

SECTION XIII - ADMINISTRATION

Subdivision 1.0 Administrative Responsibility

1.1 County Planning and Zoning Administrator

The provisions of this Ordinance shall be interpreted, administered, and enforced by the County Planning and Zoning Administrator. The County Planning and Zoning Administrator is authorized to take all actions necessary in order to administer this Ordinance, including, but not limited to, determining what materials the County will require on permit applications, as well as extending any timeframes for making decisions on permits that exist under Minn. Stat. §15.99, and any other applicable law. The County Planning and Zoning Administrator is a key figure in the administration of the Yellow Medicine County Comprehensive Plan and Ordinance. He or she has the responsibility to see that all the provisions of the Ordinance are properly and fairly enforced. He or she has no discretion to modify the provisions of this Ordinance, but must enforce the Ordinance according to its literal interpretation.

1.2 Duties

1. Become familiar with and be able to clearly explain the underlying purpose of this Ordinance.
2. Receive and review applications for Land Use Permits and issue Land Use Permits only if such a use conforms with the provisions of this Ordinance.
3. Make inspections to discover violations and check for compliance with the Ordinance. If violations are discovered, an order must be sent to the proper individual(s) that such a use must be discontinued and a description of the provisions in the Ordinance that have been violated must be given.
4. Provide information about the Ordinance upon request.
5. Advise county officials on administrative matters of the Ordinance. When necessary, provide technical assistance to the County Planning Commission, Board of Adjustment and the County Board of Commissioners on the interpretation, implementation and amendments to the Yellow Medicine County Comprehensive Plan and Ordinance.
6. Maintain the Official Ordinance Maps and a record of all procedures regarding the Ordinance.
7. Receive, file and forward all applications for appeals, variances, conditional uses, and amendments to the designated official bodies.
8. Determine if applications comply with the terms of the Ordinance.
9. Recommend appropriate fees for applications, permits, or other matters processed under this Ordinance.
10. Collect fees, as set by resolution of the County Board, for all applications, permits, or other matters covered under the provisions of this Ordinance.
11. Issue all permits required by this Ordinance, and review all permits issued for structures in the unincorporated areas of the County to ensure compliance with the regulations contained in the Ordinance.

12. Institute, with the advice and the consent of the County Attorney, in the name of the County, any appropriate legal actions or proceedings against a violator as provided for in this Ordinance.

Subdivision 2.0 County Planning Commission

2.1 Membership

The Yellow Medicine County Board of Commissioners shall appoint a County Planning Commission that will consist of no fewer than five nor more than eleven members. At least two members shall be residents of the unincorporated areas of Yellow Medicine County and no more than one voting member of the County Planning Commission shall be an officer or employee of the County. State law further provides that no voting member of the County Planning Commission shall have received any substantial portion of his or her income from business operations involving the development of land within the County for urban or urban-related purposes during the two years prior to appointment.

2.2 County Planning Commission By-Laws

The County Planning Commission's By-laws, which were in effect prior to the enactment of this Ordinance, are hereby made a part of this Ordinance.

2.3 Duties

1. Cooperate and work with the County Planning and Zoning Administrator in the preparation of a Comprehensive Plan and its recommendation to the County Board of Commissioners for adoption.
2. Cooperate and work with the County Planning and Zoning Administrator in the recommendations for plan execution (implementation) in the form of a Land Use and Related Resource Management Ordinance and other measures.
3. Cooperate and work with the County Planning and Zoning Administrator in the annual review and update of the Comprehensive Plan and Ordinance.
4. Review and recommend to the Yellow Medicine County Board of Commissioners the issuance or denial of Conditional Use Permits.
5. Conduct public hearings on any proposed amendments to the Comprehensive Plan or Ordinance and applications for Conditional Use Permits. The County Planning Commission will keep an accurate, written record of all public hearings.
6. Recommend to the County Board the approval or denial of subdivisions of land.
7. Review any comprehensive plans, official controls and any plans for public land acquisition and development sent to the County for review purposes by a unit of local government or any state or federal agency. In such cases, the Planning Commission would be required to provide the County Board with a written report.

