

SECTION 17 - ZONING PERMITS AND UTILITY PERMITS

Subdivision 1. Zoning Permit.

1. Permit Required. A permit issued by the Zoning Administrator in conformity with the provisions of this Ordinance shall be secured prior to the erection, addition, or alteration of any building, structure, or portion thereof; prior to the use or change of use of a building, structure or land; prior to the placement of fill, excavation of materials, or the storage of materials or equipment within the flood plain.
2. Application for Permit. Application for a Permit shall be made in duplicate to the Zoning Administrator on forms furnished by the Zoning Administrator and shall include the following:
 - a. State and/or federal permits, if applicable, and/or township zoning permits, if applicable.
 - b. A sketch plan showing dimensions, sizes and location of existing and proposed structures, containing setback distances and reference to specific reference points. Existing or proposed fill or storage of materials, and the location in relation to any stream channel shall be shown, if applicable. If there is an existing plat and/or survey, the plan must be submitted on a copy of said plat or survey.
 - c. A site survey completed by a licensed surveyor, containing the same information, may be submitted in lieu of the sketch plan.
 - d. For any proposed structure, the applicant must set stakes at the structure corner at the time of application, unless the Zoning Administrator waives this requirement. The Zoning Administrator may conduct compliance inspections as deemed necessary.
3. State, Federal and Township Permits. All State and Federal permits, and Township zoning permits shall be obtained by the applicant before making application to the Zoning Administrator.
4. Certificate of Zoning Compliance for animal feedlots are covered in that section.
5. Construction and Use to be as provided on Applications, Plans, Permits, Variances and Certificates of Zoning Compliance. Zoning permits, Conditional Use Permits, or Certificates of Zoning Compliances issued on the basis of approved plans and applications authorize only the use, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance, and punishable as provided by SECTION 21 of this Ordinance.
6. Permit Time Length. A zoning permit shall be substantially implemented within two years of the date of issuance or reapplication will be required.
7. Certification. The applicant shall be required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this ordinance. Flood-proofing measures shall be certified by a registered professional engineer or registered architect.
8. Record of First Floor Elevation. The Zoning Administrator shall maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the flood plain. The Zoning Administrator shall also maintain a record of the elevation to which structures or alterations and additions to structures are flood-proofed.

Subdivision 2. Utility Permits.

1. Before any underground or aboveground utility, such as power lines, telephone lines, sanitary or storm sewer lines, water lines, gas lines, fire lines, etc., is installed in any County highway, County State Aid highway, or Town roads a permit shall be obtained from the Town Engineer. The application for the new utility permit shall be accompanied by such plans, drawings and as-built drawings as deemed necessary by the Town Engineer.
2. Where such utility lines are along Highways and roads, such utility lines may be required to be built in the right-of-way.
3. Except that such utility permits shall not be required to maintain, reconstruct, or relocate existing lines or maintain pole line anchors where the general line established in the original permits is maintained, or such line is in existence at the time of the adoption of this Ordinance.
4. Public utility buildings not customarily considered industrial in use, as well as electric substations and similar utility structures, are permitted in the Limited Industrial District and may be constructed in all other districts, except any Special Protection Shorelands District, if a Conditional Use Permit is granted under SECTION 15. However, no such facilities shall be constructed within fifty (50) feet of any line of an abutting lot in any RESIDENCE DISTRICT.
5. Since transmission services, i.e., utility service such as high voltage (35 KV or greater) electrical power or bulk gas or fuel being transferred from station to station and not intended for in-route consumption, may have an effect on Town land uses, the owner of the proposed services shall, prior to any condemnation or construction, comply with the following:
 - a. The owner shall file with the Zoning Administrator such maps indicating the location, alignment, and type of service proposed as shall be requested.
 - b. Maps and accompanying data on location and alignment of the transmission services shall be submitted to the Town Planning and Zoning Commission for review and recommendations regarding the relationship between the proposed transmission services and the Town land uses along the proposed route.
 - c. Following such review, the Town Planning and Zoning Commission shall make a report of its findings and recommendations on the proposed transmission services and shall file such report with the Town Board.
 - d. Upon receipt of the report of the Town Planning and Zoning Commission, the Town Board shall consider the maps and accompanying data and shall either approve the proposed route or make modifications considered desirable under this Ordinance. The Board shall transmit to the owner in writing any modifications and the reason for such modifications. The owner shall not construct any service along any route not approved by the Town.
 - e. No filing shall be necessary to maintain, reconstruct, or relocate existing lines or facilities where the general line and confirmation thereof remain essentially the same. Recognizing a need for timely and adequate service by owners of transmission services, the Town shall act upon any filing within forty-five (45) days of receipt by the Zoning Administrator. Failure to act within such time shall constitute approval.

Subdivision 3. Deadlines for Town Action Regarding Applications for Variances, Amendments, Rezoning, and Appeals.

The Town shall comply in all respects with Minnesota Statutes, section 15.99.