

CDNR Case File No. \_\_\_\_\_  
Property Identification No. \_\_\_\_\_



**City of Prior Lake  
APPLICATION FOR APPEAL OF  
A PLANNING COMMISSION DECISION  
TO THE CITY COUNCIL**

| <b>Requested Action</b> | <b>Brief description of proposed appeal</b><br>(Please describe the reason for the appeal. Attach additional sheets if necessary). |
|-------------------------|--|
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| <b>Applicant:</b> _____  |
| <b>Address:</b> _____  |
| <b>Telephone:</b> _____ <b>(home)</b> _____ <b>(work)</b> _____ <b>(fax)</b> _____ |

|   |
|---|
| <b>Legal Description of Property</b> (Attach additional sheets if necessary): |
|   |
|   |

**To the best of my knowledge the information provided in this application and other material submitted is correct. In addition, I have read the relevant sections of the Prior Lake Ordinance and procedural guidelines, and understand that applications will not be processed until deemed complete by City Staff.**

|                              |             |
|------------------------------|-------------|
| <b>Applicant's Signature</b> | <b>Date</b> |
|------------------------------|-------------|

# PROCEDURE FOR AN APPLICATION TO APPEAL A DECISION OF THE PLANNING COMMISSION TO THE CITY COUNCIL

**Overview:** When a person objects to the decision of the Planning Commission/Board of Adjustment in cases of Variances and Conditional Use Permits, an appeal to the City Council is required. Specific requirements apply to who can apply for appeals. Section 1109.400 of the Code (see below) sets forth the procedure and requirements for the review of appeal requests. The Code is available for review or purchase from the City's Community Development Department.

**Appeal:** The decision of the Planning Commission/Board of Adjustment may be appealed to the City Council by submitting a letter to the City requesting an appeal within 5 business days of the Planning Commission/Board of Adjustment public hearing. The applicant, property owner or any affected owner or property within 350 feet of the site may appeal the decision of the Planning Commission/Board of Adjustment. Appeals are considered by the City Council following a public hearing before the Council. Upon receipt of an appeal, the Community Development Staff will schedule a public hearing, publish notice of the hearing in the *Prior Lake American*, and notify owners of property within 350 feet of the site.

Applicants are invited to use the overhead projector provided, and the exhibits prepared by City Staff. Any additional exhibits submitted by the applicant (at the hearing or prior to the hearing) such as photographs, petitions, etc. must be entered into the public record and submitted to the Community Development Department for the file.

**1109.400:** *APPEAL TO THE CITY COUNCIL. Any owner of affected property or any owner of property situated wholly or partly within 350 feet of the affected property or any officer or department representative of the City may appeal the decision of the Board of Adjustment to the City Council. The appeal must be in writing and must be filed with the Zoning Administrator within 5 business days after the date of the Board of Adjustment decision. The required fee shall be paid when the appeal request is filed. When an appeal is received by the City, the applicant will be notified of the date and time the City Council will hear the appeal. No appeal will be heard until all owners of property within 350 feet of the subject property are notified of the date scheduled for the appeal hearing. Notice shall be provided in the manner set out in subsection 1109.200. The City Council shall hear the appeal within 30 days of the filing of the appeal unless that period is extended with consent of the appellant. The City Council may uphold the decision of the Planning Commission, or where applicable, acting as the Board of Adjustment, may affirm the decision of the Planning Commission or Board of Adjustment. The City Council may reverse a decision of the Board of Adjustment by an affirmative vote of the majority of its full membership. The City Council shall render a decision within 30 days of the conclusion of the appeal hearing.*

## APPLICATION INSTRUCTIONS

*No application will be considered until all required information is submitted. The following information, along with the attached checklist, is required for a complete application. The City also reserves the right to request additional information when needed to review an application.*

- **Application Fee:** Check payable to the “City of Prior Lake”. The filing fee is \$75.00.
- **Signed Application:** A completed application form signed by the applicant with rationale for the appeal request.
- **Application Checklist:** The attached checklist identifies the necessary information. *Failure to provide any of the required information will result in an incomplete application.* The Application Checklist will expedite the review of your application. **Attach the checklist with the application materials.**

## APPEAL APPLICATION CHECKLIST

**PROPERTY ADDRESS:** \_\_\_\_\_  
**APPLICANT:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

|                       |
|-----------------------|
| <b>FILE NUMBER</b>    |
| <b>DATE SUBMITTED</b> |
| <b>REVIEWED BY</b>    |

For City Use Only

| <b>REQUIRED INFORMATION</b>  | <b>LOCATION</b>  | <b>VERIFIED (for City use only)</b>                                 |
|--|--|---|
| The following data is required as part of appeal application according to the City of Prior Lake Zoning Ordinance.   | Indicate where this information is provided in the application materials such as sheet #, narrative, or other attached report. | Reviewed by city staff to ensure required materials were submitted. |
| <b>Application (Zoning Ordinance 1109.400)</b>   |  |   |
| 1. A complete Application Form, signed by the applicant  |  |   |
| 2. A radius map and a list and 2 sets of labels of the names and addresses of the owners of property located within 350' of the subject site. These shall be obtained from and certified by an abstract company. |  |   |
| 3. The required filing fee of \$75.00.   |  |   |
| 4. A narrative and any necessary material that states and supports the rationale for the appeal.   |  |   |