Subdivision 3.0 Board of Adjustment

3.1 Membership

1. Shall consist of at least three but not more than seven members and be appointed by the County Board.
2. At least one member shall reside in the unincorporated area of Yellow Medicine County and at least one member shall be a member of the County Planning Commission.
3. No elected officer of the County nor any employee of the County Board of Commissioners shall serve as a member of the Board of Adjustment.
4. If the Board of Adjustment consists of only three members, an alternative member shall be appointed by the County Board. The chairperson of the Board of Adjustment shall authorize the alternate member to vote on an issue when a regular member is absent, physically incapacitated, abstains because of a possible conflict of interest, or is prohibited by law from voting on that issue.
5. At least 50% of the Board of Adjustment members shall have three year terms and at least 25% shall have two year terms.

3.2 Duties

1. Authority to order the issuance of Variances.
2. Hear and decide appeals from and review any order, requirement, decision, or determination made by the County Planning and Zoning Administrator. The Board of Adjustment shall keep an accurate, written record of all meetings.

3.3 Appeal Process

The Board of Adjustment shall hear an appeal from any order, requirement, decision, or determination of any administrative official. Any such appeal shall be taken within thirty (30) days after the persons appealing are made aware of, or have notice by any means of the order, requirement, decisions or determination of the administrative official in question. The notice of appeal shall specify grounds for the appeal. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and to the public and decide the same within sixty (60) days after the date of filing the appeal. An appeal stays all proceedings in furtherance of the action appealed from unless the Board of Adjustment to whom the appeal is taken certifies that by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. The Board of Adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and to that end shall have all the powers of the officer from whom the appeal was taken and may direct the issuance of a permit. The reasons for the Board's decision shall be stated in writing.

The notice of the appeal shall state:

1. The particular order, requirement, decision or determination from which the appeal is taken.

2. The name and address of the appellant.
3. The grounds for the appeal.
4. The relief requested by the appellant.
5. All necessary state and federal permits.

Subdivision 4.0 Land Use Permit

A Land Use Permit shall only be issued for those permitted uses identified by the respective Management District in this Ordinance. Land Use Permits shall be secured prior to:

1. The construction of a building, structure, or accessory structure; or the addition of any building, structure, or portion thereof, within the unincorporated areas of Yellow Medicine County.
2. The change of use of a building, accessory structure, or land use; within the unincorporated areas of Yellow Medicine County.
3. The placement of fill or excavation of materials within the General Flood Plain, Shoreland, or Minnesota River Management Districts.

Prior to granting a Land Use Permit, the County Planning and Zoning Administrator shall determine that the applicant has obtained all necessary State and Federal Permits.

Application forms for a Land Use Permit are available at the County Planning and Zoning Administrator's Office. Fees for such permits shall be pursuant to fee schedules as established by the County Board.

By applying for a land use permit, the person so applying understands, agrees and consents to County Planning and Zoning personnel entering onto the premises in question, in a reasonable time and in a reasonable manner, in order to conduct any inspections necessary for purposes of the issuance of the permit.

Subdivision 5.0 Conditional Use Permits

A Conditional Use Permit shall only be permitted for those conditional uses identified by the respective Management District in this Ordinance.

5.1 The process used to obtain a Conditional Use Permit is given below:

1. A person desiring a Conditional Use Permit contacts the County Planning and Zoning Administrator. The County Planning and Zoning Administrator provides that person with an application form for a Conditional Use Permit.
2. The application form for a Conditional Use Permit is filled out by the person and returned to the County Planning and Zoning Administrator, along with the appropriate

