposed structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other
 - _____ Location on the parcel of existing and proposed sewage treatment systems (SSTS) and wells and their distance from property lines, structures and each other
 - _____ Existing and/or proposed square footage of the driveway (gravel and/or paved), access roads, parking, sidewalks
 - _____ Proposed landscaping and screening plans (required)
 - _____ Proposed Drainage Plan (required)
 - _____ Location of the subject property (a copy of the tax map can be used)
 - _____ Name of record owner/title holder of property
 - _____ Approximate location of existing and proposed water courses, wooded areas, and other significant physical features
 - _____ Approximate location of any proposed signs

** Under certain circumstances, the Planning Commission may require a professionally prepared property survey, stormwater management plan, and/or landscaping plan.*

CITY OF EMILY PLANNING AND ZONING OFFICE

CONTACT INFORMATION

Planning and Zoning Administrator: Kayode Adiatu
P. O. Box 68
Emily, MN 56447

Phone: (218) 763-2480 (Emily Office)
(507) 469-5316 (cell)

Fax: (218) 763-2481

Email: zoning@emily.net
kayode.adiatu@sourcewell-mn.gov