

CONDITIONAL USE PERMIT APPLICATION
For Detached Accessory Structures

Return to:

Department of Community Development
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
(651) 490-4680

Site Identification:

Address: _____

Property Identification: _____

Legal Description: _____

Applicant:

Name: _____

Address: _____

City

State

Zip Code

Telephone Number: _____ (daytime) _____ (home)

Fax Number: _____ E-Mail: _____

Property Owner (if different from applicant):

Name: _____

Address: _____

City

State

Zip Code

Interest in property: _____

(see filing requirement #3)

Signatures:

Applicant: _____ Date: _____

Property Owner: _____ Date: _____

Date Received by City: _____ By Whom: _____

FILING REQUIREMENTS

THE FOLLOWING ITEMS MUST BE SUBMITTED:

1. Completed application form.
2. A written statement describing the intended use of the structure. This statement must explain how the proposed use is consistent with each of the required findings for approval. (refer to review criteria)
3. A currently certified Abstract of Title or an Owner's Duplicate Certificate of Title and copies of all unrecorded documents necessary to establish a legal or equitable interest by the applicant in the property.
4. A complete application(s) for *any other* approvals necessary for the proposed structure.
5. Include *all* necessary drawings and structure dimensions including: scaled building elevation and floor plans, a property line map and site plan showing site dimensions, the location and use of any existing structures on and adjacent to the site, the proposed use, landscaping, screening, parking spaces and drives.
6. **Four** folded and collated copies of the plan sheets on 11"x17" half-scale prints for use by the Planning Commission and City Council. **One** 8 1/2"x11" reproducible print for each required sketch, drawing, or plan.
7. Filing fee of \$250.00 (make checks payable to City of Shoreview). **The filing fee is non-refundable.**
8. A check for \$46.00 (made out to Ramsey County) for each affected property to cover Ramsey County's recording fee. Please provide separate checks for the recording and the filing fees. If the application request is denied, the check for the recording fees will be returned.

FILING REQUIREMENTS continued

CRITERIA FOR REVIEW

The Conditional Use Permit may be granted provided the proposed use is listed as a conditional use for the district in which it is located and upon showing that the standards and criteria of the Development Ordinance will be satisfied in addition to the following:

1. The use is in harmony with the general purposes and intent of the Development Ordinance, specifically that the structure will be used for accessory residential purposes only.
2. The use is in harmony with the policies of the Comprehensive Plan, and will not adversely impact nearby planned uses.
3. The following conditions, as detailed in Sec. 205.082(C)(2) of the Development Ordinance, are met:

- a. On parcels less than 1 acre in size, accessory structures that have an area of 150 square feet to 288 square feet in size are permitted as a conditional use provided the standards in Section 205.082(C)(2)(c) are met.

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- b. On parcels 1 acre or larger in size, accessory structures that exceed the maximum allowable square footage are permitted as a conditional use provided the standards in Section 205.082(C)(2)(c) are met.

- c. Performance Standards

- (1) The accessory structure shall be located in the rear yard of the property except as otherwise permitted by this ordinance.

- (2) The accessory structure shall be setback a minimum of 10 feet from the side property line and 10 feet from the rear property line; however, the City may require greater setbacks to mitigate impacts on adjoining properties.

- (3) For parcels 1 acre or larger in size, the lot shall have a minimum area of 1 acre above the ordinary high water line of a lake, ponding area or wetland on the property.

- (4) The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.

