

## APPLICATION FOR REQUEST FOR A LAND USE CHANGE PERMIT

### **Application Deadline:**

All required application information and payment of the application fee for a Land Use Change Permit must be received by the deadline identified in the attached schedule.

### **Eligibility:**

Only the following nonconforming uses are eligible for a potential Land Use Change Permit:

- 1 Single-family, two-family, multi-family and townhouse residential, lodging house, fraternity or sorority house, residential facility or temporary shelter facility located in a commercial district.
- 2 Any commercial use in an industrial district.
- 3 Uses permitted in the I1 District, except for solid waste handling facilities, located in a C5 District.
- 4 General, medical and dental office uses in residential districts.
- 5 Music, art, photographic and interior decorating studios in all residential districts and the C1 District.
- 6 Private schools for dance music, physical sciences and similar disciplines located in all residential districts and the C1 District.
- 7 Any residential use in an industrial district.

### **Process Information:**

The Zoning Board of Appeals (ZBA) is required to make a finding of fact based on information provided by the applicant. The applicant must demonstrate that the proposed nonconforming use is of the same nature or is more conforming than the existing nonconforming use; that no structural alterations, extensions, additions, or expansions will be undertaken; and that the relation of the proposed nonconforming use to surrounding property is such that adverse effects on occupants and neighboring property will not be any greater than if the existing/original nonconforming use continued.

Land Use Change Permits shall be judged on the following criteria:

- 1 The use occurs entirely within an existing site.
- 2 The use is not detrimental or injurious to other uses permitted within the district.
- 3 The use is appropriate and consistent with the general welfare of the community and the enjoyment of adjacent property.
- 4 The off-street parking is adequate to serve the use.
- 5 The use is in substantial agreement with the Comprehensive Plan.
- 6 Hardship would result if the use were not allowed to expand.
- 7 Rezoning the property would result in "spot zoning" or zoning inappropriate to surrounding land uses.
- 8 The minimum zoning standards applicable to the zoning in which the nonconforming use is located apply.

### **Withdrawal and Refund Policy:**

- All withdrawal requests must be submitted by the applicant to the Planning and Zoning Department in writing.
- Refund of the application fee may be possible, if the withdrawal request occurs prior to the public hearing. The amount of the refund will depend on where the application is in the review process.

## Application Information Required:

A site plan drawn to scale, showing the following, must accompany the application form (complete with applicant(s) and owner(s) signatures):

- 1 Property lines and dimensions
- 2 Size, location, and use of all buildings
- 3 Parking stalls and drive areas
- 4 Points and widths of ingress and egress
- 5 Recreation and other open space areas
- 6 Facilities and uses of recreation areas
- 7 Landscaping features on the property (sod, seeded grass, trees, including species and size at time of planting, ornamental shrubs and bushes, including species and size at time of planting; flower gardens, landscape rock, patios, sidewalks, and other paved surfaces)
- 8 Property or use-related information as deemed necessary to evaluate the request for a land use change permit

One full-size site plan and one 11" x 17" site plan are required. Planning Office staff may waive submission of the full-size site plan, when appropriate.

## Public Notification:

Public Notice Sign: Article 3, Section 3.3, Paragraph E Posted Notice of the St. Cloud Land Development Code requires the Planning Office provide applicant a public notice sign to post on a property that will be subject to a future land use action. The sign must be placed in a visible location on the subject property at least ten (10) calendar days prior to the date of the public hearing to be conducted by the Zoning Board of Appeals. Sign must be removed by the applicant within 48 hours after the Zoning Board of Appeals public hearing and returned to the Planning Office. Failure to post sign may result in delay of permit processing and postponement of public hearing.

Mailed Notification: Article 3, Section 3.3, Paragraph D Mailed Notice of the St. Cloud Land Development Code requires written notice of the special exceptions permit request be mailed at least ten (10) days prior to the public hearing date. Notice of each public hearing is sent by the Planning Office to all property owners located within five hundred (500) lineal feet of or the nearest twenty (20) property owners to the subject property (whichever is greatest).

Published Notification: Article 3, Section 3.3, Paragraph C Published Notices of the St. Cloud Land Development Code requires a minimum of ten (10) days prior to the public hearing date, the Planning Office will have notice of the public hearing before the Zoning Board of Appeals published in the legal section of the St. Cloud Times.

## Questions / Submit Completed Application To:

Planning & Zoning Department  
City of St. Cloud  
400 South 2<sup>nd</sup> Street  
St. Cloud, MN 56301  
Phone (320) 255-7218  
Fax: (320) 255-7258

or

Email: [Planner@ci.stcloud.mn.us](mailto:Planner@ci.stcloud.mn.us)  
Website: [www.ci.stcloud.mn.us](http://www.ci.stcloud.mn.us)

*The City of St. Cloud's mission is to  
"provide high quality public services for our residents in a  
cost effective, responsive, innovative and professional manner given the  
changing needs and resources available".*

**PLEASE KEEP THIS FOR YOUR INFORMATION**

# APPLICATION FOR REQUEST FOR A LAND USE CHANGE PERMIT

## REQUIRED APPLICATION INFORMATION

**APPLICANT INFORMATION:**

Name(s): \_\_\_\_\_

Address, City, State, and Zip Code: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**PROPERTY OWNER INFORMATION:**

Name(s): \_\_\_\_\_

Address, City, State, and Zip Code: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Street Address of Subject Property \_\_\_\_\_

Applicant's Interest in Subject Property:     Contractual (Attach Evidence)                       Freehold

Complete Legal Description of Subject Property:

\_\_\_\_\_  
\_\_\_\_\_

Total Area (Acres or Square Feet) of Subject Property \_\_\_\_\_

1. State exactly what will be done on the property if the land use change permit is granted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Justification for Request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I HEREBY CERTIFY THAT I HAVE READ, EXAMINED, AND UNDERSTAND THIS APPLICATION AND THAT THE INFORMATION SUBMITTED HEREIN AND ATTACHED HERETO IS TRUE, ACCURATE, AND CORRECTLY STATES MY INTENTIONS.

Applicant Signature(s) \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

Property Owner Signature(s) \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

**STAFF USE ONLY:**

Application Fee Received by \_\_\_\_\_ Date Received \_\_\_\_\_

Authorized under Article \_\_\_\_\_, Section \_\_\_\_\_ of the St. Cloud Land Development Code, which allows the following \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

# ZONING BOARD OF APPEALS

## 2021 Schedule of Meetings

<b>Meeting Date</b>	<b>Submittal Deadline</b> (all materials must be submitted by 4:30 p.m. unless otherwise denoted)
Tuesday, January 19	<b>Monday, January 4</b>
Tuesday, February 16	Friday, January 29
Tuesday, March 16	Friday, February 26
Tuesday, April 20	Friday, April 2
Tuesday, May 18	Friday, April 30
Tuesday, June 15	Friday, May 28
Tuesday, July 20	Friday, July 2
Tuesday, August 17	Friday, July 30
Tuesday, September 21	Friday, September 3
Tuesday, October 19	Friday, October 1
Tuesday, November 16	Friday, October 29
Tuesday, December 21	Friday, December 3