- fees, for review and comment. In regard to a subdivider who proposes to subdivide land within the Urban Expansion Management District, a preliminary and final plat and the design standards of the proposed subdivision shall accompany the application.
3. The County Planning and Zoning Administrator refers the application for a Conditional Use Permit to the County Planning Commission. The County Planning Commission schedules a public hearing and notifies the applicant, adjacent property owners and affected local units of government (eg., townships that the proposed project is located in and the municipality which is located within two miles of the proposed project) of the time, place and purpose of public hearing. Notice will also be given in the official newspaper of the County and the newspapers of municipalities located within the general vicinity of the proposed project.
 4. The Public hearing shall be opened at the time advertised in the notice. The Planning Commission asks that the following rules be observed:
 - a. The appellant will state his/her case fully and furnish the Planning Commission with pertinent information concerning the property.
 - b. Those who favor the proposed change, will be heard first, and those opposed will be heard last.
 - c. Each person making a statement will be asked to state his or her name and address.
 - d. Testimony should be as factual as possible.
 - e. The Planning Commission reserves the right to question any speaker.
 - f. All statements or questions shall be directed to the chair.
 5. Prior to recommending approval or disapproval for a Conditional Use Permit, the County Planning Commission must be sure that the proposed development and/or use meets the following:
 - a. Be expressly identified in the Ordinance.
 - b. Conform to the conditions enumerated in the Ordinance.
 - c. Not be injurious to the use and enjoyment of the uses already permitted in the area.
 - d. Not impede the normal and orderly development and improvement of the surrounding vacant property.
 - e. Have or will have adequate utilities, access roads, drainage, and other necessary facilities.
 - f. Assure that adequate measures will be taken to prevent offensive odor, fumes, dust and noise so that none of these will constitute a nuisance.
 - g. Prior to recommending approval or disapproval of a Conditional Use Permit to the County Board, the County Planning and Zoning Administrator and Planning Commission shall determine that the applicant has obtained all necessary State and Federal permits.
 6. A copy of all notices of any public hearing, or where a public hearing is not required, a copy of the application to consider issuance of a Conditional Use Permit in the Minnesota River, Shoreland, and Flood Plain Management Districts shall be sent so as to be received by the Commissioner of Natural Resources at least ten (10) days prior to such hearings or meeting to consider issuance of a Conditional Use Permit. A copy of the

decision shall be forwarded to the Commissioner of Natural Resources within ten (10) days of such action.

5.2 Procedures for Evaluating Proposed Conditional Uses within the General Flood Plain District.

1. Upon receipt of an application for a Conditional Use Permit for a use within the General Flood Plain District, the applicant shall be required to furnish as much of the following information as is deemed necessary by the County Planning Commission for the determination of the Regulatory Flood Protection Elevation and whether the proposed use is within the floodway or flood fringe.
 - a. A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high water information.
 - b. Plan (surface view) showing elevation or contours of the ground; pertinent structure, fill, or storage elevations; size, location, and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets; photographs showing existing land uses and vegetation upstream and downstream; and soil type.
 - c. Profile showing the slope of the bottom of the channel or flow line of the stream for at least 500 feet in either direction from the proposed development.
2. One copy of the above information shall be transmitted to a designated engineer or other expert person or agency for technical assistance in determining whether the proposed use is in the floodway or flood fringe and to determine the Regulatory Flood Protection Elevation. Procedures consistent with Minnesota Regulations NR 86- 87 shall be followed in this expert evaluation. The designated engineer or expert shall:
 - a. Estimate the peak discharge of the regional flood.
 - b. Calculate the water surface profile of the regional flood based upon a hydraulic analysis of the stream channel and overbank areas.
 - c. Compute the floodway necessary to convey the regional flood without increasing flood stages more than 0.5 feet. An equal degree of encroachment on both sides of the stream within the reach shall be assumed in computing floodway boundaries.
3. Based upon the technical evaluation of the designated engineer or expert, the County Planning Commission shall determine whether the proposed use is in the floodway or flood fringe and the Regulatory Flood Protection Elevation at the site.

5.3 Procedures for evaluating proposed conditional uses within all floodplain districts:

1. Require the applicant to furnish such of the following information and additional information as deemed necessary by the County Planning Commission for determining the suitability of the particular site for the proposed use:
 - a. Plans in triplicate drawn to scale showing the nature, location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of

materials, flood-proofing measures, and the relationship of the above to the location of the stream channel .

- b. Specifications for building construction and materials flood-proofing, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities.
2. Transmit one copy of the information described in Subsection (1) to a designated engineer or other expert person or agency for technical assistance, where necessary, in evaluating the proposed project in relation to flood heights and velocities, the seriousness of flood damage to the use, the adequacy of the plans for protection, and other technical matters.
3. Based upon the technical evaluation of the designated engineer or expert, the County Planning Commission shall determine the specific flood hazard at the site and evaluate the suitability of the proposed use in relation to the flood hazard.
4. Flood proofing measures in accordance with Section 209 through 1406 of the 1972 edition of "Flood-Proofing Regulations" (FPR), as developed by the Office of the Chief of Engineers, U.S. Army, Washington, D.C., a copy of which is hereby incorporated by reference and declared to be a part of this ordinance. Where definitions of terms as set forth in Section 301 of FPR conflict in meaning with the definitions of terms set forth in this Ordinance, the latter shall prevail. The applicant shall be required to submit a plan or document certified by a registered professional engineer or architect that the flood-proofing measures are consistent with the Regulatory Flood Protection Elevation and associated flood factors for the particular area.
5. Factors upon which the decision of the County Planning Commission shall be based. In passing upon Conditional Use applications, the County Planning Commission shall consider all relevant factors specified in other sections of this Ordinance, and
 - a. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 - b. The danger that materials may be swept onto other lands or downstream to the injury of others.
 - c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
 - d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - e. The importance of the services provided by the proposed facility to the community.
 - f. The requirements of the facility for a water front location.
 - g. The availability of alternative locations not subject to flooding for the proposed use.
 - h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - i. The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.
 - j. The safety of access to the property in times of flood for ordinary and emergency

