

FINDINGS OF FACT

Conditional Use Permits:

In considering the granting of any conditional use permit throughout the Greater Bemidji Area, the Planning Commission shall evaluate the effect of the proposed use upon the maintenance of the public health, safety and welfare; location and compatibility. In considering the granting of any conditional use permit in shoreland areas, the Planning Commission shall also evaluate the effect of the proposed use. Upon consideration of the factors listed above, the Planning Commission may attach such reasonable conditions, in addition to those required elsewhere in this Ordinance, which it deems necessary for the furtherance of the purposes set forth in this Ordinance.

- 1. Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of surrounding land;**
- 2. Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land;**
- 3. Whether the proposed use adversely affects property in the surrounding area;**
- 4. Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan; and,**
- 5. Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**

Variances

Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any official control, and when the terms of the variance are consistent with the Greater Bemidji Area Land Use Plan.

- 1. Has the applicant demonstrated a practical difficulty?**
- 2. Are there exceptional circumstances, unique to this property, which have not been created by the land owner?**
- 3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?**
- 4. Can the variance be granted without altering the essential character of the surrounding area?**

Amendments; Text or Zoning District

Findings Required for Amendments to Text:

When a proposed amendment would result in a change in the text of this chapter but would not result in a change of zoning classification of any specific property, the recommendation of the planning Commission shall contain a statement as to the nature and effect of such proposed amendment and findings as to the following:

- 1. Whether such change is consistent with the interest and purpose of this Ordinance;**
- 2. The areas which are most likely to be directly affected by such change and in what way they will be affected; and,**
- 3. Whether the proposed amendment is made necessary because of change or changing conditions in the areas and zoning districts affected and, if so, the nature of such changed or changing conditions**

Findings Required for Amendments to Change Zoning Districts:

When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission shall contain statements as to the present classification, the classification under the proposed amendment, and the reason for seeking such reclassification, and findings as to the following:

- 1. Whether the change in classification would be consistent with the intent and purpose of this Ordinance;**
- 2. Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity;**
- 3. Whether adequate sewer and water facilities, and all other needed public services, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified;**
- 4. Whether the proposed amendment would correct an error in the application of this Ordinance; and,**
- 5. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.**