- (5) The structure shall comply with the following standards, as specified in Section 205.082(D)(5) of this ordinance:
 - a) Height of sidewalls cannot exceed 10 feet.
 - b) Maximum height: 18 feet as measured from the highest roof peak to the lowest finished grade; however, in no case shall the height of the accessory structure exceed the height of the dwelling unit
 - c) Storage areas are permitted above the main floor provided they do not exceed an interior height of 6 feet.
 - d) The exterior design and materials shall be compatible with the dwelling unit and be similar in appearance from an aesthetic, building material and architectural standpoint.
 - e) Unfinished metal building exteriors, including corrugated metal siding, untreated non-decay resistant wood, concrete block, cloth, plastic sheeting and other materials that are not compatible with residential neighborhoods are prohibited.
 - f) All accessory buildings shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the surrounding properties and neighborhood.
 - g) All accessory structures shall have a finished flooring system, with the exception of boathouses.
 - h) No accessory structure shall be constructed prior to the construction of a principal structure.
4. The proposed design, scale, massing, height and other aspects related to the accessory structure of any permit requested herein shall be evaluated by the City Manager with respect to the structures and properties in the surrounding area. A building permit may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not reasonably detract from the appearance of the area or city as a whole. Conditions may be attached to the approval of any building permit to ensure that the proposed structure does not have a negative impact on the surrounding areas.

REVIEW PROCESS

Conditional use permit applications require a public hearing and shall be processed in accordance with Sections 203.032 and 203.020 (A) of the City's Development Code.

1. **Public Hearing**. Applications that require review via a public hearing shall be processed after receipt of a complete application that contains all the required submittal information. The City Manager shall refer the application to the Planning Commission and establish a date for hearing of the application. The application shall be heard and acted on by the Planning Commission and City Council in accordance with Minnesota Statute 15.99.
 - a. **Planning Commission**. The Planning Commission shall hold a public hearing, preceded by published and/or mailed notice as required by the terms of Section 203. Upon review of the application in accordance with the requirements of the Development Ordinance, the Planning Commission will forward the application to the City Council with a recommendation of approval or denial and the reasons thereof, or shall table the application for further consideration.
 - b. **City Council**. The City Council may hold a public hearing in lieu of a public hearing by the Planning Commission. Upon receipt of the Planning Commission report, the City Council shall consider the application. The City Council shall, taking into consideration the advice and recommendations of the Planning Commission, table, grant or deny the application in accordance with the requirements of the Development Ordinance.
2. **Notice and Hearing Procedure**. Public hearings shall be preceded by either published notice and/or mailed notice as required by the terms of Section 203.
 - a. **Publication**. Notice of the purpose, time and place of a public hearing shall be published at least 10 days before the date of the hearing in the official newspaper of the City of Shoreview as designated by the City Council. Affidavits of publication shall be made a part of the record of the proceedings.
 - b. **Mailed Notice**. Notice of the purpose, time and place of a public hearing shall be mailed at least 10 days before the date of the hearing to each recorded owner of property within 350 feet of the perimeter of the property, which will be the subject matter of the public hearing. An affidavit containing the names of the property owners and the addresses to which the notices were mailed shall be made a part of the record of the proceedings.
 - c. **Failure to Give Notice**. Failure to give mailed notice, or defects in the notice shall not invalidate the proceedings provided a bona fide attempt has been made to comply with the mailed notice requirement.

REVIEW PROCESS continued

3. Issuance and Conditions. If approved, the City Council may impose conditions and safeguards therein to insure that the proposed use will not be detrimental to the health, safety or general welfare of the community and that the use is in harmony with the general purpose and intent of the Development Ordinance and the Comprehensive Plan. If denied, the City Council shall provide the reasons thereof.
4. Decision. The City Council has the authority to grant or deny the request in accordance with the requirements of the Development Ordinance upon majority vote of its membership, unless otherwise stated in this ordinance.

NOTES

1. An application can not be accepted until each of the filing requirements listed above has been satisfied.
2. The purpose of requiring the data referenced in the filing requirements is to permit the City to thoroughly evaluate your proposal relative to City ordinances and policies. Refusal or inability to provide the requested information may jeopardize scheduling of your request.
3. The City of Shoreview recommends that you discuss your proposal with the adjoining property owners before you submit this application. In so doing, you may reduce the time required by the City to act on your proposal.
4. The applicant and property owner shall be responsible for paying any out-of-pocket administrative, engineering, or legal expense incurred by the City to process this application or to enforce any condition(s) of any resulting approval or permit.