vehicles.

- k. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
- l. Such other factors which are relevant to the purposes of this Ordinance.

5.4 Approval, Disapproval or Modification.

1. Based upon the testimonies at the public hearing and the possible effect the proposed use will have on the Yellow Medicine County Comprehensive Plan and the development of the area, the County Planning Commission will recommend to the County Board to either approve or disapprove the Conditional Use Permit.
2. If granted, a certified copy of a Conditional Use Permit will be filed with the County Register of Deeds.
3. A conditional use permit shall expire and be considered null and void five years after it has been issued if no construction has begun or if the use permitted by the conditional use permit has not been established.
4. Any false or misleading information provided by the applicant/proposer in the application materials or during a public hearing for a Conditional Use Permit shall be just cause for automatic revocation of any approved conditional use permit. Upon satisfactory amendments to their proposal, the applicant may reapply after 90 days of the revocation.
5. No application for a conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months, except on the grounds of new evidence or substantial changes to the application.

Subdivision 6.0 Variances

A variance is the modification or variation of the zoning regulations where it is determined that, by reason of exceptional circumstances, the strict enforcement of the zoning regulations would cause undue hardship. The process an individual must use in obtaining a Variance is outlined below:

1. A person desiring a Variance contacts the County Planning and Zoning Administrator. The County Planning and Zoning Administrator provides that person with an application form for a Variance.
2. A public notice that a specific Variance will be considered at the next regular scheduled meeting of the Board of Adjustment is placed in a newspaper of general circulation in any affected township or municipality and the official newspaper of the County at least 10 days before the public hearing. The Board of Adjustment schedules a public hearing and notifies the applicant and affected local units of government (e.g., townships that the proposed project is located in and the municipality which is located within two miles of the proposed project) of the time, place, and purpose of public hearing.
3. Prior to granting a Variance, the County Planning and Zoning Administrator shall determine that the applicant has obtained all necessary State and Federal Permits. In regards to a proposed Variance within the Minnesota River Management District, the

- Commissioner of the Minnesota Department of Natural Resources shall be notified of the proposed variance at least ten (10) days prior to its being approved or disapproved.
4. The appellant or person who appeals the Ordinance is notified of the time and place of the public hearing. Notice of the public hearing and Variance is sent to all property owners of record 500 feet of the affected property or to the ten properties nearest to the affected property, whichever would provide notice to the greatest number of owners. Notice must also be sent to the affected board of town supervisors and the municipal council of any municipality within two miles of the affected property.
 5. The Board shall submit by mail to the Commissioner of Natural Resources copies of applications for proposed Variances in the Flood Plain Management and Shoreland Management Districts sufficiently in advance so that the Commissioner will receive at least ten days notice of the hearing. A copy of all decisions granting Variances shall be forwarded by mail to the Commissioner of Natural Resources within ten (10) days of such action.
 6. No variance in the Flood Plain Management Districts shall permit a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area, or permit standards lower than those required by State law.
 7. The public hearing shall be opened at the time advertised in the notice. The Board of Adjustment asks that the following rules be observed:
 - a. The appellant will state his/her case fully and furnish the Board of Adjustment with pertinent information concerning the property.
 - b. Those who favor the proposed change, will be heard first, and those opposed will be heard last.
 - c. Each person making a statement will be asked to state his or her name and address.
 - d. Testimony should be as factual as possible.
 - e. The Board of Adjustment reserves the right to question any speaker.
 - f. All statements or questions shall be directed to the chair.
 8. The decision to approve or disapprove the granting of a Variance may or may not be made during the public hearing, whereas, members of the Board of Adjustment will be given an opportunity to weigh the statements made. The Board of Adjustment will reach a decision no later than thirty (30) days from the date of the public hearing.
 9. Variances may be granted when it is determined that there are practical difficulties in complying with the official control. Variances shall only be permitted when they are in harmony with the general purposes and intent of the Land Use Ordinance and when they are consistent with the Comprehensive Plan.
 10. A Variance may be granted only where the strict enforcement of County zoning controls will result in “practical difficulties”. A determination that a “practical difficulty” exists is based upon the consideration of the following criteria:
 - a. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
 - b. Is the need for a Variance due to circumstances unique to the property and not created by the property owner?
 - c. Will the Variance maintain the essential character of the locality?

- d. Does the need for a Variance involve more than economic considerations?
11. The Board of Adjustment will evaluate the facts according to the criteria set forth in this subdivision in deciding whether to approve or deny a Variance application.
 12. Where, in the opinion of the Board of Adjustment, a Variance may result in an adverse effect on the environment, the applicant may be requested by the Board of Adjustment to demonstrate the nature and extent of that effect.
 13. It is the responsibility of the applicant to present facts to the Board of Adjustment sufficient to prove that the criteria for the approval of a Variance have been satisfied.
 14. The Board of Adjustment may impose conditions in the granting of Variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the Variance.
 15. In exercising its power under this subdivision, the Board of Adjustment shall take into consideration the affected town board's recommendations when making its decision.
 16. A variance shall expire and be considered null and void one year after the Board of Adjustment's final decision to grant the Variance if the use or construction for which the Variance was granted has not begun. For the purposes of this subdivision, construction shall include significant site preparation work including land clearing, excavation, and the installation of utilities necessary for the placement, assembly, or installation of facilities or equipment, the installation of footings, slab, foundation, posts, walls, or other portions of a building. One administrative extension of up to one year may be granted by the Zoning Administrator upon written request of the property owner, no less than 30 days prior to expiration of the Variance, provided there is reasonable cause found for granting the extension.
 17. No Variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.
 18. A certified copy of the order issued by the Board of Adjustment must be filed with the Register of Deeds. The order must include the legal description of the property involved.
 19. All decisions by the Board of Adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any aggrieved person or persons, or any department, board or commission of the jurisdiction or of the state shall have the right to appeal within thirty (30) days, after receipt of notice of the decision to the district court in the county in which the land is located on questions of law and fact.
 20. Any false or misleading information provided by the applicant/proposer in the application materials or during a public hearing for a Variance shall be just cause for automatic revocation of any approved variance. Upon satisfactory amendments to their proposal, the applicant may reapply after 90 days of the revocation.
 21. No application for a variance which has been denied wholly or in part shall be resubmitted for a period of six months, except on the grounds of new evidence or substantial changes to the application.

Subdivision 7.0 Fees

The fees for a land use permit, rezoning, variance, amendment, conditional use permit, or subdivision shall be established by the County Board of Commissioners. The Board may review and revise the fee schedule periodically. Any person filing a request for an amendment to this Ordinance requesting a variance or a change in regulations within any use district shall pay the prescribed fees according to the schedule established by the Board before any work proposed may commence. The fee is payable at the time of filing and is not refundable.

Subdivision 8.0 Amendments

1. Proceeding for Amendment of this Ordinance shall be initiated by:
 - a. A petition of the owner or owners of the actual property;
 - b. A recommendation of the County Planning Commission;
 - c. Or by action of the Board of County Commissioners.
3. The procedures for an Amendment shall be as follows: The County Board may amend the procedures, standards, requirements, and other provisions of this Ordinance, upon recommendation of the County Planning Commission. The County Planning Commission shall hold a public hearing on the proposed amendment prior to recommending action to the County Board.
4. Amendment in the Minnesota River, Shoreland, and Flood Plain Management Districts must first be approved by the Commissioner or the Department of Natural Resources prior to adoption.
5. An amendment not initiated by the Planning Commission shall be referred to the Planning Commission, if there is one, for study and report and may not be acted upon by the Board until it has received the recommendation of the Planning Commission.
6. A proposed amendment may not be acted upon by the governing body until it has received the recommendation of the Planning Commission or until 60 days have elapsed from the date of an amendment proposed by the governing body has been submitted to the Planning Commission.

When amending the Ordinance, refer to Minnesota Statutes 375.51, M.S. 394.25, and M.S. 394.26 (Amendments 4/83)

Subdivision 9.0 Violations. Penalties. and Enforcement

1. Violations. Any person who violates any provision of this Ordinance, including the failure to comply with stipulations or conditions of a conditional use permit, a variance, land use permit or plat, shall be guilty of a misdemeanor. Each day that the violation continues to exist shall constitute a separate punishable offense. Any such person responsible for such violation may be charged with an offense by the Yellow Medicine County Attorney's office, which may seek all penalties allowed by law, including the costs of prosecution.

2. Who may be liable for Violations. A person in violation of this Ordinance may include the owner of the property upon which the violation takes place, the occupant of the property upon which the violation takes place, or any person who encourages, arranges, directs or performs any work that constitutes a violation of this ordinance.
3. Civil Remedies. In addition to any possible criminal penalties imposed for a violation of this ordinance, Yellow Medicine County reserves the right to enforce this ordinance through all civil legal actions and forms of relief allowed by law. This includes, but is not limited to, actions to seek or obtain civil penalties, injunctions, or any other forms of relief in order to abate or compensate for any violations, including all costs and attorneys fees incurred in connection with such civil legal action brought by the County.
4. Additional Remedies. The penalties and provisions set forth herein are in addition to and supplemental to any other provisions authorized by this ordinance or by other law, and shall not be considered to exclude any other remedies allowed by law. In addition, the use of one form of action or remedy by the County in response to a violation does not preclude the County from seeking any additional remedy or form of action for the same violation, to the extent such action is allowed by law.
5. Threatened Violations. In the event of a violation or threatened violation of any provision of this Ordinance, or of a stipulation or condition of any permit issued pursuant to this ordinance, in addition to any other remedies, the County may institute appropriate action in Court to prevent, restrain, correct, or abate such violations or threatened violations, and may recover all costs of doing so, including all attorneys fees incurred by the County.

PLEASE NOTE: The following flow-charts illustrate the procedures a person must follow in order to obtain a permitted or conditional use permit, a variance, or an amendment to the Ordinance. These procedures are described in more detail by Section XIII. It

is extremely important that an applicant first notify the County Planning and Zoning Administrator in all instances as illustrated by the flow-charts.

Procedures for a Permitted Use

Step 1 - Applicant submits application
for a Permitted Use

County Planning and Zoning
Administrator

Step 2 - Reviews contents of
application in relation to the
County's Comprehensive
Plan and Ordinance.

Step 3 - Based upon its relationship
with the Plan and
Ordinance, the application
is either approved or
disapproved and notice is
sent to:

Applicant:

Step 4 - If the application is denied,
the applicant may appeal to the
Board of Adjustment.

Procedures for a Conditional Use

Step 1

Applicant submits application
for a Conditional Use to:

County Planning and Zoning Administrator

Step 2 - Reviews contents of application
in relation to the County's
Comprehensive Plan and Ordinance.

Step 3 - Presents the application and findings
relative to the Plan and Ordinance
to:

County Planning Commission

Step 4 - Conducts a Public Hearing on the
proposed application

Step 5 - Based upon its findings the
Commission may recommend the
proposed amendment and notifies:

County Board of Commissioners

Step 6 - The Board either accepts or rejects
the recommendation made by the
Commission and notifies; County
Attorney, Planning Commission,
Register of Deeds, Applicant

Procedures for a Variance

Step 1

Applicant submits application
for a Variance to:

County Planning and Zoning Administrator

Step 2 - Reviews contents of application in
relation to the County's
Comprehensive Plan and Ordinance.

Step 3 - Presents the application and findings
relative to the Plan and Ordinance
to:

Board of Adjustment

Step 4 - Conducts a Public Hearing on the
proposed application

Step 5 - Based upon its findings, the Board of
Adjustment either approves or
disapproves the application and
notifies: Planning Commission,
County Board, Register of Deeds,
Applicant

Procedures for an Amendment

Step 1

Request for an Amendment of
the Plan and/or Ordinance
is received by:

County Planning and Zoning Administrator

Step 2 - Reviews proposed Amendment
relative to the County's
Comprehensive Plan and Ordinance.

Step 3 - Presents the Amendment to:
County Planning Commission

Step 4 - Conducts a Public Hearing on the
Proposed Amendment

Step 5 - Based upon its findings, the
Commission may recommend the
proposed Amendment and notifies:

County Board

Step 6 - The Board either accepts or rejects
the recommendation made by the
Commission and notifies: Register
of Deeds, County Attorney, County
Planning Commission